



BOARD OF COMMISSIONERS
HILARY COOPER KRIS HOLSTROM LANCE WARING

REGULAR MEETING AGENDA

Wednesday, August 7, 2019

333 W Colorado Ave, 2nd Floor Telluride CO

1. **9:30 am Call to order.**
2. **Review of Agenda.**
3. **Calendar Review.**
4. **9:30 am CONSENT AGENDA**
 - a. Authorization of January through June 2019 Payroll and Vendor Payments.
 - b. Acceptance of the June 2019 Road Report.
 - c. Approval of Chair's signature on a Notice of Assignment of Claims (Updated) under a Government contract with Clearnetwork, LLC, to provide Fiber-Optic Indefeasible Right of Use Agreement.
 - d. Other, as needed.
5. **9:32 am ADMINISTRATIVE MATTERS:**
 - a. 9:32 am Request for Board approval to move forward on an IGA and plan for drainage and road repair at the intersection of Hwy 145 and CR 58P Sawpit./MOTION
5 mins Ryan Righetti, County Road and Bridge Superintendent
 - b. 9:40 a.m. Presentation of the need to update the Corridor Management Plan and a designation of a Management Committee.
50 mins Heidi Pankow, Ouray Tourism Office/Western Colorado Byways Rep
 - c. 10:30 am Update on a 7th Judicial Working Group to identify impacts to counties if the law were changed to require bond hearings within 48 hours of arrest.
20 mins Sergeant Petranovich and Sergeant Hemphill
 - d. 10:50 am Acceptance of the San Miguel County Assessor's Office report for 2019 taxable assessed value of all property, and a list of all real and personal property protests, the status/outcome of each protest, a list of movable equipment apportionment's, and a list of owners who failed to return a Personal Property Declaration Schedule./MOTION
10 mins Peggy Kanter, County Assessor

- e. Ratification of Commissioner's submission regarding the protest letter to the BLM regarding the Uncompaghre Field Office, Resource Management Plan/MOTION
 - f. Other, as needed.
6. **11:00 am Update with County Government Affairs/Natural Resources Director/Lynn Pagett (20mins)**
- a. Other, as needed.
7. **11:20 am PARKS AND OPEN SPACE MATTERS**
- a. Update on the potential of a new trail at the east end that will begin on the Idarado property (Bridal Veil Creek Trail).
15 mins Janet Kask, County Parks and Open Space Director
 - b. Consideration of funding a contribution of \$52,500 from the County Land Heritage Program for the Potential Land Conservation Easement known as Elk Springs Ranch on Iron Springs Mesa./MOTION
15 mins Janet Kask, County Parks and Open Space Director
 - c. Other, as needed.
8. **11:50 am ADMINISTRATORS REPORT/ Lynn Black (5mins)**
- a. Update with County Administrator
 - b. Other, as needed.
9. **COMMISSIONER AND PUBLIC DISCUSSION (5mins)**
- a. Public Discussion.
 - b. Update on Outside Meetings
 - c. Website posting and press releases
 - d. General Discussion.
10. **12:00 pm ATTORNEY MATTERS/Amy Markwell (20mins)**
- (Any of these items may involve an Executive Session C.R.S 24-6-402)
- a. Late Addition: Consideration of a resolution implementing reasonable requirements as the maximum distance "key employees" may maintain as their principal place of residency. /MOTION
 - b. Late Addition: Executive Session: Update on Paradox Midstream LLC (4)(b)
 - c. Late Addition: Executive Session: Update on the San Miguel Water Conservancy District negotiations (4)(b).
 - d. Update on Litigation
 - e. Other, as needed.
11. **12:20 pm Adjournment.**

NOTE: This agenda is subject to change, including the addition of items up to 24 hours in advance or the deletion of items at any time. All times are approximate. The County Manager reports may include administrative items not listed. Regular Meetings, Public Hearings, and Special Meetings are recorded, and ACTION MAY BE TAKEN ON ANY ITEM. Formal Action cannot be taken at Work Sessions. For further information, contact the County Administration office at 970-728-3174. If special accommodations are necessary per ADA, contact 970-728-3174 prior to the meeting.

Packet materials will be available on the San Miguel County website at www.sanmiguelcountyco.gov no later than 5:00 pm on the Friday before the meeting.

Changes to the meeting and work session schedule will be officially posted at the **designated posting place** for BOCC notices located at the front entrance to the County Offices, located in the Miramonte Building First Floor, 333 West Colorado Avenue, Telluride CO.

Agenda Distribution:

Miramonte Bldg.	Egnar Post Office	KOTO News
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Town of Telluride	Placerville Post Office	The Watch
Town of Mountain Village	Town of Norwood	



AGENDA ITEM - 4.a.

TITLE:

Authorization of January through June 2019 Payroll and Vendor Payments.

Presented by:

Time needed:

PREPARED BY:

Ramona Rummel

RECOMMENDED ACTION/MOTION:

To approve as presented.

INTRODUCTION/BACKGROUND:

See attached.

FISCAL IMPACT:

Contract Number:	Date Executed	End Date	Department(s)
YYYY-###			Board of County Commissioner Staff
Description:			

ATTACHMENTS:

Description	Upload Date
January 2019 Payroll and Vendor Payments	7/30/2019
Feb 2019 Payroll and Vendor Payments	7/30/2019
March 2019 Payroll and Vendor Payments	7/30/2019
April 2019 Payroll and Vendor payments	7/30/2019
May 2019 Payroll and Vendor Payments	7/30/2019
June 2019 Payroll and Vendor Payments	7/30/2019



FINANCE OFFICE

RAMONA RUMMEL, FINANCE MANAGER

July 29, 2019

To: Board of County Commissioners
Lynn Black, County Administrator

Below please find a summary of payments issued during the month of January 2019. This presentation of claims is required per CRS 30-25-110.

Staff is recommending the approval of these payments via consent agenda on August 7, 2019.

Any questions, please let me know. Thank you.

Per 30-25-110 C.R. S. Claims presented to the board - when-how paid.

January 2019 Payments		
	PAYROLL	VENDOR PAYMENTS
101 - General Fund	\$494,533.84	\$682,274.45
102 - Road & Bridge Fund	\$95,714.70	\$268,765.67
103 - Social Services Fund	\$28,101.18	\$13,301.80
104 - Sales Tax Capital Fund	\$0.00	\$3,127.80
106 - Transit Fund	\$0.00	\$183,531.17
107 - Retirement Fund	\$34,528.91	\$0.00
108- Parks and Open Space Fund	\$22,908.84	\$38,703.53
109 - Conservation Trust Fund	\$0.00	\$0.00
110 - Lodging Tax Fund	\$0.00	\$3,556.56
111 - Vegetation Management Fund	\$0.00	\$2,342.41
112 - Early Childhood Education Fund	\$0.00	\$0.00
115 - Public Health & Environment Fund	\$22,129.22	\$18,107.39
116 - Energy Fund	\$0.00	\$6,031.84
224 - Housing Authority	\$0.00	\$0.00
226 - Solid Waste Disposal District	\$0.00	\$5,482.62
TOTALS	\$697,916.69	\$1,225,225.24



FINANCE OFFICE

RAMONA RUMMEL, FINANCE MANAGER

July 29, 2019

To: Board of County Commissioners
Lynn Black, County Administrator

Below please find a summary of payments issued during the month of February 2019. This presentation of claims is required per CRS 30-25-110.

Staff is recommending the approval of these payments via consent agenda on August 7, 2019.

Any questions, please let me know. Thank you.

Per 30-25-110 C.R. S. Claims presented to the board - when-how paid.

February 2019 Payments		
	PAYROLL	VENDOR PAYMENTS
101 - General Fund	\$495,886.59	\$341,636.10
102 - Road & Bridge Fund	\$91,599.06	\$82,858.79
103 - Social Services Fund	\$28,706.37	\$7,538.18
104 - Sales Tax Capital Fund	\$0.00	\$57,476.45
106 - Transit Fund	\$0.00	\$53,449.74
107 - Retirement Fund	\$34,523.97	\$0.00
108- Parks and Open Space Fund	\$23,379.53	\$70,796.69
109 - Conservation Trust Fund	\$0.00	\$0.00
110 - Lodging Tax Fund	\$0.00	\$125,341.37
111 - Vegetation Management Fund	\$0.00	\$240.30
112 - Early Childhood Education Fund	\$0.00	\$157,770.00
115 - Public Health & Environment Fund	\$20,940.96	\$12,884.46
116 - Energy Fund	\$0.00	\$0.00
224 - Housing Authority	\$0.00	\$0.00
226 - Solid Waste Disposal District	\$0.00	\$7,803.37
TOTALS	\$695,036.48	\$917,795.45



FINANCE OFFICE

RAMONA RUMMEL, FINANCE MANAGER

July 29, 2019

To: Board of County Commissioners
Lynn Black, County Administrator

Below please find a summary of payments issued during the month of March 2019. This presentation of claims is required per CRS 30-25-110.

Staff is recommending the approval of these payments via consent agenda on August 7, 2019.

Any questions, please let me know. Thank you.

Per 30-25-110 C.R. S. Claims presented to the board - when-how paid.

March 2019 Payments		
	PAYROLL	VENDOR PAYMENTS
101 - General Fund	\$903,445.35	\$357,000.51
102 - Road & Bridge Fund	\$140,927.64	\$123,603.87
103 - Social Services Fund	\$43,355.01	\$7,538.96
104 - Sales Tax Capital Fund	\$0.00	\$385,745.86
106 - Transit Fund	\$0.00	\$8,394.80
107 - Retirement Fund	\$62,399.58	\$0.00
108- Parks and Open Space Fund	\$35,525.90	\$34,291.51
109 - Conservation Trust Fund	\$0.00	\$0.00
110 - Lodging Tax Fund	\$0.00	\$9,105.68
111 - Vegetation Management Fund	\$0.00	\$413.65
112 - Early Childhood Education Fund	\$0.00	\$0.00
115 - Public Health & Environment Fund	\$98,954.33	\$10,987.31
116 - Energy Fund	\$0.00	\$0.00
224 - Housing Authority	\$0.00	\$2,644.00
226 - Solid Waste Disposal District	\$0.00	\$4,077.94
TOTALS	\$1,284,607.81	\$943,804.09



FINANCE OFFICE

RAMONA RUMMEL, FINANCE MANAGER

July 29, 2019

To: Board of County Commissioners
Lynn Black, County Administrator

Below please find a summary of payments issued during the month of April 2019. This presentation of claims is required per CRS 30-25-110.

Staff is recommending the approval of these payments via consent agenda on August 7, 2019.

Any questions, please let me know. Thank you.

Per 30-25-110 C.R. S. Claims presented to the board - when-how paid.

April 2019 Payments		
	PAYROLL	VENDOR PAYMENTS
101 - General Fund	\$494,760.58	\$341,306.93
102 - Road & Bridge Fund	\$80,452.74	\$69,584.87
103 - Social Services Fund	\$28,574.55	\$7,647.64
104 - Sales Tax Capital Fund	\$0.00	\$64,442.78
106 - Transit Fund	\$0.00	\$445,466.59
107 - Retirement Fund	\$33,371.58	\$0.00
108- Parks and Open Space Fund	\$24,928.89	\$34,572.73
109 - Conservation Trust Fund	\$0.00	\$0.00
110 - Lodging Tax Fund	\$0.00	\$0.00
111 - Vegetation Management Fund	\$0.00	\$71,038.25
112 - Early Childhood Education Fund	\$0.00	\$78,659.28
115 - Public Health & Environment Fund	\$10,719.28	\$6,950.26
116 - Energy Fund	\$0.00	\$3,390.00
224 - Housing Authority	\$0.00	\$0.00
226 - Solid Waste Disposal District	\$0.00	\$5,904.09
TOTALS	\$672,807.62	\$1,128,963.42



FINANCE OFFICE

RAMONA RUMMEL, FINANCE MANAGER

July 29, 2019

To: Board of County Commissioners
Lynn Black, County Administrator

Below please find a summary of payments issued during the month of May 2019. This presentation of claims is required per CRS 30-25-110.

Staff is recommending the approval of these payments via consent agenda on August 7, 2019.

Any questions, please let me know. Thank you.

Per 30-25-110 C.R. S. Claims presented to the board - when-how paid.

May 2019 Payments		
	PAYROLL	VENDOR PAYMENTS
101 - General Fund	\$495,107.31	\$378,797.46
102 - Road & Bridge Fund	\$91,259.67	\$207,000.16
103 - Social Services Fund	\$28,821.53	\$7,494.18
104 - Sales Tax Capital Fund	\$0.00	\$13,874.55
106 - Transit Fund	\$0.00	\$7,079.51
107 - Retirement Fund	\$33,710.23	\$0.00
108- Parks and Open Space Fund	\$26,693.44	\$27,853.40
109 - Conservation Trust Fund	\$0.00	\$0.00
110 - Lodging Tax Fund	\$0.00	\$243,499.74
111 - Vegetation Management Fund	\$516.93	\$1,865.82
112 - Early Childhood Education Fund	\$0.00	\$2,830.67
115 - Public Health & Environment Fund	\$10,755.03	\$11,744.13
116 - Energy Fund	\$0.00	\$0.00
224 - Housing Authority	\$0.00	\$10,000.00
226 - Solid Waste Disposal District	\$0.00	\$7,625.97
TOTALS	\$686,864.14	\$919,665.59



FINANCE OFFICE

RAMONA RUMMEL, FINANCE MANAGER

July 29, 2019

To: Board of County Commissioners
Lynn Black, County Administrator

Below please find a summary of payments issued during the month of June 2019. This presentation of claims is required per CRS 30-25-110.

Staff is recommending the approval of these payments via consent agenda on August 7, 2019.

Any questions, please let me know. Thank you.

Per 30-25-110 C.R. S. Claims presented to the board - when-how paid.

June 2019 Payments		
	PAYROLL	VENDOR PAYMENTS
101 - General Fund	\$523,093.71	\$324,083.96
102 - Road & Bridge Fund	\$95,450.81	\$159,268.26
103 - Social Services Fund	\$28,877.50	\$8,185.52
104 - Sales Tax Capital Fund	\$0.00	\$204,875.00
106 - Transit Fund	\$0.00	\$14,990.30
107 - Retirement Fund	\$34,855.26	\$0.00
108- Parks and Open Space Fund	\$26,979.62	\$38,524.71
109 - Conservation Trust Fund	\$0.00	\$0.00
110 - Lodging Tax Fund	\$0.00	\$3,918.35
111 - Vegetation Management Fund	\$2,940.07	\$4,978.78
112 - Early Childhood Education Fund	\$0.00	\$160,649.00
115 - Public Health & Environment Fund	\$10,936.45	\$9,195.56
116 - Energy Fund	\$0.00	\$13,560.00
224 - Housing Authority	\$0.00	\$0.00
226 - Solid Waste Disposal District	\$0.00	\$27,334.45
TOTALS	\$723,133.42	\$969,563.89



AGENDA ITEM - 4.b.

TITLE:

Acceptance of the June 2019 Road Report.

Presented by:

Time needed:

PREPARED BY:

Ryan Righetti

RECOMMENDED ACTION/MOTION:

To approve as presented.

INTRODUCTION/BACKGROUND:

See attached memo.

FISCAL IMPACT:

Contract Number:	Date Executed	End Date	Department(s)
YYYY-###			Road and Bridge
Description:			

ATTACHMENTS:

Description

June 2019 Road Report

Upload Date

8/1/2019



ROAD & BRIDGE DEPARTMENT

RYAN RIGHETTI, ROAD SUPERINTENDENT

Road Report June 2019

Deep Creek District 1:

Crews completed work applying dust control on roads in the Deep Creek District. Roads graded this month were County Roads 60X, 58P, M44, 63A, D65, E64, 63J, X48, 57J, 60U, 59T, T60 and 56V. Potholes were repaired in the Placerville area as well as CR T60 and 56V. A large sink hole and slump occurred on CR 60M. The road required excavation and placement of large aggregate to allow for high groundwater to drain. Road and Bridge rented two trucks from Western Gravel as well as assistance for one day from Ouray County to help haul rocks to the project site. Crews removed snow and avalanche debris from Ophir Pass and began work on Imogene. With the heavy snow and damage to the roads in the high country, we expect this year's progress on the passes to be slow going. Bridge decks were swept and cleaned over the San Miguel River. Crews from the Deep Creek District assisted with the other districts in hauling rock for this summer's chip seal projects. Safety meetings were performed with the crew to discuss daily hazards in the workplace. Vehicle and equipment maintenance and repairs were performed as necessary.

Norwood District 2:

Crews were able to spend much of the month on road maintenance activities. Trees and brush were removed along CR 46M and 49G FSR 611. Ditches and drainages were cleaned on FSR 611 and CR W35. County Roads W35 and 46M were graded. A cattle guard was repaired on CR 43ZS. Crews have been working on mowing the shoulders along the roads throughout the district. Potholes were repaired and patched on County Roads 44ZS, U29 and H1. Crew from the Norwood District assisted in hauling gravel to the Egnar and Basin districts for pre-placement and to be used during this summer's chip seal projects. Cleaning and organization of the shop was performed. Vehicle and equipment maintenance and repairs were performed as needed. The Norwood crew also assisted the Fairgrounds in repair of their water truck.

Basin and Egnar Districts 3 and 4:

Time was spent patching potholes on County Roads U29E, 31U, H1 and S8. Grading and shaping ditches on various roads throughout both districts was done. Cattle guard installation was done on CR 25R. BLM purchased all materials and delivered them to the Basin shop. The cattle guard was installed so a section of range fencing could be removed. Potholes, ditches and cattle guards were cleaned and repaired on CR 19Q. Washouts were repaired on CR P16. Time was spent mowing shoulders and weeds in District 4. Gravel was hauled and placed on CR F4E. Crews from both Districts assisted in hauling and pre-placing gravel for upcoming chip seal projects. Vehicle and equipment repairs and maintenance and repairs were performed as necessary.

The weather finally started to cooperate with temperatures warming and days becoming longer. Crews began work on the high country passes with the opening of Last Dollar Pass and moving operations over to Ophir Pass. Equipment was moved to the Silverton side to begin working from the top down while crews worked on removing avalanche debris closer to the Town of Ophir. The intent is to have them meet near the middle just above tree line. Heavy snow and avalanche debris are obvious factors that will affect the timing of getting them all open this summer.

With the snow melt and high ground water we are experiencing this spring, crews have been busy keeping drainages open and flowing. There are many sections along hillsides and on bank slopes where slumping and sliding is occurring. Crews will remain active in responding to areas that need to be repaired or cleaned up as the season wears on.

A request for assistance was received from Hindsdale County to help with flood control and debris removal around the Lake City area. Road and Bridge worked with SMC Emergency Services Coordinator to answer the request. Several crew members signed up but were not needed as the request was filled with closer resources. Road and Bridge will ensure the offer remains open if needed.

Sand Bags were pre placed in the Deep Creek Maintenance Yard for use by emergency services in the event of high water or flooding in the areas along rivers and drainages. Sand bags will remain in place until the risk is reduced later this summer.

County Road 60M experienced damage and was required to be closed for a short duration when a small portion began to fail and became impassable for vehicular traffic. Crews from the Deep Creek District responded and had to excavate a section of the road to replace the compromised material. Ouray County sent one truck to assist with hauling material to fill the excavation. After several days, the road was stabilized and able to be reopened to one lane traffic. Once the area dries out, crews will return to complete and reopen both lanes.

The application of dust suppressant was completed this month. Weather and scheduling conflicts with surrounding Counties added to small delays this year. However with the late rains and snows, roads remained damp with less dust longer this year.

SMPA completed the remaining work on Ilium Rd this month with the replacement of dust suppressant on CR 63L. This completed the portion of the project within the County Road Right-of-Way. Road and Bridge would like to thank SMPA for their diligence in completing the project and working with Road and Bridge throughout the project.

Paradox Resources resumed work in the Basin area hauling in material and equipment to restart gas production in the area. One County road experienced light damage due to the weight of the vehicles and soft nature of the gravel. Communication with Paradox will continue to ensure that the road is repaired.

Road and Bridge met with the Department of Energy to look at drainage issues near the repository on County Road T11. Some of the repairs are within the boundary of the site and

corrective action will need to be performed by DOE. Road and Bridge will work to re-establish the drainage along the roadway adjacent to the area.

Western Vanadium and Uranium has plans to begin testing material for profitability of ore around the Sunday Mine area in the Gypsum Valley. They plan to drill test holes and send small samples out this summer. Road and Bridge will remain in communication with Western Vanadium and Uranium to ensure that if operations are scheduled to resume, proper permitting and approvals are obtained.

Contractors working on the Hidden Rocks Ranch project in Hastings Mesa finished up this month. There were several corrective measures needed to repair County Roads 58P and 60U before leaving the area. Grading, road base replacement and small repairs to fences and other appurtenances were completed. Road and Bridge thanks the contractors for their quick response in addressing these issues.

Road and Bridge attended a discussion with Commissioner Waring and others regarding long term solutions to the overcrowding and increased use of the East End of the Telluride area. The discussion was fruitful and resulted in the realization that long term solutions will require more detailed planning this winter.

Representatives from the State Land Board spent time in the County to look at several areas and issues including CR 40J. San Miguel County reaffirmed our stance on the importance the road serves as public access to both public and private properties. Discussion will continue later this year to see if a solution or agreement can be reached.

Planning and work continued on both the Applebaugh Bridge Project and the CMAQ K69 paving project. Hopes are that both projects will move to the next phases later this summer. The Applebaugh Bridge project has only a few remaining items that need to be finalized to complete the design phase. The CMAQ K69 paving project is still on track with preparation to begin the design phase next month.



AGENDA ITEM - 4.c.

TITLE:

Approval of Chair's signature on a Notice of Assignment of Claims (Updated) under a Government contract with Clearnetworx, LLC, to provide Fiber-Optic Indefeasible Right of Use Agreement.

Presented by:

Time needed:

PREPARED BY:

RECOMMENDED ACTION/MOTION:

To approve as presented.

INTRODUCTION/BACKGROUND:

See attached.

FISCAL IMPACT:

Contract Number:	Date Executed	End Date	Department(s)
YYYY-###			Board of County Commissioner Staff
Description:			

ATTACHMENTS:

Description

Loan Assignments Signed by Bank

Upload Date

8/2/2019



NOTICE OF ASSIGNMENT OF CLAIMS UNDER GOV'T CONTRACT

Principal	Loan Date	Maturity	Loan No	Call / Coll	Account	Officer	Initials
	11-08-2018		56512255102	750	CAA2061	27149	

References in the boxes above are for Lender's use only and do not limit the applicability of this document to any particular loan or item.

Any item above containing "****" has been omitted due to text length limitations.

Borrower: CLEARNETWORX, LLC
P.O. BOX 1809
MONTROSE, CO 81402-1809

Lender: First Southwest Community Fund
Durango Branch
600 East 2nd Avenue
Durango, CO 81301

TO:

DATE: August 2, 2019

San Miguel County, Colorado, a body corporate and
politic, acting by and through the Board of County
Commissioners
333 W. Colorado Avenue
Telluride, CO 81435

DEPARTMENT: San Miguel County, Colorado, a body corporate and politic, acting by and through the Board of County Commissioners
RE: WITH: CLEARNETWORX, LLC (CONTRACTOR) whose address is: P.O. BOX 1809, MONTROSE, CO 81402-1809
FOR: Fiber-Optic Indefeasible Right of Use Agreement, Telluride, Colorado dated July 18, 2018, entered into by and between
Clearnetworx, LLC, a Colorado Limited Liability Company and the San Miguel County, Colorado, a body corporate and politic,
acting by and through the Board of County Commissioners
DATED: July 18, 2018

PLEASE TAKE NOTICE that (1) Moneys due or to become due under the contract described above have been assigned to First Southwest Community Fund (referred to as the "Assignee" in this Notice of Assignment) pursuant to the provisions of the Assignment of Claims Act of 1940 as amended, 31 U.S.C. 3727, 41 U.S.C. 6305. (2) A true copy of the Instrument of Assignment is attached hereto. (3) Payments due or to become due under such contract should be made to the Assignor, or Assignee. (4) Please return to the Assignee, at Assignee's office and address indicated below, the three (3) enclosed copies of this Notice of Assignment with appropriate notations showing the date and hour of receipt, and duly signed by the person acknowledging receipt on behalf of the addressee.

First Southwest Community Fund

By: _____

(Signature)

Paul Broderick SUP

(Name and title of signing officer)

(Office)

RECEIPT OF NOTICE OF ASSIGNMENT

Receipt is hereby acknowledged of the above Notice of Assignment and a copy of the above mentioned Instrument of Assignment. These were received at _____ (a.m./p.m.) on _____ (Date)

X _____

(Signature)

On behalf of _____

(Name and title of addressee of Notice)

**THIS COPY
TO BE RETURNED TO LENDER**

LaserPro, Ver. 16.2.0.027 Copr. Finastra USA Corporation 1997, 2018
All Rights Reserved
CO C:\LP\CF\LPLE82.FC TR-13951 PR-141 (M)

RETURN TO:

**First Southwest Community Fund
Durango Branch
600 East 2nd Avenue
Durango, CO 81301**

NOTICE OF ASSIGNMENT OF CLAIMS UNDER GOV'T CONTRACT

Principal	Loan Date	Maturity	Loan No	Call / Coll	Account	Officer	Initials
	11-08-2018		56512255102	750	CAA2061	27149	

References in the boxes above are for Lender's use only and do not limit the applicability of this document to any particular loan or item.

Any item above containing "*****" has been omitted due to text length limitations.

Borrower: CLEARNETWORX, LLC
P.O. BOX 1809
MONTROSE, CO 81402-1809

Lender: First Southwest Community Fund
Durango Branch
600 East 2nd Avenue
Durango, CO 81301

INSTRUCTIONS

In order to avoid delay, inconvenience, and possible impairment of the validity of assignments, these instructions should be followed carefully:

- Under the terms of the Assignment of Claims Act of 1940*, as amended, four (4) copies of the Notice of Assignment of Claims Under Government Contract, (the "Notice of Assignment") of moneys due or to become due from the United States or any agency or department thereof, together with a true** copy of the Assignment of Claims Under Government Contract (the "Instrument of Assignment"), must be filed with each of the following:
 - The contracting officer or the head of the contracting officer's department or agency as named in the contract,
 - The surety or sureties upon the bond or bonds, if any, in connection with such contract, and
 - The disbursing officer, if any, designated in such contract to make payment.

(*In order to qualify under the Assignment of Claims Act, the claim must arise under a contract providing for aggregate payments of \$1,000 or more.)

(**See explanation of "true copy" below.)

- All blanks in the Notice of Assignment and in the Instrument of Assignment should be carefully filled in and four (4) copies of the Notice of Assignment together with one (1) true copy of the Instrument of Assignment should be forwarded to each of the parties with whom notice is required to be filed as set forth above in Paragraph 1. Should the Borrower be a corporation, the Instrument of Assignment is to be executed by two (2) corporate officials of the Borrower, one (1) of whom should be the secretary of the corporation, and the corporate seal of the Borrower must be affixed; or it must be accompanied by a true copy of the resolution of the corporation's board of directors authorizing the signing representative to execute the Assignment. If the Borrower is a partnership, the Assignment may be signed by one partner, if it is accomplished by an acknowledged certification that the signer is a general partner of the partnership. If the Borrower is an individual, the Assignment must be signed by that individual and the signature acknowledged before a notary public or other person authorized to administer oaths.
- The parties to whom the Notices of Assignment are addressed should acknowledge receipt of three (3) copies of the Notice of Assignment and return the same to Lender. They should retain one (1) of the copies of the Notice of Assignment and the one (1) true copy of the Instrument of Assignment.
- One (1) copy of each such receipted Notice of Assignment plus a true copy of the Instrument of Assignment should be retained by Lender for its own records, and two (2) copies of each such receipted Notice of Assignment should be attached by Lender to the first invoice, voucher, or other similar document which the Borrower must direct to Lender for submission for payment on the contract.
- It will not be necessary to forward additional copies of such receipted Notices of Assignment with a request for further payment which may be submitted by the Borrower (copy of such invoice, etc., should be forwarded to Lender for its records), because the first copy will be duly recorded in the appropriate offices of the government.
- All vouchers, invoices, or similar documents submitted for payment must bear the following legend on their face:

"It is hereby acknowledged that the assignment of Contract is effective and covers this invoice which is to be paid directly to the assignor or assignee, First Southwest Community Fund.

SIGNATURE GOES HERE

Signed by proprietor, general partner or corporate officer

- It frequently is required in government contracts that invoices be mailed to some office for certification or inspection, rather than directly to the disbursing office. While it is not necessary to furnish the office providing the certification with copies of the Notice of Instrument of Assignment, care should be exercised in routing invoices, vouchers or similar documents through the proper channels, including such first invoices, vouchers or similar documents, which have acknowledged Notices of Assignment attached.
- If there is no surety bond in connection with a contract giving rise to a claim which is assigned, it is not necessary to serve the Notice of Assignment or the Instrument of Assignment upon any surety.

9. If no disbursing officer is designated in such contract to make payment, it is not necessary to serve the Notice of Assignment of Claims under Government Contract.
10. Lender should regard the assigned contract as a part of its collateral in this type of financing, and accordingly it is desirable for Lender to take the original signed contract as part of the collateral.
11. A "true copy" may consist of (a) a duplicate original containing all the signatures, seals, acknowledgments, etc., which appear on the original, (b) a complete photostatic copy of the original, or (c) a certified copy of the original, provided that such copy is accurate and complete in all respects, including signatures, seals, acknowledgments, etc., which may be typewritten, and provided that a certificate to the effect that it is a true copy be executed by a notary public or other officer authorized by law to administer oaths.
12. Should there be any question concerning this procedure, please communicate with your attorney.

NOTICE OF ASSIGNMENT OF CLAIMS UNDER GOV'T CONTRACT

Principal	Loan Date	Maturity	Loan No	Call / Coll	Account	Officer	Initials
	11-08-2018		56512255102	750	CAA2061	27149	

References in the boxes above are for Lender's use only and do not limit the applicability of this document to any particular loan or item.

Any item above containing "****" has been omitted due to text length limitations.

Borrower: CLEARNETWORKX, LLC
P.O. BOX 1809
MONTROSE, CO 81402-1809

Lender: First Southwest Community Fund
Durango Branch
600 East 2nd Avenue
Durango, CO 81301

TO:

DATE: August 2, 2019

San Miguel County, Colorado, a body corporate and
politic, acting by and through the Board of County
Commissioners
333 W. Colorado Avenue
Telluride, CO 81435

RE: **DEPARTMENT:** San Miguel County, Colorado, a body corporate and politic, acting by and through the Board of County Commissioners
WITH: CLEARNETWORKX, LLC (CONTRACTOR) whose address is: P.O. BOX 1809, MONTROSE, CO 81402-1809
FOR: Fiber-Optic Indefeasible Right of Use Agreement, Telluride, Colorado dated July 18, 2018, entered into by and between
Clearnetworkx, LLC, a Colorado Limited Liability Company and the San Miguel County, Colorado, a body corporate and politic,
acting by and through the Board of County Commissioners
DATED: July 18, 2018

PLEASE TAKE NOTICE that (1) Moneys due or to become due under the contract described above have been assigned to First Southwest Community Fund (referred to as the "Assignee" in this Notice of Assignment) pursuant to the provisions of the Assignment of Claims Act of 1940 as amended, 31 U.S.C. 3727, 41 U.S.C. 6305. (2) A true copy of the Instrument of Assignment is attached hereto. (3) Payments due or to become due under such contract should be made to the Assignor, or Assignee. (4) Please return to the Assignee, at Assignee's office and address indicated below, the three (3) enclosed copies of this Notice of Assignment with appropriate notations showing the date and hour of receipt, and duly signed by the person acknowledging receipt on behalf of the addressee.

First Southwest Community Fund

By: _____
(Signature)

Paul Broderick SUP
(Name and title of signing officer)

(Office)

RECEIPT OF NOTICE OF ASSIGNMENT

Receipt is hereby acknowledged of the above Notice of Assignment and a copy of the above mentioned Instrument of Assignment. These were received at _____ (a.m./p.m.) on _____

(Date)

X _____
(Signature)

On behalf of _____

(Name and title of addressee of Notice)

**THIS COPY
TO BE RETURNED TO LENDER**

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RETURN TO:

**First Southwest Community Fund
Durango Branch
600 East 2nd Avenue
Durango, CO 81301**

NOTICE OF ASSIGNMENT OF CLAIMS UNDER GOV'T CONTRACT

Principal	Loan Date	Maturity	Loan No	Call / Coll	Account	Officer	Initials
	11-08-2018		56512255102	750	CAA2061	27149	

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Any item above containing "****" has been omitted due to text length limitations.

Borrower: CLEARNETWORKX, LLC
P.O. BOX 1809
MONTROSE, CO 81402-1809

Lender: First Southwest Community Fund
Durango Branch
600 East 2nd Avenue
Durango, CO 81301

TO:

DATE: August 2, 2019

San Miguel County, Colorado, a body corporate and
politic, acting by and through the Board of County
Commissioners
333 W. Colorado Avenue
Telluride, CO 81435

RE: **DEPARTMENT:** San Miguel County, Colorado, a body corporate and politic, acting by and through the Board of County Commissioners
WITH: CLEARNETWORKX, LLC (CONTRACTOR) whose address is: P.O. BOX 1809, MONTROSE, CO 81402-1809
FOR: Fiber-Optic Infeasible Right of Use Agreement, Telluride, Colorado dated July 18, 2018, entered into by and between Clearnetworkx, LLC, a Colorado Limited Liability Company and the San Miguel County, Colorado, a body corporate and politic, acting by and through the Board of County Commissioners
DATED: July 18, 2018

PLEASE TAKE NOTICE that (1) Moneys due or to become due under the contract described above have been assigned to First Southwest Community Fund (referred to as the "Assignee" in this Notice of Assignment) pursuant to the provisions of the Assignment of Claims Act of 1940 as amended, 31 U.S.C. 3727, 41 U.S.C. 6305. (2) A true copy of the Instrument of Assignment is attached hereto. (3) Payments due or to become due under such contract should be made to the Assignor, or Assignee. (4) Please return to the Assignee, at Assignee's office and address indicated below, the three (3) enclosed copies of this Notice of Assignment with appropriate notations showing the date and hour of receipt, and duly signed by the person acknowledging receipt on behalf of the addressee.

First Southwest Community Fund

By: _____

(Signature)

Paul Broderick SVP
(Name and title of signing officer)

(Office)

RECEIPT OF NOTICE OF ASSIGNMENT

Receipt is hereby acknowledged of the above Notice of Assignment and a copy of the above mentioned Instrument of Assignment. These were received at _____ (a.m./p.m.) on _____

(Date)

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(Signature)

On behalf of _____

(Name and title of addressee of Notice)

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RETURN TO:

**First Southwest Community Fund
Durango Branch
600 East 2nd Avenue
Durango, CO 81301**

NOTICE OF ASSIGNMENT OF CLAIMS UNDER GOV'T CONTRACT

Principal	Loan Date	Maturity	Loan No	Call / Coll	Account	Officer	Initials
	11-08-2018		56512255102	750	CAA2061	27149	

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Borrower: CLEARNETWORX, LLC
P.O. BOX 1809
MONTROSE, CO 81402-1809

Lender: First Southwest Community Fund
Durango Branch
600 East 2nd Avenue
Durango, CO 81301

TO:

DATE: August 2, 2019

San Miguel County, Colorado, a body corporate and
politic, acting by and through the Board of County
Commissioners
333 W. Colorado Avenue
Telluride, CO 81435

RE: **DEPARTMENT:** San Miguel County, Colorado, a body corporate and politic, acting by and through the Board of County Commissioners
WITH: CLEARNETWORX, LLC (CONTRACTOR) whose address is: P.O. BOX 1809, MONTROSE, CO 81402-1809
FOR: Fiber-Optic Indefeasible Right of Use Agreement, Telluride, Colorado dated July 18, 2018, entered into by and between
Clearnetworx, LLC, a Colorado Limited Liability Company and the San Miguel County, Colorado, a body corporate and politic,
acting by and through the Board of County Commissioners
DATED: July 18, 2018

PLEASE TAKE NOTICE that (1) Moneys due or to become due under the contract described above have been assigned to First Southwest Community Fund (referred to as the "Assignee" in this Notice of Assignment) pursuant to the provisions of the Assignment of Claims Act of 1940 as amended, 31 U.S.C. 3727, 41 U.S.C. 6305. (2) A true copy of the Instrument of Assignment is attached hereto. (3) Payments due or to become due under such contract should be made to the Assignor, or Assignee. (4) Please return to the Assignee, at Assignee's office and address indicated below, the three (3) enclosed copies of this Notice of Assignment with appropriate notations showing the date and hour of receipt, and duly signed by the person acknowledging receipt on behalf of the addressee.

First Southwest Community Fund

By: 

(Signature)

Paul Broderick SUP
(Name and title of signing officer)

(Office)

RECEIPT OF NOTICE OF ASSIGNMENT

Receipt is hereby acknowledged of the above Notice of Assignment and a copy of the above mentioned Instrument of Assignment. These were received at _____ (a.m./p.m.) on _____

(Date)

X _____

(Signature)

On behalf of _____

(Name and title of addressee of Notice)

**THIS COPY
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RETURN TO:

**First Southwest Community Fund
Durango Branch
600 East 2nd Avenue
Durango, CO 81301**



1st SouthWest Bank

NOTICE OF ASSIGNMENT OF CLAIMS UNDER GOV'T CONTRACT

Principal	Loan Date	Maturity	Loan No	Call / Coll	Account	Officer	Initials
	11-08-2018		6512255101	750	CAA2061	27149	

References in the boxes above are for Lender's use only and do not limit the applicability of this document to any particular loan or item.

Any item above containing "****" has been omitted due to text length limitations.

Borrower: CLEARNETWORKX, LLC
P.O. BOX 1809
MONTROSE, CO 81402-1809

Lender: First Southwest Bank
Durango Branch
600 East 2nd Avenue
Durango, CO 81301

TO:

DATE: August 2, 2019

San Miguel County, Colorado, a body corporate and
politic, acting by and through the Board of County
Commissioners
333 W. Colorado Avenue
Telluride, CO 81435

RE: **DEPARTMENT:** San Miguel County, Colorado, a body corporate and politic, acting by and through the Board of County Commissioners
WITH: CLEARNETWORKX, LLC (CONTRACTOR) whose address is: P.O. BOX 1809, MONTROSE, CO 81402-1809
FOR: Fiber-Optic Indefeasible Right of Use Agreement, Telluride, Colorado entered into by and between Clearnetworkx, LLC, a Colorado
Limited Liability Company and the San Miguel County, Colorado, a body corporate and politic, acting by and through the Board of
County Commissioners
DATED: July 18, 2018

PLEASE TAKE NOTICE that (1) Moneys due or to become due under the contract described above have been assigned to First Southwest Bank (referred to as the "Assignee" in this Notice of Assignment) pursuant to the provisions of the Assignment of Claims Act of 1940 as amended, 31 U.S.C. 3727, 41 U.S.C. 6305. (2) A true copy of the Instrument of Assignment is attached hereto. (3) Payments due or to become due under such contract should be made to the Assignor, or Assignee. (4) Please return to the Assignee, at Assignee's office and address indicated below, the three (3) enclosed copies of this Notice of Assignment with appropriate notations showing the date and hour of receipt, and duly signed by the person acknowledging receipt on behalf of the addressee.

First Southwest Bank

By: _____

(Signature)

Paul Broderick SVP
(Name and title of signing officer)

(Office)

RECEIPT OF NOTICE OF ASSIGNMENT

Receipt is hereby acknowledged of the above Notice of Assignment and a copy of the above mentioned Instrument of Assignment. These were received at _____ (a.m./p.m.) on _____ (Date)

X _____

(Signature)

On behalf of _____

(Name and title of addressee of Notice)

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RETURN TO:

**First Southwest Bank
Durango Branch
600 East 2nd Avenue
Durango, CO 81301**

NOTICE OF ASSIGNMENT OF CLAIMS UNDER GOV'T CONTRACT

Principal	Loan Date	Maturity	Loan No	Call / Coll	Account	Officer	Initials
	11-08-2018		6512255101	750	CAA2061	27149	

References in the boxes above are for Lender's use only and do not limit the applicability of this document to any particular loan or item.

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Borrower: CLEARNETWORKX, LLC
P.O. BOX 1809
MONTROSE, CO 81402-1809

Lender: First Southwest Bank
Durango Branch
600 East 2nd Avenue
Durango, CO 81301

INSTRUCTIONS

In order to avoid delay, inconvenience, and possible impairment of the validity of assignments, these instructions should be followed carefully:

- Under the terms of the Assignment of Claims Act of 1940*, as amended, four (4) copies of the Notice of Assignment of Claims Under Government Contract, (the "Notice of Assignment") of moneys due or to become due from the United States or any agency or department thereof, together with a true** copy of the Assignment of Claims Under Government Contract (the "Instrument of Assignment"), must be filed with each of the following:
 - The contracting officer or the head of the contracting officer's department or agency as named in the contract,
 - The surety or sureties upon the bond or bonds, if any, in connection with such contract, and
 - The disbursing officer, if any, designated in such contract to make payment.

(*In order to qualify under the Assignment of Claims Act, the claim must arise under a contract providing for aggregate payments of \$1,000 or more.)

(**See explanation of "true copy" below.)

- All blanks in the Notice of Assignment and in the Instrument of Assignment should be carefully filled in and four (4) copies of the Notice of Assignment together with one (1) true copy of the Instrument of Assignment should be forwarded to each of the parties with whom notice is required to be filed as set forth above in Paragraph 1. Should the Borrower be a corporation, the Instrument of Assignment is to be executed by two (2) corporate officials of the Borrower, one (1) of whom should be the secretary of the corporation, and the corporate seal of the Borrower must be affixed; or it must be accompanied by a true copy of the resolution of the corporation's board of directors authorizing the signing representative to execute the Assignment. If the Borrower is a partnership, the Assignment may be signed by one partner, if it is accomplished by an acknowledged certification that the signer is a general partner of the partnership. If the Borrower is an individual, the Assignment must be signed by that individual and the signature acknowledged before a notary public or other person authorized to administer oaths.
- The parties to whom the Notices of Assignment are addressed should acknowledge receipt of three (3) copies of the Notice of Assignment and return the same to Lender. They should retain one (1) of the copies of the Notice of Assignment and the one (1) true copy of the Instrument of Assignment.
- One (1) copy of each such receipted Notice of Assignment plus a true copy of the Instrument of Assignment should be retained by Lender for its own records, and two (2) copies of each such receipted Notice of Assignment should be attached by Lender to the first invoice, voucher, or other similar document which the Borrower must direct to Lender for submission for payment on the contract.
- It will not be necessary to forward additional copies of such receipted Notices of Assignment with a request for further payment which may be submitted by the Borrower (copy of such invoice, etc., should be forwarded to Lender for its records), because the first copy will be duly recorded in the appropriate offices of the government.
- All vouchers, invoices, or similar documents submitted for payment must bear the following legend on their face:

"It is hereby acknowledged that the assignment of Contract is effective and covers this invoice which is to be paid directly to the assignor or assignee, First Southwest Bank.

SIGNATURE GOES HERE

Signed by proprietor, general partner or corporate officer

- It frequently is required in government contracts that invoices be mailed to some office for certification or inspection, rather than directly to the disbursing office. While it is not necessary to furnish the office providing the certification with copies of the Notice of Instrument of Assignment, care should be exercised in routing invoices, vouchers or similar documents through the proper channels, including such first invoices, vouchers or similar documents, which have acknowledged Notices of Assignment attached.
- If there is no surety bond in connection with a contract giving rise to a claim which is assigned, it is not necessary to serve the Notice of Assignment or the Instrument of Assignment upon any surety.

9. If no disbursing officer is designated in such contract to make payment, it is not necessary to serve the Notice of Assignment of Claims under Government Contract.
10. Lender should regard the assigned contract as a part of its collateral in this type of financing, and accordingly it is desirable for Lender to take the original signed contract as part of the collateral.
11. A "true copy" may consist of (a) a duplicate original containing all the signatures, seals, acknowledgments, etc., which appear on the original, (b) a complete photostatic copy of the original, or (c) a certified copy of the original, provided that such copy is accurate and complete in all respects, including signatures, seals, acknowledgments, etc., which may be typewritten, and provided that a certificate to the effect that it is a true copy be executed by a notary public or other officer authorized by law to administer oaths.
12. Should there be any question concerning this procedure, please communicate with your attorney.

NOTICE OF ASSIGNMENT OF CLAIMS UNDER GOV'T CONTRACT

Principal	Loan Date	Maturity	Loan No	Call / Coll	Account	Officer	Initials
	11-08-2018		6512255101	750	CAA2061	27149	

References in the boxes above are for Lender's use only and do not limit the applicability of this document to any particular loan or item.

Any item above containing "****" has been omitted due to text length limitations.

Borrower: CLEARNETWORKX, LLC
P.O. BOX 1809
MONTROSE, CO 81402-1809

Lender: First Southwest Bank
Durango Branch
600 East 2nd Avenue
Durango, CO 81301

TO:

DATE: August 2, 2019

San Miguel County, Colorado, a body corporate and
politic, acting by and through the Board of County
Commissioners
333 W. Colorado Avenue
Telluride, CO 81435

RE: **DEPARTMENT:** San Miguel County, Colorado, a body corporate and politic, acting by and through the Board of County Commissioners
WITH: CLEARNETWORKX, LLC (CONTRACTOR) whose address is: P.O. BOX 1809, MONTROSE, CO 81402-1809
FOR: Fiber-Optic Indefeasible Right of Use Agreement, Telluride, Colorado entered into by and between Clearnetworkx, LLC, a Colorado Limited Liability Company and the San Miguel County, Colorado, a body corporate and politic, acting by and through the Board of County Commissioners
DATED: July 18, 2018

PLEASE TAKE NOTICE that (1) Moneys due or to become due under the contract described above have been assigned to First Southwest Bank (referred to as the "Assignee" in this Notice of Assignment) pursuant to the provisions of the Assignment of Claims Act of 1940 as amended, 31 U.S.C. 3727, 41 U.S.C. 6305. (2) A true copy of the Instrument of Assignment is attached hereto. (3) Payments due or to become due under such contract should be made to the Assignor, or Assignee. (4) Please return to the Assignee, at Assignee's office and address indicated below, the three (3) enclosed copies of this Notice of Assignment with appropriate notations showing the date and hour of receipt, and duly signed by the person acknowledging receipt on behalf of the addressee.

First Southwest Bank

By: _____

(Signature)

Paul Brodenicks SVP
(Name and title of signing officer)

(Office)

RECEIPT OF NOTICE OF ASSIGNMENT

Receipt is hereby acknowledged of the above Notice of Assignment and a copy of the above mentioned Instrument of Assignment. These were received at _____ (a.m./p.m.) on _____

(Date)

X _____

(Signature)

On behalf of _____

(Name and title of addressee of Notice)

**THIS COPY
TO BE RETURNED TO LENDER**

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CO C:\P\CF\I\PL\E82.FC TR-13951 PR-141 (M)

RETURN TO:

**First Southwest Bank
Durango Branch
600 East 2nd Avenue
Durango, CO 81301**

NOTICE OF ASSIGNMENT OF CLAIMS UNDER GOV'T CONTRACT

Principal	Loan Date	Maturity	Loan No	Call / Coll	Account	Officer	Initials
	11-08-2018		6512255101	750	CAA2061	27149	

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Borrower: CLEARNETWORX, LLC
P.O. BOX 1809
MONTROSE, CO 81402-1809

Lender: First Southwest Bank
Durango Branch
600 East 2nd Avenue
Durango, CO 81301

TO:

DATE: August 2, 2019

San Miguel County, Colorado, a body corporate and politic, acting by and through the Board of County Commissioners
333 W. Colorado Avenue
Telluride, CO 81435

DEPARTMENT: San Miguel County, Colorado, a body corporate and politic, acting by and through the Board of County Commissioners
RE: WITH: CLEARNETWORX, LLC (CONTRACTOR) whose address is: P.O. BOX 1809, MONTROSE, CO 81402-1809
FOR: Fiber-Optic Indefeasible Right of Use Agreement, Telluride, Colorado entered into by and between Clearnetworx, LLC, a Colorado Limited Liability Company and the San Miguel County, Colorado, a body corporate and politic, acting by and through the Board of County Commissioners
DATED: July 18, 2018

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On behalf of _____

(Name and title of addressee of Notice)

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CO C:\LP\CF\LP\LE82.FC TR-13951 PR-141 (M)

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Principal	Loan Date	Maturity	Loan No	Call / Coll	Account	Officer	Initials
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Borrower: CLEARNETWORX, LLC
P.O. BOX 1809
MONTROSE, CO 81402-1809

Lender: First Southwest Bank
Durango Branch
600 East 2nd Avenue
Durango, CO 81301

TO:

DATE: August 2, 2019

San Miguel County, Colorado, a body corporate and politic, acting by and through the Board of County Commissioners
333 W. Colorado Avenue
Telluride, CO 81435

RE: **DEPARTMENT:** San Miguel County, Colorado, a body corporate and politic, acting by and through the Board of County Commissioners
WITH: CLEARNETWORX, LLC (CONTRACTOR) whose address is: P.O. BOX 1809, MONTROSE, CO 81402-1809
FOR: Fiber-Optic Indefeasible Right of Use Agreement, Telluride, Colorado entered into by and between Clearnetworx, LLC, a Colorado Limited Liability Company and the San Miguel County, Colorado, a body corporate and politic, acting by and through the Board of County Commissioners
DATED: July 18, 2018

PLEASE TAKE NOTICE that (1) Moneys due or to become due under the contract described above have been assigned to First Southwest Bank (referred to as the "Assignee" in this Notice of Assignment) pursuant to the provisions of the Assignment of Claims Act of 1940 as amended, 31 U.S.C. 3727, 41 U.S.C. 6305. (2) A true copy of the Instrument of Assignment is attached hereto. (3) Payments due or to become due under such contract should be made to the Assignor, or Assignee. (4) Please return to the Assignee, at Assignee's office and address indicated below, the three (3) enclosed copies of this Notice of Assignment with appropriate notations showing the date and hour of receipt, and duly signed by the person acknowledging receipt on behalf of the addressee.

First Southwest Bank

By: _____

(Signature)

Paul Broderick SVP
(Name and title of signing officer)

(Office)

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X _____

(Signature)

On behalf of _____

(Name and title of addressee of Notice)

**THIS COPY
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RETURN TO:

**First Southwest Bank
Durango Branch
600 East 2nd Avenue
Durango, CO 81301**



NOTICE OF ASSIGNMENT OF CLAIMS UNDER GOV'T CONTRACT

Principal	Loan Date	Maturity	Loan No	Call / Coll	Account	Officer	Initials
	11-08-2018		56512255102	750	CAA2061	27149	

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Borrower: CLEARNETWORX, LLC
P.O. BOX 1809
MONTROSE, CO 81402-1809

Lender: First Southwest Community Fund
Durango Branch
600 East 2nd Avenue
Durango, CO 81301

TO: **DATE:** August 2, 2019

San Miguel County, Colorado, a body corporate and
politic, acting by and through the Board of County
Commissioners
333 W. Colorado Avenue
Telluride, CO 81435

RE: **DEPARTMENT:** San Miguel County, Colorado, a body corporate and politic, acting by and through the Board of County Commissioners
WITH: CLEARNETWORX, LLC (CONTRACTOR) whose address is: P.O. BOX 1809, MONTROSE, CO 81402-1809
FOR: Fiber-Optic Indefeasible Right of Use Agreement, Norwood, Colorado dated July 18, 2018, entered into by and between Clearnetworx, LLC, a Colorado Limited Liability Company and the San Miguel County, Colorado, a body corporate and politic, acting by and through the Board of County Commissioners
DATED: July 18, 2018

PLEASE TAKE NOTICE that (1) Moneys due or to become due under the contract described above have been assigned to First Southwest Community Fund (referred to as the "Assignee" in this Notice of Assignment) pursuant to the provisions of the Assignment of Claims Act of 1940 as amended, 31 U.S.C. 3727, 41 U.S.C. 6305. (2) A true copy of the Instrument of Assignment is attached hereto. (3) Payments due or to become due under such contract should be made to the Assignor, or Assignee. (4) Please return to the Assignee, at Assignee's office and address indicated below, the three (3) enclosed copies of this Notice of Assignment with appropriate notations showing the date and hour of receipt, and duly signed by the person acknowledging receipt on behalf of the addressee.

First Southwest Community Fund

By: 
(Signature)

Paul Broderick SVP
(Name and title of signing officer)

(Office)

RECEIPT OF NOTICE OF ASSIGNMENT

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(Date)

X _____
(Signature)

On behalf of _____

(Name and title of addressee of Notice)

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RETURN TO:

**First Southwest Community Fund
Durango Branch
600 East 2nd Avenue
Durango, CO 81301**

NOTICE OF ASSIGNMENT OF CLAIMS UNDER GOV'T CONTRACT

Principal	Loan Date	Maturity	Loan No	Call / Coll	Account	Officer	Initials
	11-08-2018		56512255102	750	CAA2061	27149	

References in the boxes above are for Lender's use only and do not limit the applicability of this document to any particular loan or item.

Any item above containing "****" has been omitted due to text length limitations.

Borrower: CLEARNETWORKX, LLC
P.O. BOX 1809
MONTROSE, CO 81402-1809

Lender: First Southwest Community Fund
Durango Branch
600 East 2nd Avenue
Durango, CO 81301

INSTRUCTIONS

In order to avoid delay, inconvenience, and possible impairment of the validity of assignments, these instructions should be followed carefully:

- Under the terms of the Assignment of Claims Act of 1940*, as amended, four (4) copies of the Notice of Assignment of Claims Under Government Contract, (the "Notice of Assignment") of moneys due or to become due from the United States or any agency or department thereof, together with a true** copy of the Assignment of Claims Under Government Contract (the "Instrument of Assignment"), must be filed with each of the following:
 - The contracting officer or the head of the contracting officer's department or agency as named in the contract,
 - The surety or sureties upon the bond or bonds, if any, in connection with such contract, and
 - The disbursing officer, if any, designated in such contract to make payment.

(*In order to qualify under the Assignment of Claims Act, the claim must arise under a contract providing for aggregate payments of \$1,000 or more.)

(**See explanation of "true copy" below.)

- All blanks in the Notice of Assignment and in the Instrument of Assignment should be carefully filled in and four (4) copies of the Notice of Assignment together with one (1) true copy of the Instrument of Assignment should be forwarded to each of the parties with whom notice is required to be filed as set forth above in Paragraph 1. Should the Borrower be a corporation, the Instrument of Assignment is to be executed by two (2) corporate officials of the Borrower, one (1) of whom should be the secretary of the corporation, and the corporate seal of the Borrower must be affixed; or it must be accompanied by a true copy of the resolution of the corporation's board of directors authorizing the signing representative to execute the Assignment. If the Borrower is a partnership, the Assignment may be signed by one partner, if it is accomplished by an acknowledged certification that the signer is a general partner of the partnership. If the Borrower is an individual, the Assignment must be signed by that individual and the signature acknowledged before a notary public or other person authorized to administer oaths.
- The parties to whom the Notices of Assignment are addressed should acknowledge receipt of three (3) copies of the Notice of Assignment and return the same to Lender. They should retain one (1) of the copies of the Notice of Assignment and the one (1) true copy of the Instrument of Assignment.
- One (1) copy of each such receipted Notice of Assignment plus a true copy of the Instrument of Assignment should be retained by Lender for its own records, and two (2) copies of each such receipted Notice of Assignment should be attached by Lender to the first invoice, voucher, or other similar document which the Borrower must direct to Lender for submission for payment on the contract.
- It will not be necessary to forward additional copies of such receipted Notices of Assignment with a request for further payment which may be submitted by the Borrower (copy of such invoice, etc., should be forwarded to Lender for its records), because the first copy will be duly recorded in the appropriate offices of the government.
- All vouchers, invoices, or similar documents submitted for payment must bear the following legend on their face:

"It is hereby acknowledged that the assignment of Contract is effective and covers this invoice which is to be paid directly to the assignor or assignee, First Southwest Community Fund.

SIGNATURE GOES HERE

Signed by proprietor, general partner or corporate officer

- It frequently is required in government contracts that invoices be mailed to some office for certification or inspection, rather than directly to the disbursing office. While it is not necessary to furnish the office providing the certification with copies of the Notice of Instrument of Assignment, care should be exercised in routing invoices, vouchers or similar documents through the proper channels, including such first invoices, vouchers or similar documents, which have acknowledged Notices of Assignment attached.
- If there is no surety bond in connection with a contract giving rise to a claim which is assigned, it is not necessary to serve the Notice of Assignment or the Instrument of Assignment upon any surety.

9. If no disbursing officer is designated in such contract to make payment, it is not necessary to serve the Notice of Assignment of Claims under Government Contract.
10. Lender should regard the assigned contract as a part of its collateral in this type of financing, and accordingly it is desirable for Lender to take the original signed contract as part of the collateral.
11. A "true copy" may consist of (a) a duplicate original containing all the signatures, seals, acknowledgments, etc., which appear on the original, (b) a complete photostatic copy of the original, or (c) a certified copy of the original, provided that such copy is accurate and complete in all respects, including signatures, seals, acknowledgments, etc., which may be typewritten, and provided that a certificate to the effect that it is a true copy be executed by a notary public or other officer authorized by law to administer oaths.
12. Should there be any question concerning this procedure, please communicate with your attorney.

NOTICE OF ASSIGNMENT OF CLAIMS UNDER GOV'T CONTRACT

Principal	Loan Date	Maturity	Loan No	Call / Coll	Account	Officer	Initials
	11-08-2018		56512255102	750	CAA2061	27149	

References in the boxes above are for Lender's use only and do not limit the applicability of this document to any particular loan or item.

Any item above containing "****" has been omitted due to text length limitations.

Borrower: CLEARNETWORX, LLC
P.O. BOX 1809
MONTROSE, CO 81402-1809

Lender: First Southwest Community Fund
Durango Branch
600 East 2nd Avenue
Durango, CO 81301

TO:

DATE: August 2, 2019

San Miguel County, Colorado, a body corporate and politic, acting by and through the Board of County Commissioners
333 W. Colorado Avenue
Telluride, CO 81435

RE: **DEPARTMENT:** San Miguel County, Colorado, a body corporate and politic, acting by and through the Board of County Commissioners
WITH: CLEARNETWORX, LLC (CONTRACTOR) whose address is: P.O. BOX 1809, MONTROSE, CO 81402-1809
FOR: Fiber-Optic Indefeasible Right of Use Agreement, Norwood, Colorado dated July 18, 2018, entered into by and between Clearnetworx, LLC, a Colorado Limited Liability Company and the San Miguel County, Colorado, a body corporate and politic, acting by and through the Board of County Commissioners
DATED: July 18, 2018

PLEASE TAKE NOTICE that (1) Moneys due or to become due under the contract described above have been assigned to First Southwest Community Fund (referred to as the "Assignee" in this Notice of Assignment) pursuant to the provisions of the Assignment of Claims Act of 1940 as amended, 31 U.S.C. 3727, 41 U.S.C. 6305. (2) A true copy of the Instrument of Assignment is attached hereto. (3) Payments due or to become due under such contract should be made to the Assignor, or Assignee. (4) Please return to the Assignee, at Assignee's office and address indicated below, the three (3) enclosed copies of this Notice of Assignment with appropriate notations showing the date and hour of receipt, and duly signed by the person acknowledging receipt on behalf of the addressee.

First Southwest Community Fund

By: _____

(Signature)

Paul Broderick
(Name and title of signing officer)

(Office)

RECEIPT OF NOTICE OF ASSIGNMENT

Receipt is hereby acknowledged of the above Notice of Assignment and a copy of the above mentioned Instrument of Assignment. These were received at _____ (a.m./p.m.) on _____

(Date)

X _____

(Signature)

On behalf of _____

(Name and title of addressee of Notice)

**THIS COPY
TO BE RETURNED TO LENDER**

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RETURN TO:

**First Southwest Community Fund
Durango Branch
600 East 2nd Avenue
Durango, CO 81301**

NOTICE OF ASSIGNMENT OF CLAIMS UNDER GOV'T CONTRACT

Principal	Loan Date	Maturity	Loan No	Call / Coll	Account	Officer	Initials
	11-08-2018		56512255102	750	CAA2061	27149	

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P.O. BOX 1809
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Durango Branch
600 East 2nd Avenue
Durango, CO 81301

TO:

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(Name and title of signing officer)

(Office)

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(Signature)

On behalf of _____

(Name and title of addressee of Notice)

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RETURN TO:

**First Southwest Community Fund
Durango Branch
600 East 2nd Avenue
Durango, CO 81301**

NOTICE OF ASSIGNMENT OF CLAIMS UNDER GOV'T CONTRACT

Principal	Loan Date	Maturity	Loan No	Call / Coll	Account	Officer	Initials
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Borrower: CLEARNETWORKX, LLC
P.O. BOX 1809
MONTROSE, CO 81402-1809

Lender: First Southwest Community Fund
Durango Branch
600 East 2nd Avenue
Durango, CO 81301

TO:

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First Southwest Community Fund

By: _____

(Signature)

Paul Brodenick

(Name and title of signing officer)

(Office)

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(Date)

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(Signature)

On behalf of _____

(Name and title of addressee of Notice)

**THIS COPY
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RETURN TO:

**First Southwest Community Fund
Durango Branch
600 East 2nd Avenue
Durango, CO 81301**



1st Southwest Bank

NOTICE OF ASSIGNMENT OF CLAIMS UNDER GOV'T CONTRACT

Principal	Loan Date	Maturity	Loan No	Call / Coll	Account	Officer	Initials
	11-08-2018		6512255101	750	CAA2061	27149	

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Borrower: CLEARNETWORKX, LLC
P.O. BOX 1809
MONTROSE, CO 81402-1809

Lender: First Southwest Bank
Durango Branch
600 East 2nd Avenue
Durango, CO 81301

TO:

DATE: August 2, 2019

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politic, acting by and through the Board of County
Commissioners
333 W. Colorado Avenue
Telluride, CO 81435

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RE: WITH: CLEARNETWORKX, LLC (CONTRACTOR) whose address is: P.O. BOX 1809, MONTROSE, CO 81402-1809
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(Signature)

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(Name and title of signing officer)

(Office)

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(Name and title of addressee of Notice)

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**First Southwest Bank
Durango Branch
600 East 2nd Avenue
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NOTICE OF ASSIGNMENT OF CLAIMS UNDER GOV'T CONTRACT

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P.O. BOX 1809
MONTROSE, CO 81402-1809

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Durango Branch
600 East 2nd Avenue
Durango, CO 81301

INSTRUCTIONS

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- Under the terms of the Assignment of Claims Act of 1940*, as amended, four (4) copies of the Notice of Assignment of Claims Under Government Contract, (the "Notice of Assignment") of moneys due or to become due from the United States or any agency or department thereof, together with a true** copy of the Assignment of Claims Under Government Contract (the "Instrument of Assignment"), must be filed with each of the following:
 - The contracting officer or the head of the contracting officer's department or agency as named in the contract,
 - The surety or sureties upon the bond or bonds, if any, in connection with such contract, and
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(**See explanation of "true copy" below.)

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"It is hereby acknowledged that the assignment of Contract is effective and covers this invoice which is to be paid directly to the assignor or assignee, First Southwest Bank.

SIGNATURE GOES HERE

Signed by proprietor, general partner or corporate officer

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- If there is no surety bond in connection with a contract giving rise to a claim which is assigned, it is not necessary to serve the Notice of Assignment or the Instrument of Assignment upon any surety.

9. If no disbursing officer is designated in such contract to make payment, it is not necessary to serve the Notice of Assignment of Claims under Government Contract.
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11. A "true copy" may consist of (a) a duplicate original containing all the signatures, seals, acknowledgments, etc., which appear on the original, (b) a complete photostatic copy of the original, or (c) a certified copy of the original, provided that such copy is accurate and complete in all respects, including signatures, seals, acknowledgments, etc., which may be typewritten, and provided that a certificate to the effect that it is a true copy be executed by a notary public or other officer authorized by law to administer oaths.
12. Should there be any question concerning this procedure, please communicate with your attorney.

NOTICE OF ASSIGNMENT OF CLAIMS UNDER GOV'T CONTRACT

Principal	Loan Date	Maturity	Loan No	Call / Coll	Account	Officer	Initials
	11-08-2018		6512255101	750	CAA2061	27149	

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Borrower: CLEARNETWORKX, LLC
P.O. BOX 1809
MONTROSE, CO 81402-1809

Lender: First Southwest Bank
Durango Branch
600 East 2nd Avenue
Durango, CO 81301

TO:

DATE: August 2, 2019

San Miguel County, Colorado, a body corporate and politic, acting by and through the Board of County Commissioners
333 W. Colorado Avenue
Telluride, CO 81435

RE: **DEPARTMENT:** San Miguel County, Colorado, a body corporate and politic, acting by and through the Board of County Commissioners
WITH: CLEARNETWORKX, LLC (CONTRACTOR) whose address is: P.O. BOX 1809, MONTROSE, CO 81402-1809
FOR: Fiber-Optic Indefeasible Right of Use Agreement, Norwood, Colorado entered into by and between Clearnetworkx, LLC, a Colorado Limited Liability Company and the San Miguel County, Colorado, a body corporate and politic, acting by and through the Board of County Commissioners
DATED: July 18, 2018

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First Southwest Bank

By: _____

(Signature)

Paul Brodenick

(Name and title of signing officer)

(Office)

RECEIPT OF NOTICE OF ASSIGNMENT

Receipt is hereby acknowledged of the above Notice of Assignment and a copy of the above mentioned Instrument of Assignment. These were received at _____ (a.m./p.m.) on _____ (Date)

X _____
(Signature)

On behalf of _____

(Name and title of addressee of Notice)

**THIS COPY
TO BE RETURNED TO LENDER**

LaserPro, Ver. 18.2.0.027 Copr. Finastra USA Corporation 1997, 2018
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CO C:\P\CF\LP\LE82 FC TR-13951 PR-141 (M)

RETURN TO:

**First Southwest Bank
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NOTICE OF ASSIGNMENT OF CLAIMS UNDER GOV'T CONTRACT

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P.O. BOX 1809
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600 East 2nd Avenue
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First Southwest Bank

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Paul Brodner

(Name and title of signing officer)

(Office)

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**THIS COPY
FOR ADDRESSEE'S USE**

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RETURN TO:

**First Southwest Bank
Durango Branch
600 East 2nd Avenue
Durango, CO 81301**



AGENDA ITEM - 5.a.

TITLE:

9:32 am Request for Board approval to move forward on an IGA and plan for drainage and road repair at the intersection of Hwy 145 and CR 58P Sawpit./MOTION

Presented by: Ryan Righetti, County Road and Bridge Superintendent

Time needed: 5 mins

PREPARED BY:

Ryan Righetti

RECOMMENDED ACTION/MOTION:

INTRODUCTION/BACKGROUND:

Per request by Ryan Righetti

FISCAL IMPACT:

Contract Number:	Date Executed	End Date	Department(s)
YYYY-###			Board of County Commissioner Staff
Description:			

ATTACHMENTS:

Description	Upload Date
Estimate of Cost	8/2/2019
Sawpit Approach	8/2/2019
EXAMPLE of the IGA	8/2/2019



Project Number: NHPP 145A-080
 Sub Account Number: 23000
 Road Number & Milepost: SH 145 Keystone to Placerville
 Work Description: Surface Treatment
 Location: San Miguel County

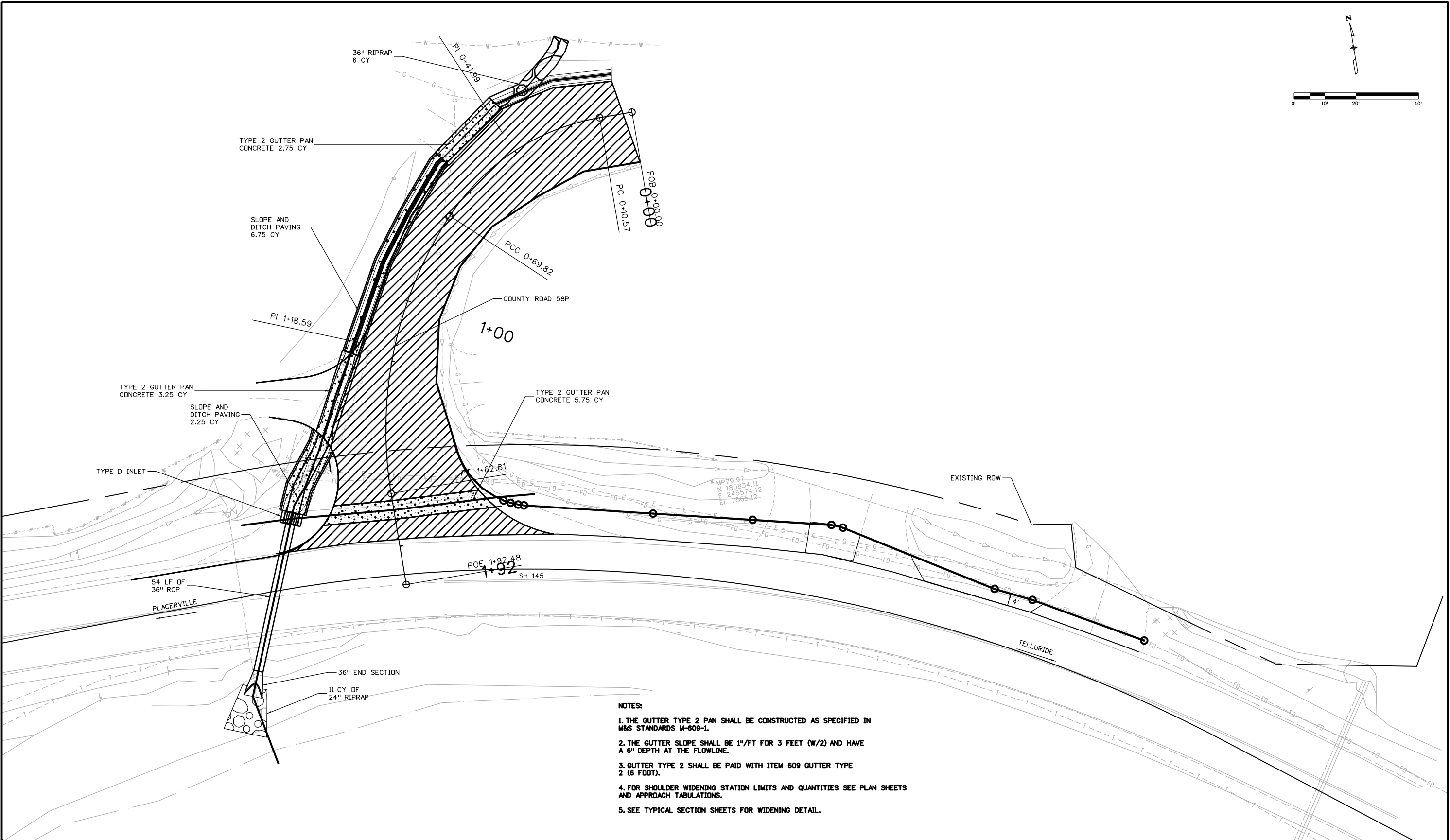
Preliminary Cost Estimate - Schedule. Estimate for County at CR 58P

Contract Item Number	Cat. No.	Contract Item Description	Roadway Quantity		Roadway Cost/Unit	Roadway Cost 200	Structure Cost/Unit	Structure Cost 300	Safety Cost 400	Total Cost
203-00000	200	Unclassified Excavation	50	CY	\$100.00	\$5,000.00				\$5,000.00
203-01500	200	Blading	8	HR	\$125.00	\$1,000.00				\$1,000.00
203-01510	200	Backhoe	4	HR	\$130.00	\$520.00				\$520.00
203-01597	200	Potholing	10	HR	\$300.00	\$3,000.00				\$3,000.00
203-02330	200	Laborer	20	HR	\$50.00	\$1,000.00				\$1,000.00
206-00000	200	Structure Excavation	31	CY	\$40.00	\$1,240.00				\$1,240.00
206-00065	200	Structure Backfill (Flow-Fill)	11	CY	\$175.00	\$1,925.00				\$1,925.00
208-00045	200	Concrete Washout Structure	1	EACH	\$1,000.00	\$1,000.00				\$1,000.00
304-06000	200	Aggregate Base Course (Class 6)	50	TON	\$50.00	\$2,500.00			#REF!	\$2,500.00
403-00720	200	Hot Mix Asphalt (Patching) (Asphalt)	3	TON	\$300.00	\$953.33				\$953.33
403-34721	200	Hot Mix Asphalt (Grading SX) (75) (PG 58-28)	123	TON	\$130.00	\$15,990.00				\$15,990.00
411-10255	200	Emulsified Asphalt (Slow-Setting)	28	GAL	\$3.00	\$84.00				\$84.00
506-00236	200	Riprap (36 Inch)	10	CY	\$150.00	\$1,500.00				\$1,500.00
507-00000	200	Concrete Slope and Ditch Paving	9	CY	\$700.00	\$6,300.00				\$6,300.00
604-00510	200	Inlet Type D (10 Foot)	1	EACH	\$8,000.00	\$8,000.00				\$8,000.00
609-24006	200	Gutter Type 2 (6 Foot)	40	LF	\$60.00	\$2,400.00				\$2,400.00
625-00000	200	Construction Surveying	1	L S	\$5,000.00	\$5,000.00				\$5,000.00
630-00000	200	Flagging	180	HR	\$25.00	\$4,500.00				\$4,500.00
630-00007	200	Traffic Control Inspection	1	DAY	\$100.00	\$100.00				\$100.00
630-00012	200	Traffic Control Management	5	DAY	\$725.00	\$3,625.00				\$3,625.00
Bid Item Total						\$65,637.33	\$0.00	\$0.00	#REF!	\$65,637.33

Adjustment 22.45% for CE and Indirects

\$80,372.91

horanie1 4:07:20 PM pw:\CDOT\APP66.dot.state.co.us\wiseproduction\Documents\Projects\23000-23999\000-099\23000 - SH145 KEYSTONE-PLACERVILLE RESURF&DEBRIS Design\Exhibits\23000_SawpitApproachMP80_Exhibit



Print Date: 7/11/2019		<div>0000</div>	Sheet Revisions			<div><div><div><div></div><div></div></div><div><div></div><div></div></div></div><div>Colorado Department of Transportation</div><div><div><div></div><div></div></div><div><div></div><div></div></div></div><div><div>3803 N. Main Avenue, Suite 100</div><div>Durango, Co 81301</div><div>Phone: 970-385-8370</div><div>FAX: 970-385-8365</div></div><div>Region 5</div><div>JEF</div></div>	As Constructed		SH 145/CR 58P				Project No./Code		
File Name: 23000_SawpitApproachMP80_Exhibit			Date:	Comments	Init.		No Revisions:		PLAN SHEET				Project Number		
Horiz. Scale: 1:30							Revised:		Designer: XXXXXXXX		Structure	X-XX-XX		Code	
Unit Information							Void:		Detailer: XXXXXXXX		Numbers	X-XX-XX		Sheet Number XXX	
									Sheet Subset: XXXXXXXX		Subset Sheets: XXX of XXX				
Vert. Scale: As Noted															
Unit Leader Initials															

(Local \$CDOTWRK)
PROJECT STA R500-190 (21416)
REGION 5 (wma)
Rev 10/03

SAP # TBD

Internal CDOT Tracking - subject
to change

CONTRACT

THIS CONTRACT is executed on this ____ day of _____, 20____, by and between the State of Colorado for the use and benefit of the Colorado Department of Transportation (the “State”) and the City of Salida, (the “Local Agency”).

RECITALS

1. The Local Agency has made funds available for project STA R500-190, subaccount 21416, which shall consist of the removal and replacement of the existing City of Salida water line within the limits of the concrete reconstruction at F Street and SH 291, referred to as the “Project” or the “Work.” Such Work will be performed in Salida, Colorado, specifically described in **Exhibit A**.
2. Required approval, clearance and coordination have been accomplished from and with appropriate agencies.
3. Pursuant to 43-2-104.5 C.R.S. as amended, the State may contract with Local Agencies to provide maintenance and construction of highways that are part of the state (or local agency) highway system.
4. Local Agency anticipates improvements to F Street and SH 291. The State has completed and submitted a preliminary Scope of Work describing the general nature of the Work. The Local Agency understands that before the Work begins, the Scope of Work may be revised as a result of design changes made by CDOT, in coordination with the Local Agency, in its internal review process.
5. The Local Agency has funds available and desires to provide the funding for the improvements, as described in Section 4.
6. The State has estimated the total cost of the Work, and the Local Agency is in agreement with said estimate and is prepared to provide the funding required for the Work by September 5, 2017.
7. This contract is executed under the authority of §§ 29-1-203, 43-1-110; 43-1-116, 43-2-101(4)(c) and 43-2-144, C.R.S.

THE PARTIES NOW AGREE THAT:

Section 1. Scope of Work

The Project or the Work under this contract shall consist of removal and replacement of water lines at F Street and SH 291 as a part of the Project for which the Local Agency shall provide funding for

specific improvements, in Salida , Colorado, as more specifically described in Section 4. B, and **Exhibit A**.

Section 2. Order of Precedence

In the event of conflicts or inconsistencies between this contract and its exhibits, such conflicts or inconsistencies shall be resolved by reference to the documents in the following order of priority:

1. This contract
2. **Exhibit A** (Scope of Work)

Section 3. Term

This contract shall be effective upon approval of the Chief Engineer or designee. The term of this contract shall continue through the completion and final acceptance of the Project by the State, FHWA and the Local Agency.

Section 4. Project Funding Provisions

A. The Local Agency is in agreement with the estimated total cost of their specific scope of work and is prepared to provide the funding for the Work based upon Section 4. B.

B. The maximum amount payable by the Local Agency under this contract shall be \$137,341.00, which is to include and to be funded as follows:

(REMAINDER OF PAGE INTENTIONALLY LEFT BLANK, see following for funding)

Sub Account Number: 21416 - Water Line Inclu Project Name: R5 Signal Replacement					
Engineers (Semi) Detailed Estimate				Alternative:	1
				Prepared By:	J.Fullerton
				Creation Date:	9/20/2016
				Date Modified:	
<i>Bid Items</i>					
Item No.	Item Description	Unit	Unit Cost	Quantity	Extended Cost
202-00031	Removal of Fire Hydrant	EACH	\$1,000	1	\$1,000
202-00032	Removal of Valve	EACH	\$500	3	\$1,500
202-00035	Removal of Pipe	LF	\$60	280	\$16,800
202-00220	Removal of Asphalt Mat	SY	\$12	200	\$2,400
250-00210	Solid Waste Disposal	CY	\$20	222	\$4,440
304-06007	Aggregate Base Course (Class 6)	CY	\$35	222	\$7,770
619-00007	Connect To Existing Waterline	EACH	\$2,000	4	\$8,000
619-00008	12 Inch Waterline (Fittings)	EACH	\$1,500	12	\$18,000
619-50480	6 Inch Plastic Pipe (C900)	LF	\$125	20	\$2,500
619-50960	12 Inch Plastic Pipe (C900)	LF	\$150	280	\$42,000
619-75000	Cast Iron Valve Box	EACH	\$400	4	\$1,600
619-75096	12 Inch Gate Valve	EACH	\$2,500	4	\$10,000
619-78049	6 Inch Fire Hydrant (Install Only)	EACH	\$2,000	1	\$2,000
					\$120,310
			% Range	% Used	Cost
	Project Construction Bid Items		Project Dependent	N / A	\$120,310
626-00000	Mobilization		(4 - 7%)	5.0%	\$6,016
	Total of Construction Bid Items				\$126,326
700-70010	Force Account - Minor Contract Revisions		Calculated	5.0%	\$6,016
700-70270	Force Account - Water Lines (Testing)				\$5,000
				Subtotal FA	\$11,016
	Subtotal of Construction Cost				\$137,341
	Total Construction Engineering		(Covered in Project Cos	0.00%	\$0
	TOTAL PROJECT COST - PRESENT COST				\$137,341
	Total Construction Cost				\$137,341

Local Agency Funds

\$137,341.00

Total Funds

\$3,200,000.00

C. The parties hereto agree that this contract is contingent upon all funds designated for the project herein being made available from state sources, as applicable. Should these sources fail to provide necessary funds as agreed upon herein, the contract may be terminated by either party, provided that any party terminating its interest and obligations herein shall not be relieved of any obligations which existed prior to the effective date of such termination or which may occur as a result of such termination.

Section 5. Project Payment Provisions

A. The Local Agency will provide payment to the State by September 5, 2017, following the Local Agency's review and approval of charges provided by the State.

B. If the Local Agency is to be billed for CDOT incurred costs or project funding participation, as described herein, the billing procedure shall be as follows:

1. Upon written notification to the Local Agency by CDOT that, at Notice to Proceed (NTP), the construction Contract has been awarded, the Local Agency shall provide funds to the State within twenty (20) days following CDOT's notification. Should the Local Agency fail to pay as agreed between the Parties hereto:
 - a) the Local Agency agrees that, at the request of the State, the State Treasurer may withhold an equal amount from future apportionment due the Local Agency from the Highway Users Tax Fund and to pay such funds directly to the State. Interim funds, until the State is reimbursed, shall be payable from the State Highway Supplementary Fund (400) or
 - b) if the Local Agency fails to make timely payment to the State as required by this section, CDOT reserves the right to terminate the work by change order with the contractor.

C. All work will be performed by the State, as responsible party, except as noted. The Local Agency will participate in said Work through funding, described herein.

Section 6. State and Local Agency Commitments

A. Design

1. If the Work includes preliminary design or final design (the "Construction Plans"), or design work sheets, or special provisions and estimates (collectively referred to as the "Plans"), the responsible party shall comply with the following requirements, as applicable:
 - a. perform or provide the Plans, to the extent required by the nature of the Work.
 - b. prepare final design (Construction Plans) in accord with the requirements of the latest edition of the American Association of State Highway Transportation Officials (AASHTO) manual or other standard, such as the Uniform Building Code, as approved by CDOT.
 - c. prepare special provisions and estimates in accord with the State's Roadway and Bridge Design Manuals and Standard Specifications for Road and Bridge Construction.
 - d. include details of any required detours in the Plans, in order to prevent any interference of the construction work and to protect the traveling public.
 - e. stamp the Plans produced by a Colorado Registered Professional Engineer.

- f. provide final assembly of Plans and contract documents.
- g. be responsible for the Plans being accurate and complete.
- h. The Local Agency shall provide plans, details and quantities for incorporation into the State's final design. Plans shall be acceptable to the State or shall be revised accordingly.
- i. In the event that questions arise the Local Agency will be responsible for clarifying any inquiries regarding the Local Agency's plans within 24 hours of receipt of plans, details or quantities within 24 hours of receipt of notification from the State that further information is required.

B. Construction

1. If the Work includes construction, the responsible party shall perform the construction in accordance with the approved design plans. Such administration shall include project inspection and testing; approving sources of materials; performing required plant and shop inspections; documentation of contract payments, testing and inspection activities; preparing and approving pay estimates; preparing, approving and securing the funding for contract modification orders and minor contract revisions; processing contractor claims; construction supervision; and meeting the Quality Control requirements of the FHWA/CDOT Stewardship Agreement.
2. If the State is the responsible party:
 - a. It shall appoint a qualified professional engineer, licensed in the State of Colorado, as the State Agency Project Engineer (SAPE), to perform that administration. The SAPE shall administer the project in accordance with this contract, the requirements of the construction contract and applicable State procedures.
 - b. If bids are to be let for the construction of the project, the State shall advertise the call for bids and upon concurrence by the Local Agency will award the construction contract(s) to the low responsive, responsible bidder(s).
 - (1) In advertising and awarding the bid for the construction of a federal-aid project, the State shall comply with applicable requirements of 23 USC § 112 and 23 CFR Parts 633 and 635 and C.R.S. § 24-92-101 et seq. Those requirements include, without limitation, that the State/contractor shall incorporate Form 1273 (Exhibit H) in its entirety verbatim into any subcontract(s) for those services as terms and conditions therefore, as required by 23 CFR 633.102(e).
 - c. If all or part of the construction work is to be accomplished by State personnel (i.e. by force account), rather than by a competitive bidding process, the State will ensure that all such force account work is accomplished in accordance with the pertinent State specifications and

requirements with 23 CFR 635, Subpart B, Force Account Construction.

Section 7. ROW Acquisition and Relocation (as applicable)

If the Project includes right of way, prior to this project being advertised for bids, the Responsible Party will certify in writing to the State that all right of way has been acquired in accordance with the applicable state and federal regulations, or that no additional right of way is required.

Any acquisition/relocation activities must comply with: all applicable federal and state statutes and regulations, including but not limited to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended (P.L. 91-646) and the Uniform Relocation Assistance and Real Property Acquisition Policies for Federal and Federally Assisted Programs as amended (49 CFR Part 24); CDOT's Right of Way Manual; and CDOT's Policy and Procedural Directives.

Allocation of Responsibilities are as follows:

- Federal participation in right of way acquisition (3111 charges), relocation (3109 charges) activities, if any, and right of way incidentals (expenses incidental to acquisition/relocation of right of way – 3114 charges);
- Federal participation in right of way acquisition (3111 charges), relocation (3109 charges) but no participation in incidental expenses (3114 charges); or
- No federal participation in right of way acquisition (3111 charges) and relocation activities (3109 expenses).

Regardless of the option selected above, the State retains oversight responsibilities. The Local Agency's and the State's responsibilities for each option is specifically set forth in CDOT's Right of Way Manual. The manual is located at http://www.dot.state.co.us/ROW_Manual/.

If right of way is purchased for a state highway, including areas of influence of the state highway, the local agency shall immediately convey title to such right of way to CDOT after the local agency obtains title.

Section 8. Utilities

If necessary, the responsible Party will be responsible for obtaining the proper clearance or approval from any utility company, which may become involved in this Project. Prior to this Project being advertised for bids, the responsible Party will certify in writing that all such clearances have been obtained.

Section 9. Railroads

Reserved.

Section 10. Environmental Obligations

The State shall perform all Work in accordance with the requirements of the current federal and state environmental regulations including the National Environmental Policy Act of 1969 (NEPA) as applicable.

Section 11. Maintenance Obligations

The Local Agency will maintain and operate the newly constructed water line and components at its own cost and expense during their useful life. The Local Agency will make proper provisions for such maintenance obligations each year. Such maintenance and operations shall be conducted in accordance with all applicable statutes, ordinances and regulations which define the Local Agency's obligations to maintain such improvements.

Section 12. Record Keeping

The State shall maintain a complete file of all records, documents, communications, and other written materials, which pertain to the costs incurred under this contract. The State shall maintain such records for a period of seven (7) years after the date of termination of this contract or final payment hereunder, whichever is later, or for such further period as may be necessary to resolve any matters which may be pending. The State shall make such materials available for inspection at all reasonable times and shall permit duly authorized agents and employees of the Local Agency and FHWA to inspect the project and to inspect, review and audit the project records.

Section 13. Termination Provisions

This contract may be terminated as follows:

A. Termination for Convenience. The State may terminate this contract at any time the State determines that the purposes of the distribution of moneys under the contract would no longer be served by completion of the project. The State shall effect such termination by giving written notice of termination to the Local Agency and specifying the effective date thereof, at least twenty (20) days before the effective date of such termination.

B. Termination for Cause. If, through any cause, the Local Agency shall fail to fulfill, in a timely and proper manner, its obligations under this contract, or if the Local Agency shall violate any of the covenants, agreements, or stipulations of this contract, the State shall thereupon have the right to terminate this contract for cause by giving written notice to the Local Agency of its intent to terminate and at least ten (10) days opportunity to cure the default or show cause why termination is otherwise not appropriate. In the event of termination, all finished or unfinished documents, data, studies, surveys, drawings, maps, models, photographs and reports or other material prepared by the Local Agency under this contract shall, at the option of the State, become its property, and the Local Agency shall be entitled to receive just and equitable compensation for any services and supplies delivered and accepted. The Local Agency shall be obligated to return any payments advanced under the provisions of this contract.

Notwithstanding the above, the Local Agency shall not be relieved of liability to the State for any damages sustained by the State by virtue of any breach of the contract by the Local Agency, and the

State may withhold payment to the Local Agency for the purposes of mitigating its damages until such time as the exact amount of damages due to the State from the Local Agency is determined.

If after such termination it is determined, for any reason, that the Local Agency was not in default or that the Local Agency's action/inaction was excusable, such termination shall be treated as a termination for convenience, and the rights and obligations of the parties shall be the same as if the contract had been terminated for convenience, as described herein.

Failure to fulfill the terms of this agreement (e.g. provide funding) shall result in the State's right to not construct the Local Agency's improvements.

C. Termination and Transfer of Payment

If the Local Agency transfers the funds described in Section 4. B to CDOT for the Work, and CDOT does not award the Work or the Project does not get built resulting in Project termination, CDOT will provide written notice to the Local Agency of such termination. Upon written notice of termination, CDOT will return payment to the Local Agency within 60 days of notice.

Section 14. Legal Authority

The Local Agency warrants that it possesses the legal authority to enter into this contract and that it has taken all actions required by its procedures, by-laws, and/or applicable law to exercise that authority, and to lawfully authorize its undersigned signatory to execute this contract and to bind the Local Agency to its terms. The person(s) executing this contract on behalf of the Local Agency warrants that such person(s) has full authorization to execute this contract.

Section 15. Representatives and Notice

The State will provide liaison with the Local Agency through the State's Region 5 Director, Michael McVaugh, 3803 North Main Street, Ste, 300, Durango, CO, 81301. Said Region Director will also be responsible for coordinating the State's activities under this contract and will also issue a "Notice to Proceed" to the Local Agency for commencement of the Work. All communications relating to the day-to-day activities for the work shall be exchanged between representatives of the State's Transportation Region 5 and the Local Agency. All communication, notices, and correspondence shall be addressed to the individuals identified below. Either party may from time to time designate in writing new or substitute representatives.

If to the State:
Thomas Humphrey

If to the Local Agency:
Director of Public Works

Traffic and Safety Resident Engineer
CDOT Region 5, Durango
3803 North Main Ave
Suite 100
Durango Colorado 81301
970-385-3637
thomas.humphrey@state.co.us

City of Salida Public Works
Department
340 W. Hwy 291
Salida, Colorado 81201
719-539-6257

Section 16. Successors

Except as herein otherwise provided, this contract shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.

Section 17. Third Party Beneficiaries

It is expressly understood and agreed that the enforcement of the terms and conditions of this contract and all rights of action relating to such enforcement, shall be strictly reserved to the State and the Local Agency. Nothing contained in this contract shall give or allow any claim or right of action whatsoever by any other third person. It is the express intention of the State and the Local Agency that any such person or entity, other than the State or the Local Agency receiving services or benefits under this contract shall be deemed an incidental beneficiary only.

Section 18. Governmental Immunity

Notwithstanding any other provision of this contract to the contrary, no term or condition of this contract shall be construed or interpreted as a waiver, express or implied, of any of the immunities, rights, benefits, protection, or other provisions of the Colorado Governmental Immunity Act, § 24-10-101, et seq., C.R.S., as now or hereafter amended. The parties understand and agree that liability for claims for injuries to persons or property arising out of negligence of the State of Colorado, its departments, institutions, agencies, boards, officials and employees is controlled and limited by the provisions of § 24-10-101, et seq., C.R.S., as now or hereafter amended and the risk management statutes, §§ 24-30-1501, et seq., C.R.S., as now or hereafter amended.

Section 19. Severability

To the extent that this contract may be executed and performance of the obligations of the parties may be accomplished within the intent of the contract, the terms of this contract are severable, and should any term or provision hereof be declared invalid or become inoperative for any reason, such invalidity or failure shall not affect the validity of any other term or provision hereof.

Section 20. Waiver

The waiver of any breach of a term, provision, or requirement of this contract shall not be construed or deemed as a waiver of any subsequent breach of such term, provision, or requirement, or of any other term, provision or requirement.

Section 21. Entire Understanding

This contract is intended as the complete integration of all understandings between the parties. No prior or contemporaneous addition, deletion, or other amendment hereto shall have any force or effect whatsoever, unless embodied herein by writing. No subsequent novation, renewal, addition, deletion, or other amendment hereto shall have any force or effect unless embodied in a writing executed and approved pursuant to the State Fiscal Rules.

Section 22. Survival of Contract Terms

Notwithstanding anything herein to the contrary, the parties understand and agree that all terms and conditions of this contract and the exhibits and attachments hereto which may require continued performance, compliance or effect beyond the termination date of the contract shall survive such termination date and shall be enforceable by the State as provided herein in the event of such failure to perform or comply by the Local Agency.

Section 23. Modification and Amendment

This contract is subject to such modifications as may be required by changes in federal or State law, or their implementing regulations. Any such required modification shall automatically be incorporated into and be part of this contract on the effective date of such change as if fully set forth herein. Except as provided above, no modification of this contract shall be effective unless agreed to in writing by both parties in an amendment to this contract that is properly executed and approved in accordance with applicable law.

Section 24. Disputes

Except as otherwise provided in this contract, any dispute concerning a question of fact arising under this contract which is not disposed of by agreement will be decided by the Chief Engineer of the Department of Transportation. The decision of the Chief Engineer will be final and conclusive unless, within 30 calendar days after the date of receipt of a copy of such written decision, the Local Agency mails or otherwise furnishes to the State a written appeal addressed to the Executive Director of the Department of Transportation. In connection with any appeal proceeding under this clause, the Local Agency shall be afforded an opportunity to be heard and to offer evidence in support of its appeal. Pending final decision of a dispute hereunder, the Local Agency shall proceed diligently with the performance of the contract in accordance with the Chief Engineer's decision. The decision of the Executive Director or his duly authorized representative for the determination of such appeals will be final and conclusive and serve as final agency action. This dispute clause does not preclude consideration of questions of law in connection with decisions provided for herein. Nothing in this contract, however, shall be construed as making final the decision of any administrative official, representative, or board on a question of law.

THE PARTIES HERETO HAVE EXECUTED THIS CONTRACT

*** Persons signing for Contractor hereby swear and affirm that they are authorized to act on Contractor's behalf and acknowledge that the State is relying on their representations to that effect.**

<p align="center">Local Agency City of Salida</p> <p><u>By:</u> _____ Name of Authorized Individual</p> <p><u>Title:</u> _____ Official Title of Authorized Individual</p> <p>By: _____ Signature</p> <p>Date: _____</p>	<p align="center">STATE OF COLORADO John W. Hickenlooper, GOVERNOR Department of Transportation</p> <p>By _____ Joshua Laipply, P.E., Chief Engineer (For) Shailen P. Bhatt, Executive Director</p> <p>Date: _____</p>
<p align="center">2nd Local Agency Signature if Needed</p> <p>By: _____ (print name)</p> <p>Title: _____ (print title)</p> <p>By: _____ Signature</p> <p>Date: _____</p>	<p align="center">STATE OF COLORADO LEGAL REVIEW Cynthia H. Coffman, Attorney General</p> <p>By _____ Signature – Assistant Attorney General</p> <p>Date: _____</p>

ALL CONTRACTS REQUIRE APPROVAL BY THE STATE CONTROLLER

CRS §24-30-202 requires the State Controller to approve all State Contracts. This Contract is not valid until signed and dated below by the State Controller or delegate. Contractor is not authorized to begin performance until such time. If Contractor begins performing prior thereto, the State of Colorado is not obligated to pay Contractor for such performance or for any goods and/or services provided hereunder.

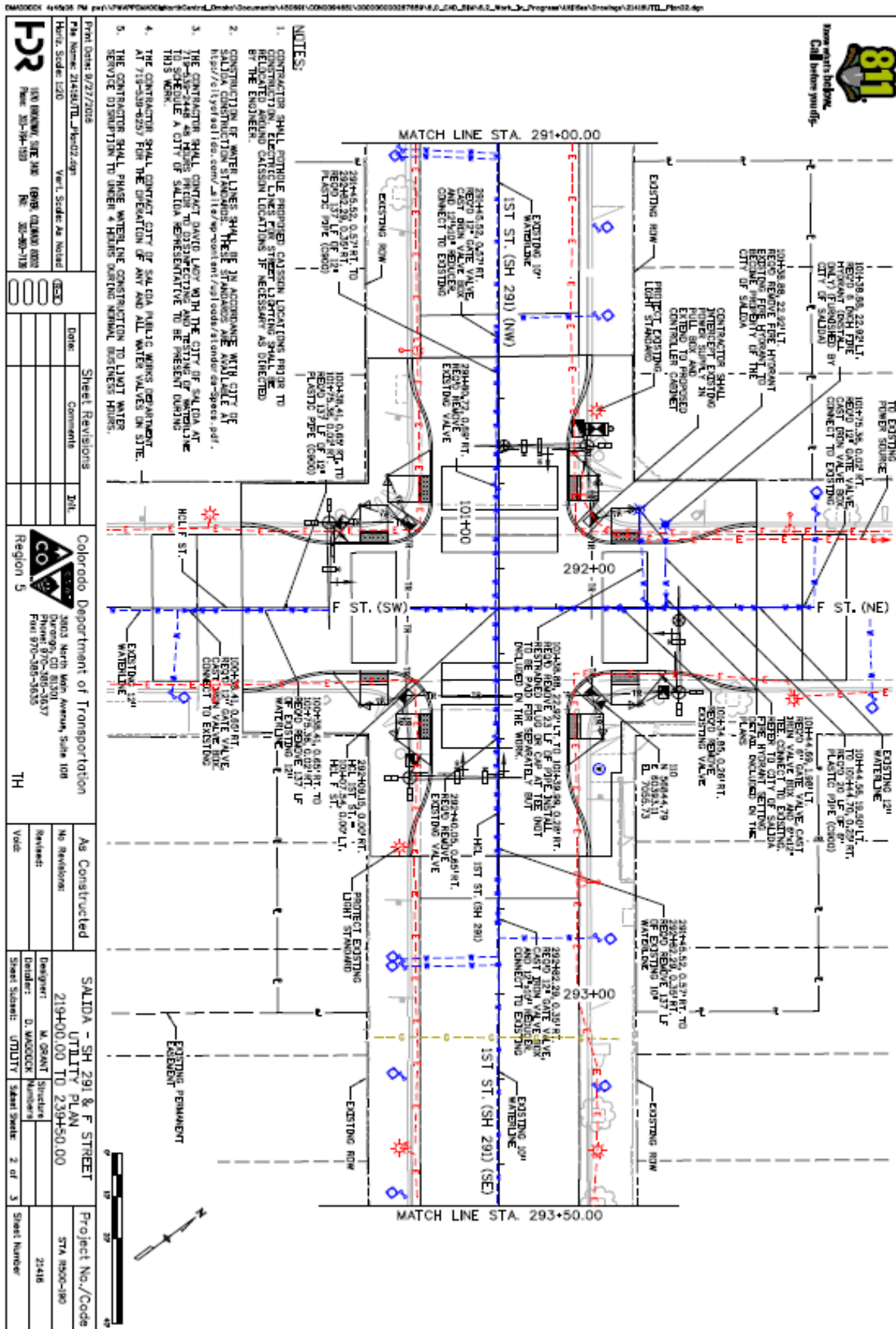
<p align="center">STATE OF COLORADO STATE CONTROLLER Robert Jaros, CPA, MBA, JD</p> <p>By: _____ Department of Transportation</p> <p>Date: _____</p>

**Scope of Work
(Water Line Replacement F Street and SH 291)**

This scope of work covers the removal and replacement of the existing City of Salida water line within the limits of the concrete reconstruction at F Street and SH 291. Specifically the work items include:

- 1) F Street Station 100+38 to 101+75: Remove existing 10" Water Line and replace with 12" Water Line.
- 2) SH 291 Station 291+45 to 292+82: Remove existing 10" Water Line and replace with 12" Water Line.
- 3) Remove 3 existing gate valves and cast iron valve boxes within the limits of water line replacement.
- 4) SH 291 Station 291+45: Place new 12" gate valve, cast iron valve box and provide 10"x12" reducer to connect to existing water line.
- 5) SH 291 Station 292+82: Place new 12" gate valve, cast iron valve box and provide 10"x12" reducer to connect to existing water line.
- 6) F Street Station 100+38: Place new 12" gate valve, cast iron valve box and connect to existing water line.
- 7) F Street Station 101+75: Place new 12" gate valve, cast iron valve box and connect to existing water line.
- 8) F Street Station 101+44.69: Provide 6" gate valve, cast iron valve box, 12"x12"x6" tee, and 20 LF of 6" Water Line (C900).
- 9) F Street Station 101+38.88: Remove Existing Fire Hydrant and Install City provided Fire Hydrant
- 10) All waterline construction and testing shall adhere to City of Salida Waterline Construction Standards.

This work is estimated to cost **\$137,341**. See attached plan sheet and estimate of item for reference. This work is scheduled to begin September 5th, 2017 with the project being advertised for construction in December of 2016.





AGENDA ITEM - 5.b.

TITLE:

9:40 a.m. Presentation of the need to update the Corridor Management Plan and a designation of a Management Committee.

Presented by: Heidi Pankow, Ouray Tourism Office/Western Colorado Byways Rep

Time needed: 50 mins

PREPARED BY:

Heidi Pankow, Ouray Tourism Office

RECOMMENDED ACTION/MOTION:

INTRODUCTION/BACKGROUND:

On Fri, Jul 5, 2019 at 1:21 PM Heidi Pankow <ocra.marketing@gmail.com> wrote:
Dear San Miguel County Commissioners,

My name is Heidi Pankow and I was recently appointed the Western Colorado Byways Representative on the Colorado Byways Commission by Governor Hickenlooper. I am very excited to serve on this commission and look forward to representing our region. I'm writing to share some important information about the San Juan Skyway Scenic Byway that requires immediate attention.

The San Juan Skyway is one of the original scenic byways designated in the Colorado and holds the designations of America's Byway, All-American Road, Colorado Scenic and Historic Byway and National Forest Byway. It is a valuable economic, recreation and historic asset for our region. It is a critical transportation route through SW Colorado. It is loved by visitors and locals for it's views and access to unique and popular attractions.

In order for a scenic byway to be recognized there is a list of requirements that must be followed regularly (see attached word document for list.) One of the most important of these requirements is maintaining a Byway Management Committee (BMC) and the original committee for the San Juan Skyway has dissolved over the last decade or so - mostly due to

the leadership retiring or moving away from the area. In recent months there has been legislation introduced at the federal level to reinstate the national scenic byways program which will open the opportunity to designate new byways and introduce potential funding to existing byways. As a result, currently byways will need to be in good standing or risk losing their designation to new proposed byways. It is critical to form a new Byway Management Committee for the San Juan Skyway to ensure our byway status is not revoked.

I am proposing that each county on the San Juan Skyway (Ouray, San Juan, La Plata, Montezuma, Dolores, San Miguel) appoint a representative to the new BMC committee along with representatives from CDOT, San Juan National Forest, GMUG National Forest, BLM, local tourism offices, and regional land/nature conservancy organizations. The new BMC will meet once a year in person for strategic planning and three times virtually. Sub committees may be formed to address signage or way-finding, funding opportunities, areas of danger or concern, and resource conservation and other topics as needed.

I am available to give a formal presentation or request for participation at an upcoming County Commission meeting or meet with you one-on-one. Please contact me directly with your availability. A representative from your county should be identified by September in order to participate in the first committee meeting in October.

I have included the following links for your consideration and to illustrate the urgent nature of my request. They include the original Corridor Management Plan, the 2013 Way-finding report and a report prepared for the 25th anniversary of the San Juan Skyway Scenic Byway. The first goal for the new BMC will be to update the Corridor Management Plan so we are in compliance and do not risk losing the scenic byway designations we currently hold. The final link is to the CDOT San Juan Skyway webpage.

<https://www.codot.gov/travel/scenic-byways/southwest/southwest/san-juan-skyway/SanJuanSkywayCorridorManagementPlan.pdf>

<https://www.codot.gov/travel/scenic-byways/southwest/southwest/san-juan-skyway/FinalTheSanJuanSkywayFrameworkforWayshowing.pdf>

<https://www.codot.gov/travel/scenic-byways/southwest/southwest/san-juan-skyway/san-juan-skyway-final-report-december-2014>

<https://www.codot.gov/travel/scenic-byways/southwest/san-juan-skyway>

Thank you for your support and participation. I look forward to working with you to protect and improve our beloved San Juan Skyway Scenic Byway for today and the future.

Kind regards,

Heidi

Heidi Pankow

Ouray Tourism Office

Director of Industry, Media and Consumer Engagement

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FISCAL IMPACT:

Contract Number:	Date Executed	End Date	Department(s)
YYYY-###			Board of County Commissioner Staff
Description:			

ATTACHMENTS:

Description	Upload Date
The San Juan Byway information	8/1/2019
San Juan Skyway December 2014	8/1/2019
Corridor Mang. Plan	8/1/2019

A Framework for Wayshowing:

San Juan Skyway

Ouray, San Juan, La Plata, Montezuma, Dolores,
San Miguel Counties
Colorado



June 2013

Acknowledgments

This plan would not have been possible without the contributions of the Steering Committee of the San Juan Skyway All-American Road, Pauline Ellis, Carrie Whitley, Patti O'Brien, Bev Rich.

Appreciation is also extended to the participants of the San Juan Skyway Wayfinding Project, who donated their time to spend a day behind the wheel around the Skyway. Thanks to Greg Yankee, Jan Lisk, Barb Bowman, Rick Routh, Kylynn and Doug Wilson, Lenore Bates, Matt Murano, Roger and Kris Wilson, Ann Marie Velasquez, and Robert Shanks.

Document Produced By:

Walden Mills Group
Judy Walden, President
Sally Pearce

June 2013

Table of Contents

Executive Summary.....	4
Introduction.....	6
Keys to Effective Wayshowing.....	6
Wayshowing Components.....	7
History of Wayfinding Development on the San Juan Skyway.....	7
San Juan Skyway Wayfinding Assessment.....	9
Summary of Key Observations from the Assessment Team.....	11
Recommendations and Action Plan.....	14
Partnerships and Financial Resources	14
Appendix.....	16

Executive Summary

Wayshowing is a collection of maps, signs and other media that have been developed to aid travelers in their journey. A system of such information is critical to help travelers successfully choose a destination and plan their itinerary as well as to help them navigate once they arrive. As such, efforts to enhance a regional tourism economy must consider the strengths and deficiencies of existing wayshowing elements located along the full length of a byway corridor. The plan that follows assesses the current elements of the wayshowing system that exists throughout the San Juan Skyway, designated as one of 11 of America's Byways® in Colorado and 150 across the nation.

Utilizing a "front-seat back-seat" approach, travelers unfamiliar with the area took to the road with a list of significant historical, cultural and recreational sites to locate. Neophytes in the front seat searched for signs, used digital devices, studied maps and asked for directions. Meanwhile, transportation and tourism specialists in the back seat recorded the navigational challenges for those "new to the byway" travelers in the front. Three (3) four-person teams set out to evaluate how effectively the regional wayshowing system guided travelers to sixty nine (69) specified sites on the San Juan Skyway.

An analysis of the navigation challenges posed in this formal assessment exercise, combined with the input of local officials, transportation and tourism specialists, resulted in recommendations that can improve the ease of navigation for visitors and better capitalize on the potential for increasing travel-related revenues for the communities along the byway.

The three teams gave high rankings to a network of eight visitor centers that span the 236 miles of the San Juan Skyway. They found all eight centers stocked with comprehensive written materials that covered the entire region, and visitor center staff that were well trained and extremely helpful. These centers include Silverton Visitor Center, Ouray Visitor Center, San Juan Public Lands Center, Mancos Visitor Center, Mesa Verde National Park and Visitor Center, Cortez Welcome Center, Durango Area Tourism Office and Visitor Center and the Dolores Visitor Center.

Tourism has long been an important economic generator for the South West Colorado region. Its regional heritage sites are recognized nationally for their national and international significance, led by Mesa Verde National Park, a designated UNESCO World Heritage Site. Three federal public land agencies manage the federal lands and heritage sites in the area: The National Park Service, the United States Forest Service, and the Bureau of Land Management. Professional interpretive staff members from these three agencies have helped develop and produce interpretive panels and kiosks over many decades. The network of quality visitor information centers and extensive interpretive signage has created an information-rich region that is second to none in the State of Colorado. Additionally, the regional Colorado Department of Transportation has solid experience designing signage for domestic and international travelers who are unfamiliar with mountain roads.

Because of the excellent interpretive information located at sites throughout the San Juan Byway, the recommendations contained within this report cite mainly site-specific navigation challenges. In summary, the report recommends the following actions:

- A. Improve navigational signage within the city limits of towns and small communities located on the byway. Signage for attractions within the San Juan National Forest was uniformly excellent, as were those associated with Mesa Verde National Park. The greatest need is for wayshowing signs within the limits of the towns themselves.
- B. Modify existing in-town wayfinding signage in both Cortez and Telluride. Both need larger print on signs.
- C. Add pre-notification signs to important heritage sites and attractions. For many, travelers come upon them too fast to safely turn in.
- D. Install identifying signage on the fronts of buildings at the Museum and Mining Heritage Center in Silverton, the Galloping Goose Museum, and the Placerville School.
- E. Address inconsistencies in the naming of attractions in various media (brochures, maps, websites, Google Maps). These inconsistencies are rare and include Keystone Hill Overlook, Ophir Overlook, Red Mountain Overlook, and Galloping Goose Museum.
- F. Cell phone coverage is still spotty on the byway. With research showing that 50% of Colorado travelers depend on mobile devices to make travel decisions, the byway organization needs to move steadily to loading information online and developing byway-specific mobile apps.
- G. Develop clear distinctions between what is offered in the two different information centers in Durango – one downtown and one in Rotary Park.
- H. Assess the impact of heavy motorcycle usage on segments of the byway and add signage that alerts both motorists and motorcyclists to challenging segments of the roadway.
- I. Capitalize on the designation of All-American Road and explain the distinction to locals and travelers alike in wayshowing communication tools.

Introduction

The deployment of an effective system of wayshowing is an essential component of successful regional tourism strategies. Wayfinding and wayshowing are related but distinct concepts. **Wayfinding** is the mental process performed by travelers in identifying and locating their travel destinations. **Wayshowing**, on the other hand, is the communication in the form of maps, signs, and other media intended to aid the traveler in their wayfinding.

The purpose of this document is to provide a preliminary plan for an enhanced wayshowing system along the San Juan Skyway in Southwestern Colorado. In achieving this purpose, the plan aims to:

- Provide an outline of key concepts of wayshowing and wayfinding
- Assess the inventory of existing directional signage to key sites along US Highways 550 and 160, and State Highways 145 and 62, and designation signage along the same routes.
- Provide recommendations for enhancing directional signage to key sites.
- Provide an outline for subsequent action.

Keys to Effective Wayshowing

An effective system of wayshowing responds to the needs of travelers at all stages in their journey. At a minimum, effective wayshowing for the traveler must:

- Support how people find their way in unfamiliar travel environments
- Provide a guidance system of reliable and consistent components on the byway
- Respond to the unique characteristics of the byway
- Integrate pre-visit, visit, and post-visit stages of the byway experience
- Contribute to a safe roadway and travel environment
- Become a widely practiced body of knowledge among byway providers

Stages of Wayshowing

Effective wayshowing is essential not only to ensuring good experiences for the visitor, but also in attracting that visitor in the first place. While wayshowing may seem to begin and end with the traveler on the road, it also plays an important role in attracting visitors, assisting in their trip planning, and in enhancing their recollections with others after their trip is complete. Consider the travel experience as five distinct stages:

Choose

The point at which the traveler decides his or her travel destination or destinations. *Wayfinding Needs: What are the travel routes? What is there to see and do and where are these activities located? How much time is required for the trip?*

Prepare

This is the stage in which the prospective traveler plans and prepares for their trip, including making reservations or other advance travel arrangements. *Wayfinding Needs: How will we get there? Where will we stay, eat and stop? How much time should we allot to travel to and on the travel route? Where are the heritage, recreational, and cultural attractions of the area?*

Go/Do

This stage is the event itself as the visitor makes his or her way to or around their destination. *Wayfinding Needs: Where are the entry points to the route? How do we get back on track if we get off the route? Where are the attractions along the route? Where can we get information along the route? Where do we get gas, food, or lodging?*

Recall

This is the stage in which the memories of the trip extend its enjoyment beyond the time spent away from home. With travel completed, visitors typically want pictures, maps, souvenirs or other items to assist their recollection of a memorable trip. *Wayfinding Needs: What will help us recall the good times we had on the trip? Where were the sites we really enjoyed?*

Do Again

It is hoped that with an enjoyable and memorable trip, many visitors will return. *Wayfinding Needs: Where are those good maps from our last trip? We need to show our friends and family what they might like.*

With the assistance of an effective wayshowing system, successful travelers should be able to:

1. Identify origin and destination
2. Determine turn angles
3. Identify segment links and directions of movement
4. Recognize on-route and distant landmarks
5. Mentally embed or visualize the route in a larger reference frame: a cognitive map.

Wayshowing Components

A successful wayshowing system includes multiple components that not only direct the traveler, but provide interpretive information. Wayshowing does not start and stop on the road, but exists to provide the traveler with information to plan their trip and assist in the recollection of it afterwards through maps, websites and other media that can be accessed away from the physical roadway. Essential elements of a wayshowing system include the following:

- Entrances, Exit and Gateway Signage- Identification of where to enter and exit a route or byway so that travelers know their position relative to accessing and leaving a byway or other route.
- Orientation Stops- Pull-offs, turn-outs and other places for motorists to stop and help them create, refresh, and expand their mental maps of a byway or other route, its intrinsic qualities, and overarching interpretive theme with exhibits, maps, and other means of communication.
- Repetitive Route Markers- A sequence of visual cues for motorists to follow along a byway or other route.
- Direction Signage to Planned Destinations- Signs that alert and guide motorists to featured stops and attractions along or near a byway or other route.
- A Portable Map- A carry-on map of a byway corridor or travel region and its various attractions and amenities.

History of Wayfinding Development on the San Juan Skyway

The San Juan Skyway was designated as a US Forest Service National Scenic Byway in 1988 and as a Colorado Scenic and Historic Byway in 1989. The byway earned the highest level of designation at the national level in 1996 when the Secretary of Transportation designated the route as an All-American Road. Both All-American Roads and National Scenic Byways, those routes with regional significance, fall under the umbrella of America's Byways®.

All-American Roads represent the finest examples of the intrinsic resources of the country. To receive an All-American Road designation, a road must possess multiple intrinsic qualities that are nationally significant and contain one-of-a-kind features that do not exist elsewhere. The road or highway must also be considered a "destination unto itself." That is, the road must provide an exceptional traveling experience so recognized by travelers that they would make a drive along the highway a primary reason for their trip. Designation of these routes requires a special commitment to management to ensure their continued quality. There are currently 31 roads designed as an All-American Road, two in Colorado.

The byway uses the directional signage with the State scenic byway logo (the Columbine sign) and the America's Byways logo. It is also designated as a US Forest Service National Scenic Byway but the US Forest Service has agreed to use only the Columbine signs for directional wayfinding purposes.

A corridor management plan (CMP) was completed in 1995 outlining management, preservation, marketing and interpretive needs, but the plan was somewhat general in detail. The US Forest Service, which was responsible for directing the byway in the early days after designation, also developed and implemented a comprehensive interpretive plan.

The San Juan Skyway received funding in 1992 through the National Scenic Byways Program to design and install interpretive signage at three locations along the byway. These included interpretive signs at Keystone Hill near Telluride, an orientation kiosk in Cortez and an interpretive center in Mancos. Subsequent grants in 1996 through 1998 resulted in additional interpretive signage all around the byway. Grants in 1997 and 1999 resulted in the construction of the Red Mountain Pass Overlook, a large off road circular pullout with interpretive signs and numerous parking spots.

On a regional scale, the Colorado Department of Transportation (CDOT) is responsible for signage along state highways throughout the area, including US Highways 160 and 550, and State Highways 145 and 62. There is good signage for the major attractions, particularly in the national forest. Many of the trailheads, lakes, campgrounds, and picnic areas are signed using the standard brown or green recreational signage. There are a few point-of-interest signs but the usage is not consistent.

Local signage was installed in the towns of Telluride, Durango and Cortez. The signs in Durango and Cortez are similar in design while those in Telluride are more rustic. There are no local signs in Ridgway or any of the smaller communities along the byway.



Telluride Signage



Town of Cortez Signage

San Juan Skyway Wayfinding Assessment

Often the difficulty in providing effective wayshowing lies in understanding where travelers require assistance and in what form. Additionally, maps, signs, brochures and other media from multiple sources can often provide conflicting information. In April 2013 an on-the-road experiment was conducted along the San Juan Skyway to answer some of these questions. Specifically, the experiment sought to:

- Identify gaps in navigational clues for travelers by identifying points of certainty, and points of confusion; and
- Identify points of disconnect between what a traveler sees through the windshield and what they read from maps, brochures, mobile devices, web sites in their laps.

A list of significant historical, cultural, and recreational sites along the byway was developed for use during the Wayfinding Assessment. Many of these sites were identified by several members of the San Juan Skyway Byway Committee at a meeting in February 2013. A signage assessment survey of Committee members was also conducted. Representatives were asked to list the top ten heritage, cultural, and/or recreational sites in their respective counties and provide an assessment of the existing directional signage. Approximately 69 sites were chosen for the Wayfinding Assessment. The attractions and sites chosen for inclusion in this exercise appear in Table 1.

Table 1: San Juan Skyway Wayfinding Assessment Route

Assessment Team # 1: Ridgway to Telluride to Dolores	
Ridgway Museum & Railroad Ridgway State Park Dennis Weaver Memorial Park Placerville School San Miguel County Park Keystone Hill Overlook Telluride Visitor Center Gondola Telluride Historical Museum Telluride Town Park Idarado Legacy Trail Telluride Library	Imogene Pass Trailhead Telluride Mountain Village Ophir Loop Overlook/Pullout Galloping Goose Trail Matterhorn Campground Lizardhead Pass Interpretive Site Bear Creek Trail Rico Interpretive Site Rico Library & Town Hall Louis M Jones Memorial Park Dolores Public Lands Office
Assessment Team #2: Durango to Ridgway	
Trimble Hot Springs Pinkerton Natural Hot Spring Pullout Haviland Lake Durango Mountain Resort Olde School House Café (Restaurant at The Needles)	Silverton Train Depot Silverton Mountain Ski Area Notorious Blair Street Christ of the Mines Shrine Red Mountain Overlook

Andrews Lake – Recreational Trailhead Little Molas Lake Campground Molas Pass Overlook Silverton Visitor Center Silverton Zip Line Museum and Mining Heritage Center Kendall Mountain Recreation & Ski Area	Ironton Ghost Town & Ironton Park Ouray Amphitheater Scenic Overlook Ouray Ice Park – Box Canyon Ouray Visitor Center & Hot Springs Pool Ouray County Historical Society & Museum Uncompahgre River Walk Trail (trailhead in Ouray)
Assessment Team # 3: Durango to Dolores via Cortez	
Durango Area Tourism Office and Visitor Center Animas River Trail – find two trailheads DOW Education & Nature Center Animas Mountain Trail San Juan US Forest Service Office Dominguez & Escalante Expedition Monument Old Mancos Jail Sleeping Ute Mountain Rest Area Cortez Welcome Center Dolores River Trail Karla’s Bakery and Restaurant Dolores - McPhee Reservoir	Discovery Museum Durango Silverton Narrow Gauge Train Las Animas Museum Fairgrounds/Event Center Hesperus Ski Area Mancos Visitor Center Mesa Verde National Park & Visitor Center Cortez Cultural Center Anasazi Heritage Center Dolores Visitor Center Galloping Goose Museum

Three (3) four-member teams were assembled to travel the byway using a “front seat, back seat” approach. In the front seat were neophytes, new to the region with limited knowledge of the area. They were given the list of attractions and sites to locate using highway signage, verbal directions and printed materials such as brochures and maps available at Visitor Centers and other public outlets. The “front seaters” were also allowed to use any mobile devices available to them.

Transportation and tourism specialists occupied the backseat. The “back seaters” recorded the experience of the “front seaters” in detail. “Back seaters” recorded the exact locations where the “front seaters” encountered confusion or uncertainty in navigating the region. They also recorded any disparities between written information in maps, brochures and other media and actual conditions as observed through the windshield.

While the neophytes in the front seat navigated their way through unfamiliar territory, the specialists in the back seat were given the following assignment:

- Observe the actions and discussions of the “front seaters.”
- Record locations where “front seaters” expressed uncertainties and confusion and note apparent reasons.
- Quiz “front seaters” on effectiveness of signs, maps and other driving instructions.
- Note which wayshowing devices “front seaters” are using most often and which they are not.
- Resist giving any travel or driving advice unless an immediate safety issue warrants.
- Conduct post-trip discussion with “front seaters.”

After the conclusion of the wayfinding exercise, participants were asked to record observations and make recommendations based on their on-the-road experience. A full list of the comments and observations by the three teams is found in the Appendix.



Byway signage near Ridgway



Bear Creek Recreation Area Interpretive Signs

Summary of Key Observations from the Assessment Team

Navigational signs overview

Cortez – Local directional signage received comments such as “writing too small” and “too much information”; volunteer at Cortez Welcome Center said he’d had comments/complaints about size of signs

Site specific navigational observations

Placerville School - Used map to find Placerville School but could not locate it; asked at one mercantile store – very friendly – said the school was in town park; drove right past town park and turned in on road; no signage

Keystone Hill Overlook - No indication on Colorado highway maps

Rico Interpretive Site - Bit difficult to see even at slow speed; Drove by first and turned around; Need point of interest sign

Louis M Jones Memorial Park -no sign on highway

Dolores Public Lands Office - Sign on SH145, not easy to find this. Needs INFO on the sign

Pinkerton Natural Hot Springs – needs point of interest sign

Haviland Lake – team used website, map on phone and highway signage to locate; GPS gave the wrong directions

Andrews Lake (MM 58) – a new winter parking area has been constructed by CDOT; US Forest Service signage could be improved

Little Molas Lake Campground – there are two similar signs, one for Molas Lake Campgrounds and the other for Little Molas Recreation Area. Assessment team missed the sign on the highway; recommend changing location for better visibility and clarity; consider placing an icon sign for camping

Museum and Mining Heritage Center – The team found that the front of the building has no identifying signage but there is a sign at the rear of the building

Red Mountain Overlook - missed on the route going north on US 550 but found it on the return southbound trip to Durango; make sure northbound signs are installed;

Ouray County Historical Society & Museum – building is signed but there is no sign on Main Street; recommend signage installed on Main Street

Discovery Museum – the left turn into the parking lot from US 550 northbound and the inability to make a left turn upon exiting created uncertainty for the driver in this very busy intersection; transportation professional noted the need for a new solution to access this busy attraction; there was confusion about where museum visitors should park

Las Animas River Trail - trailhead at Rotary Park has comprehensive interpretive signs and map; near the Discovery Museum the trail is only marked with an interpretive sign which does not give indication of where the trail goes and how long it is

Durango Silverton Narrow Gauge Train – directional signs at 6th and 7th need to be reviewed (see team notes)

DOW Education & Nature Center – directional arrow would have been helpful on entrance sign

The Animas Museum – check signage at 31st and 32nd (see team notes)

Animas Mountain Trail – one sign appears on Main Street but no further signage detected; this would have been difficult to find without help from the Visitor Center

Hesperus Ski Area – could use pre-notification signage; needs directional signage at the town of Hesperus

Dominguez & Escalante Expedition Monument – dangerous turn heading westbound and no pre-notification sign

Mancos Visitor Center – No directional signs from the highway or on the business route

Old Mancos Jail – no signs found from the business route

Mesa Verde National Park - there was directional signage for Mesa Verde but would benefit from having an additional directional sign at the stop sign

Anasazi Heritage Center – pre-notification signs needed on US 160 westbound

Dolores Visitor Center – needs pre-notification signage

Dolores - McPhee Reservoir – needs pre-notification sign



Rico Interpretive Site

Site specific interpretation signs

Placerville School - wonderful example of one room school

Rico Interpretive Site - need point of interest sign

Notorious Blair Street – No interpretive information of significance of name

Ironton Ghost Town/Ironton Park –BLM signage exists but provides no interpretation; interpretive signs should be installed

Old Mancos Jail – has no interpretation and is not visitor ready

Inconsistencies in attraction identification: signs, printed materials such as maps and brochures, and mobile devices

Keystone Hill Overlook - Nothing on Google or Places; a brochure was available on San Miguel Watershed but no scenic byway map

Ophir Loop Overlook/Pullout - Only called “scenic overlook” – found easily with signs

Red Mountain Overlook - some confusion about name – Idarado vs. Red Mountain Overlook

Galloping Goose Museum - Museum signage is good but it does not appear to be named the Galloping Goose Museum

Recommendations and Action Plan

An analysis of this formal assessment exercise combined with the input of local officials, transportation and tourism specialists resulted in recommendations that can improve the ease of navigation for visitors and better capitalize on the potential for increasing travel-related revenues for the communities along the byway.

This document recommends the following:

- A. Improve navigational signage within the city limits of towns and small communities located on the byway. Signage for attractions within the San Juan National Forest was uniformly excellent, as were those associated with Mesa Verde National Park. The greatest need is for wayshowing signs within the limits of the towns themselves.
- B. Modify existing in-town wayfinding signage in both Cortez and Telluride. Both need larger print on signs.
- C. Add pre-notification signs to important heritage sites and attractions. For many, travelers come upon them too fast to safely turn in.
- D. Install identifying signage on the fronts of buildings at the Museum and Mining Heritage Center in Silverton, the Galloping Goose Museum, and the Placerville School.
- E. Address inconsistencies in the naming of attractions in various media (brochures, maps, websites, Google Maps). These inconsistencies are rare and include Keystone Hill Overlook, Ophir Overlook, Red Mountain Overlook, and Galloping Goose Museum.
- F. Cell phone coverage is still spotty on the byway. With research showing that 50% of Colorado travelers depend on mobile devices to make travel decisions, the byway organization needs to move steadily to loading information online and developing byway-specific mobile apps.
- G. Develop clear distinctions between what is offered in the two different information centers in Durango – one downtown and one in Rotary Park.
- H. Assess the impact of heavy motorcycle usage on segments of the byway and add signage that alerts both motorists and motorcyclists to challenging segments of the roadway.
- I. Capitalize on the designation of All-American Road and explain the distinction to locals and travelers alike in wayshowing communication tools.

Partnership and Financial Resources

Projects to be developed in partnership with CDOT:

- Add pre-notification signs to important heritage sites and attractions.

- Assess the impact of heavy motorcycle usage on segments of the byway and add signage that alerts both motorists and motorcyclists to challenging segments of the roadway.

Projects to be undertaken in partnership with local communities:

- Improve navigational signage within the city limits of towns and small communities located on the byway.
- Modify existing in-town wayfinding signage in both Cortez and Telluride. Both need larger print on signs
- Develop clear distinctions between what is offered in the two different information centers in Durango

Projects to be undertaken with individual attractions:

- Install identifying signage on the fronts of buildings at the Museum and Mining Heritage Center in Silverton, the Galloping Goose Museum, and the Placerville School

Additional Projects to be undertaken by the Byway Organization:

- Address inconsistencies in the naming of attractions in various media (brochures, maps, websites, Google Maps) for Keystone Hill Overlook, Ophir Overlook, Red Mountain Overlook, and Galloping Goose Museum.
- Work to load information online and develop byway-specific mobile apps.
- Develop wayshowing communication tools that explain the All-American Road designation to locals and travelers.

The recommendations included in this document represent only the first steps in the process of developing a more effective system of wayshowing. Recommendations concerning directional signage and interpretive signage can be acted upon in the short term by bringing together relevant stakeholders and CDOT officials. Representatives from the San Juan Skyway Committee can play a valuable role in working with relevant stakeholders and CDOT officials. Recommendations concerning interpretive signage will require additional effort to secure funding and achieve consensus on placement.

APPENDIX

This section includes the list of sites identified by the San Juan Skyway Byway Committee as key heritage, recreational, and cultural attractions that are meaningful for travelers along the San Juan Skyway All-American Road. Also included are the notes and observations from the Wayfinding Assessment Teams during their tour on the San Juan Skyway on April 24, 2013.

Assessment Team #1

Starting Point: Ridgway

Sites to be located:

Ridgway Museum & Railroad
Ridgway State Park
Dennis Weaver Memorial Park
Placerville School
San Miguel County Park
Keystone Hill Overlook
Telluride Visitor Center
Gondola
Telluride Historical Museum
Telluride Town Park
Idarado Legacy Trail
Telluride Library
Imogene Pass Trailhead
Telluride Mountain Village
Ophir Loop Overlook/Pullout
Galloping Goose Trail
Matterhorn Campground
Lizardhead Pass Interpretive Site
Bear Creek Trail
Rico Interpretive Site
Rico Library & Town Hall
Louis M Jones Memorial Park
Dolores Public Lands Office

BACK SEAT OBSERVATIONS

Observer #1

1. Ridgway Museum & Railroad
 - Found no problem; right on Main Street and very obvious
2. Ridgway State Park
 - Found the park – signage was very obvious
3. Dennis Weaver Memorial Park
 - Signage was obvious
4. Placerville School

- Used map to find Placerville School;
 - saw byway signs on the way;
 - asked at one mercantile store – very friendly – said the school was in town park;
 - drove right past town park and turned in on road; no signage;
 - wonderful example of one room school
5. San Miguel County Park
 - Found it easily due to sign
 6. Keystone Hill Overlook
 - Used smart phone and found photo by Sally Pearce
 - No indication on CO maps
 - Search was for Keystone Hill and found it on National Scenic Byways website
 - Nothing on Google or Places
 - Stopped at overlook after seeing sign; interpretive signage was nice to include sign board of San Juan Skyway
 - Brochure was available on San Miguel Watershed but no scenic byway map
 7. Telluride Visitor Center
 - Easy to find; took list inside to ask questions; wealth of information
 8. Gondola
 - Found easily
 9. Telluride Historical Museum
 - Found easily from information at visitor center
 10. Telluride Town Park
 - Saw from Imogene Road
 11. Idarado Legacy Trail
 - Found sign; nice truck driver told us that road was open up the trail
 12. Telluride Library
 - Found quite easily
 13. Imogene Pass Trailhead
 - Drove up to Jud Wiebe Trailhead; showed signs for hiking, biking, and horseback
 14. Telluride Mountain Village
 - San Juan Skyway sign right before turn to Mountain Village; well signed
 15. Ophir Loop Overlook/Pullout
 - Well indicated; well interpreted
 16. Galloping Goose Trail
 - Saw from Keystone Overlook
 17. Matterhorn Campground
 - Saw sign very easily
 18. Lizardhead Pass Interpretive Site
 - Very well done to include restrooms
 19. Bear Creek Trail
 - Found easily
 20. Rico Interpretive Site
 - Pointer sign to the museum with picture; great.
 - Bit difficult to see even at slow speed
 - Drove by first and turned around

- Need point of interest sign
 - Well done once we stopped
21. Rico Library & Town Hall
 - Architecture was easy to see
 22. Louis M Jones Memorial Park
 - Town park – asked local where it was
 - Finally saw sign when we drove by park
 23. Dolores Public Lands Office
 - Dolores Visitor Center is closed; found quite easily

Where can we.....

1. Hike - Telluride
2. Mountain bike – Telluride, Dolores
3. Road bike – anywhere on scenic byway
4. Find locally grown food – all along the byway in summer season

General Comments:

- Only was able to use smart phone twice due to lack of cell phone coverage
- The more even the smaller communities can get their information online, the better it will be for them

Observer #2

Chipeta – scored map;
Cimarron Café excellent

1. Ridgway Museum & Railroad
 - Found visually easily
2. Ridgway State Park
 - Found easily, used Jan's previous knowledge
3. Dennis Weaver Memorial Park
 - Found sign and entrance; easily signed
4. Placerville School
 - No sign!
 - Historic – used map
 - Took SH 62 to Dallas Divide and Placerville
 - Could not find it at first; wandered around town and asked at a store, got friendly instructions and found it
5. San Miguel County Park
 - Saw on highway; good sign in Placerville
6. Keystone Hill Overlook
 - Not sure; Jan tried device but insufficient reception and not on map
 - Decided to go to Telluride to ask
 - Greg found it on his device "straight search" – National Scenic Byway website library of photos
 - Greg found this – well signed on highway;
 - has good map showing hiking, biking trails, Telluride area watershed map, no byway map

7. Telluride Visitor Center
 - No problem – well signed in advance
 - Very friendly staff – had information and directions to all Telluride sites (#8-13) and town map
8. Gondola
 - check
9. Telluride Historical Museum
 - Closed – went up Imogene Pass for view
10. Telluride Town Park
 - Visual from Imogene Pass
11. Idarado Legacy Trail
 - Drove along it, information center folks told us where to find it
12. Telluride Library
 - Found from map
13. Imogene Pass Trailhead
 - Drove up it – good views
14. Telluride Mountain Village
 - Easy to find, on map, went in and out
15. Ophir Loop Overlook/Pullout
 - Only called “scenic overlook” – found easily with signs
16. Galloping Goose Trail
 - Saw it from Keystone Hill Overlook
17. Matterhorn Campground
 - Easy – well signed
18. Lizardhead Pass Interpretive Site
 - Got it easy - nice
19. Bear Creek Trail
 - Well signed
20. Rico Interpretive Site
 - Drove past it—came back after passing it up. Needs POI sign-SB
21. Rico Library & Town Hall
 - Easy off highway, easily recognizable architecture
22. Louis M Jones Memorial Park
 - No sign except “townpark” on highway. Found it
23. Dolores Public Lands Office
 - Sign on SH145, not easy to find this. Needs INFO on the sign

Assessment Team #2

Starting Point: Durango

Sites to be located:

Trimble Hot Springs

Pinkerton Natural Hot Spring Pullout

Haviland Lake

Durango Mountain Resort

Olde School House Café (Restaurant at The Needles)

Andrews Lake – Recreational Trailhead

Little Molas Lake Campground
Molas Pass Overlook
Silverton Visitor Center
Silverton Zip Line
Museum and Mining Heritage Center
Kendall Mountain Recreation & Ski Area
Silverton Train Depot
Silverton Mountain Ski Area
Notorious Blair Street
Christ of the Mines Shrine
Red Mountain Overlook
Ironton Ghost Town & Ironton Park
Ouray Amphitheater Scenic Overlook
Ouray Ice Park – Box Canyon
Ouray Visitor Center & Hot Springs Pool
Ouray County Historical Society & Museum
Uncompahgre River Walk Trail (trailhead in Ouray)

BACK SEAT OBSERVATIONS

Observer #1

1. Trimble Hot Springs
 - From rental car place – the mobile directions told the driver to turn the wrong direction from the side street. Kylynn told Doug not to turn left, to go ahead and turn around up on the right to get back onto the highway. (Highway sign stated 550 N 8 miles) (SB Sign needs Jan Juan Skyway and Arrows)
2. Pinkerton Natural Hot Spring Pullout
 - This was on the mobile device. (add to Tagwhat) The frontseaters have never noticed this pullout. Matt took pictures and stated that it was moved from the other side of the road to this side. We do not recall having advance notice of the pullout.
3. Haviland Lake
 - Matt said there are leaches in the lake. Horseback Riding Rapp Corral (Add to Tagwhat) (SWA Brown Sign)
4. Durango Mountain Resort
 - On left, Large Signage.
5. Olde School House Café (Restaurant at The Needles)
 - Spotted on the right as driving down the road. (Note on Coal Bank Pass)
6. Andrews Lake
 - Recreational Trailhead – At MM58 little sign (too little) states twilight peak. Make sure that website states place for overnight parking and day parking. (opposite sides of road)
7. Little Molas Lake Campground
 - There was not a tent sign in the parking area. Front seaters missed the tent sign on the highway. There is winter parking. Also a Little Molas Recreation Area Sign.
8. Molas Pass Overlook
 - No comments

9. Silverton Visitor Center
 - Volunteer helped. Stated a zipline is not built yet in town. They had books, postcards & maps for sale and bathrooms.
10. Silverton Zip Line
 - There was a service (shuttles) that take visitors to a zipline. However, the front-seaters did not stop to ask questions or did not see the service in town.
11. Museum and Mining Heritage Center
 - Closed for the season. There was not a sign on the street front. We drove to the rear and there was a sign there.
12. Kendall Mountain Recreation & Ski Area
 - In town and front seaters did not get out to read or observe. They almost use a mobile device as a sole source of all information, except for talking to the Silverton Visitor Center volunteer.
13. Silverton Train Depot
 - No comments
14. Silverton Mountain Ski Area
 - Brown Sign stated 6 miles.
15. Notorious Blair Street
 - It was mentioned that this winter Justin Timberlake stayed in one of the hotels.
16. Christ of the Mines Shrine
 - We drove from the back of Silverton up to the shrine. Then we hiked up to the shrine and looked around. (Lungs were on fire at that altitude.) We returned to the highway.
17. Red Mountain Overlook
 - Is this also known as Idarado? We found this site on the way back to Durango.
18. Ironton Ghost Town & Ironton Park
 - Stopped at trailhead going to Ouray and driver looked at trailhead sign without info. Stopped on the other side of the road on the way back to Durango. Larson Brother's Mine with no interpretive signage.

FOUND ANOTHER PULLOUT – New Bear Creek Falls pullout with interpretive signs and a great view of the canyon.

19. Ouray Amphitheater Scenic Overlook
 - Found the site but the gate was closed for the season.
20. Ouray Ice Park
 - Box Canyon - We walked on the metal board walks to view the ice park.
21. Ouray Visitor Center & Hot Springs Pool
 - Front seaters talked to the volunteer and asked about the River Walk Trail and places for lunch. We ate at the Brewery and had delicious pulled pork with coleslaw on the sandwich and green tea. Visitor Center was very knowledgeable on all activities (including mud fest) and restaurants.
22. Ouray County Historical Society & Museum
 - Drove past the museum. Also drove past a motel called Wiesbaden that Matt said it has a hot springs in a cave on the premise.
23. Uncompahgre River Walk Trail (trailhead in Ouray)
 - The trailhead was closed near the visitor center, so they sent us down the road over the bridge.

Observer #2

1. Trimble Hot Springs
 - Site was easy to find for the team. Site was on the phone's GPS and identified with highway signage. Recreation usage.
2. Pinkerton Natural Hot Spring Pullout
 - Site was surprisingly on phone GPS map and easy to find. Site has a kiosk which verified the location.
3. Haviland Lake
 - GPS gave the wrong directions - to CR200, Haviland Road. May have been operator error. Team used website, map on phone, and highway signage to find the site. Recreation usage.
4. Durango Mountain Resort
 - Team had knowledge of this site. Found it with signage and also used GPS. Recreation usage.
5. Olde School House Café (Restaurant at The Needles)
 - Team saw the café sign as they were driving to DMR.
6. Andrews Lake – Recreational Trailhead
 - The main recreational trailhead is closed for the winter. Team found with highway signage. A new winter parking area has been constructed by CDOT and could use better signage by the USFS. Site has kiosks at the main area which was closed.
7. Little Molas Lake Campground
 - Site was hard to find. There are two similar Molas Lake Campgrounds. Highway signage was likely knocked down by winter plowing. It was present in the southbound direction. It would likely be replaced by the time the campground was opened. Site could use a USFS sign indicating camping is available at the kiosk just off the highway.
8. Molas Pass Overlook
 - Found easily with highway signs. Has recreation usage.
9. Silverton Visitor Center
 - Site was found with GPS and highway signage. Team was given a map with info for sites 11, 12, 13, 15, and 16. Staff person was very funny.
10. Silverton Zip Line
 - Found out that it doesn't exist at the Visitors Center. Were given a brochure for the Red Mountain Zip Line.
11. Museum and Mining Heritage Center
 - Site was closed. It is missing any kind of signage to ID the building.
12. Kendall Mountain Recreation & Ski Area
 - Found easily with road signage and map. Rec usage.
13. Silverton Train Depot
 - Found easily with road signage and map. Has kiosk.
14. Silverton Mountain Ski Area
 - Found signage for area. Didn't go down the 15 mile dirt road to see it.

15. Notorious Blair Street
 - Found on map. No info signage of significance was observed but likely there somewhere.
16. Christ of the Mines Shrine
 - Easy to find. Has signage and info on the monument.
17. Red Mountain Overlook
 - Missed on first pass. Found on the return trip with south bound highway signage. Not on GPS. North bound signage was likely wiped out by winter plowing and will be replaced in the spring.
18. Ironton Ghost Town & Ironton Park
 - Found site but team didn't recognize it. BLM signage was observed but it didn't mention the site. Roadway was closed due to snow.
19. Ouray Amphitheater Scenic Overlook
 - Found easily with highway signage. It was closed for the winter.
20. Ouray Ice Park – Box Canyon
 - Found easily with highway signage. It was closed.
21. Ouray Visitor Center & Hot Springs Pool
 - Found both with good signage. Center provided very good information.
22. Ouray County Historical Society & Museum
 - Found with the visitors center info. It has signage on the building but lacks signage on Main St.
23. Uncompahgre River Walk Trail (trailhead in Ouray)
 - Found with the visitors center info. Confirmed with site signage.

Assessment Team #3

Starting Point: Durango

Sites to be located:

Durango Area Tourism Office and Visitor Center
Discovery Museum
Animas River Trail – find two trailheads
Durango Silverton Narrow Gauge Train
DOW Education & Nature Center
The Animas Museum
Animas Mountain Trail
Fairgrounds/Event Center
San Juan US Forest Service Office
Hesperus Ski Area
Dominguez & Escalante Expedition Monument
Mancos Visitor Center
Old Mancos Jail
Mesa Verde National Park & Visitor Center
Sleeping Ute Mountain Rest Area
Cortez Cultural Center

Cortez Welcome Center
Anasazi Heritage Center
Dolores River Trail
Dolores Visitor Center
Karla's Bakery and Restaurant
Galloping Goose Museum
Dolores - McPhee Reservoir

BACK SEAT OBSERVATIONS

Observer #1

1. Durango Area Tourism Office and Visitor Center
 - Well staffed; daily info available – very effective
 - Very knowledgeable staff – were able to ask a lot of questions and were able to map route
 - Restrooms available
2. Discovery Museum
 - Not a good way to get into parking lot if turning left
 - Very busy intersection
 - Exiting was also awkward – no left turn
3. Animas River Trail – find two trailheads
 - Near museum – interpretive sign is the only marker of a trail – does not give indication of where the trail goes and how long it is
 - No directional indicators on the interpretive sign
 - Also found trailhead at Rotary Park – interpretive signs and interpretive map
4. Durango Silverton Narrow Gauge Train
 - Comfortable area with things to do while waiting for train
 - Schedule posted on the wall (great idea) as well as on brochure
 - Current brochures with current prices were not available
 - Person in ticketing office was not the best person with people
5. DOW Education & Nature Center
 - Directional arrow would have been helpful on entrance sign
 - Piece of carpet thrown outside at front of entrance to interpretive center but was done that morning and will be taken away
 - Interesting interpretive signs
 - Connects to the Animas Trail and Rotary Park
6. The Animas Museum
 - Nice place for rest area outdoors
 - Educational class with museum staff
 - Wheelchair access was available
 - Overall navigation form information and maps very good
7. Animas Mountain Trail
 - Sign from Main Street but after that we did not see signage and mostly luck in finding it from the museum
 - Two interpretive signs including a map of the trail

8. Fairgrounds/Event Center
 - Signage announced it;
 - looked like ample parking but not sure for big events
 - complex was connected
 - did not get out
9. San Juan US Forest Service Office
 - Good interpretive materials for kids
 - Room especially for hikers with maps
10. Hesperus Ski Area
 - No directional signage at Hesperus town
 - Signage about ½ mile on
 - Change to the intersection for Hesperus to cut down on traffic turning left to see where the ski area is
 - Good safe entrance to ski area from the highway
11. Dominguez & Escalante Expedition Monument
 - Coming from Durango there are double lines on highway and limited view of oncoming traffic
 - Dangerous turn
 - Better to stop and see it from the east traveling lanes
 - During the busy season it would be very dangerous to stop on a 65 MPH highway to make a left turn
12. Mancos Visitor Center
 - No signage from highway that there is a visitor center
 - Asking at town hall for directions
 - No signage directing to visitor center from business route
13. Old Mancos Jail
 - No interpretation for jail
 - The view inside is not accessible to children (too high)
 - It was locked and the visitor center said they never unlocked it for visitors
 - It should be interpreted, unlocked and historically recreated inside
14. Mesa Verde National Park & Visitor Center
 - Excellent – loved the new sculpture at the entrance to the Visitor Center
 - Ramp off highway – there was directional signage for Mesa Verde but would benefit from having an additional directional sign at the stop sign
15. Sleeping Ute Mountain Rest Area
 - Hiking trails at rest area
 - Covered places to sit out and eat
 - Separate dock walking area
16. Cortez Cultural Center
 - Directional signage good within the town but the font is too small and some signs have too much information to read (general comment about Cortez signage)
 - Very interesting place and very nice ladies inside
 - Locally grown foods
17. Cortez Welcome Center
 - Colorado Welcome Center
 - Lots of information placed nicely and informative personnel

18. Anasazi Heritage Center
 - Interactive displays – great for kids
 - Would definitely return
 - Hiking in the rear
19. Dolores River Trail
 - Several trail signs along the highway with several access points to the trails
20. Dolores Visitor Center
 - Good signage – looked closed but easy to find
21. Karla's Bakery and Restaurant
 - Used Google Maps and didn't find it
 - Stopped and asked directions and got them
 - Easy to find
22. Galloping Goose Museum
 - Museum signage is good but it does not seem to be named the Galloping Goose Museum
23. Dolores - McPhee Reservoir
 - Easy to find
 - Hike
 - Mountain bike – road bike

Observer #2

1. Durango Area Tourism Office and Visitor Center
 - Found immediately after asking at the reception desk at the Strater Hotel
 - Not 100% certain this was the correct location as the visitor center is out at Santa Rita Park and not on Main Ave. downtown
 - Our tourists got several maps and brochures and asked the lady for locations of each attraction and circled each on the map.
 - She also provided specific directions to the Discovery Museum
2. Discovery Museum
 - Based on directions from Welcome Center, found quickly but signage seemed poor and arrived behind the museum instead of in the main parking lot
 - The only way they found it was because of the museum sign on the side of the museum building after passing the main entrance.
3. Animas River Trail – find two trailheads
 - Found one “trailhead” right behind the Discovery Museum but no sign indicating it was the Animas River Trail
 - Then headed out to find #5 – trouble turning right due to no left turn
 - Spotted a sign for Animas River Trail at Rotary Park so successfully followed signs to second trailhead
 - Got out and read sign with some information
4. Durango Silverton Narrow Gauge Train
 - (#7) Came from Animas Museum and decided to follow signs
 - Was signed at 7th so turned left on 7th instead of 6th as we should have – might consider moving the sign or saying “Next left”
 - After reaching 7th and Main, no sign to indicate needed to turn right – got lucky and used signs on Main to find station
 - Ticket office gave very good brochure

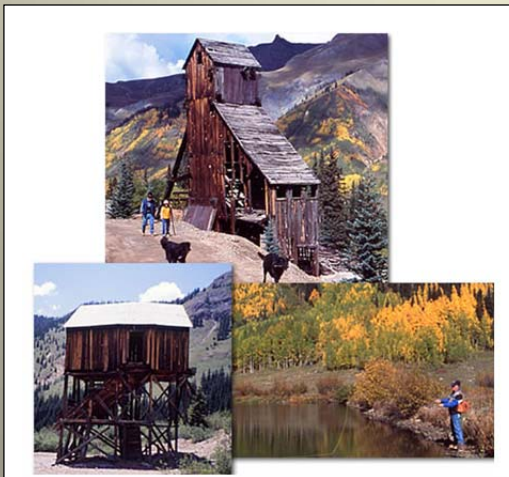
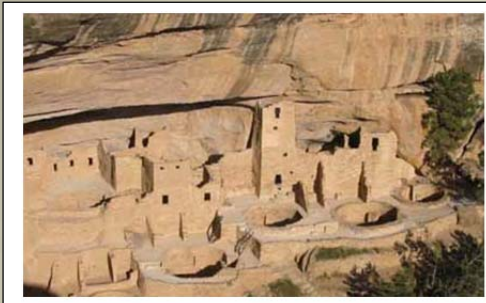
5. DOW Education & Nature Center
 - (#4) Didn't find any signs until right at the driveway
 - Found mainly due to help from the welcome center and the provided map but basically found immediately and efficiently
 - Durango Service Center was open and talked to some DOW personnel
 - Visitor Center not open for another couple of weeks
6. The Animas Museum
 - Found using map from welcome center
 - Saw one sign on N Main but missed 31st St and had to turn on 32nd and work our way back
 - Was a sign at 31st but we thought it would have been more useful on the north side of 31st rather than south side
 - Kris thought the position of the sign implied you'd take the next street (30th) instead of 31st
 - Kris and Roger seemed very interested in the museum
7. Animas Mountain Trail
 - Went there from the Animas Museum using directions from the welcome center
 - After leaving the museum there were no signs and would have been difficult to find without the directions
 - Roger seemed keen to come back for a hike later
8. Fairgrounds/Event Center
 - (#5) Accidentally found the fairgrounds due to sign after the fairgrounds entrance
 - Entered the recreational center and worked back south through the parking lots – lucky
 - Had previously seen signs back around Rotary Park
9. San Juan US Forest Service Office
 - Sign posted as San Juan Public Lands Center – I imagine most would not have found it looking for Forest Service
 - Found relatively easily using mainly the map from welcome center and directions from welcome center staff
10. Hesperus Ski Area
 - No signs until after Hesperus but then "Ski Area" signs made it obvious
 - Found based mainly on directions and map from welcome center
11. Dominguez & Escalante Expedition Monument
 - Could not find on any map or brochure – only knew roughly where it was from directions from welcome center
 - Sign right before monument indicated location
 - Scary both from perspective of fast oncoming traffic and fast traffic from behind
 - No turn lane available as a refuge
12. Mancos Visitor Center
 - Primarily used map and directions from welcome center but had some reassurance with several signs indicating miles to Mancos
 - Took Mancos Business route so no signs whatsoever indicating visitor center
 - Asked at town hall – she gave directions to visitor center and jail
13. Old Mancos Jail
 - Found after getting directions from the town hall but no signs found (from business route anyway)
 - Thought the jail was lacking in any information or interpretive signs

- Was locked so you couldn't go in - a disappointment
14. Mesa Verde National Park & Visitor Center
 - Used directions from Durango Visitor Center and map from same
 - Had some issues knowing which way to turn to get to Mesa Verde Visitor Center from top of interchange ramp
 - Driver missed what I thought was a large obvious sign and turned right instead of left \
 - Thought a sign visible from the stop sign might be helpful at the top of the ramp
 15. Sleeping Ute Mountain Rest Area
 - Saw "rest area" sign one mile ahead and sign right at the entrance – no problems whatsoever
 - Did not know until we arrived that it was named "Sleeping Ute Mountain" Rest Area
 16. Cortez Cultural Center
 - Found it based on the purple signs on Main Street but again thought writing was a bit small – had to be right at the sign to read it
 - However it was located quickly and efficiently
 - Feeling rushed so no time to hang around
 17. Cortez Welcome Center
 - Went to the Colorado Welcome Center which is hopefully the same thing
 - Followed purple signs which received comments such as "writing too small" and "too much information"
 - Man at reception desk said he'd had comments/complaints about size of signs and people have missed it
 - Our "tourists" thought it looked very interesting and would come back
 18. Anasazi Heritage Center
 - Sign on US 160 Westbound pointing to SH 145 but no indication of distance
 - Turned but when not visible, did "U" turn and headed toward Cortez again
 - Coming back eastbound followed signs effectively to the location
 19. Dolores River Trail
 - Saw sign pointing to trail as we pulled into Dolores
 - Also spotted trail and river prior to that
 - Short on time so kept driving
 20. Dolores Visitor Center
 - Drove past – big obvious sign but didn't see any advanced signs
 21. Karla's Bakery and Restaurant
 - Could not locate using I-Phone
 - Drove north through Dolores looking for it but gave up and turned around
 - Stopped and asked a lady painting a building and she directed us back north again ¼ mile
 - We'd just missed reaching it previously before turning around
 22. Galloping Goose Museum
 - Saw it from SH 145
 - Didn't notice any advance signs but the Galloping Goose "train" outside made the location obvious
 - Short of time so didn't stop
 23. Dolores - McPhee Reservoir
 - Kris used San Juan Skyway map from the Durango Welcome Center to find the reservoir
 - Saw no signs and almost turned back on SH 184A

- Came upon a sign just prior to the turn to the reservoir and drove a mile or so to a view of what is left of the reservoir (mostly dried up)
- Somewhat disappointing due to low water level and dramatic reduction in area



Galloping Goose Railroad Museum, Dolores



Our Treasured San Juan Skyway Turns 25

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## Ideas & Opportunities for the Future

December 2014



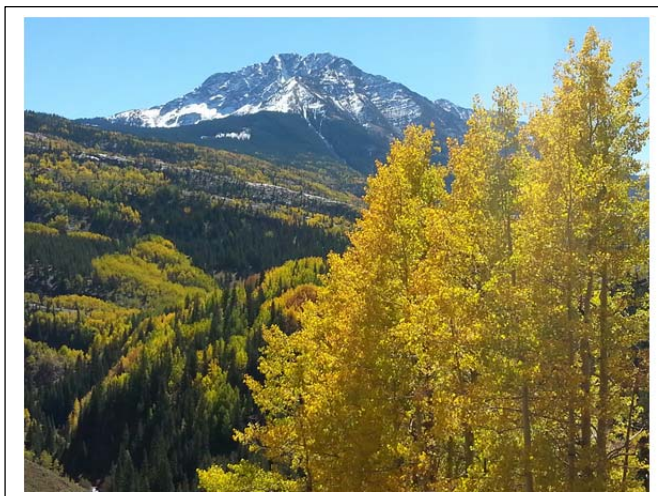
# Table of Contents

| <u>Topic</u>                                              | <u>Page(s)</u> |
|-----------------------------------------------------------|----------------|
| <b>Background</b>                                         | <b>3</b>       |
| <b>History, Successes and Past Collaboration</b>          | <b>4-6</b>     |
| <b>Public Engagement</b>                                  | <b>6-8</b>     |
| <b>Needs, Issues, Ideas for Action, and Opportunities</b> | <b>8-15</b>    |
| -Scenery and Visual Resources Management                  | <b>8</b>       |
| -Preservation of Cultural and Historic Resources          | <b>9</b>       |
| -Infrastructure Improvements and Safety                   | <b>10</b>      |
| -Opportunities for Joint Marketing and Promotion          | <b>12</b>      |
| -Way-Showing, Signage and Interpretation                  | <b>14</b>      |
| -Other Comments and Ideas                                 | <b>15</b>      |
| <b>Where to go from here?</b>                             | <b>16-18</b>   |

## **Attachments**

- A Sample Meeting Agenda**
- B Meeting Notes from Mancos, Ridgway and Durango Meetings**
- C Goals and “Take Aways” from the 2/26/13 Meeting in Ridgway for the San Juan Skyway Hosted by the Colorado Scenic and Historic Byways Program**
- D Executive Summary of “A Framework for Way-Showing” – San Juan Skyway, June 2013**

Accompanying this report is a progress report towards completion of projects identified in the *San Juan Skyway Corridor Management Plan*, completed in the mid-1990s.





This report is being released by the San Juan Public Lands (USFS) and Montezuma Land Conservancy. These two organizations are currently serving as interim contacts for Skyway planning. The author is Marsha Porter-Norton, a regional consultant, who was hired to engage the communities along the Skyway at its 25th anniversary. This report follows and accompanies several plans that were done in the 1990s and 2000s related to the San Juan Skyway.

THANKS!

Thanks go out to the Colorado Scenic and Historic Byways Program and to all the stakeholders and participants who gave input and time. Thanks also to Lisa Schwantes, Kathy Sherer and Laura Spann who worked on this project. Ken Francis and Ann Bond provided valuable historical background and they are thanked as well.

Photos credits: AAA Colorado ( pp. 18); Google Images; Lisa Schwantes (pp.4); Montezuma Land Conservancy; [www.tourcolorado.org](http://www.tourcolorado.org) (map on cover); Marsha Porter-Norton; and the Colorado Scenic and Historic Byways Program.



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[www.facebook.com/SanJuanSkyway25thAnniversary](https://www.facebook.com/SanJuanSkyway25thAnniversary)

Please share this report with your colleagues and friends. Find it at: Montezuma Land Conservancy's Web site: [www.montezumaland.org](http://www.montezumaland.org)

Continue the conversation: The Montezuma Land Conservancy will keep an email tree List Serve active. If you are interested, please email the executive director, Jon Leibowitz: [jon@montezumaland.org](mailto:jon@montezumaland.org) or call 970-565-1664.



## I. Background

The San Juan Skyway (the Skyway), also known as the “Million Dollar Highway” for some sections, covers 236 miles and is often referred to as one of the most scenic drives in America. The Skyway ascends from its lowest point of 6,200 feet and rises to 11,008 in elevation. The Skyway covers five distinct life zones which is the equivalent of traveling from Alaska to Northern Mexico. It is known world-wide for its scenery, cultural resources, open spaces, stunning beauty, and unique communities and public lands that offer almost endless opportunities for fun, learning, and the enjoyment of all that nature, recreation and scenery have to offer. The Skyway passes through six counties and 11 towns, and encompasses the San Juan and Uncompahgre National Forests as well as the Tres Rios Bureau of Land Management (BLM) District. The towns and cities along the Skyway include: Rico, Dolores, Mancos, Cortez, Durango, Silverton, Ouray, Ridgway, Telluride, Sawpit, and Placerville.



In the summer of 2014, the San Juan Public Lands (USFS) and the Montezuma Land Conservancy (MLC) teamed up to celebrate the San Juan Skyway’s 25<sup>th</sup> anniversary and, in this landmark year, to engage the public in assessing needs, ideas and opportunities for its improvement. This effort followed a retreat in February, 2013 which was convened by the State of Colorado Scenic and Historic Byways Program. At this retreat, San Juan Skyway stakeholders gathered in Ridgway, Colorado to develop an action plan (please refer to Attachment C for highlights from this meeting). The Montezuma Land Conservancy is a member of the Colorado Scenic Byway Conservation Coalition and obtained a grant from the National Scenic Byways Program administered by the Colorado Department of Transportation. It is this grant which has funded the project. The San Juan Public Lands (USFS) is interested in the San Juan Skyway because so much public land that it manages is adjacent to the Skyway. In fact, management of the San Juan Skyway is called out as a specific area in the *San Juan National Forest Land and Resource Management Forest Plan* (find it here: <http://www.fs.usda.gov/detailfull/sanjuan/home/?cid=stelprdb5160593&width=full>.)

This project was organized by Marsha Porter-Norton, a local consultant and facilitator, who was hired to work with the planning team to:

- 1) re-energize and reinvigorate interest in building capacity for the San Juan Skyway;
- 2) work with stakeholders to discuss a long-term collaborative structure that could catalyze the effort and perhaps carry out ongoing projects or promotions; and
- 3) assist participants in revisiting the mid-1990s San Juan Skyway Corridor Management Plan and produce a list of new desired projects or goals for the Skyway. Note: a separate document released with this report details progress towards actions identified in the corridor plan.

Lisa Schwantes, a communications consultant, was also hired. Lisa, Marsha and Pauline Ellis from the USFS and Jon Leibowitz from MLC formed the planning team for this project. It should be noted that Mr. Leibowitz and Ms. Ellis are serving as interim contacts for the Skyway.

This report summarizes what was learned in the public engagement that was undertaken. It suggests ideas and opportunities for the future and presents a picture of the current capacity to accomplish joint projects and planning along the Skyway. It is not assumed that every action item in this report has consensus from all who participated in this process.

## II. *History and Successes, and Past Collaboration*

Find the mid 1990's *San Juan Skyway Corridor Management Plan* here:

<http://www.coloradodot.info/travel/scenic-byways/southwest/san-juan-skyway/SanJuanSkywayCorridorManagementPlan.pdf>



**Please refer to a separate document that accompanies this report. It is a progress check list towards completion of action items included in the *mid-1990s San Juan Skyway Corridor Management Plan*.**

The San Juan Skyway was designated as a Scenic Byway in 1989. In 1996, the Skyway was further designated by the United States Secretary of Transportation as an All-American Road, the highest level of designation by the Federal Government. The San Juan Skyway is also among 11 Colorado byways designated by the United States Department of Transportation as America's Byways®, which gives Colorado more national byway designations than any other state. The Skyway also has the title of a National Forest Scenic Byway.

There were several previously active and very effective coalitions that worked on projects targeting the San Juan Skyway. These groups were especially active from the years 1990 to 2012. The Fort Lewis College – Office of Community Services (FLC-OCS), under the guidance of director Ken Francis, led these efforts working with scores of local stakeholders and funders. Values were discussed and goals set. Plans were written and funding was secured from many sources to accomplish projects. Over this 22-year period, FLC-OCS (again working with numerous partners) prepared an historic preservation, rails-to-trails open space plan; secured several historic preservation construction grants; obtained funding to produce interpretive materials and site grants; and kicked off the Red Mountain Project (carried out by the Red Mountain Task Force). In the early 2000s up to 2010, much land conservation happened specifically in the Red Mountain corridor relating to historic preservation, land acquisition and structure stabilization. Also during this time, there was intense work done on ranch and open land conservation.

More specifically, the main accomplishments done during this time period include:

### **Facilities, Infrastructure, Trail Heads**

- ✓ Reconstruction of Little Molas Lake Recreation Area
- ✓ Upgrade of Amphitheater Campground & Nagach day use area
- ✓ Upgrade of Bear Creek trailhead/bridge off Highway 145
- ✓ Ouray ice park
- ✓ Molas Lake State Park was created
- ✓ Trail additions to Galloping Goose trail were added



## Interpretive Sites and Signs and Visitor Centers and Rest Areas

- ✓ Coal Bank Pass – Highway 550
- ✓ Dominguez-Escalante – Highway 160
- ✓ Bear Creek trailhead sign
- ✓ Ouray and Silverton Visitor Centers
- ✓ Colorado Welcome Center in Cortez
- ✓ Durango Visitor Center
- ✓ CDOT rest area east of Cortez



*Millions of people visit the Skyway each year. Previous coalitions, grants, planning efforts and “on the ground” projects have meant that visitors’ experiences are enhanced by pull-outs, infrastructure and safety improvements, interpretive signs, visitor centers, trail head, campgrounds, and more.*

## Historic Preservation of over 30 sites and structures

- ✓ Water tank in Rico
- ✓ Trout Lake railroad trestle
- ✓ Ironton town houses and other buildings
- ✓ Yankee Girl/Colorado Boy
- ✓ Red Mountain town house
- ✓ Silver Ledge mine and loading structure
- ✓ Several miles of historic railroad grade on Red Mountain

## Red Mountain Project

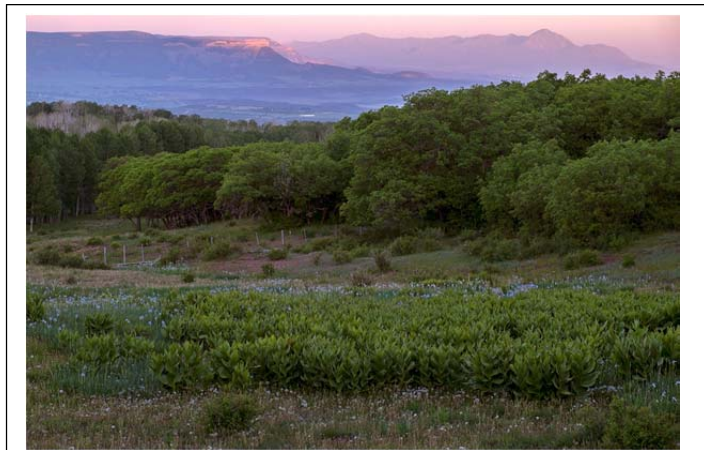
- ✓ Many partners banded together and acquired over 10,000 acres on Red Mountain, the majority of which was deeded to the United States Forest Service to preserve viewsheds and land, and to protect historic structures.

## Land Conservation

Through the work of four land trusts located in this region, a total of 10,421 acres have been preserved along the Skyway through the tool of conservation easement with more acres planned at this writing. The four entities are: Black Canyon Regional Land Trust; La Plata Open Space Conservancy; Montezuma Land Conservancy; and the San Miguel Conservation Foundation. These acres include land that directly abuts the Skyway but also acres in the viewshed (meaning that which can be seen from the highway). Other land trusts that are active in Colorado but not based locally also hold easements along the Skyway.

Importantly, a number of plans were completed to help guide Skyway work. As a start, a *San Juan Skyway Corridor Management Plan* was done which was a requirement on the part of the Federal Highway Administration to get projects funded for byway improvement. The plan covers the full Skyway resources in areas including:

*Thousands of acres, both along the Skyway and in the viewshed, have been preserved through the tool of conservation easement. This parcel, near Mancos, is one example.*



- a. Scenic and natural areas
- b. Recreational areas
- c. Archaeological and historic areas
- d. Advertising and
- e. Interpretive signs
- f. Tourism

The groups formed to work on these efforts included the Friends of the San Juan Skyway Public and Private Partnership, the Red Mountain Task Force (which still exists), and others. With Mr. Ken Francis' retirement in 2012, a rather gaping hole was left in the capacity to organize Skyway-wide endeavors. It should be noted that the FLC-OCS no longer exists at Fort Lewis. With that said, many local groups are working on projects for their "segment." The key questions at this juncture in time are: *How can we continue to promote and protect the Skyway? Should we work together for the entire Skyway? If so, how? Who might take a leadership role(s)?*

### III. Public Engagement

For this report, a variety of tools were used to engage the public and seek input. Three meetings were held during August and September, 2014 in Mancos, Ridgeway and Durango respectively (refer to Attachment B for the meeting notes). A contact list of 283 stakeholders was assembled from many interest areas. Each meeting was also advertised in local newspapers. A Facebook site that was established:

(<https://www.facebook.com/SanJuanSkyway25thAnniversary>). The public meetings were professionally facilitated and a sample agenda is in Attachment A. A Power Point presentation was developed for the public meetings to educate attendees about the Skyway. Accompanying the public meetings was a questionnaire administered on-line by the Montezuma Land Conservancy. In addition, ten interviews were done with groups or interests who perhaps did not participate in the public meetings but who represented a sector with important perspectives.

The ideas that came out of the public input are listed below. In any section where there is a ranking, it is simply presented to show emphasis of where answers occurred. All answers were valid and meaningful, and any ranking is not a "vote count."

Participants weighed in on this question: *What is important to you about the San Juan Skyway?*

Here are the answers that are shown in a ranked order:

1. The scenery, beauty, open spaces, and natural state of the land. Access to public lands, recreation, history, trails and trail heads, museums, culture, etc.
2. The conservation easements along the Skyway and a need to preserve land (need more), concern about private land being developed (easements balance the tendency to over-develop the Skyway).
3. Riding along it and just enjoying its intrinsic value. Cultural landscape (mining, history, etc.).

*"...a lot of people think the Skyway will always be there and that is probably true. However, we fail to realize that the amenities along the Skyway, such as pull-outs, visitor centers, interpretive signs and the like were created because people worked together and accomplished something."*

- Skyway meeting participant

4. Mountain ecology and environmental opportunities for the public to engage with those issues.
5. Links communities together and gives opportunities to collaborate.
6. Places to visit along the way (towns, attractions, breweries, museums, etc.).
7. The fact that it goes through our town; major tourism attraction; interpretive information; the Skyway creates pride and regional recognition; a great place to send visitors and business associates who visit; appreciation; like for and appreciation of the work that went into the road system.

Next, when asked about **specific concerns related to the San Juan Skyway**, here were the answers which are shown in a ranked order:

1. Safety: a need to slow speeds; the section south of Ouray and Red Mountain safety in general (more guardrails was mentioned); more pull-outs for drivers taking pictures; signs asking slower drivers to pull over; signage for first-time drivers re: how to drive the Skyway; making it safer for bikes; need safe pull-outs for recreationists (snowmobiling was specifically mentioned at Deer Creek and Little Molas).
2. Keeping the visual resources of the Skyway intact (more conservation easements, monitor development along the Skyway, reduce non-interpretive signage, etc.).
3. More interpretation: more markers; more opportunities and safe pull-outs for interpretation; more educational/interpretive signs; need more opportunities for the development of mobile apps and other interpretation that can be done from one's car; not adequately signed in general; signs that are there are in need of upkeep, repair and maintenance.
4. The Skyway is on the right track; don't fix what isn't broken.
5. Amenities: keep enough restrooms open; not keeping restrooms open means people "use the facilities" in inappropriate places.
6. Noxious weeds: they are a concern near Cascade Creek; transportation of grains and hay through the passes leads to invasion of foxtails; bottomland weeds are evident.
7. CDOT (Colorado Department of Transportation) actions and/or interface with communities: CDOT needs to make their signs more compatible with the visual goals of the Skyway (some specific areas were cited); lack of oversight over what CDOT does; need for CDOT to take more safety measures; and a need for CDOT to work with local towns that the Skyway goes through (Mancos was called out specifically).
8. Keeping the Skyway beautiful; ensuring that towns along the Skyway are equally highlighted in literature; not doing enough to leverage the Skyway for the region's benefit; not working together enough in general.

#### **Learning about a current byway success story/ies:**

As part of the public engagement, in Ridgway, we heard from Chris Miller, who represents a local group that is active along the neighboring Unaweep/Tabeguache scenic byway (which goes from Placerville to Whitewater and includes a segment of the San Juan Skyway). Ms. Miller, who works for the Western



Interpretive Association of Western Colorado, gave the following insights and advice as to the question of increasing capacity:

- Think about what it is like to be a traveler along your byway. What do they need? What is their experience? We are asking the public to get off the freeways and venture onto our scenic/historic byways, therefore the byways need to be the finest examples of roadways. That is our goal.
- Get projects “shovel ready” so the Skyway is positioned for any future rounds of scheduled funding from the state or federal governments. Be prepared to respond to opportunities.
- Involve and engage local CDOT staff and representatives. Our group asked them to ride along the byway so they could see first-hand the need for improved signage or pull-outs.
- Leverage our San Juan Skyway marketing by complimenting state, regional, county, and local campaigns.
- The Colorado Tourism Office (CTO) will match funds for printing of brochures. This is an opportunity.
- Contact elected officials about reauthorization of the federal highway bill to include additional funding for scenic/historic byways.
- Other regions in the state operate their byways in several ways: Grand Mesa is volunteer driven; Unaweep/Tabeguache uses local governments and agencies; and Crested Butte has an advisory board.
- Keep telling the Skyway story. Don’t let the public forget.

#### IV. Needs, Issues, Ideas for Action and Opportunities

The following themes and issues, by topic, along with ideas for action are listed below. These are not presented in any particular order in terms of emphasis or weighting. If this effort is to move forward in any form or fashion, a formal prioritization would need to be done as well as much more specific *planning*.

##### *a. Scenery and Visual Resources Management*

Significant acres of open space have been preserved along the Skyway through the voluntary use of a tool called conservation easements. The Black Canyon Regional Land Trust has preserved 1,476 acres; the Montezuma Land Conservancy has preserved 4,300 acres with 355 more almost ready to be placed in easement; and the La Plata Open Space Conservancy holds 3,000 acres in easements. Through the San Miguel County Conservation Foundation, 1,590 have been preserved. These numbers reflect conservation easements placed voluntarily on private property by the owners and include acres that are directly adjacent to the Skyway and in the viewshed. Other lands trusts, that are not based locally, hold conservation easements along the Skyway too.



*The San Juan Skyway, such as this stretch near Ridgway, is characterized by stunning views. A number of tools are used to keep views intact in many areas.*

Specific input given:

1. Continue to acquire as much land adjacent to the road as possible to keep it from being developed through outright buying land and/or through conservation easements.
2. Give landowners more visibility if they have put an easement on their property along the Skyway.
3. Continue to strengthen county land use codes through skyline regulations such as what San Juan County and perhaps other counties have done.
4. Minimize non-interpretive signage.
5. Minimize or otherwise deal with the beetle kill as best is possible.
6. There is erosion that is an eyesore between Coal Bank and Molas. The suggestion is to have CDOT remedy it.
7. There is a concern about noxious weeds and invasive species, and their impacts on the viewshed.
8. Defacing of the Skyway is occurring in some sections and is a significant concern.

Opportunities for action:

1. The four land trusts along the Skyway (Montezuma Land Conservancy; La Plata Open Space Conservancy, San Miguel Conservation Foundation and the Black Canyon Regional Land Trust), may consider working more closely together to update a Skyway-wide open space conservation plan and/or consider other joint actions. This plan and or actions taken collectively could set forth recommendations related to continuing to preserve open space along the Skyway in key, prioritized highway corridors and the open space surrounding towns. This step could be important as funding from sources such as Greater Outdoors Colorado (GoCo) become increasingly complex and competitive, and only the strongest partnerships receive funding.
2. Where conservation easements already exist, with the landowners' permission, credit could be given and/or called out via an electronic/mobile app or signs.
3. All levels of government can continue (or start) to consider the impact of their actions on the San Juan Skyway viewshed.

### ***b. Preservation of Cultural and Historic Resources***

*(Note: this topic also came up in the section around "Interpretation")*

The amount of cultural resources along the Skyway is notable nation-wide if not world-wide. Visiting a mining or archaeological site or learning about railroad history is one key reason many tourists and locals drive the Skyway. Many groups are involved in both preserving and interpreting these valuable sites and resources.

Specific input given:

1. The railroad is important to the history of Ridgway and other communities along the Skyway.
2. The Red Mountain Task Force is working to acquire lands in San Miguel, Ouray and San Juan Counties.
3. More effort needs to go into historic structure stabilization.



*The Galloping Goose is just one of many things that celebrate the region's rich history.*

4. These efforts need all the historical societies to be engaged.
5. Any effort should leverage all federal dollars available due to all these designations.
6. Hire local firms to use video to focus on these resources.
7. Tie history in with other things such as a brew or bike tour, etc.
8. Someone (such as the Mountain Studies Institute) could lead a project where viewpoints are identified and travelers can be a part of doing citizen science or monitoring. People could upload pictures of sites and use this information, over time, for monitoring. Note: MSI is already carrying out a technology program similar to this for the Alpine Loop.

#### Opportunities for action:

1. The Red Mountain District Task Force is currently in the process of acquiring more lands to be placed in the public domain through voluntary land acquisition from willing sellers. These efforts should be applauded and supported.
2. With public funding shrinking in many areas of government, and for byway and skyway protection specifically, the use of “citizen scientists” and nonprofit organizations could be a tool for monitoring and education.
3. The idea of doing a Skyway electronic/mobile app (or building on an existing one) came up often and could be a key tool for modern-day and electronic interpretation.

#### *c. Infrastructure Improvements and Safety*

For some members of the public, the topic of “infrastructure” on a highway can be unengaging. However, this topic is vital as it relates to any by-way’s drive-ability as well as travelers’ overall experiences and safety. This is particularly true for the San Juan Skyway due to the nature of the topography, the narrow, steep and windy roads in many sections, and the danger due to rock slides, snow and ice, and cliffs. Key ideas emerged in the public input phase about improvement and a consistent theme was *improving safety*. Specifically, putting in more pull-outs, marking pull-outs better, and providing more education about high-mountain and snowy-road driving could be considered in all transportation planning and funding decisions. Also, specific locations were noted where signs should be located asking slower drivers to pull over.

A topic that received support several times was the concept of putting in bike lanes where feasible. Biking as a recreational hobby, and as a destination experience for visitors, has exponentially increased across Southwest Colorado over the past few years.

A key issue raised is the need to find permanent funding for restroom facilities in three locations including Lizard Head, and Molas and Coal Bank Passes. The USFS has stated that due to budgets cuts to their recreation program (upwards of 30%), they simply cannot fund this service any longer. San Juan County has picked up the tab for the restrooms on Molas and Coal Bank Passes through securing funds from a Safe and Rural Schools Grant, but after this one-year reprieve, these restrooms might be closed. Community problem-solving is immediately needed.



*Restrooms such as this one on Molas Pass are at risk for permanent closure due to funding shortages.*

A new issue that emerged in the winter of 2013/2014 is the giant rockslide south of Ouray which crossed Red Mountain Pass and left this major transportation route closed for weeks. This closure, while necessary, affected local economies and created significant impacts for travelers, merchants and tourists. Some are very concerned about this stretch of the highway, and resolving the rock slide issues, they say, should remain a high priority for CDOT.



Specific input given:

1. Encouraging driver safety via more signage, especially putting up signs in a few places encouraging “slower drivers” to pull over and reminding them it is State law.
2. The Town of Ridgway will undergo \$13,000,000 in highway upgrades starting in 2015. This is on the byway and should be noted as a major upgrade project.
3. The Town of Mancos would like State Highway 184 to show up on Skyway maps since it goes through scenic territory and accesses Mancos State Park, Summit Lake, the San Juan National Forest and Jackson Lake. Also, the segment that leads into the Town of Telluride from State Hwy. 145 is considered by many locals to be part of the Skyway.
4. The Town of Mancos would like to develop a more beautified and safer stretch of the Skyway that goes through their town. They are working on planning efforts with CDOT related to their desire to slow traffic, improve safety and clean up the access points and frontage road issues.
5. Improve the identification of trailheads that are adjacent to the San Juan Skyway in terms of education related to where they are; better parking for some of them; etc.
6. Put in better and more rest areas where opportunities for interpretation might exist.
7. Maintaining what is there now is important related to signage, interpretation, and keeping up amenities.
8. Better education along the Skyway related to the interpretive signs, restrooms, location of danger areas (e.g., the rock slide), etc. This information could easily be incorporated into a mobile app.
9. Prohibiting engine brakes that are too loud and step up enforcement of too fast/ too loud vehicles.
10. More ingress/egress lanes in several areas where heavy traffic joins the highway.



*This stretch of road along the Skyway called “Red Mountain Pass” is very scenic but can present safety challenges for drivers.*

Opportunities for action:

1. Build a coalition to keep restroom facilities permanently open on Molas and Coal Bank, and/or Lizard Head Passes – seek creative funding strategies.
2. Conducting an inventory of the status and condition of existing facilities, interpretive pull-outs, and infrastructure along the entire San Juan Skyway, and incorporate future actions and priorities in funding requests and regional transportation planning.
3. Engage local biking groups and recreational organizations to seek ways to expand bike lanes in segments where they might be feasible. Perhaps a San Juan Skyway regional cycling master plan is needed? There are resources and contacts via the Colorado Scenic Byways Program.
4. Determine several locations where signs could be put up asking slower drivers to pull over. This would be a greater level of enforcement of a 2009 State of Colorado law requiring drivers going below the speed limit with five cars or more cars backed up behind them to pull over and let cars pass.

5. Continue to support local governments and CDOT in resolving joint issues and challenging issues along the Skyway.

#### *d. Opportunities for Joint Marketing and Promotion*

The San Juan Skyway enjoys quite a lot of marketing and promotion. Each Chamber of Commerce (there are eight of them), to varying degrees, uses the “San Juan Skyway” to market their events and their stretch or segment of the byway. The Southwest Travel Region, which is sponsored by the Colorado Tourism Office (CTO), and whose fiscal agent is the Region 9 Economic Development District, is one group that does collective marketing of the Skyway via their Web site. The Travel Region also markets seven other byways covering 10 Southwest Colorado and Western Slope counties.

Several examples of Skyway marketing include:

- Telluride Publishing produces a *Visitor Guide* magazine distributed to communities along the Skyway. Each community along the by-way is featured along with a calendar of events, articles of interest, etc.
- A San Juan Skyway brochure at all the USFS and BLM Visitor Centers (and at other locations). The San Juan Mountains Association currently is doing a re-print of the brochure and contributed funds would be helpful.
- There is a Skyway interpretive sign at the Tres Rios BLM Office.
- Each of the Chambers has a Web site that can be accessed here: <http://www.coloradodot.info/travel/scenic-byways/southwest/san-juan-skyway> (scroll down to the “Local Chambers of Commerce” section).

As background, in May of 2000, a document was produced by the San Juan and Uncompahgre National Forests that presented a detailed plan for improving the Skyway for tourists and all visitors by improving and/or developing nine specific sites people visit and 16 historic markers. Find the document here: <http://www.coloradodot.info/travel/scenic-byways/southwest/san-juan-skyway/ScenicByway-SanJuanInitiative-May2000>.

A key opportunity that arose in the public engagement process is developing an electronic/mobile app that the traveling public could use to learn about many aspects of the San Juan Skyway such as: interpretive signs and visitor centers; geology; open space easements and conservation goals; tourism destinations and more. Currently, an app for the Skyway already exists via a private company called Interactive Travel Guides. The owner, Cody Edwards, was approached and is open to opportunities for expanding his mobile app. There may be other apps for the Skyway as well. A “champion” is needed to step forth to lead this project.

Specific input:

1. There is an April 2015 Colorado Tourism Office conference in Durango targeted to our region. There might be opportunities at this event to form a San Juan Skyway coalition.

Here are some key examples of how the Skyway is promoted:

Colorado Scenic Byways

<http://coloradoscenicbyways.com/index.php>

Specific San Juan Skyway page:

[http://coloradoscenicbyways.com/indiv\\_byway.php?id=19](http://coloradoscenicbyways.com/indiv_byway.php?id=19)

Southwest Colorado Travel Region

<http://www.swcolotravel.org/page.cfm?pageid=15513>

Specific San Juan Skyway page:

<http://www.swcolotravel.org/page.cfm?pageid=15593>

San Juan Skyway 25<sup>th</sup> Anniversary – 2014

Facebook page:

<https://www.facebook.com/SanJuanSkyway25thAnniversary>

2. Each community along the byway has an opportunity to collaborate regionally. This is very hard, however, due to the different nature of each community and geographic isolation from one another. However, a joint marketing of the Skyway could build on everyone's capacities.
  3. Set up a San Juan Skyway Web site.
  4. Specific audiences could be reached to drive the Skyway (and thus bring more visitors to each community).
  5. Plan and conduct a craft or brewery tour along the Skyway with designated drivers.
  6. Partnerships are important.
  7. Any existing literature should be widely used by all Skyway beneficiaries.
  8. Use aerial views of the Skyway in marketing.
  9. Ensure that local communities know the history, mission, etc. and use that to their full advantage; and ensure that any regional community treats all communities with equity (so Durango, Ouray, Silverton and Telluride do not get all the publicity).
  10. Develop a common brochure with sub-pieces for history, culture, ecology, etc. The Skyway needs branding.
  11. The Skyway is taken for granted and many do not realize how important it is to this region.
  12. More interpretation could make it easier to promote.
  13. The lack of monitoring or oversight of development along the Skyway is concerning from a promotion perspective.
  14. We need creative marketing of the Skyway in relation to all other regional attractions.
  15. Merchants could work harder to market it (e.g., make sure any Skyway brochures are in their brochure and rack card displays).
  16. Find a way to brand the Skyway and tie it together better, such as a common logo or signs painted on the pavement where key items of interest may be (this is apparently done in Europe).
- This flier was done to promote the 25<sup>th</sup> Anniversary of the San Juan Skyway. It shows the almost-endless things to do along this byway. This is an example of creative marketing that supports all of the communities along the byway.*

### Opportunities for action:

1. A champion organization or group might step forward immediately and work to create a San Juan Skyway-wide app (or build on the existing one) to include all values. This idea is very “ripe” as new technology emerges as well as growing numbers of people with iPads and smart phone devices.
2. Make sure there is funding to reprint the existing San Juan Skyway brochure. The San Juan Mountain Association has agreed to take on re-printing the brochure.
3. The tourism initiative document is currently outdated as it was done 14 years ago. This document could be reviewed and updated with current conditions, opportunities and projects as planning dollars and staff time may allow: <http://www.coloradodot.info/travel/scenic-byways/southwest/san-juan-skyway/ScenicByway-SanJuanInitiative-May2000>.

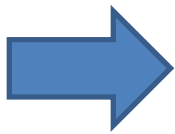


### *e. Way-Showing, Signage and Interpretation*

This topic received considerable attention. First, as part of past efforts, many interpretive signs were placed along the Skyway. Some of these signs are showing wear or have been damaged. Second, many people value interpretation and would like to see more of it along the Skyway and at key locations (e.g., visitor centers, chambers of commerce, etc.). Also, there are perhaps some new areas that deserve interpretation – notably, the beetle kill which is affecting (and will continue to affect) the nature of the scenery and health of the forests. Many expressed that they like learning about the history and cultural stories of the area so more interpretation around this topic would likely be met with a lot of support. Finally, with the advent of new technology and apps, there is a significant opportunity for new kinds of interpretation that did not exist before. The idea of doing a Skyway-wide, in-depth app gained traction in this process. A related issue to interpretation is that some expressed that sight-seers need places to pull over safely which was mentioned in the safety section.



In June of 2013, a report was published by the San Juan Skyway Way-Showing Project that covered Ouray, San Juan, La Plata, Montezuma, Dolores, and San Miguel Counties. This report's executive summary is presented in Attachment D. Because this was done so recently, future actions can be based on this report's findings. Wayshowing involves how a destination or amenity is signed and therefore navigated and experienced by the visiting public.



*Find the 2013 San Juan Skyway WayShowing Report Here:*  
<http://www.coloradodot.info/travel/scenic-byways/southwest/san-juan-skyway/FinalTheSanJuanSkywayFrameworkforWayshowing.pdf/view>  
*The Executive Summary can be found in Attachment D.*

Specific input:

1. Use paved pull-outs, rock barriers, roofed pavilions/kiosks, and better CDOT signs leading to the sites.
2. Find ways to link together interpretive opportunities such as with the Old Spanish Trail, the Colorado Trail, National Historic Trail, and/or the Dominguez & Escalante Trail, Colorado Trail, the Continental Divide Trail, the Bear Creek National Recreation Trail, etc.
3. Ask CDOT to not diminish scenic and other values through their actions. Ensure that CDOT signage is in keeping with scenic values, local culture and are aesthetically pleasing. Require CDOT to do a threat assessment prior to taking action on the Skyway (meaning a threat to the values that make the Skyway special).
4. Several comments were made related to including Native American history and people in interpretation and signage.
5. Be holistic in how things are interpreted. Find opportunities for themed interpretation specific to each area covering the towns, their history, their people, landscape, commerce and ecology. Along these lines, developing a consistent theme or branding for all Skyway signs came up as an idea.
6. Safe places for interpretation so sight-seers do not interfere with other drivers.
7. The rock slide above Ouray could be an area for interpretation.

8. Use signs as a way to educate people about “rules of the high country” and “Leave No Trace” messages.

#### Specific Opportunities:

1. Produce an updated Comprehensive Management Plan and Interpretive Plan. From this effort, replace or repair existing signs and sites that are damaged.
2. Determine if a Skyway-wide mobile app could be developed or if an existing app could be expanded to include all the values and topics relevant along the whole Skyway. Many specific “how to” ideas emerged from the meetings in Ridgway and Durango around this idea. This opportunity needs a champion and perhaps one could be identified at an April 2015 Colorado Tourism Summit to be held in Durango (but targeted to our entire region). Develop a partnership or work group specifically around this topic.



#### *f. Other Comments and Ideas*

These comments emerged as general ones and should be noted:

- ✓ Offer more ways to get out of the vehicle, in general.
- ✓ Use native story tellers: contact native story tellers and rotate them to different camping areas.
- ✓ Keep OHV restrictions in place.
- ✓ Step up visitor services.
- ✓ There is a project in the works to develop a trail between Mancos and Cortez. It would be good to see coordination and cross-support between this project and the Byway.
- ✓ We need “Don't drink the water” signs, especially around the Red Mountain areas or where water is contaminated by mining.
- ✓ I would have liked more meetings.
- ✓ I didn't know about the meeting in Mancos.
- ✓ The La Plata Open Space Conservancy needs recognition for the permanent protection of thousands of acres of open space preserved along the Skyway.
- ✓ With the advent of Service First going away and the USFS and BLM “breaking apart”, our community has seen much less interaction with the BLM since Dolores is so far from us. We used to do a lot of collaboration that helped the Skyway and now, all of that seems to be gone.
- ✓ Recreation budgets at the BLM and USFS has been slashed. That has really hurt our local efforts to do Skyway projects in a collaborative way. We used to do all kinds of collaboration around planning, storing equipment, etc. The budgets being cut so much means we have lost so much that could/would help the Skyway.

## V. Where to go from here?

Many types of groups - whether governmental or a nonprofit - “touch” the Skyway in some fashion by working on a specific project or initiative. For example, the Montezuma Land Conservancy is still working to fund and complete conservation easement projects along the Dolores to Rico stretch of the Skyway. Another example: the Red Mountain District Task Force is still actively working to acquire lands to put into public ownership along the Skyway. At the current time, however, there is not one single entity pulling everyone together for the future health, vitality, improvement and increased awareness of the entire Skyway. No one is serving as a convener, fundraiser, advocate and promoter for the whole byway. Also, state and federal budget cuts for byways have meant that far less dollars are available (such as through GOGO’s Legacy Grant program or grant funds available through CDOT or the Federal Highway Administration).

**So, at this 25<sup>th</sup> anniversary mark, where do we go from here?** There are a number of scenarios that emerged in the public input around how a Skyway-wide effort might be organized:

**A. Use an existing group to start a new Skyway-wide Coalition, Committee or Task Force:**

The groups mentioned who might consider leading such as effort included:

1. Center of Southwest Studies at Fort Lewis College
2. Mountain Studies Institute
3. Southwest Colorado Regional Council of Governments (does not include some northern communities)
4. Southwest Travel Region  
and
5. A community foundation and there are three: a) Onward Legacy (serves the Four Corners); b) the Community Foundation Serving Southwest Colorado (serves Southwest Colorado); and c) and/or the Telluride Foundation (serves Telluride).

**B. Raise the awareness of the Skyway at a conference or event:**

1. Use the April 2015 Colorado Tourism Office conference that will be held in Durango to catalyze an effort (one note here is that the effort needs to include all stakeholders, not just those involved in tourism promotion).
2. MSI (Mountain Studies Institute) heads up the Connecting for Conservation in the Four Corners partnership (<http://www.mountainstudies.org/connecting-for-conservation/>). This effort came out of a conference held in May of 2014. This group might include the Skyway in one of their quarterly dialogue meetings. A task would be inclusiveness as the northern communities may not view themselves as part of the “Four Corners” but would be welcomed.

**C. Do not actively form a group until an opportunity arises that would compel a partnership naturally or “organically.”** Partnerships cannot be forced and they require human energy and usually funding or an in-kind resource. And, usually, the strongest partnerships come about through a compelling need, resources, energetic people and a focus. Given this, more ideas emerged for next steps:

1. Each segment organizes their own work and joint actions, and then an annual conference is hosted where everyone reports what they are doing.
2. Develop an email List Serve where anyone interested could report what they are doing. Out of this effort, future opportunities could be more easily seized upon if stakeholders had been in regular communication with one another. Note: This is underway. See below.

**D. Enable and applaud those who were involved in this 25<sup>th</sup> anniversary to move forward on a project.** Of course, any entity or person who was inspired by an idea in this process could run with it.

1. The mobile app is the one project that probably received the most focus. Might someone take this project on, secure funding and run with it?
2. One stakeholder is apparently moving forward on looking at the interpretative needs and signs.
3. At the Durango meeting, it was suggested that obtaining a VISTA Volunteer to work on projects would build capacity. If an entity were willing to secure a VISTA, he/she has a long list of opportunities to pursue as per this report.

The issues and barriers identified with establishing a structure that could take on joint actions and planning around the Skyway include:

1. Geography: It is very difficult to get a group together that spans the entire Skyway. Some ask: Is this even realistic?
2. Interest: Those who live in “x” community may not care or have time to work on something for the Skyway in “y” community. Also, equity comes into play as some smaller communities can be concerned that a broad effort will only benefit the larger counties, cities or towns.
3. Diversity: Any collaborative group should be diverse with all values at the table: scenery; open space and land preservation; tourism, marketing and promotion; history and cultural resources including archeology; local governments; those with an interest in signage, wayfinding and interpretation; state and federal governments who have a role and responsibility around managing Skyway resources and infrastructure. Most groups do not, by their mission, represent all these topics.

The roles that such a group could take on include:

1. Basic communication about what is happening along the Skyway.
2. Planning.
3. Project initiation and completion.
4. Providing oversight of policies that affect the Skyway and possibly, taking on an advocacy role.
5. Responding to funding opportunities (e.g., Federal Highway Dollars, GoCo, etc.).
6. Celebrating when accomplishments are done or milestones reached.

The specific stakeholders mentioned who could be involved include:

- |                                                                                        |                                                                               |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|
| ❖ BLM                                                                                  | ❖ Conservation Legacy (formerly Southwest Conservation Corps)                 |
| ❖ Center of Southwest Studies                                                          | ❖ Conservation groups in general                                              |
| ❖ Chambers of Commerce                                                                 | ❖ Community Foundations (3 in the region)                                     |
| ❖ Colorado Historical Society                                                          | ❖ Economic development groups                                                 |
| ❖ Colorado Parks and Wildlife                                                          | ❖ Education institutions (Fort Lewis College and Southwest Community College) |
| ❖ Colorado Tourism Office                                                              | ❖ Film festivals, videographers and the Four Corner’s Film Commission         |
| ❖ CDOT                                                                                 | ❖ Historic societies/groups                                                   |
| ❖ Connecting for Conservation in the Four Corners (through Mountain Studies Institute) |                                                                               |



- ❖ Local Governments
- ❖ Lodging associations
- ❖ Main Street groups
- ❖ Media
- ❖ Mesa Verde National Park
- ❖ Mountain Studies Institute
- ❖ Open space organizations (MLC, LPOSC, Black Canyon Regional Land Trust and the SMCF)
- ❖ Professionals by project area (e.g., film makers, interpretation experts, architects, planners, etc.)
- ❖ Ranching, farming and ag-tourism groups

- ❖ Recreation and trail groups
- ❖ San Juan Mountains Association
- ❖ Service groups
- ❖ SW Council of Governments
- ❖ SW Travel Region
- ❖ USFS
- ❖ Visitor's Centers
- ❖ Wineries and other food industry groups

*Note: This list is by no means comprehensive of all stakeholders along the Skyway. These are the ones mentioned in the public input process.*

### **Recommendation from the consultant based on public input:**

At this time, it appears that no group currently has the capacity, interest or willingness in terms of funding, staff time or mission to take on a Skyway-wide mobilization effort. This by no means is a failure or critique. Many organizations or governmental units, while working on projects for their topic area or “stretch”, simply cannot take on the whole Skyway. Also, taking on such an effort is no small task due to the vast geography involved, the complexity of the topics, limited funding, and the number of entities to bring to the table.

Therefore it appears that at the current time, continuing the conversation through an email List Serve and a Facebook Page as well as informally could mean that a group launches in the future if and when a compelling opportunity exists. This model could also translate to Skyway-wide groups forming around specific topics.

Finally, it should be noted again that many efforts are already underway that mostly improve one segment. Each of them can be applauded and supported which then translates to byway improvement in the form of new services, preserved vistas, safer driving, more amenities, increased educational/interpretation opportunities and/or businesses receiving more traffic (and dollars) from visitors.

### **How to stay connected:**

- ✓ The Facebook Page remains active and will be voluntarily staffed for a year by Lisa Schwantes: <https://www.facebook.com/SanJuanSkyway25thAnniversary>.
- ✓ The Montezuma Land Conservancy will continue to offer its Web Site to house this report and other 25<sup>th</sup> anniversary items: [www.montezumaland.org](http://www.montezumaland.org).
- ✓ The MLC will also continue to keep the email tree List Serve active. Please email the executive director, Jon Leibowitz: [jon@montezumaland.org](mailto:jon@montezumaland.org)





## Attachment A – Sample Meeting Agenda

### Public Engagement Meetings -- Meeting Agenda

#### Meeting Outcomes

- re-energize and reinvigorate interest in building capacity for the San Juan Skyway;
- assess, with stakeholders, the idea of establishing a long-term group or structure that could carry out priority projects for Skyway improvement, education, preservation, etc.; and
- assist participants in revisiting the corridor plan and produce a list of new desired projects or goals for the Skyway which will serve as an “addendum” to the current corridor plan.

#### Meeting Agenda

- 1) Introductions (10 minutes), Marsha Porter-Norton, Facilitator
- 2) Setting Expectations: Why are we here, Proposed Outcomes for the meeting, Ground Rules (10), Marsha Porter-Norton, Facilitator
- 3) Previous Planning Efforts and Current Accomplishments for the San Juan Skyway (30), Pauline Ellis, San Juan Public Lands (USFS)
  - Power Point presentation of past planning efforts done for the Skyway as well as key accomplishments towards goals previously set
- 4) Where could the Skyway “go” from here? (1 hour)
  - Group will discuss:
    - a) Way-Finding, Signage and Interpretation; b) Infrastructure Improvements c) Promotion and Tourism d) Preservation, Natural, Scenic and Cultural Issues and e) Other
  - Accomplishments for this topic
    - Current issues, threats, and opportunities for projects/initiatives
    - Ideas about how to further work on new projects/initiatives together
    - Should a group form? If so, what might this look like?
    - Other thoughts
- 5) 25<sup>th</sup> Anniversary (5)
  - what are your ideas for your community “showing the San Juan Skyway you love her”
  - information sharing
  - Contact for Colorado’s Scenic and Historic Byways Program (it is also the 25<sup>th</sup> Anniversary of the State program) Info: <http://www.coloradodot.info/travel/scenic-byways>.
- 6) How to participate from here... (5)
  - Plan something in your community!
  - Be looking for a report from this public engagement process
  - Fill out Survey Monkey <https://www.surveymonkey.com/s/SPSGNLQ>
  - “Like” the Facebook page: [facebook.com/SanJuanSkyway25thAnniversary](https://facebook.com/SanJuanSkyway25thAnniversary)
  - Other
- 7) Summary and Wrap Up

## **Attachment B – Meeting Notes -- San Juan Skyway Public Engagement Meetings (Mancos, Ridgway and Durango)**

### **Mancos Meeting: 7/31/14**

#### **Present:**

Tom Schillaci – Videographer; Mark Franklin – Interpretive Design LLC/Old Spanish Trail; Matt Janowich – USFS; and project personnel, Pauline Ellis – USFS, Jon Leibowitz – Montezuma Land Conservancy, Marsha Porter-Norton – Facilitator and Lisa Schwantes – Community Outreach.

#### **Meeting:**

- Marsha P-N lead introductions and explained proposed meeting outcomes.
- Jon L. presented a brief overview of the San Juan Skyway.
- Jon L. presented a power point slideshow and explained previous planning efforts, past goals set for the Skyway and past accomplishments.

#### **Public Comments:**

The group discussed four key issues: 1) Way-Finding, 2) Infrastructure, 3) Tourism, 4) Natural/Scenic/Cultural Resources.

##### **1. Way-Finding/Signage/Interpretation**

- Signage is very important
- Pauline explained signage evaluation exercise conducted in year 2000
- Current signage is getting worn or damaged in some places (e.g., Dominguez-Escalante Trail signage has been vandalized and damaged by snowplow)
- Suggestion made to put new signs in at key places along the Skyway. This signage would give consistency in branding. Signs do not have to be at an exact location. Need to be placed in safe pullout areas that can point out several points of interest.
- Signage should include several themes: Mining, ranching, geology, culture...
- Proposed action step: Do an inventory of all current signs along the Skyway (to include condition of)
- If new signs are needed, one view was that they could cost \$2000+ each
- There is a desire to enhance some storylines: Dominguez-Escalante Trail, Old Spanish Trail, Dolores Trail...
- Bear Creek is a “National Trail.” Is there federal money available to highlight this?

##### **2. Infrastructure**

- Past additional accomplishments include:
  - Red Mt. Pass major interpretive overlook created at cost of \$750K
  - Lizard Head Pass restrooms
  - Keystone pullout below Telluride
  - Interface with Alpine Loop
  - Andrews Lake improvements

- Q: Who maintains restroom facilities? This is a question.
- Concern by Mancos Community to include State Hwy 184 as official part of Skyway (Jackson Lake, Summit Lake, Mancos State Park)
- Suggest is to include the Skyway as being the “cherry stem” of highway that actually goes into Telluride
- Concern for beetle kill areas – really affects views...not much can be done....it’s an opportunity for interpretation
- Concern about restrooms on Molas. The Columbine District simply cannot maintain them. They are now maintained for two years through a Rural Schools Grant (San Juan County) but what next? They cost \$1,000s a year to maintain. Other stretches of highway (e.g. Wolf Creek) don’t have restrooms. Would the public support removing the ones on Molas or paying through different funding streams to keep them?

### 3. Promotion/Tourism

- Need to market the Skyway. Promotion and marketing will help protect what makes it special
- Possible Craft Brew Tour along the Skyway
- Partnerships are important with:
  - Mesa Verde and its Visitors Center
  - All Chambers and Tourism Offices
  - Ski areas (Telluride, Silverton Mt, DMR, Hesperus)
  - US Conservation Corp
  - CDOT
  - Old Spanish Trail Association
- Although most communities are centric, marketing the Skyway in general can benefit all communities
- Possibility of a short video to promote San Juan County’s portion of the Skyway
- Creation of App for the Skyway (Mancos is working on one for their segment)
- App might include a creation of map with icons/comments “how to celebrate” the 25<sup>th</sup> Anniversary

### 4. Preservation of Natural/Scenic/Cultural resources

- Q: Are there federal dollars available since this is a designated “American Byway”? A: There was initially some funding available, but the designation is now used mainly to be included in grant applications.
- An interpretive plan is needed to help identify sites, storylines, themes...
- Should future coordination be approached geographically or by topic/interest
- Eye sore (erosion) currently exists between Coal Bank and Molas. Can CDOT take initiative here?
- Concern with invasive vegetation species (Russian olive, tamarisk). Is there federal money to help eradicate these?

#### Other comments

- There was an obvious void created with the retirement of Ken Francis, FLC Office of Community Services
- Would FLC be able to reinstate Community Services Office, which no longer exists?
- Would another organization/institution be able to form a Community Services Office?
- Possible future community involvement:
  - It is not necessary for regular meetings to take place
  - Utilize e-technology and social media (web, e-mail, Facebook)
  - But a “champion” is needed – someone who can coordinate projects and community driven issues
- If a coalition or group is formed, it could be beneficial when approaching state/CDOT
- Possible field trip (tour of ranches, agri-tourism, old mines...) – who can organize? San Juan Mt Assoc., USFS, Chambers? *Notes taken by L. Schwantes*

#### Ridgway Meeting 8/14/14

##### **Present:**

Joe Lewandowski – Colorado Parks & Wildlife; Katharina Papenbrock – Ouray Chamber; Alecia Phillips – Black Canyon Regional Land Trust; Tom Schillaci – Videographer; Alan Staehle; Bill Tiedje – *Ouray County Plaindealer*; Rick Weaver – Ridgway Town Council; Jack & Patsy Young – Chipeta Solar Springs Resort; with project personnel Pauline Ellis – USFS, Marsha Porter-Norton – Facilitator and Lisa Schwantes – Community Outreach and with speaker Chris Miller – Interpretive Assoc. of Western Colorado;

##### **Meeting:**

- Marsha P-N lead introductions and explained proposed meeting outcomes.
- Pauline E. presented a power point slideshow and explained previous planning efforts, past goals set for the Skyway and past accomplishments.
- Chris M. presented information about the Interpretive Association of Western Colorado and specifically what they do related to the byways their organization promotes/improves (4). The points she made included:
  - We are asking the public to get off the freeways and venture onto our scenic/historic byways, therefore the byways need to be the finest examples of roadways. That is our goal.
  - Possible project: inventory of current signage. Consider replacing damaged signage, moving signage to better locations, adding signage for additional points of interest or safety...
  - Recommendation to prepare and pull together a list of possible projects that are “shovel ready” so the Skyway is positioned for any next rounds of scheduled funding from the State or Federal Governments. Be prepared to respond to opportunities.
  - Recommend getting our CDOT Reps involved (ask them to ride along the Skyway so that they will see first-hand needs for improved signage or pullouts)

- Leverage our San Juan Skyway marketing to compliment state, regional, county, local campaigns.
- CO Tourism Office (CTO) will match funds for printing of brochures. This was cited as an opportunity.
- Recommendation to contact elected officials about reauthorization of highway bill to include additional funding for scenic/historic byways
- Other regions in the state operate their byways in several ways: Grand Mesa - volunteer driven; Unaweep/Tabeguache - local governments are represented and agencies; Crested Butte has an advisory board
- Need to (year after year) keep telling the Skyway story. Don't let the public forget.
- CO scenic byway signs (Blue Columbine) are very important, and are the consistent link for all CO, they can be placed every 10 miles.
- Think about what it is like to be a travelers along your byway. What do they need? What is their experience?
- Phone service signs are needed (cellular and land)

### **Public Comments:**

Group discussion regarding four key issues: 1) Way-Finding, 2) Infrastructure, 3) Tourism, 4) Natural/Scenic/Cultural Resources.

#### **1. Way-Finding/Signage/Interpretation**

- Q: Are there statewide design guidelines for signage?
- Need for signage encourage slower traffic to pull over or use turn-outs.
- Way-finding event of 2013. Where is that report available?

#### **2. Infrastructure**

- Red Mt Pass – no restroom facilities in key places
- Concern for driver safety
- Hwy 62 (downtown Ridgway) will experience \$13M in upgrades starting in 2015. This is on the byway and should be mentioned as a major upgrade project.

#### **3. Promotion/Tourism**

- Q: Is CTO involved in promotion of San Juan Skyway? (Chris' presentation touched upon some of this)
- Possible development of app or e-tour
  - Rick Weaver suggested contacting Cody Edwards. He recently presented information about being able to develop an app for under \$1000. Benefit to his app: you download it and can then access regardless of whether the device has internet access.
  - Each community along the Skyway could contribute to development costs.
  - Map Quest has a free app that can be used.
- Possibility of dedicated website, specific to the San Juan Skyway
- Important to have all the communities, governments, and organizations along the Skyway work together for its greater good – marketing.

- There is a San Juan Skyway Magazine (Big Earth Publishing/Telluride). Is it possible to work with the publication?
- Possibility of working with car & motorcycle manufactures – Jeep, Subaru, Harley-Davidson, Spyder
- Inns of the San Juan Skyway – Chipeta Resort is listed and is also working on a Web Site related to inns along the Skyway

#### 4. Preservation of Natural/Scenic/Cultural resources

- Additional accomplishment: Potter Ranch – 200 acres preserved.
- History and cultural resources so very important to interpret and celebrate along the Skyway (mining, ranching, railway, tribes, geology...)
- Railroad important to history of Ridgway and other communities along the Skyway
- Are all historical societies being engaged?

#### Other comments

- Request from the Young's/Chipeta Resort for additional San Juan Skyway brochures
- Q: Who replaced Ken Francis, FLC Community Services?
  - How do we find that “Spark Plug”/“Champion” that can lead and coordinate projects?
- SW CO Travel Region
  - Working on a grant for creation of a map.
  - Don't reinvent the wheel – perhaps a subcommittee can be created under SWCOTR (*this from Kat P, Ouray Chamber & member of TR*) (There was consensus among the group on this idea.)
  - Important for the subcommittee to recognize other issues to compliment the destinations marketing – History, Culture, Preservation.
- Skyway is taken for granted, but it is so very important to all the communities along the Skyway. It could be that there isn't a lot of interest in this because people take it for granted. “It will always be there.”
- Estimated that more than 2M vehicles travel the Skyway every year.
- Is there a funding search?
- Northern San Juan Initiative – good example, used GOCO funds, multiple entities working together and pooled resources/time. But this takes lots of coordination.
- What are (should be) the top goals/objective/mission for the Skyway? Before you can get a champion, you have to answer this question.
- Marsha posed Q: Do we have (an)other meeting(s)?
  - Lots of good ideas, but who does the work?
  - Spring/fall meetings might be better attended
  - Grand Circle group already meets? Or do they still exist? Can you hook up with them?
  - Rather than physical meetings, participation via web/email/social media.
- State is marketing Color Weekend which is the last weekend in September. Can we coordinate with that campaign? What local events are happening in all the

communities? Check out Chamber and CTO calendars. Promote those events – “Drive the Skyway!” Draft a press release. *Notes taken by L Schwantes*

### Durango Meeting: 9/9/14

#### Present:

Nik Kendziorski – Center of Southwest Studies, Heather Bailey – History Colorado State Historical Fund, Jen Jardine – BLM, Amy Schwarzbach – La Plata Open Space Conservancy, Kirk Komick – Rochester Hotel, Matt Janowiak – USFS, Alan Peterson – San Juan Mountains Association, Nancy Shank – CDOT; with project personnel Pauline Ellis – USFS, Marsha Porter-Norton – Facilitator, and Kathy Sherer taking notes.

#### Meeting:

- Marsha Porter-Norton lead introductions and explained proposed meeting outcomes.
- Pauline Ellis presented a Power Point slideshow and explained previous planning efforts, past goals set for the Skyway and past accomplishments.
  - Attendees listed accomplishments to date:
    - o Bear Creek bridge/trailhead
    - o 3,000 acres of La Plata Open Space easements in 3 counties
    - o SJMA brochure
    - o Land preservation
    - o State historical fund (mid 1990’s)
- Attendees listed their concerns:
  - o Beatle kill affects scenery – need signage to explain it
  - o Noxious weeds – an opportunity for education
  - o Protect the scenery from billboards and easement signs
- Attendees brainstormed ideas:
  - o QR code – technical interpretive signs
  - o Landowner easement signs with logo
  - o Guide to interpretive stops for self-guided tour – with what type of info?
  - o Assessment of what else is interesting
  - o App with info by mile marker
  - o Who would do the work: FLC interns, GIS certification classes, media history students
  - o Chamber of Commerce is different from Tourism Office (Chamber deals with history)
  - o Do presentation at the Southwest Tourism Summit April 10 in Durango
  - o The info is already there – it just needs to be put together (write blurbs)
  - o A contractor needs to be hired in addition to interns
  - o Use Go-Co funding, Youth Corps, USFS
  - o Link with the CDOT app – you can turn off what you don’t want – other apps are also out there
  - o Leave-No-Trace is of high interest to SJMA
  - o There are bike path opportunities parallel to the highway
  - o Trans-Alternative Program – CDOT \$
  - o State Historical Fund is interested in updating signs/kiosks to tell new stories as well as historical ones

- o Remember to give geological info (natural resources)
- o Paint or inlay the highway with something like a Columbine to indicate a pull-out
- o Identify potentially hotter properties for easements
- o Bathrooms are funded by San Juan County until 8/1/15 at Coal Bank and Molas
- o Avalanche pads could be used as pull-outs in the summer
- o Southwest Travel Region is under Region 9 EDD – could a group from under them? (untapped energy, regional marketing, good umbrella)
- o It costs \$8,200 to fund a SCC intern for 12 weeks

Notes taken by Kathy Sherer



## Attachment C – Goals and “Take Aways” from the 2/26/13 Meeting in Ridgway for the San Juan Skyway Hosted by the Colorado Scenic and Historic Byways Program

*What follows are the key take away from a meeting held in Ridgway for the San Juan Skyway. At this meeting, key stakeholders identified action items. Celebrating the San Juan Skyway’s 25<sup>th</sup> anniversary and engaging the public in discussions about capacity were identified at this meeting as action steps.*

Instructor: Sally Pearce, [sjpearce@comcast.net](mailto:sjpearce@comcast.net)

Program Manager: Lenore Bates, CDOT, [Byways@state.co.us](mailto:Byways@state.co.us)

### Goals Set:

#### Year 1

- Establish “New” Scenic Byway Committee (Contact Original Members)
- Get one county commissioner from each county to be on board
- Establish communication with public agencies
- Need to find a “COG!” Champions!
- Formalize new San Juan Skyway Board with day-long conference/retreat: “Make the skyway part of your program”
- Establish immediate priorities – Is it signing? Marketing? Conservation easements? Projects?
- Revisit Vision & Mission – Ask are these appropriate for 21st century byway?
- Inventory \*Existing Resources \*Sign Inventory \* 21 Century Road Evaluation, Pullouts, Safety
- Plan 25 Year celebration!
- Take interested committee members on van tour
- Take a trip around the byway
- Tie in with other byways
- Work with SW Tourism Folks
- Directing people to byway exploration
- Upload town “things to do” in mobile app & keep updated
- Develop weather station with schools & park
- Make byways a bigger part of tourism marketing – visitor information

#### Year 1+

- Update CMP (Corridor Management Plan)
- Rank & prioritize land & historic conservation goals
- Review Sale Tax benefits (increase or decrease)
- Acquire sponsors to pay for road maintenance. Site management & improvements.
- Involve schools/youth in cleaning, fundraising by byway (recycling waste)
- Fishing Tournaments
- Develop interactive marketing materials (passports – fun stuff)
- More Park/community events (i.e. locals appreciation day)
- Develop/Encourage the “Adopt the Highway Cleanup Program”

### Year 3

- San Juan Skyway Treasures Tour (drive the byway & stop for hosted tours/presentations at 4-6 saved places)
- Re-energize Earth Day in thru schools (science, history, English, student projects about san Juan Skyway)
- Marketing Resources (national, state, region, county, lodging taxes) Capitalize
- Bike Trails on east side of Hwy 550 (inside fencing)
- Promote & integrate byways into cycling activities (BIKE GROUP ON BOARD?)
- Digital display on byway regarding events (balloons, farmers market...)

### Year 5

- Use Skyway as hub for locally-grown foods, regional cuisine, wine, summer festivals, CSU as partner?
- Acquiring private land to protect from development
- Update & improve way-finding/signage
- Collaborate with other groups and agencies for funding opportunities.
- Market San Juan Skyway bus tours (For seniors, elder hostel events, historical, geology, museums, etc.)

### Year 10

- Develop linked bicycle events through system of San Juan Skyway & adjacent byways
- Re-look at interpretive signs
- Evaluate Action Items, Develop new plan
- Work with land trust on state level to host annual conference on Skyway

## Attachment D – Executive Summary of “A Framework for Way-Showing” – San Juan Skyway, June 2013

**Link:** <http://www.coloradodot.info/travel/scenic-byways/southwest/san-juan-skyway/FinalTheSanJuanSkywayFrameworkforWayshowing.pdf/view>.

### Executive Summary

Wayshowing is a collection of maps, signs and other media that have been developed to aid travelers in their journey. A system of such information is critical to help travelers successfully choose a destination and plan their itinerary as well as to help them navigate once they arrive. As such, efforts to enhance a regional tourism economy must consider the strengths and deficiencies of existing wayshowing elements located along the full length of a byway corridor. The plan that follows assesses the current elements of the wayshowing system that exist throughout the San Juan Skyway, designated as one of 11 of America’s Byways in Colorado and one of 150 across the nation.

Utilizing a “front-seat back-seat” approach, travelers unfamiliar with the area took to the road with a list of significant historical, cultural and recreational sites to locate. Neophytes in the front seat searched for signs, used digital devices, studied maps and asked for directions. Meanwhile, transportation and tourism specialists in the back seat recorded the navigational challenges for those “new-to-the-byway” travelers in the front. Three (3) four-person teams set out to evaluate how effectively the regional wayshowing system guided travelers to sixty nine (69) specified sites on the San Juan Skyway.

An analysis of the navigation challenges posed in this formal assessment exercise, combined with the input of local officials, transportation and tourism specialists, resulted in recommendations that can improve the ease of navigation for visitors and better capitalize on the potential for increasing travel-related revenues for the communities along the byway.

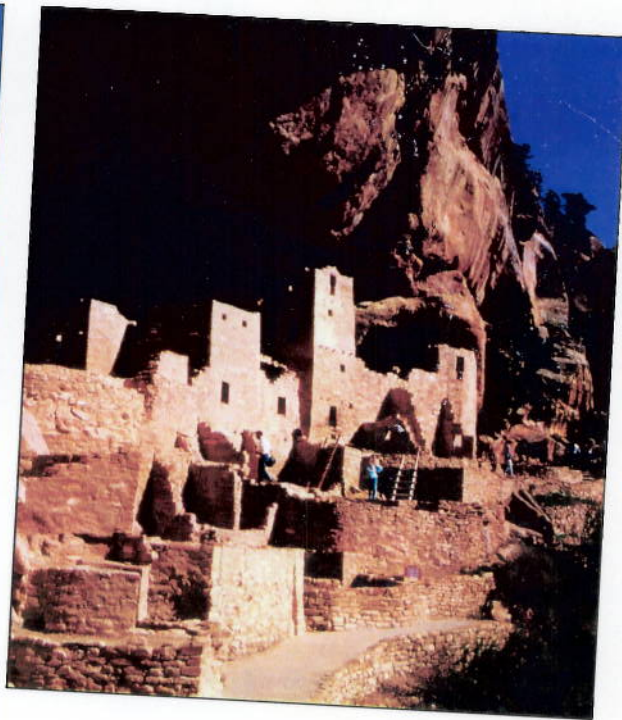
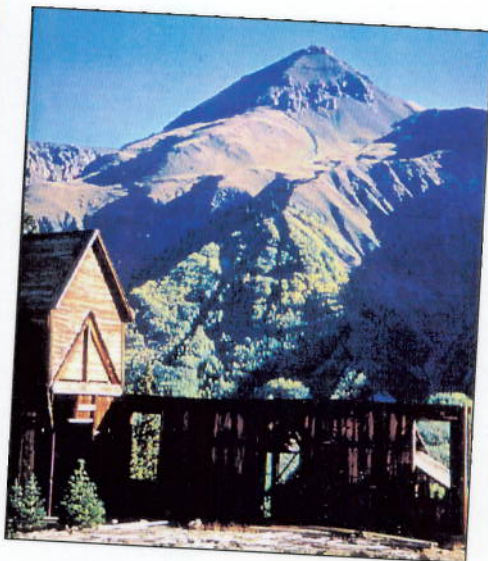
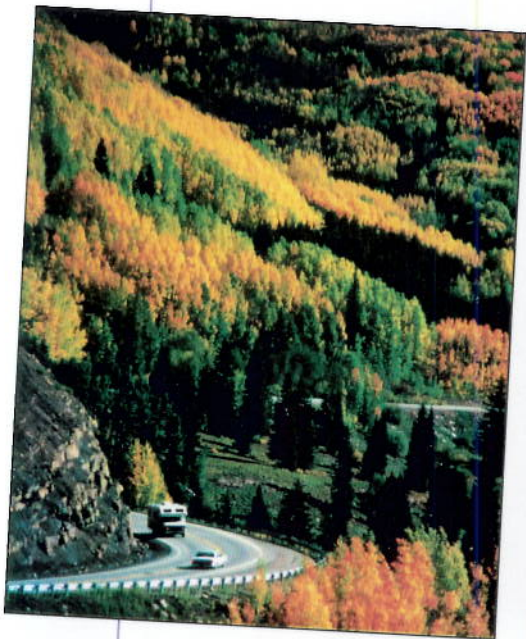
The three teams gave high rankings to a network of eight visitor centers that span the 236 miles of the San Juan Skyway. They found all eight centers stocked with comprehensive written materials that covered the entire region, and visitor center staff that were well trained and extremely helpful. These centers include Silverton Visitor Center, Ouray Visitor Center, San Juan Public Lands Center, Mancos Visitor Center, Mesa Verde National Park and Visitor Center, Cortez Welcome Center, Durango Area Tourism Office and Visitor Center, and the Dolores Visitor Center.

Tourism has long been an important economic generator for the Southwest Colorado region. Its regional heritage sites are recognized nationally for their national and international significance, led by Mesa Verde National Park, a designated UNESCO World Heritage Site. Three federal public land agencies manage the federal lands and heritage sites in the area: The National Park Service, the United States Forest Service, and the Bureau of Land Management. Professional interpretive staff members from these three agencies have helped develop and produce interpretive panels and kiosks over many decades. The network of quality visitor information centers and extensive interpretive signage has created an information-rich region that is second to none in the State of Colorado. Additionally, the regional Colorado Department of Transportation has solid experience designing signage for domestic and international travelers who are unfamiliar with mountain roads.

Because of the excellent interpretive information located at sites throughout the San Juan Byway, the recommendations contained within this report cite mainly site-specific navigation challenges. In summary, the report recommends the following actions:

- A. Improve navigational signage within the city limits of towns and small communities located on the byway. Signage for attractions within the San Juan National Forest was uniformly excellent, as were those associated with Mesa Verde National Park. The greatest need is for wayshowing signs within the limits of the towns themselves.
- B. Modify existing in-town wayfinding signage in both Cortez and Telluride. Both need larger print on signs.
- C. Add pre-notification signs to important heritage sites and attractions. For many, travelers come upon them too fast to safely turn in.
- D. Install identifying signage on the fronts of buildings at the Museum and Mining Heritage Center in Silverton, the Galloping Goose Museum, and the Placerville School.
- E. Address inconsistencies in the naming of attractions in various media (brochures, maps, websites, Google Maps). These inconsistencies are rare and include Keystone Hill Overlook, Ophir Overlook, Red Mountain Overlook, and Galloping Goose Museum.
- F. Cell phone coverage is still spotty on the byway. With research showing that 50% of Colorado travelers depend on mobile devices to make travel decisions, the byway organization needs to move steadily to loading information online and developing byway-specific mobile apps.
- G. Develop clear distinctions between what is offered in the two different information centers in Durango – one downtown and one in Rotary Park.
- H. Assess the impact of heavy motorcycle usage on segments of the byway and add signage that alerts both motorists and motorcyclists to challenging segments of the roadway.
- I. Capitalize on the designation of All-American Road and explain the distinction to locals and travelers alike in wayshowing communication tools.

# San Juan Skyway Corridor Management Plan



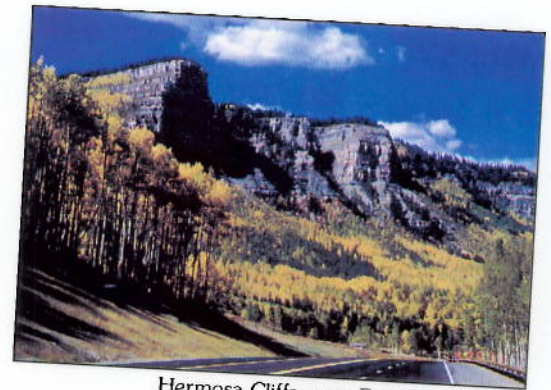
Prepared by the Friends of the San Juan Skyway Association  
A public and private partnership dedicated to the preservation  
and enhancement of the San Juan Skyway





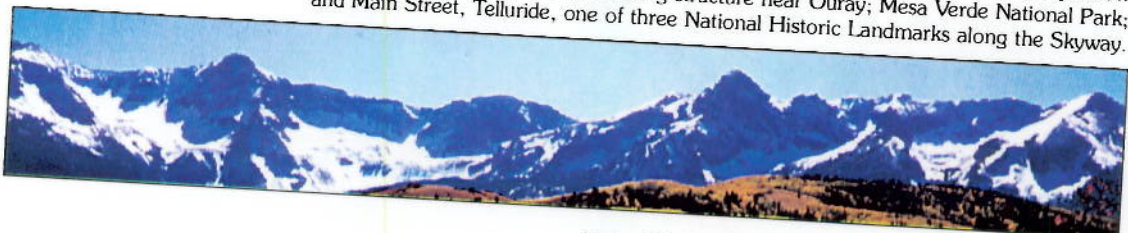
# TABLE OF CONTENTS

|       |                                                                     |
|-------|---------------------------------------------------------------------|
| 2     | Introduction                                                        |
| 3     | Vision & Goals                                                      |
| 4     | Corridor Boundary and Major Land Use Map                            |
| 5     | Assessment of the Corridors Resource Qualities                      |
| 6     | Existing Scenic & Natural Areas                                     |
| 7     | Existing Scenic & Natural Areas Map                                 |
| 8     | Existing Recreation Resources                                       |
| 9-10  | Existing Recreation Resources Map & Chart                           |
| 11    | Existing Archaeologic & Historic Resources Chart                    |
| 12    | Existing Archaeologic & Historic Resources Map                      |
| 14    | Resource Management Actions and Strategies                          |
| 15    | Proposed Scenic & Natural Actions                                   |
| 16    | Proposed Scenic & Natural Actions Map                               |
| 17    | Proposed Recreation Resource Actions                                |
| 17    | Proposed Archaeologic & Historic Resource Actions                   |
| 18    | General Review of Transportation, Roadway Standard & Safety Actions |
| 20    | Public Participation Plan                                           |
| 21    | Development Plan                                                    |
| 22    | Outdoor Advertising Controls and Sign Plans                         |
| 23    | Outdoor Advertising Actions Chart                                   |
| 24    | Interpretation Plan                                                 |
| 25    | Existing Interpretive Sites Chart                                   |
| 26    | Existing Interpretive Publications                                  |
| 27    | Interpretive Zones Map                                              |
| 28-29 | Interpretive Zones & Themes                                         |
| 30-32 | Proposed Interpretative Site Charts & Map                           |
| 33-34 | Tourism Development                                                 |
| 35    | Review & Monitoring                                                 |
| 35    | Partnerships & Credits                                              |



Hermosa Cliffs, near Purgatory Resort, looking north from U.S. 550

Cover photography (clockwise from upper left): San Juan Skyway below Red Mountain Pass (U.S. 550); Historic mining structure near Ouray; Mesa Verde National Park; and Main Street, Telluride, one of three National Historic Landmarks along the Skyway.



Note: All photography contained in this report was taken along the 233 mile San Juan Skyway in Southwest Colorado.

Prepared by the Friends  
of the San Juan Skyway  
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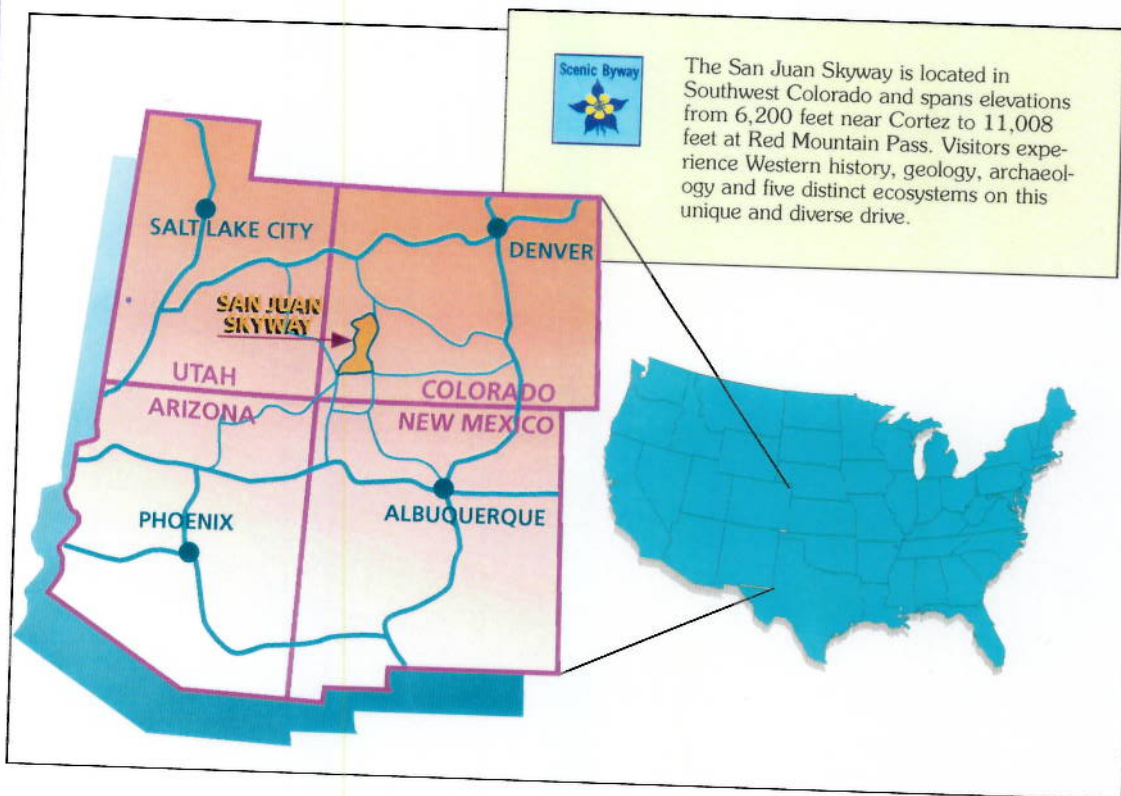
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## INTRODUCTION

The San Juan Skyway has often been referred to as "one of the most scenic drives in America." In addition to its stunning mountains and geology, the drive is an excursion through history; from the ancient ancestral Pueblo cliff dwellings at Mesa Verde National Park, to the mining and railroad antiquities located in some of the most romantic Victorian towns in North America. The name "Skyway" comes from the fact that this byway is truly a road "in the sky". It crosses over Red Mountain Pass at an elevation of over 11,000 feet and Molas and Lizard Head Pass, which are both in excess of 10,000 feet.

The diversity of the terrain is astounding. Traversing some of the most spectacular and rugged scenery in North America, this 233 mile byway connects the historic towns of Durango, Silverton, Ouray, Ridgway, Telluride, Rico, Dolores, Cortez, and Mancos, while passing through five distinct ecosystems.



Designated as a National Forest Scenic Byway on November 11, 1988, and by the State of Colorado as a Scenic and Historic Byway on September 22, 1989, it was the first byway within Colorado to receive these official designations. For years before these national and state recognitions, however, this byway was recognized as an outstanding auto touring experience, drawing people from all over the world who travel and enjoy its world class resources. A portion of this roadway, between Ouray and Silverton, is the notorious Million Dollar Highway, which was described in the 1940's for its "million dollar" price tag.

This corridor management plan has been prepared to assist the many agencies and interest groups involved with the Skyway in managing, developing, preserving and interpreting this nationally significant auto touring route, that has become a destination in itself.





## VISION & GOALS

To assist with the preparation of this plan, the Friends of the San Juan Skyway Association was established to serve as a steering committee during the planning process. Members of this association consist of one representative from the each of the six involved counties (appointed by Board of County Commissioners); representatives from the San Juan and Uncompahgre National Forests; and representatives from the Bureau of Land Management, Colorado State Parks, Division of Wildlife, Fort Lewis College Office of Community Servicers, Colorado Department of Transportation, and Colorado Coalition of Land Trusts.

Very early in the planning process, the steering committee developed the following vision statement for the San Juan Skyway.

### VISION

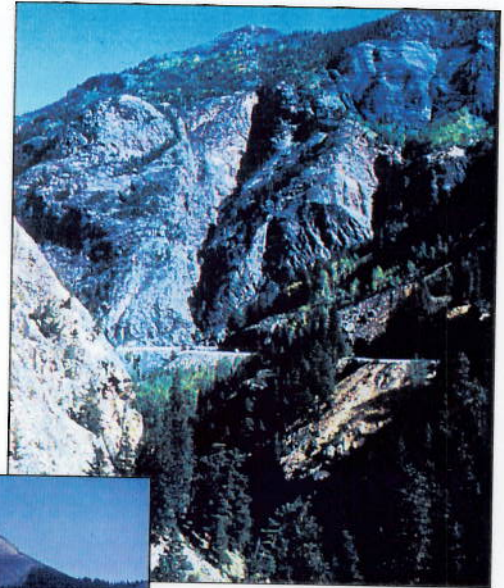
- Showcase the Skyway as the most scenic drive in America while preserving the corridor's outstanding and diverse resources.

With this vision, the following goals have been developed:

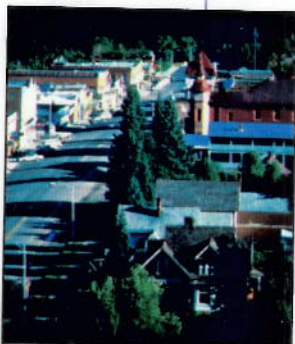
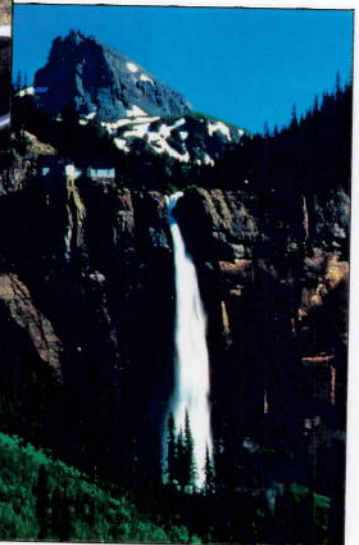
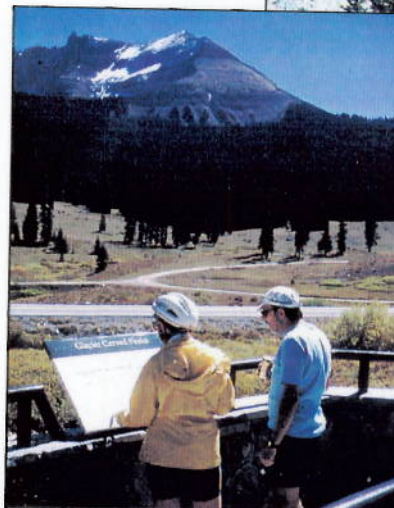
### GOALS

- Preserve the corridor's resources, while developing the Skyway as a sustainable tourist and recreation attraction.
- Enhance public education, enjoyment and appreciation of Southwest Colorado's natural and cultural heritage.
- Enhance and reclaim those resources that have been degraded.
- Seek designation of the San Juan Skyway as an All-American Road.

These have become the goals guiding the preparation of this San Juan Skyway Corridor Management Plan.










From top: A section of the "Million Dollar Highway" cutting through the Uncompahgre Gorge, south of Ouray; Lizard Head Pass interpretive site on S.H. 145; and Bridal Veil Falls at Telluride

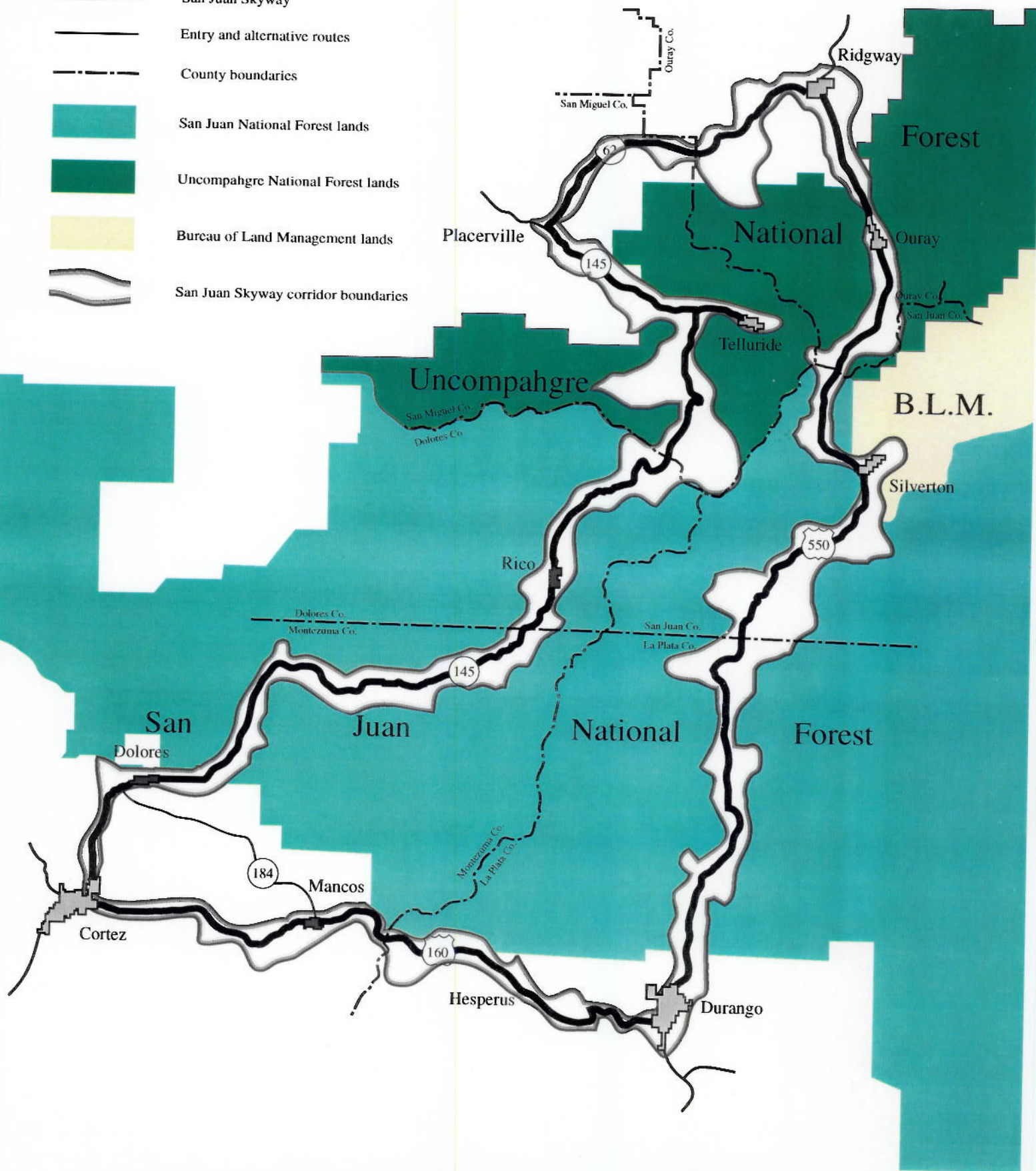


Main Street, Ouray-  
U.S. 550 North



# Corridor Boundary and Major Land Uses

-  San Juan Skyway
-  Entry and alternative routes
-  County boundaries
-  San Juan National Forest lands
-  Uncompahgre National Forest lands
-  Bureau of Land Management lands
-  San Juan Skyway corridor boundaries







# Assessment of the Corridor's Resource Qualities

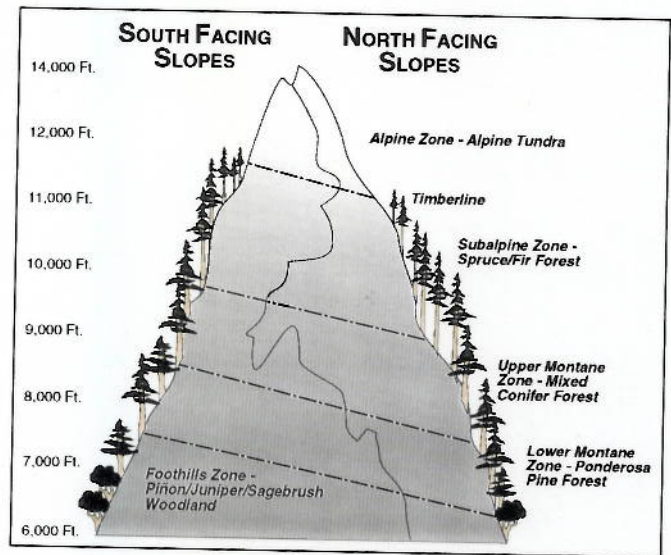
Because of the length and diversity of the San Juan Skyway, this assessment of the byway's resources consists of a general overview, which is immediately followed by a more detailed assessment of the scenic, natural, recreation, archaeological, historic, and cultural intrinsic qualities that make the Skyway special.

## OVERVIEW

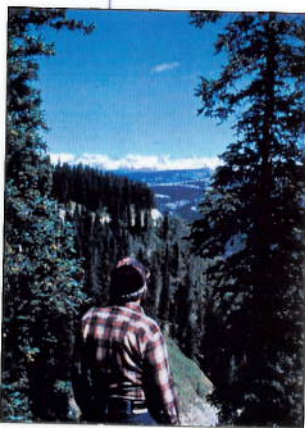
With the San Juan Skyway passing through five distinct ecosystems, it offers a very rich and diverse mix of natural resources equivalent to ecosystems found from Alaska to northern Mexico. The most prominent feature is the San Juan Mountain Range. With several peaks in excess of 14,000 feet and a mean elevation of 10,000 feet, this range is one of the four highest ranges in the United States.

From the high alpine meadows and spruce forests, the Skyway descends into the Cortez area, which has the highest density of archaeological sites of any region in North America. The prehistoric ancestral Pueblo Indians that occupied this region left remnants of their civilization throughout the area, most notably found at Mesa Verde National Park.

Virtually hundreds of recreation activities are available along the route, such as of camping, fishing, picnicking, hiking, mountain biking, wind surfing, boating (kayaking, rafting, motor boats), four-wheel driving, mountaineering, hunting, both cross-country and downhill skiing, ice climbing and snowmobiling. The majority of these activities are available within the 108 miles of the Skyway route administered by the San Juan and Uncompahgre National Forests and Bureau of Land Management. Since the majority of the private lands along the route consist of narrow strips between the highway and the national forests, the route has only 39 miles of private property that are not immediately adjacent to these public lands.



Five ecosystems along the Skyway provide a diverse natural resource experience.



One of hundreds of spectacular views along the Skyway

Four National Wilderness Areas—the Weminuche, Uncompahgre, Mount Sneffels, and Lizard Head are prominently viewed from the byway and directly accessible along the route. The Skyway also intersects with the Trail of the Ancients, Alpine Loop, and the Unaweep Tabeguache, which are three other of Colorado's designated scenic and historic byways offering the visitor additional driving for pleasure recreation opportunities. The Alpine Loop is also designated a BLM Backcountry Byway, requiring a four-wheel drive for certain sections.

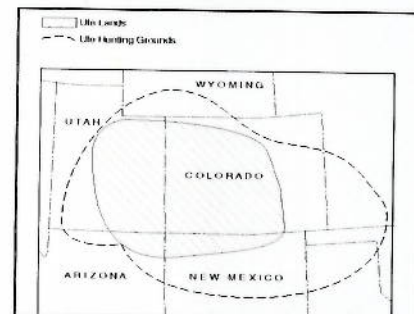
There is an abundance of wildlife that live along the route, including elk, mule deer, bighorn sheep, coyotes, black bear, bobcat, mountain lions, beaver, eagles, hawks, falcons, marmots and numerous songbirds.





The Ute Indians, unlike the Puebloans, were not farmers and sustained themselves with hunting game, gathering food plants, and making temporary camps. Their traditional territory was larger than the State of Colorado.

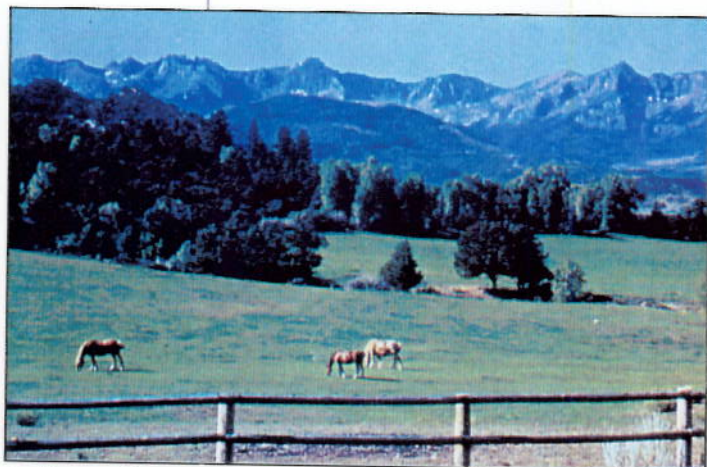
In the late 1800's, the Skyway's region experienced the economic mining boom of gold, silver, zinc, lead, and copper. Many historic mining structures remain visible along the route, in testimony to the incredibly hard work of pioneer miners who extracted over one billion dollars worth of ore. The 12 existing communities along the Skyway vary in size from 150 to 14,000 residents. Each has designations on the National Register of Historic places, offering visitors prime examples of Victorian architecture, mining ruins, historic transportation facilities and ancestral Puebloan relics.



Traditional Ute territory

"The San Juan Skyway follows ancient Indian trails. It traces the routes taken by eighteenth-century Spanish explorers when this was part of the Spanish Empire. It follows rivers used by mountain men for trapping when the San Juan Region was part of Mexico. Sections of the Skyway were once pack trails blasted into cliffs by the pioneers of a westward expanding United States." (A Historical Touring Guide to the San Juan Skyway, Ian Thompson, 1995).

From pack trails to toll roads, this route soon saw the coming of narrow gauge steam driven trains which eventually operated on railroads the full length of the Skyway, except for a short and rugged section south of Ouray. The historic roads soon became highways; abandoned railroad corridors are now being converted to recreational trails. We have come full circle—from prehistoric trails to trails again. The Skyway is truly a historic transportation route.



Looking south at the Sneffels Range, near the Dallas Divide on SH 62

## Scenic & Natural Areas

Scenic qualities are defined as the heightened visual experience of natural and man-made elements within the scenic byway corridor. The characteristics of the landscape are strikingly distinct and offer a memorable visual experience. All elements of the landscape- land form, water, vegetation, and man-made development- contribute to the quality of the corridor's visual environment.

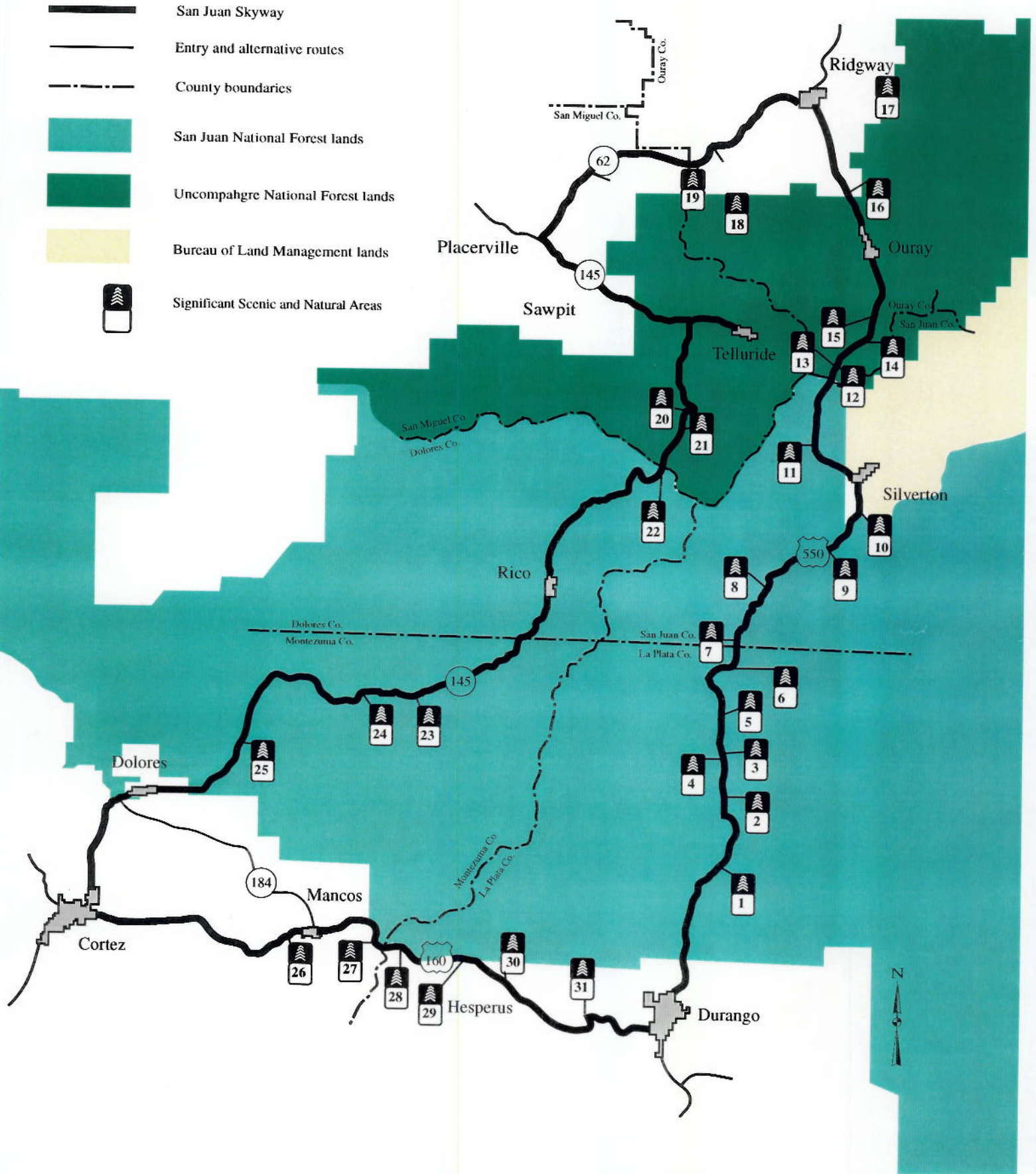
The sites most distinctive within the Skyway corridor range from the fragmented, high-elevation valleys, as depicted by the Uncompahgre Gorge south of Ouray,

to the pastoral Animas Valley north of Durango, to the striking alpine peaks of the Needle Mountains near Silverton and Purgatory and Mount Sneffels near Ridgway.

Natural qualities in a relatively undisturbed state apply to the features along the Skyway. These features predate the arrival of human populations and include many geologic formations, fossils, land forms, water bodies, vegetation, and wildlife. There may be some evidence of human activity, however the disturbance is minimal. The mountains, valleys, and escarpments along the San Juan Skyway date to two billion years ago, showing evidence of sea inundation, volcanic activity, and glacial scour. The seas have come and gone leaving deposits of sandstone and shale that are thousands of feet thick. Volcanoes have blasted their way into the sky, depositing thick layers of volcanic material, only to be shaped by glaciers that have carved deep bowl-like cirques into the mountain ranges with "U"-shaped valleys in the lower elevations.



## Existing Scenic & Natural Areas







Many of these areas remain in their pristine condition. These rugged mountains and grass filled valleys provide habitat for deer, elk, big horn sheep, and many other animal species. Small glaciers continue to etch away the mountains and provide water that fills the streams, lakes, and rivers along the Skyway corridor. Annual snowfall ranges from 300-plus inches in the highlands to as low as 36 inches in the lowlands.

Some of the more significant scenic and natural areas along the Skyway are identified on the adjacent chart and map on preceding page.

## RECREATION RESOURCES

Recreation resources provide outdoor activities directly associated with the landscape along the San Juan Skyway corridor. These recreational activities provide opportunities for both active and passive experiences. The Skyway corridor passes through millions of acres of public lands, along 151 miles of river banks, and through diverse ecosystems that range in elevation from 6,000 feet to over 11,000 feet.

With this diversity, the topography, vegetation, and climate provide thousands of recreational opportunities throughout the year. Activities include fishing in rivers and lakes; downhill skiing and snowboarding at Purgatory, Telluride, and Hesperus Hill; camping in 28 public campgrounds with 648 campsites; open camping opportunities throughout the forest; hundreds of miles of summer hiking and biking; winter cross-country skiing and snowmobiling trails. Additional opportunities are found along four National Recreational Trails (Colorado Trail, Bear Creek Trail, Highline Trail, and Calico Trail) and four National Wilderness Areas (Weminuche, Uncompahgre, Mount Sneffels, and Lizard Head). Opportunities for water recreation are found at both Ridgway State Park and McPhee Reservoir. Multiple "driving for pleasure" opportunities are discovered as the Skyway intersects with the Unaweep/Tabeguache, Alpine Loop, Trail of the Ancients Scenic and Historic Byways and some of the most spectacular four-wheel drive tours anywhere are readily available.

It is impossible to succinctly describe all of the recreational opportunities available along the Skyway. The following list and map describes developed recreation areas; however, it should be noted that hiking, biking, fishing, camping, cross-country skiing, snowmobiling, and hunting opportunities are available throughout the corridor, not confined to just the following area list. (Numbers in the table correspond with sites on "Developed Recreation Areas" map.)

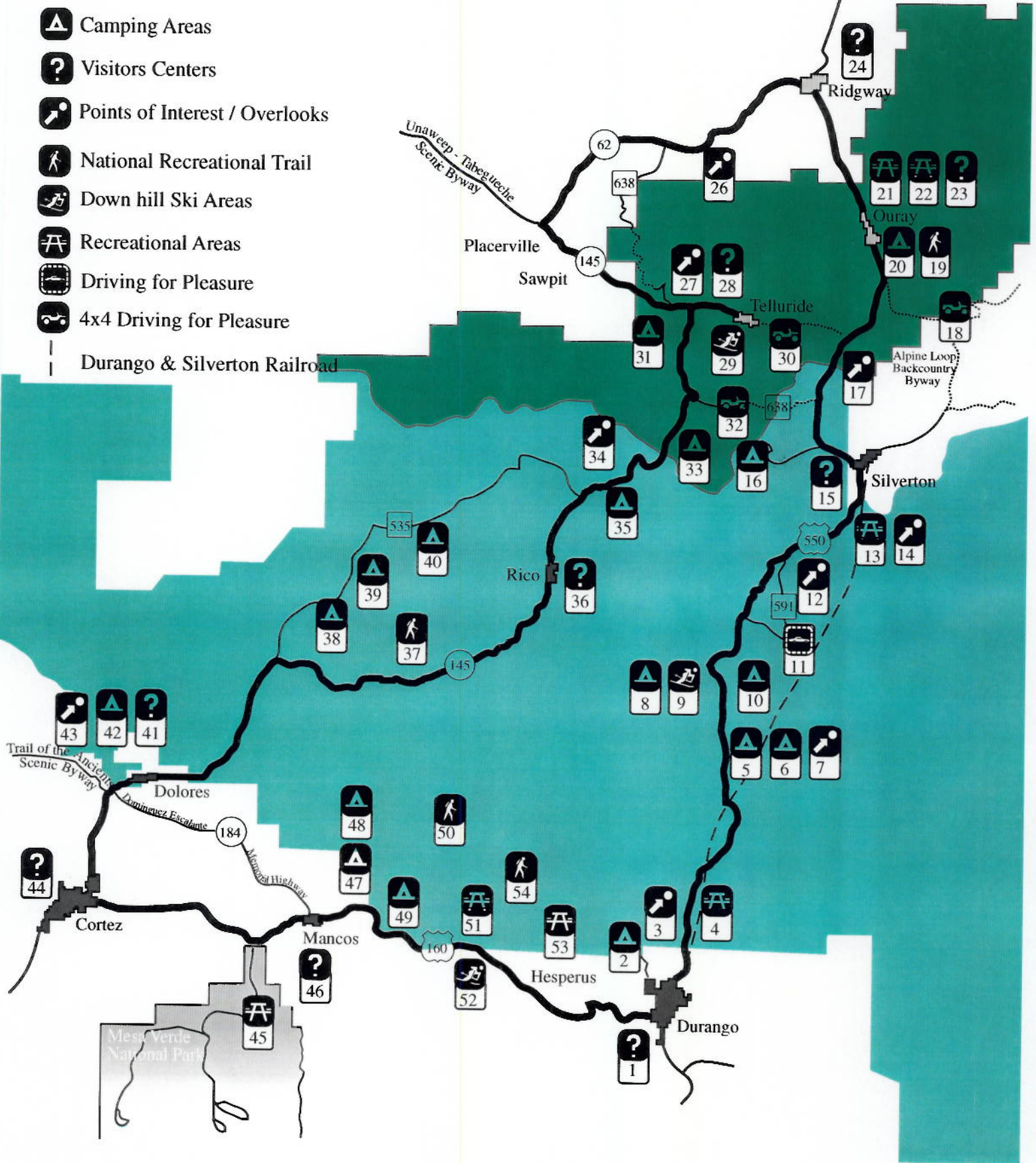
## Scenic and Natural Areas

| #  | SITE NAME -- SCENIC AND NATURAL AREAS     |
|----|-------------------------------------------|
| 1  | Shalona Lake                              |
| 2  | Haviland Lake                             |
| 3  | Weminuche Wilderness Area                 |
| 4  | Hermosa Cliffs                            |
| 5  | Purgatory Flats                           |
| 6  | Engineer Mountain                         |
| 7  | Twilight Peak                             |
| 8  | Sultan Peak                               |
| 9  | Molas Pass                                |
| 10 | Kendall Peak                              |
| 11 | South Mineral Creek                       |
| 12 | Red Mountain Pass                         |
| 13 | Ironton Valley                            |
| 14 | Uncompahgre Gorge                         |
| 15 | Black Bear Falls                          |
| 16 | Ouray Valley                              |
| 17 | Court House Mountain/Chimney Rock         |
| 18 | Mount Sneffels Range                      |
| 19 | Dallas Divide                             |
| 20 | Gold Gulch                                |
| 21 | Ophir Needles (National Natural Landmark) |
| 22 | Lizard Head Pass                          |
| 23 | Bear Creek                                |
| 24 | Red Burn Ranch                            |
| 25 | Dolores River Valley                      |
| 26 | Mancos Valley                             |
| 27 | Thompson Park                             |
| 28 | Cherry Creek                              |
| 29 | Montoya Ranch                             |
| 30 | La Plata Canyon                           |
| 31 | Hesperus Hill/Durango Valley              |



## Developed Recreation Areas

-  Camping Areas
-  Visitors Centers
-  Points of Interest / Overlooks
-  National Recreational Trail
-  Down hill Ski Areas
-  Recreational Areas
-  Driving for Pleasure
-  4x4 Driving for Pleasure
-  Durango & Silverton Railroad







## Developed Recreation Areas

| #  | RECREATION AREA SITE NAME                      | ACTIVITIES AND FACILITIES                                       |
|----|------------------------------------------------|-----------------------------------------------------------------|
| 1  | Durango Visitor Center                         | Recreation and Services Information                             |
| 2  | Junction Creek                                 | Camping, Biking, Fishing, Hiking/Colorado Trail Access          |
| 3  | Animas Overlook                                | Scenic Overlook                                                 |
| 4  | Trimble Hot Springs                            | Swimming, Picnicking                                            |
| 5  | Haviland Lake                                  | Camping, Boating, Fishing                                       |
| 6  | Chris Park                                     | Camping, Hiking, Biking                                         |
| 7  | Animas-Silverton Wagon Road                    | Point of Interest                                               |
| 8  | Sig Creek                                      | Camping, Hiking, Biking                                         |
| 9  | Purgatory Ski Area                             | Winter Skiing, Summer Biking, Hiking, Alpine Slide              |
| 10 | Purgatory Campground                           | Camping, Hiking                                                 |
| 11 | Lime Creek Road                                | Backcountry Road, Biking, Fishing, Hiking                       |
| 12 | Coal Bank Pass Rest Area                       | Scenic Overlook, Hiking                                         |
| 13 | Andrews Lake                                   | Fishing, Picnicking, Hiking                                     |
| 14 | Molas Pass Point of Interest and Molas Lakes   | Interpretive Exhibits, Colorado Trail, Fishing, Camping, Hiking |
| 15 | Silverton Visitor Center                       | Recreation & Services Information                               |
| 16 | South Mineral Campground                       | Camping, Hiking, Fishing                                        |
| 17 | Red Mountain Pass Overlook                     | Rest Area, Scenic Overlook, Interpretive Exhibit                |
| 18 | Alpine Loop Byway/Engineer Pass                | 4-Wheel Drive Route                                             |
| 19 | Bear Creek National Recreation Trail           | Hiking, Scenic Overlooks                                        |
| 20 | Amphitheater Campground                        | Camping, Hiking, Scenic Overlook, Picknicking                   |
| 21 | Box Canyon Falls                               | Hiking, Scenic Vistas                                           |
| 22 | Ouray Hot Springs                              | Swimming, Picnicking                                            |
| 23 | Ouray Visitor Center                           | Recreation & Services Information                               |
| 24 | Ridgway Visitor Center                         | Recreation & Services Information                               |
| 25 | Ridgway State Park                             | Camping, Boating, Fishing, Hiking, Biking                       |
| 26 | Dallas Divide                                  | Scenic Overlook                                                 |
| 27 | Keystone Point of Interest                     | Interpretive Exhibits                                           |
| 28 | Telluride Visitor Center                       | Recreation & Services Information                               |
| 29 | Telluride Ski Area                             | Winter Skiing, Ice Skating, Summer Hiking, Biking, Golf         |
| 30 | Imogene Pass                                   | 4-Wheel Drive Route, Biking                                     |
| 31 | Sunshine Campground                            | Camping                                                         |
| 32 | Ophir Pass/Ames                                | 4-Wheel Route, Biking, Historic Mine Tour                       |
| 33 | Matterhorn Campground/Galloping Goose Trail    | Camping, Hiking, Mt. Biking                                     |
| 34 | Lizard Head Pass Point of Interest, Trout Lake | Scenic Overlook, Hiking, Fishing, Mt. Biking, Historic Features |
| 35 | Cayton Campground                              | Camping, Hiking                                                 |
| 36 | Rico Visitor Center                            | Recreation & Services Information                               |
| 37 | Calico National Recreation Trail               | Hiking, Backpacking                                             |
| 38 | Emerson Campground                             | Camping, Hiking                                                 |
| 39 | Mavreoso Campground                            | Camping, Hiking                                                 |
| 40 | West Dolores Campground                        | Camping, Fishing                                                |
| 41 | Dolores Visitor Center                         | Recreation & Services Information.                              |
| 42 | McPhee Recreation Area                         | Camping, Boating, Fishing, Hiking                               |
| 43 | Anasazi Heritage Center                        | Archaeology, Museum, Hiking, Scenic Overlook                    |
| 44 | Cortez Visitor Center                          | Recreation & Services Information                               |
| 45 | Mesa Verde National Park                       | Archaeology, Camping, Hiking, Biking                            |
| 46 | Mancos Visitor Center                          | Recreation & Services Information                               |
| 47 | Mancos State Park                              | Camping, Fishing, Boating                                       |
| 48 | Transfer Campground                            | Camping, Hiking, Biking                                         |
| 49 | Target Tree Campground                         | Camping, Point of Interest                                      |
| 50 | Colorado National Recreational Trail           | Trail Head, Hiking, Backpacking                                 |
| 51 | Cherry Creek Picnic Area                       | Picnicking, Rest Area                                           |
| 52 | Hesperus Ski Area                              | Winter Skiing, No Summer Access                                 |
| 53 | La Plata Canyon Area                           | Camping, Hiking, Fishing, 4-Wheel Driving                       |
| 54 | High Line National Recreation Trail            | Trail Head, Hiking, Backpacking                                 |





## ARCHAEOLOGIC & HISTORIC RESOURCES

Numerous cultural resource sites are found within the corridor. They represent the physical evidence of prehistoric and historic activity. These resources have scientific significance, plus they help educate the visitor regarding the heritage of Southwest Colorado.



Al Wetherill and exploration party at Cliff Palace, in the early 1900's

The Cortez area has the highest concentration of archaeological sites due to the vast number of ancient ancestral Pueblo ruins located in the area. Evidence shows that occupation of the Four Corners Region of the United States began by prehistoric people around 1000 BC. Originally these people were nomadic by nature following the migration patterns of game. It was not until around 100 AD that they began to settle into an agrarian existence. At some point prior to 500 AD these early settlers began to construct permanent pit houses, based on the design of earlier storage pits. The best preserved of these pit houses is found in the vicinity of Durango, Colorado.

Around 700 AD, these people began the transition from pit structures to a Pueblo style of architecture. For over 300 years, the ancestral Puebloan people constructed structures of stone masonry that began to rise from the surface of the ground, reserving the subsurface structures for ceremony. This was a time of tremendous population growth, causing more building of structures and developing of cities. These cities consisted of multi-storied structures with many contiguous rooms and plazas. The ancestral Puebloan people also began a period of innovation and development that had no rival in the region. Between 900 and 1100 AD the ancestral Puebloan people built their most impressive dwellings. They raised structures to previously unknown levels, became proficient with pottery and crafts, and devoted themselves to religion. The population of these people during this time is estimated to have exceeded the population of the Cortez area today. The ancestral Puebloan people abandoned the region near the end of the thirteenth century. The reason for this abandonment is still unknown. Many theories suggest that there may have been continual raids by bands of wandering Shoshonean hunters, several years of drought, the combination of the two, or some reason yet to be discovered. Indications suggest that the drought, from 1276 to 1299, was the main factor that ended the ancestral Puebloan peoples' reign.



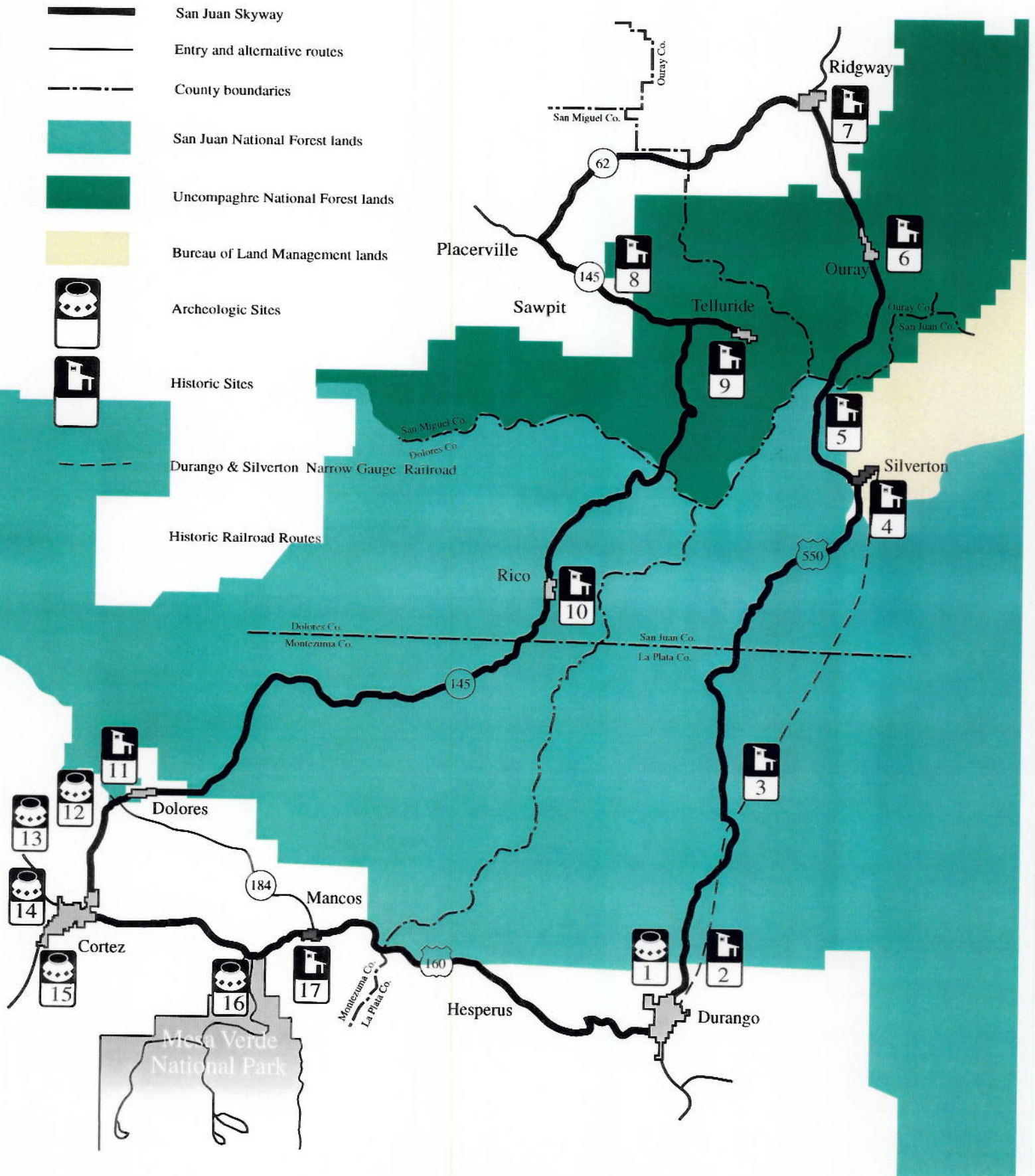
Ancient cultures and living traditions

### Archaeologic & Historic Sites

| #  | SITE NAME                                           | ARCHAEOLOGIC OR HISTORIC |
|----|-----------------------------------------------------|--------------------------|
| 1  | Durango Rock Shelters                               | Archaeologic             |
| 2  | Durango Historic Business and Residential Districts | Historic                 |
| 3  | Durango & Silverton Narrow Gauge Railroad           | Historic                 |
| 4  | Silverton National Historic District and Landmark   | Historic                 |
| 5  | Red Mountain Mining District                        | Historic                 |
| 6  | Ouray National Historic District                    | Historic                 |
| 7  | Ridgway Historic Town                               | Historic                 |
| 8  | Vanadium Town Site                                  | Historic                 |
| 9  | Telluride Historic District and Landmark            | Historic                 |
| 10 | Rico Historic Mining Town                           | Historic                 |
| 11 | Dolores Historic District                           | Historic                 |
| 12 | Anasazi Heritage Center                             | Archaeologic             |
| 13 | Hovenweep National Monument                         | Archaeologic             |
| 14 | Crow Canyon Archaeologic Center                     | Archaeologic             |
| 15 | Sand Canyon                                         | Archaeologic             |
| 16 | Mesa Verde National Park                            | Archaeologic             |
| 17 | Mancos Historic District                            | Historic                 |



# Existing Archaeologic & Historic Sites







In 1776, Dominguez and Escalante, on an expedition from Santa Fe trying to find a route to the missions on the Pacific Coast, were the first to note evidence of earlier human occupation. A pair of ancestral Pueblo ruins were discovered on a ridge near what was named the Dolores River, now the site of the BLM Anasazi Heritage Center.

The next written description of the area came from Lieutenants Simpson and Emory, on a geologic expedition in 1846-48 for the United States Government and later by Powell's Geologic Survey. Not long after Powell's expedition, silver, then gold was found in the San Juan Mountains, dictating the settlement patterns of southwestern Colorado. The Gold and Silver Rush in the mid 1800's widened the foot paths of the Indians into pack trails used by mules and wagons servicing the booming mine towns and retrieving ore from the mountains. In time these pathways were widened to accommodate the railroad.



Original Otto Mears' Toll Road, just south of Ouray on what is now the San Juan Skyway

Tourism began to be an economic asset to the region with the railroad hosting a Circle Tour by rail and very similar to today's Skyway route; others hosted tours of Mesa Verde and other ancestral Pueblo ruins. While gold, silver, lead, zinc and copper continued to flow from the mountains, the communities continued to grow. The wooden structures were slowly replaced by Victorian style brick homes and businesses. The railroad expanded throughout the region linking Durango to Denver. More recently, uranium milled in Durango and near Telluride was used in the research and development of atomic technology.

Virtually hundreds of archaeological and historic sites exist along the Skyway. A Geographic Information System (GIS) project recently completed by Fort Lewis College, and funded by the National Scenic Byway Program, mapped 1,234 such sites within a two-mile wide Skyway corridor.

Historic museums are located in the communities of Durango, Silverton, Ouray, Ridgway, Telluride, Dolores, Cortez, and Mancos. Each of these museums offers expanded interpretations of the area's heritage. The archaeologic and historic chart and map on pages 11 and

12 represent several significant sites that are open to the public and of general interest to visitors in the region. It should be noted that the Durango & Silverton Narrow Gauge Railroad (#3), the Silverton Historic District (#4) and the Telluride Historic District (#9) are also designated National Historic Landmarks. There are only thirteen such landmarks in Colorado, and these three are on the Skyway. Additionally, Mesa Verde National Park (#16) is a World Heritage Site.

## Cultural Features

Cultural features are evidences and expressions of customs and traditions of an area's people. These include, but are not limited to- crafts, music, films, festivals, food, special events, and architectural features. Cultural activities and features are found throughout the year in all of the communities as they celebrate their cultural heritage with festivals and special events. Fifty-plus events and festivals are held annually. These include annual county fairs, rodeos, and events such as the Cowboy Poetry Gathering and Pro-Rodeo series in Durango; the Hard Rock Mining and Brass Music festivals in Silverton; the Victorian House Tour in Ouray; the multiple music festivals in Telluride; the Ute and Navajo Indian Dances and Indian Story Teller series in Cortez; the Ute Mountain Indian Bear Dance at Towaoc; and the Fine Arts Festival in Mancos.

Additionally, the communities along the Skyway all exhibit examples of Victorian architecture that expresses the cultural and climatic diversity of the region.





# Resource Management Actions & Strategies

If the vision and goals for the San Juan Skyway are to be realized, several management actions dealing with the corridor's scenic, natural, recreation, historic, and archaeological resources must be implemented. Additionally, the establishment of a sustainable, nonprofit management entity consisting of public and private partners working to implement the management actions described below is of critical importance. Although an informal Friends of the San Juan Skyway Association now exists, this organization should be formally established to include a broad base of support from private businesses, local chambers of commerce, state and federal land management agencies, the Colorado Department of Transportation, and other interest groups supportive of the vision and goals that have been established for the Skyway.



Deer, Elk, Big Horn Sheep and other wildlife thrive in Southwest Colorado

## SCENIC & NATURAL AREA GOALS

The overall goal for scenic and natural areas along the Skyway is the maintenance and enhancement of the scenic and natural character of the corridor through the preservation of significant open space areas. The maintenance and enhancement of the corridor will be accomplished utilizing a variety of land use planning, design, and other non-regulatory techniques to minimize the impacts resulting from development along the corridor.

A scenic view analysis and intrusion report for the Skyway corridor were prepared during the summer of 1995. The full copy of this report is available at the office of the San Juan National Forest, in Durango. The following are general and specific actions for managing the scenic and natural resources of the Skyway corridor.

## SCENIC & NATURAL AREA GENERAL ACTIONS

1. Develop a strategic plan, in cooperation with county planning offices and area land conservation trusts, for preserving significant open space lands currently in private ownership. The Association has been awarded grant funding from the Great Outdoors CO Trust to pursue this strategy in 1996.



The historic Strater Hotel in downtown Durango, one of several National Historic Districts on the Skyway

2. Request that Dolores, La Plata, and Montezuma Counties adopt land use regulations (similar to those now being used by Ouray, San Juan and San Miguel Counties) that address preserving scenic and natural values along the San Juan Skyway.

3. Request that the San Juan and Uncompahgre National Forests identify the Skyway as a "Special Management Area" within their forest management plans, with particular emphasis upon preserving the corridor's scenic and natural qualities, while maintaining multiple uses.

4. Request that the San Juan and Uncompahgre National Forests implement land exchange programs to further the protection of key open space lands that are currently in private ownership.

5. Adjust construction and maintenance practices along the Skyway, in cooperation with the Colorado Department of Transportation, to limit cuts and fills within roadway rights-of-way. When adjacent hillsides are used for fill material, they should be limited and be reclaimed.





6. Request that the companies providing electric utility service to the area screen electrical substations within the corridor. Additionally, these companies will be requested to use, as an example, the reconstruction methods and techniques used on the utility lines along the Skyway from Rico to Lizard Head Pass. This project, completed by San Miguel Power Company, with technical assistance from the United States Forest Service, has resulted in a model of cooperation resulting in significant improvements to the scenic qualities of this corridor.

### SCENIC & NATURAL SITE SPECIFIC ACTIONS

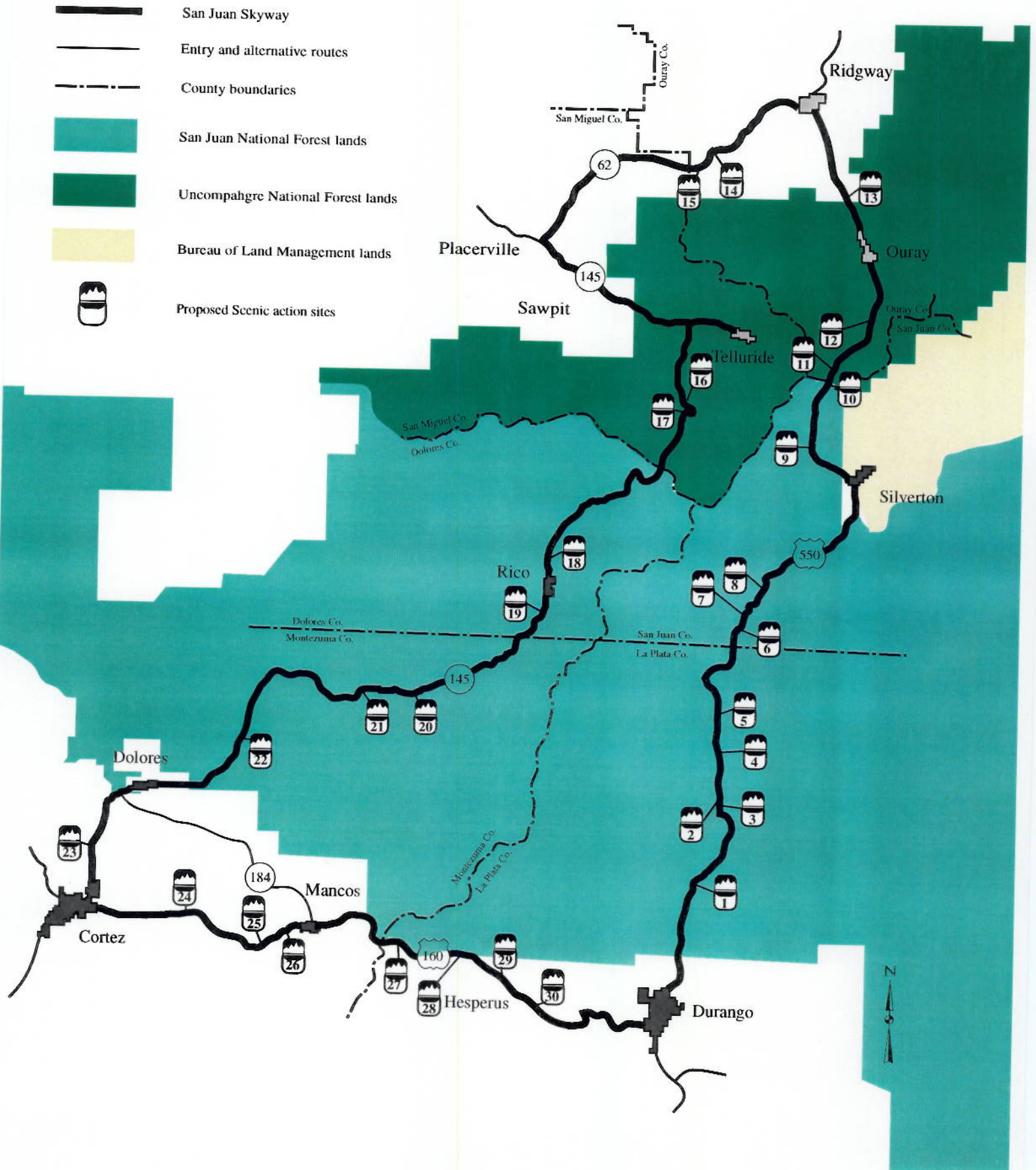
A detailed scenic and natural resource assessment report for the Skyway corridor was completed during the Summer of 1995. It is available for review in the San Juan National Forest Supervisor's office in Durango, Colorado. The following list describes specific actions for preserving and enhancing key scenic and natural areas.

#### Proposed Scenic & Natural Site Actions

| #  | SCENIC & NATURAL AREA PROPOSED SITE ACTIONS                                                                           | PRIORITY | RESPONSIBILITY                    |
|----|-----------------------------------------------------------------------------------------------------------------------|----------|-----------------------------------|
| 1  | Preserve views, mile marker 32-34, US 550.                                                                            | 2        | La Plata County, USFS, Land Trust |
| 2  | Thin trees at Shalona Lake Overlook at mile marker 38, US 550.                                                        | 1        | USFS                              |
| 3  | Thin trees at Haviland Lake Overlook, mile marker 39.2, US 550.                                                       | 3        | USFS                              |
| 4  | Preserve views at mile marker 43.5, US 550.                                                                           | 2        | La Plata County, USFS, Land Trust |
| 5  | Preserve views from Weminuche Overlook Site, mile marker 45.2-45.7, US 550.                                           | 1        | La Plata County, Land Trust       |
| 6  | Thin trees at Purgatory Flats Overlook site.                                                                          | 2        | USFS                              |
| 7  | Thin trees at mile marker 56, US 550.                                                                                 | 3        | USFS                              |
| 8  | Preserve views of Purgatory Flats to the south, mile marker 54.8, US 550.                                             | 2        | La Plata County, USFS, Land Trust |
| 9  | Thin trees at South Mineral Creek, mile marker 73.1-73.4, US 550.                                                     | 1        | USFS                              |
| 10 | Preserve views of Ironton Valley, mile marker 75-78, US 550.                                                          | 1        | Ouray County, USFS                |
| 11 | Naturalize reclaimed mining areas at mile marker 86, US 550.                                                          | 3        | Colorado Dept. of Health, USFS    |
| 12 | Preserve views at Uncompahgre Gorge, and Bear Creek Tunnel.                                                           | 2        | Ouray County, USFS                |
| 13 | Preserve views of Ouray watchable wildlife site, mile marker 98.3-99.2, US 550.                                       | 2        | Ouray County                      |
| 14 | Preserve views at mile marker 10.5-11.5, CO 62.                                                                       | 1        | Ouray & San Miguel Counties, USFS |
| 15 | Preserve views at mile marker 11.5-18.5, CO 62.                                                                       | 2        | Ouray County, USFS                |
| 16 | Thin trees at pulloff north of Ophir at mile marker 65.7, CO 145.                                                     | 2        | USFS                              |
| 17 | Thin trees at mile markers 65-66, CO 145.                                                                             | 3        | USFS                              |
| 18 | Thin trees at Rico Overlook, mile marker 48, CO 145.                                                                  | 3        | USFS                              |
| 19 | Preserve views of Bear Creek, mile marker 34-34.5, CO 145.                                                            | 2        | Montezuma County, USFS            |
| 20 | Preserve views of Taylor Creek, mile marker 27.7-30.5, CO 145.                                                        | 2        | Montezuma County, USFS            |
| 21 | Preserve views from mile marker 25.3-27.1, CO 145.                                                                    | 1        | Montezuma County, USFS            |
| 22 | Maintain landscape character at Line Camp, mile marker 19-22, CO 145.                                                 | 2        | Montezuma County                  |
| 23 | Preserve views of farm land between Cortez and Dolores, mile marker 2.5-3.5, CO 145.                                  | 2        | Montezuma County                  |
| 24 | Thin trees at CDOT rest stop east of Cortez to view Sleeping Ute Mt., US 160.                                         | 2        | Colorado DOT                      |
| 25 | Preserve views of Mud Creek Valley west of Mancos, mile marker 54, US 160.                                            | 3        | Montezuma County                  |
| 26 | Maintain landscape of Mancos Valley as viewed to south, mile marker 52.2-53.4, US 160.                                | 2        | Montezuma County                  |
| 27 | Preserve views of Thompson Park, mile marker 61.9-64.9, US 160.                                                       | 1        | La Plata County                   |
| 28 | Preserve views at mile markers 67-71, US 160.                                                                         | 3        | La Plata County                   |
| 29 | Maintain landscape character of La Plata Canyon entry area, mile marker 71-72, US 160.                                | 2        | La Plata County                   |
| 30 | Maintain landscape of Durango area as viewed from the west at the Hesperus Hill crest, mile marker 73.8-74.2, US 160. | 2        | La Plata County, USFS, BLM        |



## Proposed Scenic & Natural Site Actions







## RECREATION RESOURCE ACTIONS

General management actions for recreation resources include:

- Manage recreation to minimize environmental impact.
- Disperse use away from heavily used areas and into those areas less utilized along the Skyway
- Improve the visitors' recreation experience through the provision of improved facilities, particularly for the physically challenged.
- Provide for improved and safe bicycle travel within the Skyway corridor.



Recreation abounds

Regarding the above actions, it should be noted that San Miguel and Ouray Counties are making significant progress in improving bicycle travel along the Skyway. In partnership with the Uncompahgre National Forest, the Galloping Goose Trail, which uses the abandoned Rio Grande Southern Railroad, is under construction. Additionally, planning work has been initiated to extend the trail along the railroad from Telluride to Ridgway. Ouray County has designated the old railroad between Ouray and Ridgway as a multiple use road suitable for bicycle travel.

Funding has also been received by the Skyway Association to inventory the abandoned railroad corridor in Dolores, Montezuma, and La Plata Counties and determine the feasibility of developing a similar "rails to trails" project for these areas.

## HISTORIC & ARCHAEOLOGIC RESOURCE ACTIONS

The diversity of heritage resources along the Skyway offers outstanding opportunities for interpreting the prehistory and history of the region. However, many of these resources have been and continue to disappear and be damaged due to natural causes, development activity, and looting by residents and visitors alike. In an effort to conserve these resources, the following are all Priority 1 Actions for implementation.

### Proposed Archaeologic & Historic Resource Actions

| # | HISTORIC & ARCHAEOLOGICAL RESOURCE ACTION                                                                                                          | PRIORITY | RESPONSIBILITY                                                                                 |
|---|----------------------------------------------------------------------------------------------------------------------------------------------------|----------|------------------------------------------------------------------------------------------------|
| 1 | Develop a comprehensive inventory and map significant heritage resources.                                                                          | 1        | Fort Lewis College in cooperation with San Juan and Uncompahgre National Forests, and BLM.     |
| 2 | Develop a strategic plan for the preservation of visible heritage resources within the corridor.                                                   | 1        | Skyway Association in cooperation with BLM, county historical societies, and USFS.             |
| 3 | Initiate cooperative preservation efforts with the Alpine Loop Byway Association.                                                                  | 1        | Skyway Association in cooperation with BLM and communities of Silverton, Ouray, and Lake City. |
| 4 | Inventory, map, and preserve historic railroad corridors and significant historic elements (water tanks, trestles, etc.) (see Recreation Actions). | 1        | Skyway Association in cooperation with BLM, county historical societies, and USFS.             |
| 5 | Utilize interpretive facilities and materials to educate the public regarding the heritage of the region and need for preservation.                | 1        | Skyway Association in cooperation with BLM, county historical societies, and USFS.             |

- It should be noted for Number 1 above that a Geographic Information System (GIS) base map with 1,234 archaeological and historic sites has been recently completed.

Additionally, Fort Lewis College, in cooperation with the Skyway Association, has been awarded a Colorado Historical Society Grant for preparing a strategic plan for preserving historic mining structures visible from the Skyway. This project will begin in 1996. Historic railroad corridors will also be inventoried as part of this project and coordinated with the "rails to trails" project discussed in the Recreation Management Actions section of this plan.





# General Review of Transportation, Roadway Standards & Safety Actions

The San Juan Skyway corridor is included in the Gunnison Valley and the Southwest Colorado Regional Transportation Plans, which have been incorporated into the Colorado Statewide Transportation Plan. A review of the five year plans for these areas indicates that there are two major construction projects proposed along the Skyway. These include the reconstruction of US 160 west of Durango, and SH 145 north of Dolores. There are also several minor projects that involve such improvements as constructing guard rails; adding acceleration and deceleration lanes; adding passing

lanes and turnouts; constructing bike lanes; and improving key intersection areas. These improvements will be constructed in compliance with Colorado Department of Transportation design and construction standards and are expected to have minimal impact upon the resources and intrinsic qualities of the San Juan Skyway.



Traffic volumes are not a problem for most of the Skyway

## VOLUME TO CAPACITY RATIOS

Colorado Department of Transportation research indicates that Volume to Capacity Ratios are generally good for the majority of the San Juan Skyway route. An exception to this good ratio (0-.50) is the ratio of .50-.65, applied to three of the areas. These more congested areas consist of eight miles of SH 62 from Ridgway west; ten miles of SH 145 from Sawpit to Telluride; and SH 145 south from Society Turn.

## SAFETY AND HAZARD AREAS

Safety conditions on the Skyway are generally good, however, hazardous locations have been identified by the Colorado Dept. of Transportation for five sections of roadway. Reasons for the hazardous designation range from congestion to construction and design complications due to topography. The following are identified locations:

- US 160 west of Durango for approximately 3 miles;
- US 550 north of Durango for approximately 10 miles;
- US 550 north of Durango around Purgatory Ski Area;
- SH 145 from Telluride west for approximately 3.5 miles;
- SH 145 in and around the Ophir Road for approximately 3 miles.



Slow traffic pull-outs are needed to improve safety

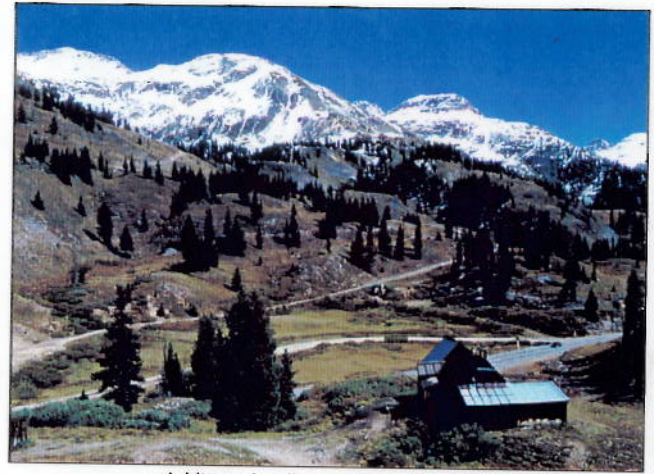
Transportation  
Volume  
& Safety





## ROADWAY SURFACE CONDITIONS

Like most of Colorado, the surface conditions of the San Juan Skyway vary from good to fair to poor, with most of the roadway being in the fair to poor range. This does not mean that the Skyway is not driveable, but based upon Colorado Department of Transportation standards, the majority of the byway's road surfaces need to be repaved.



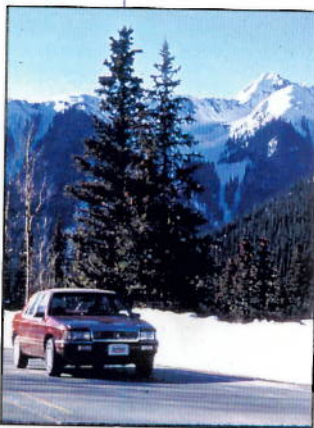
Additional pull-outs and rest areas will assist visitors in learning about the rich history along the Skyway

During the winter, avalanche hazards exist for several miles on Coal Bank, Molas, Red Mountain, and Lizard Head Passes. The Colorado Department of Transportation utilizes pro-active methods to manage these avalanches and temporarily closes these passes when conditions are most dangerous.

The regional transportation plans for these areas have addressed most of the problems. However, the urbanization of the roadway corridor in some areas and the challenges of maintaining winding, high mountain roadways with severe climatic conditions may always keep this road from achieving better than a fair roadway surface condition in some locations.

## ADDITIONAL SAFETY ACTIONS

In addition to the construction items identified in the regional and state transportation plans that involve the Skyway, there is a need for some bank stabilization and the construction and signage of slow traffic pullouts heading uphill in several locations. When the planning team met with citizens and interest groups as part of this plan preparation, the construction of these pullouts was a common request. Many of these pullouts can utilize existing, but informal pullouts that have developed over the years. Working in cooperation with the Colorado Department of Transportation, the following safety actions are recommended.



U.S. 550 near Coal Bank Pass

### Proposed Safety Actions

| #  | SAFETY ACTION                                                     | PRIORITY |
|----|-------------------------------------------------------------------|----------|
| 1  | Slow traffic pullout at or near mile marker 56, US 550.           | 1        |
| 2  | Stabilize bank at Coal Creek Trail, mile marker 58, US 550.       | 1        |
| 3  | Stabilize bank near Deer Creek Trail, mile marker 59.5, US 550.   | 1        |
| 4  | Slow traffic pullout between mile markers 71-73, US 550.          | 2        |
| 5  | Stabilize bank one mile northwest of South Mineral Creek, US 550. | 1        |
| 6  | Stabilize bank at Chattanooga Overlook, US 550.                   | 1        |
| 7  | Slow traffic pullout between mile markers 75-78, US 550.          | 1        |
| 8  | Slow traffic pullout between mile markers 95-100, US 550.         | 3        |
| 9  | Slow traffic pullout between mile markers 1-11.5, CO 62.          | 3        |
| 10 | Slow traffic pullout between mile markers 71-77.3, CO 145.        | 1        |
| 11 | Slow traffic pullout between mile markers 66-70, CO 145.          | 1        |
| 12 | Slow traffic pullout between mile markers 58-65, CO 145.          | 2        |
| 13 | Slow traffic pullout between mile markers 45.8-57.5, CO 145.      | 2        |
| 14 | Slow traffic pullout between mile markers 25-44, CO 145.          | 2        |





## Public Participation Plan

During the development of the San Juan Skyway Corridor Management Plan, a Steering Committee comprised of county representatives, federal and state land management agencies, the Colorado Department of Transportation, and others was established to guide the preparation of the plan. Additionally, meetings were held with groups and citizens in nine different communities to discuss the corridor plan and to solicit their input.

During this process, there was significant interest and support expressed for the vision and goals developed by the steering committee for the Skyway. The particular interest of many of these people and participating agencies is the opportunity to be informed and involved in Skyway projects and programs developed in and near their respective communities, or involving resources for which they are responsible.

As described earlier in the management strategy section of this plan, the current Friends of the San Juan Skyway Association will seek an expanded membership and formally incorporate as a non-profit organization. The mission of this association will be the implementation of the actions described in this plan.

Critical to the success of the association will be the involvement and support of the many entities responsible for managing resources along the byway and providing visitor services. These include county planning commissions, non-profit land conservation groups, chambers of commerce, regional tourism organizations, and area historic preservation groups. Many of these entities are participating partners now and have already made commitments to the management of the Skyway.

To facilitate citizen involvement, the association will rotate its scheduled meetings from community to community. Advance news releases regarding the association's meetings and agenda will be distributed to area media, with invitations for the public to attend and specifically to comment on proposed actions to implement the goals and strategies of this plan. Post meeting news releases will also be prepared and distributed to media throughout the Skyway corridor to help keep the public informed.



The public will be involved in planning new interpretive sites



Forest Service and BLM personnel lead workshops concerning resource conservation and interpretation

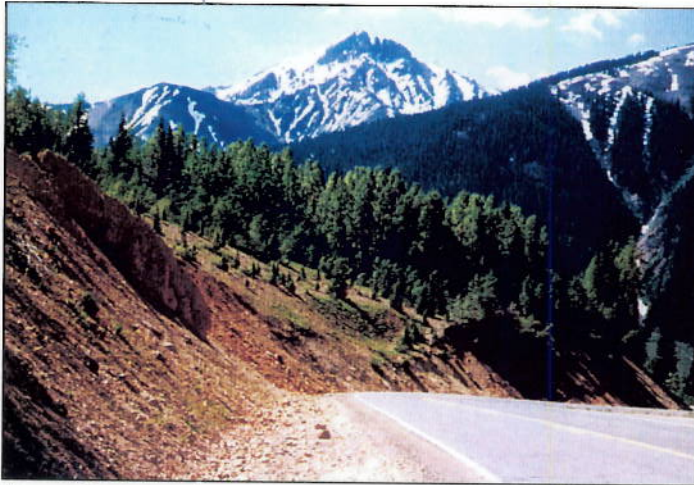




## Development Plan

Management of the resources along the San Juan Skyway is enhanced by the fact that a very large majority of the corridor is managed by the San Juan and Uncompahgre National Forests. Both of these Forests have made significant commitments to preserve the route's intrinsic qualities.

As these National Forests update their forest management plans, they will be requested to designate the San Juan Skyway as a "Special Management Area" in order to enhance the stewardship of the corridor resources. The forest is visible from every vantage point along the Skyway corridor.



Proper planning and corridor management is necessary to ensure that cuts, as in the example above, are reclaimed

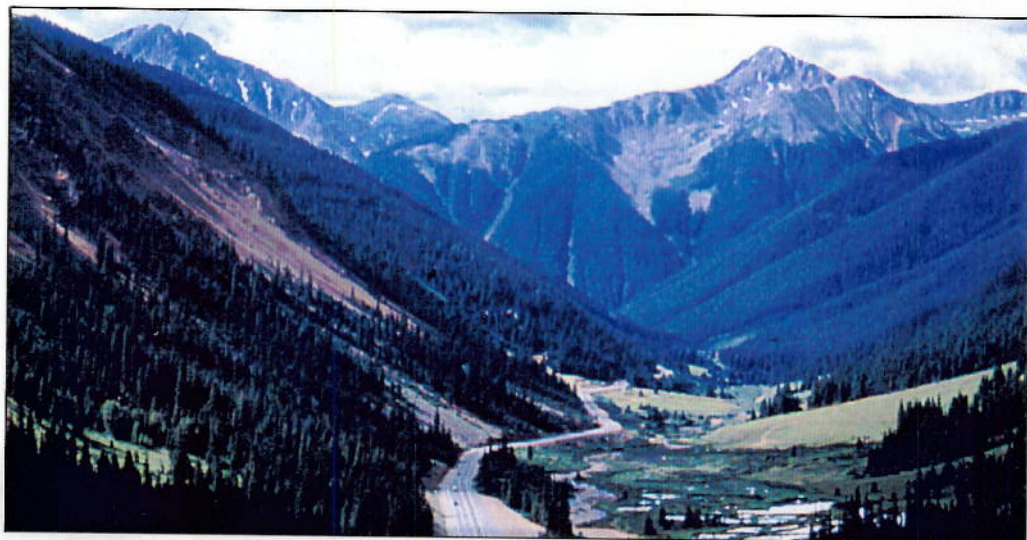
On non-forest lands along the Skyway, six counties are involved in managing land use and development. Due to the variations in political support for land use planning and regulations among these six counties, there are significant differences in how development is being permitted while preserving the intrinsic qualities of the corridor. San Miguel, Ouray, and San Juan Counties have zoning and subdivision regulations that

both limit development adjacent to the corridor and utilize design techniques to limit the impacts of new development. Redevelopment of existing properties in these counties also comes under their planning and development regulations.

La Plata and Montezuma Counties are each actively engaged in developing comprehensive plans to manage growth and development within their respective jurisdictions. Dolores County has recently completed a planning and land use needs assessment as the initial steps in determining the support for developing a comprehensive plan and land use regulations.

As part of the management strategy for the Skyway, these counties will be encouraged to adopt development regulations and design standards. These planning matters are further discussed in the Scenic and Natural Areas Assessment.

Skyway  
Development  
Plan



U.S. 550 looking south from Cunningham Gulch, below Red Mountain Pass





## Outdoor Advertising Controls & Sign Plans

Consistent with federal and Colorado State laws prohibiting any new billboards, the Colorado Department of Transportation is not issuing any new permits for the erection of new billboards and outdoor advertising devices along the San Juan Skyway. A roadway sign evaluation project has been completed for the San Juan Skyway and is on file at the San Juan National Forest Supervisor's office in Durango, Colorado. This evaluation has determined that the following areas need corrective action.

- Several areas have far too many directional, regulatory, and informational signs.



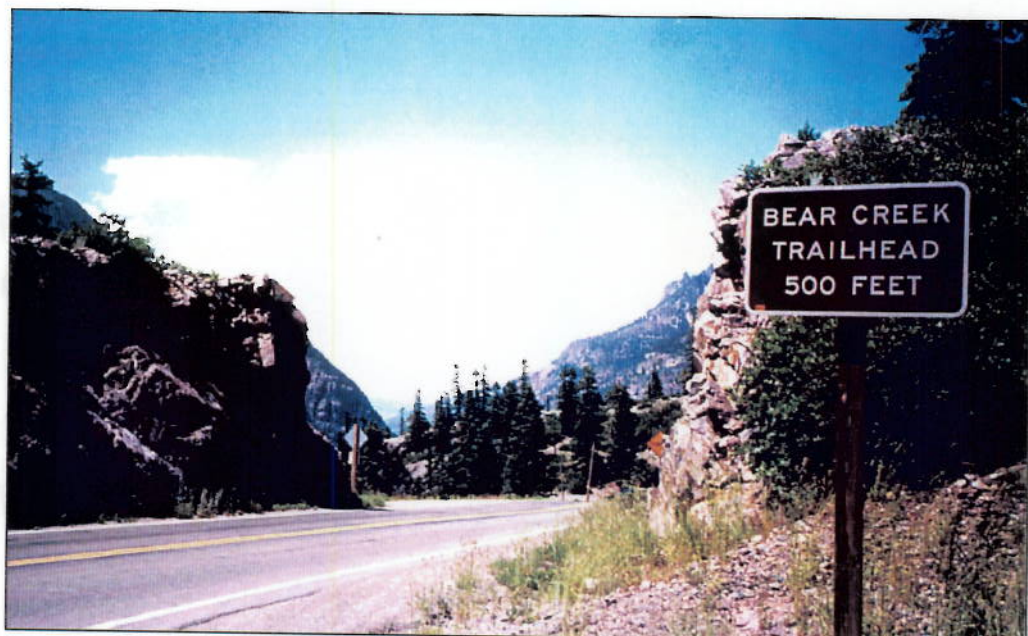
Outdoor advertising controls will help preserve the natural beauty and integrity of the roadside

Some of these signs can be eliminated; and in most instances, some can be combined to limit the visual intrusion.

- Advance information signs need to be installed at several recreational and interpretive resource locations in order to enhance the touring visitors experience on the Skyway.

- Some visitor information signs need to be replaced due to poor condition and/or inadequate information.

The following chart is a list of recommended actions, which must conform to Colorado Department of Transportation guidelines.



Advance information signs will help visitors identify scenic, natural, historic, archaeologic and recreation resources

Corridor Signage



## Recommendations For Signage Controls & Improvements

| #  | OUTDOOR ADVERTISING CONTROLS AND SIGN PLANS – ACTIONS                                                                                                    | PRIORITY |
|----|----------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| 1  | Consolidate current regulatory, directional, and informational signage at the intersection of US 550 and US 160.                                         | 1        |
| 2  | Install advance information signs at Chris Park/Haviland Lake Campground.                                                                                | 1        |
| 3  | Replace current signs at Haviland Lake Recreation Area.                                                                                                  | 3        |
| 4  | Install advance information signs at Purgatory Campground.                                                                                               | 1        |
| 5  | Install advance information signs at Engineer Overlook Site.                                                                                             | 1        |
| 6  | Install advance information signs at Cascade Creek.                                                                                                      | 2        |
| 7  | Install advance information signs at Lime Creek Road.                                                                                                    | 1        |
| 8  | Install advance information signs at Coal Bank Pass Rest Area.                                                                                           | 1        |
| 9  | Replace current signs at Deer Creek Trailhead.                                                                                                           | 3        |
| 10 | Install advance information signs at Lime Creek Burn Rest Site for north bound traffic (south bound traffic currently has an advanced information sign). | 1        |
| 11 | Install advance information signs at Andrew's Lake Rest Area.                                                                                            | 1        |
| 12 | Install advance information signs at Molas Pass Interpretive Site.                                                                                       | 1        |
| 13 | Replace current Colorado Trail signs at Molas Pass.                                                                                                      | 3        |
| 14 | Install advance information signs at Silverton Visitors Center.                                                                                          | 2        |
| 15 | Install advance information signs at BLM Alpine Loop junction with Skyway.                                                                               | 1        |
| 16 | Replace current camping signs at South Mineral Creek.                                                                                                    | 3        |
| 17 | Install advance information signs at Ophir Pass (four-wheel drive road).                                                                                 | 1        |
| 18 | Install advance information signs at Red Mountain Pass Rest Area, and Black Bear 4-wheel drive road.                                                     | 1        |
| 19 | Install advance information signs at Amphitheater Campground.                                                                                            | 1        |
| 20 | Consolidate current regulatory, directional, and informational signage at intersection of US 550 and CO 145.                                             | 1        |
| 21 | Install advance information signs at Keystone Interpretive Site.                                                                                         | 1        |
| 22 | Install advance information signs at Sunshine Campground.                                                                                                | 1        |
| 23 | Install advance information signs at Matterhorn Campground.                                                                                              | 1        |
| 24 | Install advance information signs at Lizard Head Interpretive Site.                                                                                      | 1        |
| 25 | Install advance information signs at Lizard Head Pullout.                                                                                                | 1        |
| 26 | Replace current signs at Cayton Campground.                                                                                                              | 3        |
| 27 | Install advance information signs at Scotch Creek Historic Toll Road.                                                                                    | 3        |
| 28 | Install advance information signs at Bear Creek Road.                                                                                                    | 2        |
| 29 | Install advance information signs at Priest Gulch Trailhead.                                                                                             | 2        |
| 30 | Install advance information signs at the southern junction of CO 145 and FR 535 (Dunton Road).                                                           | 1        |
| 31 | Consolidate current regulatory, directional, and informational signage at junction of CO 184 and CO 145.                                                 | 2        |
| 32 | Install adv. information signs at the w. junction of CO 145 and CO 184 for the Anasazi Heritage Ctr. and McPhee Res.                                     | 2        |
| 33 | Replace and consolidate regulatory, directional, and informational signage at Skyway entrance to Cortez.                                                 | 1        |
| 34 | Install advance information signs at rest area east of Cortez on US 160.                                                                                 | 1        |
| 35 | Consolidate current regulatory, directional, and informational signage at junction of CO 184 and US 160.                                                 | 2        |
| 36 | Consolidate current regulatory, directional, and informational signage at Echo Basin Road junction.                                                      | 2        |
| 37 | Install advance information signs at Target Tree Campground.                                                                                             | 1        |
| 38 | Install advance information signs at Cherry Creek Picnic Area.                                                                                           | 2        |
| 39 | Install advance information signs at La Plata Canyon Recreation Area.                                                                                    | 2        |







# Interpretation Plan

The San Juan and Uncompahgre National Forests' staff have prepared an interpretive guide for the San Juan Skyway, with the goal of enhancing the enjoyment and experience of the visitor. This guide, which is available for public review at the office of the San Juan National Forest Office in Durango, Colorado, examined interpretive themes and forty-eight potential sites.

"If you should, in your imagination, put together in one small group, perhaps 12 miles square, all the heights and depths, the rugged precipices and polished faces of rock, and all the sharp pinnacles and deeply indented crests, and twenty times the inaccessible summits that both of us have ever seen, you would not have a picture equal to this". (W. H. Holmes. Letter to Ferdinand Hayden describing the San Juan Mountains. September 7, 1876).

## INTRODUCTION

This interpretive plan evaluates the users, management goals, existing conditions, and natural and cultural resources in order to develop primary interpretive themes and potential interpretive sites along the San Juan Skyway.

## AUDIENCE ANALYSIS

Driving for pleasure is by far the most popular outdoor recreational experience for the American public. Visitors to the San Juan Skyway include residents of the Four Corners, visitors from across the nation, and international tourists. A large number of visitors are repeat visitors who are returning for another trip to the region. The majority of visitors are from other parts of Colorado, followed by California, New Mexico, Texas, and Arizona. They generally arrive in passenger cars or vans, but some arrive in recreational vehicles, motorcycles, buses, and rental cars. Although attracted to the region for its scenic amenities, many arrive for special activities including riding the Durango & Silverton Narrow Gauge Railroad, visiting Mesa Verde National Park, visiting family or friends, participating in or viewing motorcycle rallies, bicycle races, kayak races, whitewater rafting, downhill skiing, viewing fall colors, taking four-wheel drive tours, or hunting.

The Four Corners area is geographically isolated from major population areas. As a result, most visitors have seen maps of southwest Colorado and are at least somewhat knowledgeable about some recreational opportunities of the region. Most, however, are very eager to receive additional information, to orient themselves to the land, buy real estate, and to learn about the local and regional history. Most visitors are very appreciative of information, as it allows them to relate to the people and places that make southwest Colorado special.

## INTERPRETIVE GOALS & MANAGEMENT OBJECTIVES

- To provide information to visitors about the natural and cultural resources on the San Juan Skyway in a manner that they might use this information to better appreciate the land and the resources.



Interpretive sites provide added information and enhance visitors' appreciation





- To increase the public awareness of management activities of the National Forest, Bureau of Land Management, and National Park Service (Mesa Verde and community Historic Districts) as major providers of outdoor recreation in the American West.
- To develop barrier-free facilities to accommodate all people to the San Juan Skyway.
- To utilize a variety of media, including wayside exhibits, brochures, guides, audio tapes, video tapes, Internet and interactive computers to accommodate all visitors including nontraditional visitors such as the elderly, for eign travelers, and people with special needs.
- To stimulate the economies of local communities in Southwest Colorado.

### BEHAVIORAL OBJECTIVES

As sites are identified and interpretive opportunities developed, we would like the public to:

- enjoy southwest Colorado, but leave natural and historic sites undisturbed;
- gain a greater appreciation for the natural and cultural resources of southwest Colorado; and
- experience a safe stay throughout their trip to southwest Colorado.



The Skyway corridor plan calls for 31 additional interpretive sites

### EXISTING INTERPRETIVE SITES

At the present time, eight interpretive sites have been constructed along the 233 mile San Juan Skyway. These facilities are identified in the following table.

A number of interpretive signs, markers, and plaques have been installed over the years at various locations along the San Juan Skyway. Although well intended, most are in need of modification, do not encourage the public to stop, or should be incorporated into site plans. (Site plans should include safety pullouts, parking areas, kiosks, barrier-free access, and other amenities that encourage the public to stop.)

| Existing Interpretive Sites |            |                  |                      |             |              |                                         |
|-----------------------------|------------|------------------|----------------------|-------------|--------------|-----------------------------------------|
| Location                    | Year Built | Adequate Parking | # Interpretive Signs | Meet Themes | Barrier Free | Amenities                               |
| Lizard Head Pass            | 1991       | Yes              | 6                    | Yes         | Yes          | Restrooms, Overlook                     |
| Keystone                    | 1993       | No               | 4                    | Yes         | Yes          | Rock Plaza                              |
| Molas Pass                  | 1994       | Yes              | 5                    | Yes         | Yes          | Overlook, Rock Plaza                    |
| Andrews Lake                | 1995       | Yes              | 10                   | Yes         | Yes          | Overlook, Restrooms, Fishing, Trailhead |
| Durango-DACRA               | 1991       | Yes              | 1                    | Yes         | Yes          | Visitor Contact Facility                |
| Silverton Visitor Center    | 1990       | Yes              | 1                    | Yes         | No           | Visitor Contact Facility                |
| Cortez Welcome Center       | 1994       | Yes-Street       | 4                    | Yes         | Yes          | Visitor Contact Facility                |
| Ridgway                     | 1990       | Yes              | 5                    | Yes         | Yes          | Kiosk, Visitor Contact Facility         |





### Signs, markers and plaque locations:

|                                 |                             |
|---------------------------------|-----------------------------|
| Dominguez and Escalante         | 1 plaque                    |
| Coal Bank Pass                  | 1 elevation sign, rest room |
| Cortez Rest Area (Sleeping Ute) | 1 sign                      |
| Telluride                       | 1 peak finder sign          |
| Placerville                     | 1 sign                      |
| Trout Lake                      | 1 peak finder sign          |
| Ouray                           | 1 welcome sign              |
| Engineer Mountain               | 1 peak finder sign          |
| Riverside Snowslide             | 2 plaques w/ monument       |
| Ironton                         | 1 reclamation sign          |
| Alpine Loop Junction            | 1 sign                      |
| Red Mountain Pass               | 1 sign, 1 plaque            |
| Silverton Overlook              | 1 welcome sign              |
| Lime Creek Rest Area            | 1 sign, rest room           |

Visitor contact facilities along the San Juan Skyway include the Cortez Welcome Center, the BLM Anasazi Heritage Center, the Galloping Goose Historical Society in Dolores, the Rico Center in Rico, the Telluride Historical Museum, the Ouray County Museum in Ouray, the San Juan County Museum in Silverton, the Silverton Visitor Center in Silverton, the Animas Museum in Durango, the Durango-DACRA at Gateway Park, the Mancos Visitor Center in Mancos, Mesa Verde National Park, as well as Forest Service District Offices in Mancos, Dolores, Norwood, and Durango.

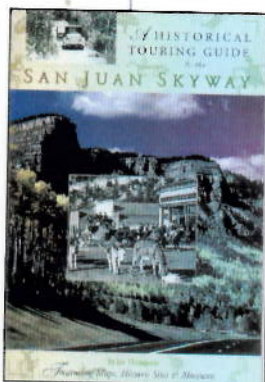
### EXISTING INTERPRETIVE PUBLICATIONS:

There are currently a number of outstanding publications, maps, books, audio tapes and video tapes that feature the San Juan Skyway. Some of these include:

- "Discover Colorado - Colorado Scenic & Historic Byways," by the Colorado Scenic & Historic Byway Commission;
- "San Juan Skyway," Forest Service Brochure;
- "A Historical Touring Guide to the San Juan Skyway," by Ian Thompson, Book (96 Pages);
- "The Million Dollar Highway," by Marvin Gregory, Book (96 Pages);
- "San Juan Skyway," by Scott Warren, Book (64 Pages);
- "Audio Tour of the San Juan Skyway," Audio Cassette; and
- "San Juan Skyway," Video Cassette.



Books, videos, audio guides and brochures are available to enhance visitors' appreciation

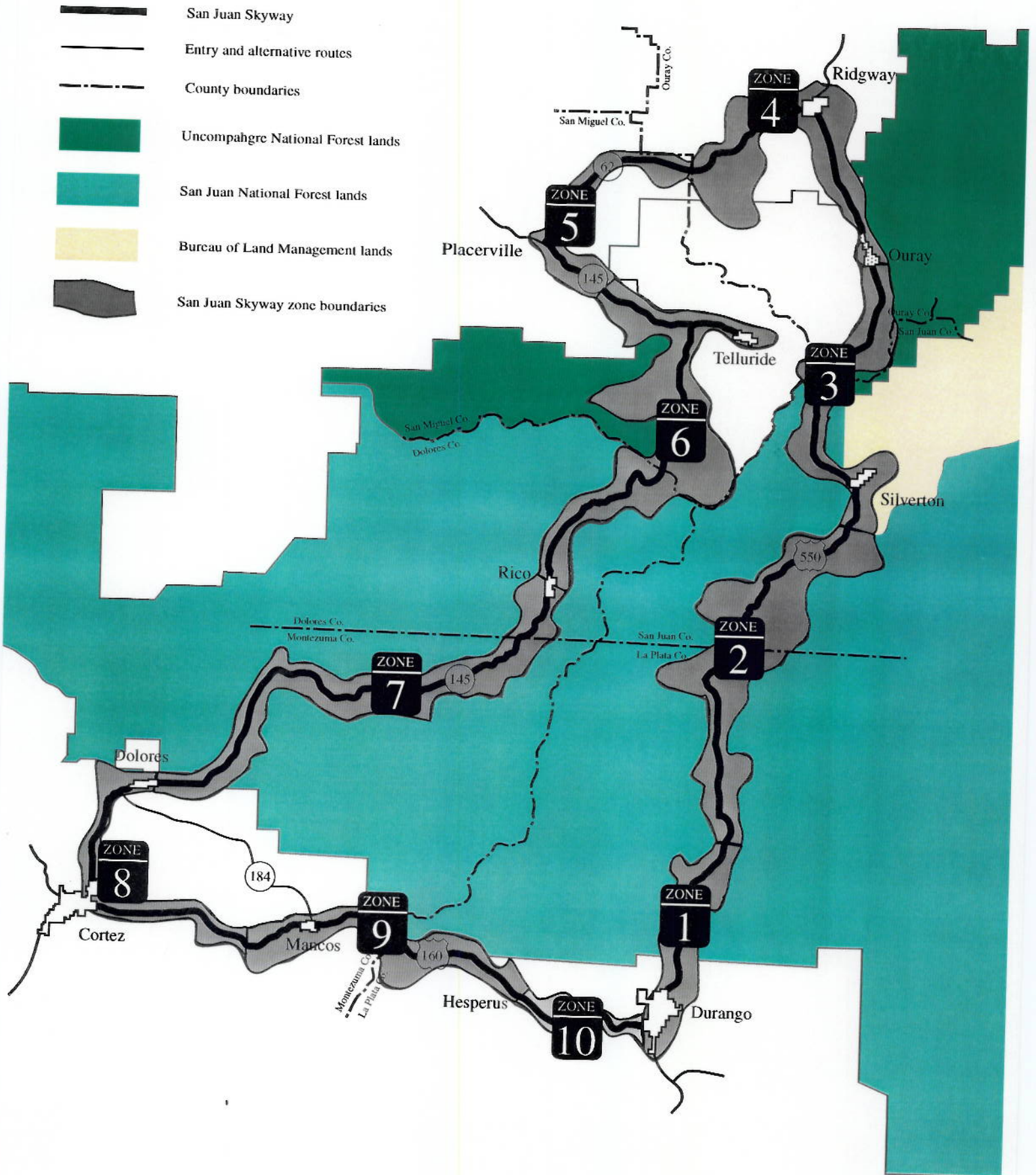


Award winning Skyway historical interpretive guide

There are also a variety of brochures on recreational opportunities accessible from the San Juan Skyway. These publications include campground guides, jeep tours, mining tours, ancestral Pueblo tours, and bicycle tours. One specific brochure that needs to be mentioned is the "Discover Colorado—Colorado's Scenic and Historic Byways" produced by the Colorado Byway Commission. This publication has been produced in several languages including Spanish, French, German, and Japanese.



# Interpretive Zones







## INTERPRETIVE ZONES & THEMES

The interpretive theme for the San Juan Skyway can be stated as:

Geologic and climatic processes, some as old as 70 million years, have determined where people settled, traveled, explored, sought their fortune, raised their families, grew crops, developed industries, built railroads, roads, and trails, and have shaped recreational experiences in southwest Colorado for the past 10,000 years. The San Juan Skyway now provides the link to explore this outstanding scenic area through events and people that have created the history of the Four Corners' region.

Due to the length of the San Juan Skyway and the variety of resources, the Skyway has been divided into ten Interpretive Zones. Within each zone, the following interpretive sub themes were developed that highlight significant resources.

### Zone 1 — Durango to Hermosa Cliffs

- A. The Animas River Valley was the commercial and transportation center that exchanged agricultural goods to the northern mining towns and provided access to Denver and the outside world.
- B. The early architecture of small boom towns carried a distinctive Victorian identity that may be seen in Durango, Silverton, Ridgway, Ouray, Telluride, and Rico.

### Zone 2 — Hermosa to Molas Pass

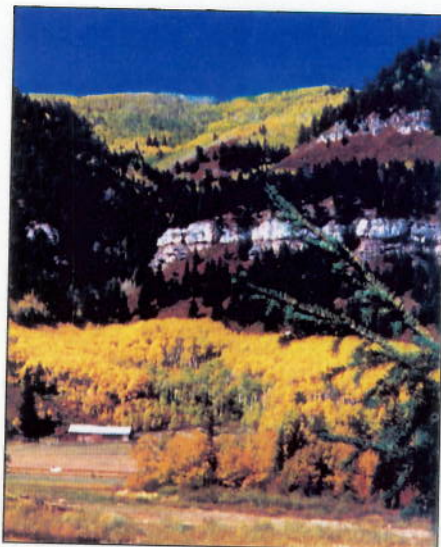
- A. The topographically diverse and accessible landscape allows for an equally diverse range of recreational experiences including hiking, downhill skiing, cross-country skiing, mountain biking, snowmobiling, horseback riding, wildlife viewing, hunting, fishing, camping, backpacking, rock climbing, jeeping, and riding the railroad on National Forest land.
- B. The San Juan Mountains encompass many of the highest, most rugged wilderness, and inaccessible peaks in the Rockies; some of which are over 14,000 feet.

### Zone 3 — Molas Pass to Ouray (including Silverton)

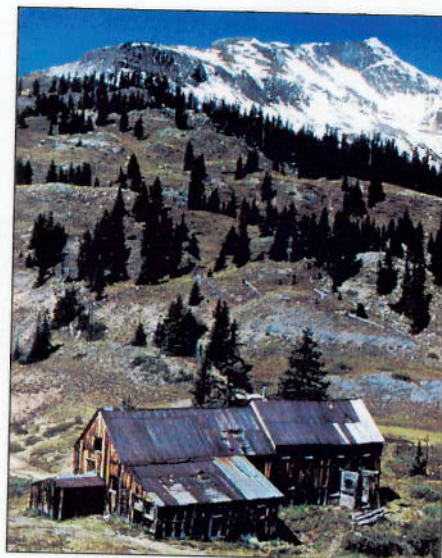
- A. The mineral rich San Juan Mountains resulted in the most important mining district in the southern Rocky Mountains and brought settlement to this area.
- B. The San Juan Mountains created an impenetrable barrier for early miners and prevented the extension of the railroad from Red Mountain Pass to Ouray. Today, historic mine roads provide spectacular access to the high country.

### Zone 4 — Ouray to Dallas Divide

- A. Early Colorado ranching history depended on lush pastures from high mountain meadows to lowland valleys for grazing cattle and sheep.
- B. Southwest Colorado was traditional hunting and gathering land for the Ute Indians. As settlers moved into Ute land, the Utes were obligated to sign a number of treaties that relinquished ownership of the land and restricted the Utes to reservation land in Utah and southern Colorado.



Hermosa Cliffs looking west from U.S. 550 North



Mining antiquity below Red Mountain Pass, between Silverton and Ouray





### **Zone 5 — Dallas Divide to Vanadium**

A. The area has experienced a variety of "boom" and "bust" development cycles, including uranium mining, placer gold mining, ski area developments, ranching, and railroading. Changing economic conditions and the harshness of the West played a hand in yielding "disappointment."

### **Zone 6 — Vanadium Townsite to Rico**

A. The mineral rich San Juan Mountains resulted in the most important mining district in the southern Rocky Mountains and brought settlement of this area.

B. The topographically diverse and accessible landscape allows for an equally diverse range of recreational experiences including hiking, downhill skiing, cross-country skiing, mountain biking, snowmobiling, horseback riding, wildlife viewing, hunting, fishing, camping, backpacking, rock climbing, and jeeping on National Forest land.

### **Zone 7 — Rico to Dolores**

A. Ancestral Pueblo People to Ute Indians, trappers to ranchers, miners to passengers on the Rio Grande Southern Railroad have traveled along the San Juan Skyway on historical routes.

B. The Dolores River, running through the Dolores River Canyon, features mountain sides of aspen trees at their height of fall colors.

### **Zone 8 — Dolores to Mancos**

A. The lower reaches of the Great Sage Plain provided suitable hunting and gathering land and farmland for the ancestral Pueblo People known as the Basketmakers and the Anasazi, who inhabited this land for nearly 1,300 years.

B. Water played a vital role in the settlement and development of this area.

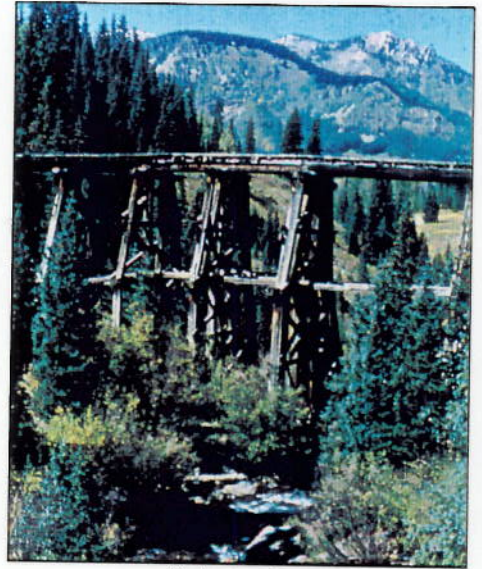
### **Zone 9 — Mancos to Hesperus**

A. Ranching and timber played a major role in settlement patterns of the Mancos and Thompson Park area and provided an income for the miners that worked claims in the La Plata Mountains.

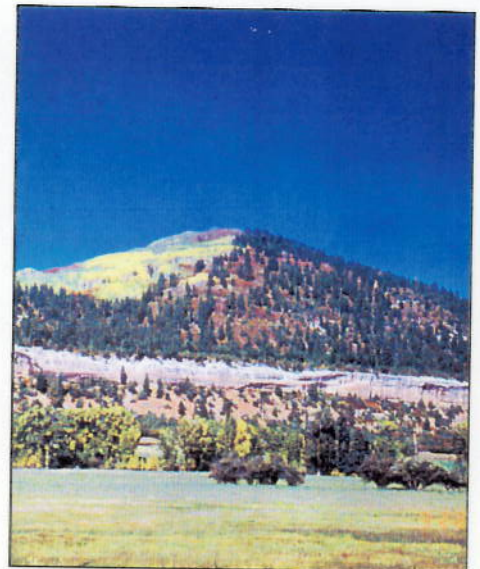
### **Zone 10 — Hesperus to Durango**

A. The area has experienced a variety of "boom" and "bust" development cycles, including coal mining, placer gold mining, ski area developments, ranching, railroading, and military outposts. Changing economic conditions and the harshness of the West played a hand in determining settlements.

B. A major travel route along the southern end of the San Juan Mountains and the La Plata Mountains was used for nearly 2,000 years. This route was used by a number of Spanish expeditions, including Juan Rivera in 1765 and Dominguez Escalante in 1776, and was known as the Old Spanish Trail, connecting the missions in California with the Spanish settlement in New Mexico.



Galloping Goose railroad trestle near Trout Lake, to be restored



Sandstone cliffs, north of Dolores on SH 145












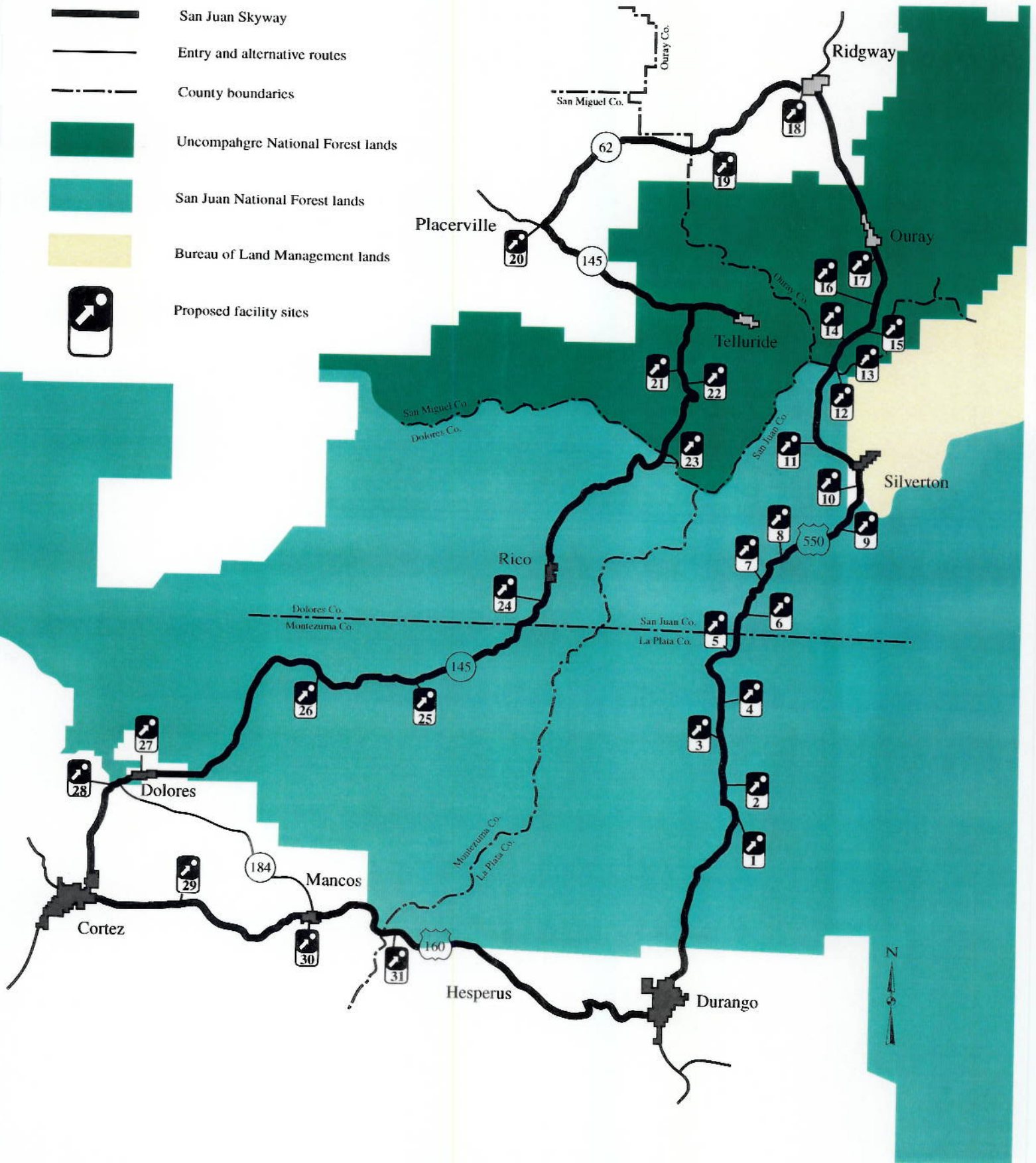
The following list represents specific interpretive project proposals. The location of each is illustrated on the map that follows. For more information on these sites, refer to "A Development and Interpretive Guide for the San Juan National Forest" at the San Juan National Forest Office in Durango, Colorado. Before these sites can be developed, they must conform with Colorado Department of Transportation access standards.

| <b>Proposed Interpretive Sites (part 1)</b> |                                                                                                                                                                                                                                                                                                                                                                                                    |          |
|---------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| #                                           | PROPOSED INTERPRETIVE SITES                                                                                                                                                                                                                                                                                                                                                                        | PRIORITY |
| 1                                           | The Durango & Silverton Narrow Gauge Railroad Overpass Point of Interest. Interpretation will highlight railroad history. This existing site will include viewing decks, interpretive signs, and a highway underpass for pedestrian safety. (Mile marker 36.6, US 550).                                                                                                                            | 2        |
| 2                                           | Shalona Lake Overlook. Interpret the historical use of the forest and early settlement in the area. This existing site will have an interpretive sign, a Forest Service entry sign, and parking. (Mile marker 38.1, US 550).                                                                                                                                                                       | 1        |
| 3                                           | Hermosa Cliffs and Wetland Point of Interest. Interpretation will focus on the Peregrine Falcon, wetland wildlife, and the geological formation of the cliffs. This site will have a viewing platform, a nature trail, benches, and interpretive signs. (Mile marker 42.3, US 550).                                                                                                                | 2        |
| 4                                           | Weminuche Wilderness Overlook. Interpretation will focus on the wilderness area (the largest in Colorado) and its management objectives. This site will require the construction of a pullout along with the installation of interpretive signing. (Mile marker 45.4, US 550).                                                                                                                     | 2        |
| 5                                           | Potato Hill-Purgatory Flats Overlook. Interpretation will discuss the southern San Juan Mountains, fur trade of the 1820 & 30's, and the famous mountain men that were present here. This site will be developed in conjunction with the construction of a CDOT maintenance facility. It will have parking, a short trail with a viewing deck, and interpretive signs. (Mile marker 52.1, US 550). | 2        |
| 6                                           | Coal Bank Pass Rest Area. The interpretative theme will discuss the recreation opportunities, historical travel, ecology, and avalanches in the area. This existing site will have a redesigned rest area, a short nature trail, tables and benches, interpretive signs, parking, and a viewing deck. (Mile marker 56.7, US 550).                                                                  | 1        |
| 7                                           | Twilight Peak Overlook. Interpretation will depict the skyline of the west Needle Mountains, their elevations, river drainage, etc. This existing site has a pullout with parking and removable interpretive signs for the winter. (Mile marker 57.4, US 550).                                                                                                                                     | 2        |
| 8                                           | Lime Creek Burn. The historic Lime Creek Burn of 1879 will be featured. This existing site will have a redesign of the parking lot, a short trail, a viewing area, a picnic area, and interpretive signs. (Mile marker 59.1, US 550).                                                                                                                                                              | 3        |
| 9                                           | Kendall Peak Point of Interest. Interpretation will discuss the historical mining in the Silverton area. A vista area for views of the surrounding mountains, interpretive signs, and parking will be constructed. (Mile marker 66.3, US 550).                                                                                                                                                     | 3        |
| 10                                          | Silverton Visitors Center. This site will be developed in cooperation with the community of Silverton, the BLM (Alpine Loop), and the Colorado Historical Society. A kiosk will provide interpretation on the history of Silverton, the Alpine Loop, and the San Juan Skyway.                                                                                                                      | 1        |
| 11                                          | Chattanooga. The old mining town that was once here will be interpreted. The site will have a pulloff with removable interpretive signage for the winter months. (Mile marker 78.1, US 550).                                                                                                                                                                                                       | 3        |
| 12                                          | Ironton Yankee Girl Overlook. Illustrating the historic mining boom towns and camps. This site will have parking, a viewing deck, and interpretive signs. (Mile marker 82.4, US 550).                                                                                                                                                                                                              | 1        |
| 13                                          | Upper Uncompahgre Gorge. This site will utilize the existing turnout for interpretative signs of the mountain range and the geological formation of the Uncompahgre Gorge. (Mile marker 87, US 550).                                                                                                                                                                                               | 3        |
| 14                                          | Riverside Slide Snowshed. Interpretation will describe the history and dynamics of avalanches in this area. This existing pullout will have barriers for snow plowing and removable interpretive signage for the winter. (Mile marker 87.6, US 550).                                                                                                                                               | 2        |
| 15                                          | Uncompahgre River Waterfall and access to the Alpine Loop Scenic Drive. Interpretation here will discuss the water tunnel and the BLM Alpine Loop Scenic Byway. This site will have improved parking and interpretive signage. (Mile marker 89.3, US 550).                                                                                                                                         | 3        |



# Proposed Interpretive Site Actions

-  San Juan Skyway
-  Entry and alternative routes
-  County boundaries
-  Uncompahgre National Forest lands
-  San Juan National Forest lands
-  Bureau of Land Management lands
-  Proposed facility sites





## Proposed Interpretive Sites (part 2)

|    |                                                                                                                                                                                                                                                                                                                                          |   |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|
| 16 | Bear Creek Falls Overlook, The Otto Mears Toll Road and Pay Station, which existed here, and a sketch of the falls will be the focus of the interpretation. An improved, safer walkway to the falls will be constructed. (Mile marker 90.4, US 550).                                                                                     | 2 |
| 17 | Ouray Overlook. The interpretive theme will focus on the settlement and geologic features of the valley. This is an existing site. Future development will replace current signs with interpretive signs that are removed during the winter. (Mile marker 92.1, US 550).                                                                 | 1 |
| 18 | Ridgway Town Park. Developed in partnership with the Colorado Historical Society and Town of Ridgway. The interpretive theme will focus upon the settlement and transportation history of the area.                                                                                                                                      | 1 |
| 19 | Dallas Divide Overlook. Signage will include a peak finder of the Mount Sneffels Range, the Stagecoach line, and rail construction. In addition to interpretive signs, this site will have parking and a proposed trail to the top of a knoll where viewing would allow a 360 degree panoramic view. (Mile marker 13.8, CO 62).          | 1 |
| 20 | Placerville Skyway and Unaweep Tabeguache Byways Introductory Site. This site will orient travelers coming from the west via CO 145 and relate the recreation opportunities and side attractions along both the Skyway and Unaweep Tabeguache Byways. This site would have parking and interpretive signs. (Mile marker 84.4, CO 145).   | 1 |
| 21 | Gold Gulch Overlook. Interpretation will focus on Mount Wilson and Sunlight Peaks, the railroad along the side of the mountains, and the historic Ames Power Plant. This site would have parking and interpretive signs. (Mile Marker 84.4, CO 145).                                                                                     | 1 |
| 22 | Grassy Knoll Overlook. The Ames Power Plant and the Ophir Needles will be discussed here. The site will have a rest area, parking, tables, a trail with a viewing pad, and interpretive signage. (Mile marker 65.9, CO 145).                                                                                                             | 3 |
| 23 | Lizard Head photo site. This site, beside a paved pullout, will include interpretive signs discussing the history and geology of Lizard Head Peak. (Mile marker 57.5, CO 145).                                                                                                                                                           | 3 |
| 24 | Rico Coke Ovens Point of Interest, pointing out the coke ovens and describing the ore smelting process. This site will have a turnout and interpretive signs. (Mile marker 45.7, CO 145).                                                                                                                                                | 3 |
| 25 | Aspen view overlook. Interpretation will discuss the botanical aspects of aspen and the beauty of the autumn leaf change. This site will have a pullout with an interpretive sign. (Mile marker 29.4, CO 145).                                                                                                                           | 3 |
| 26 | Red Cliffs. Highlighting the geology of the red sandstone rock formations and the story of high elevation ranching, this site will have a pullout and interpretive signage. (Mile marker 25.9, CO 145).                                                                                                                                  | 3 |
| 27 | Dolores Visitor Center. Interpretation will focus upon the Galloping Goose Railroad theme and the timber industry's role in the history of the Dolores/McPhee area. The site will have one or two interpretive signs.                                                                                                                    | 1 |
| 28 | McPhee Reservoir. Interpretation will depict the planning, construction, and the role water played in shaping the cultures that have inhabited this area from prehistoric to contemporary times. This site will have a pullout with an interpretive sign. (Mile marker 9, CO 145).                                                       | 3 |
| 29 | Sleeping Ute Overlook at the Cortez Rest Area. The legend of Sleeping Ute, the La Plata Mountains, and the prehistoric ancestral Puebloan culture will be interpreted in conjunction with the Colorado Historical Society. This site will utilize a tower, a paved trail, parking, and interpretive signage. (Mile Marker 46.5, US 160). | 1 |
| 30 | Mancos Visitor Center. Interpretation will focus on early agricultural and ranching settlement of the Mancos Valley. This site will have one or two interpretive signs.                                                                                                                                                                  | 1 |
| 31 | Thompson Park/Caviness Mountain. Interpretation will focus on multiple uses of the forest and the traditional ranching operation which can be seen below. (Mile marker 62, US 160).                                                                                                                                                      | 1 |







## Tourism Development

Southwest Colorado has been and continues to be a vacation destination for both national and international visitors. Key attractions are the Durango & Silverton Narrow Gauge Train, Mesa Verde National Park, (a World Heritage Site), and the San Juan Skyway. These destinations annually attract 600,000—700,000 visitors to Mesa Verde National Park and 250,000-plus riders on the Durango & Silverton Narrow Gauge Train.

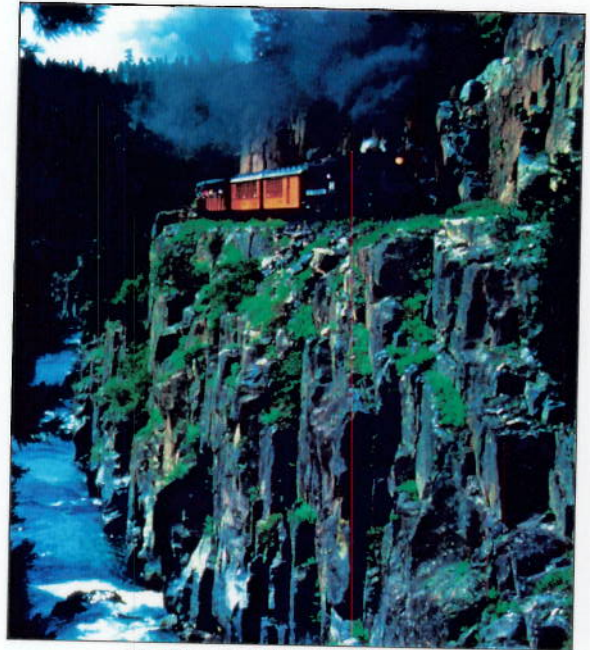
### VISITOR SERVICES

Over the last several years, the economies of the communities along the San Juan Skyway have been in transition from relying upon agriculture and the extractive industries of mining, timber production, and energy development to economies that have increasingly become based upon tourism and recreation. In response to this economic trend, visitor services have developed to accommodate a steady growth in tourism. These services appear to be adequate, except for a few days during the peak season in July when lodging facilities are at capacity. To accommodate the ever increasing numbers of visitors to the region, construction of additional lodging facilities continue along the Skyway.

There is also a unified effort among all Skyway communities to direct more of their marketing to attract visitors during the shoulder seasons of fall and spring, when there is excess tourism service capacity. In the winter, Telluride and Purgatory are popular ski resorts, and Ouray is known for world class ice climbing.

The Visitor Center in Cortez is also an official state Welcome Center. Additionally, the San Juan and Uncompahgre National Forests and Bureau of Land Management provide visitor information services at a variety of locations along the Skyway. Forest Service and Colorado Department of Transportation rest areas are also available at several sites, adding to the convenience of the touring visitor.

If the San Juan Skyway receives designation as an All-American Road, any increases in tourism should be accommodated with little difficulty.



The Durango/Silverton Narrow Gauge Railroad attracts over 225,000 visitors each year



The awesome San Juan Mountains, some of the most rugged and spectacular in the state with eight peaks over 14,000 feet elevation. The Skyway truly does take visitors to the sky and back





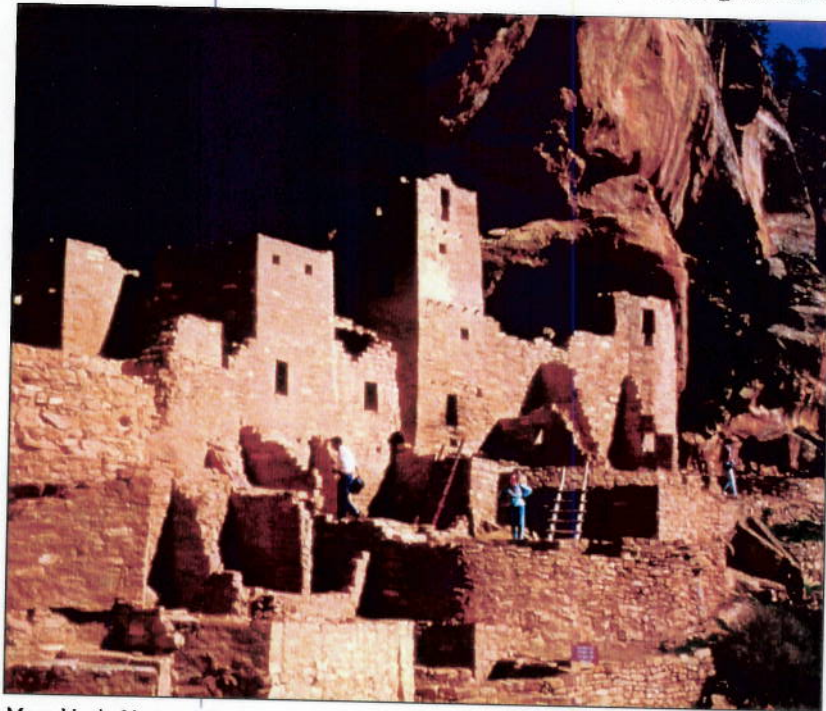
## **TOURISM PROMOTION PLAN**

Even before the San Juan Skyway received official designation both as a National Forest Byway and a Colorado Scenic and Historic Byway, communities along this route promoted this "world class scenic drive." Now that official designations are in place, this promotional effort by many public and private sector interests has increased.

A broad array of tourism marketing media, including community and regional brochures, media news releases, videos, guide books, and state tourism and byway publications describe the San Juan Skyway. Most of this promotional effort is confined to the domestic market.

For the San Juan Skyway itself, an attractive brochure, video, audio tape, and two guides (one scenic and the other historical) are used to both promote the Skyway, as well as enhance the visitors' touring experience.

With the availability of the above promotional efforts and promotional and educational materials, the only areas needing additional work involve increased promotion to international visitors; the development of foreign language interpretive materials; and the development of resource protection and environmental education materials.



Mesa Verde National Park is the largest attraction in Southwest Colorado, drawing over 3/4 of a million visitors annually

## **MANAGEMENT ACTIONS**

1. One recommendation is that the Friends of the San Juan Skyway Association seek funding to translate the San Juan Skyway brochure into German, Japanese, French, and Spanish. These promotional brochures will be distributed in Europe and other Spanish speaking countries via the United States' international offices and travel and trade shows. Additionally, these brochures will be made available to visitor centers and land management agencies along the byway for use by international tourists seeking information or already touring the Skyway.
2. In cooperation with area tourism organizations and recreation providers, interpretive signage and information will be developed using international symbols for communicating the availability of visitor services.
3. It is recommended that an Internet "Homepage" be developed featuring San Juan Skyway recreational opportunities, environmental education, the "Leave No Trace" program, heritage protection statements, and sales information.
4. It is recommended to involve children in protecting the San Juan Skyway through the Junior Ranger program that encourages resource protection, litter campaign and activities.
5. It is recommended to develop an environmental education program using video, and accessible by computer, to educate tourism providers and visitors about protecting our natural and cultural heritage, and being considerate of other resource users.

Tourism  
Development





## Review & Monitoring

An annual review of this plan will be done to monitor progress and make adjustments where necessary to accommodate changes. This monitoring review will be done by the Skyway Association, and any changes will then be incorporated into the planning document.

## Credits

The preparation of this corridor management plan, partially funded with National Scenic Byway grant funds, involved many people from a variety of interest groups and communities along the Skyway. The Planning Steering Committee members include:



Balloons launch from Telluride, SH 145

- Joe Audino, Colorado Dept. of Transportation
- Rich Bechtolt, Colorado Dept. of Transportation
- Tom Condos, Uncompahgre National Forest
- Jim Craft, San Miguel County Representative
- Marlene Hazen, Dolores County Representative
- Glen Henshaw, Colorado Division of Wildlife
- Bill Norman, San Juan County Administrator
- Beverly Rich, San Juan County Historical Society
- Katherine Roser, Colorado Coalition of Land Trusts
- Dan Schler, La Plata County Representative
- Douglas Secrist, Colorado State Parks
- Richard Speegle, Bureau of Land Management
- Allan Staehle, Ouray County Representative
- Mike Talcott, Montezuma County Representative

Staff and consulting assistance in preparing the plan was provided by:

- Dick Ostergaard, San Juan National Forest
- Todd Tucker, San Juan National Forest, Americorps
- Jamie Maslyn, San Juan Forest Association & Utah State University
- Mark Franklin, San Juan National Forest
- Paul Dunn and Staff at Artworks, Inc.
- Gaye Furry, Fort Lewis College, Office of Community Services
- Ken Francis, Fort Lewis College, Office of Community Services

Information regarding the San Juan Skyway and this San Juan Skyway Corridor Management Plan can be obtained by contacting the following:



Dick Ostergaard  
San Juan National Forest  
701 Camino Del Rio  
Durango, CO 81301  
970 385-1229



Ken Francis  
Ft. Lewis College  
Office of Community Services  
1000 Rim Drive  
Durango, CO 81301  
970 247-7310





AGENDA ITEM - 5.c.

**TITLE:**

10:30 am Update on a 7th Judicial Working Group to identify impacts to counties if the law were changed to require bond hearings within 48 hours of arrest.

**Presented by:** Sergeant Petranovich and Sergeant Hemphill

**Time needed:** 20 mins

**PREPARED BY:**

**RECOMMENDED ACTION/MOTION:**

**INTRODUCTION/BACKGROUND:**

See attached memo and additional information.

**FISCAL IMPACT:**

| Contract Number:    | Date Executed | End Date | Department(s)                         |
|---------------------|---------------|----------|---------------------------------------|
| YYYY-###            |               |          | Board of County<br>Commissioner Staff |
| <b>Description:</b> |               |          |                                       |

**ATTACHMENTS:**

Description

SB191 Cost Estimate

SB191 Bill

Upload Date

8/1/2019

8/1/2019



## San Miguel County Sheriff's Office

684 CR 63L

Telluride, Colorado, 81435

**William S. Masters, Sheriff**

*"Upholding Liberty and Personal Responsibility"*

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07/22/2019

REF: SB19-191 Cost Estimate

Attention: Chief Judge Steven Patrick; Seventh Judicial District

Here is the cost estimate from San Miguel County. This estimate does not include the direct labor, expenses or expenses, or operational costs for the San Miguel County Combined Courts personnel.

There are certain variables that are difficult to calculate, but there is no indication of any cost savings to San Miguel County by having court held on a holiday or over the weekend.

If you have any questions, feel free to call myself or Sergeant Hemphill and we will do our best to address any of your concerns.

Respectfully,

Sergeant Petranovich and Sergeant Hemphill  
San Miguel County Sheriff's Office  
Ph: 970-728-1911  
Email: [petep@sanmiguelsheriff.org](mailto:petep@sanmiguelsheriff.org)  
Email: [melonyh@sanmiguelsheriff.org](mailto:melonyh@sanmiguelsheriff.org)

**See Cost Estimate Below:**



# San Miguel County Sheriff's Office

684 CR 63L

Telluride, Colorado, 81435

**William S. Masters, Sheriff**

*"Upholding Liberty and Personal Responsibility"*

| <u>Description</u>                                |                                 | <u>Hour(s)</u>           | <u>Weeks</u>       | <u>Sub-Total</u>     |
|---------------------------------------------------|---------------------------------|--------------------------|--------------------|----------------------|
| San Miguel County Court Sessions                  | 11                              |                          | 11                 |                      |
| Court Security Officer (Hourly Rate)              | \$ 31.00                        | 10                       | 11                 | \$ 3,410.00          |
| Transport Deputy (Hourly Rate) Driver             | \$ 27.00                        | 4                        | 11                 | \$ 1,188.00          |
| Transport Deputy (Hourly Rate) Security           | \$ 27.00                        | 4                        | 11                 | \$ 1,188.00          |
| Jail Deputy Friday                                | \$ 27.00                        | 12                       | 41                 | \$ 13,284.00         |
| Jail Deputy Sunday                                | \$ 27.00                        | 12                       | 41                 | \$ 13,284.00         |
| <b>Sub-Total (Court and Jail Operations)</b>      | <b>\$ 32,354.00</b>             |                          |                    |                      |
|                                                   |                                 |                          |                    |                      |
| <b>Maintenance Cost Transport Van</b>             |                                 |                          |                    |                      |
| (Fuel/Maintenance)                                | <b>Total Miles (Round Trip)</b> | <b>Total Court Trips</b> | <b>Total Miles</b> | <b>Cost Per Mile</b> |
|                                                   | 14                              | 11                       | 154                | 0.58                 |
| <b>Sub-Total (Maintenance Cost Transport Van)</b> | <b>\$ 89.32</b>                 |                          |                    |                      |
|                                                   |                                 |                          |                    |                      |
| <b>Cost Estimate Court House Maintenance Only</b> | <b>Total</b>                    | <b>Weeks</b>             | <b>Sub Total</b>   |                      |
| Water/Sewer                                       | \$ -                            |                          |                    |                      |
| Trash                                             | \$ -                            |                          |                    |                      |
| Recycling                                         | \$ -                            |                          |                    |                      |
| Natural Gas                                       | \$ 15.78                        | 11                       | \$ 173.58          |                      |
| Electricity                                       | \$ 32.55                        | 11                       | \$ 358.05          |                      |
| Snow Removal                                      | \$ 500.00                       |                          |                    |                      |
| Cleaning Services                                 | \$ 600.00                       |                          |                    |                      |
| Supplies                                          | \$ 300.00                       |                          |                    |                      |
| <b>Sub-Total Court House Maintenance</b>          | <b>\$ 1,931.63</b>              |                          |                    |                      |
|                                                   |                                 |                          |                    |                      |
| <b>Grand Total</b>                                | <b>\$ 34,374.95</b>             |                          |                    |                      |

# An Act

SENATE BILL 19-191

BY SENATOR(S) Bridges and Marble, Moreno, Tate;  
also REPRESENTATIVE(S) Herod and Gonzales-Gutierrez, Arndt, Bird,  
Buentello, Caraveo, Cutter, Esgar, Froelich, Galindo, Hansen, Hooton,  
Kennedy, Kipp, Lontine, McKean, Melton, Michaelson Jenet, Mullica,  
Sandridge, Snyder, Soper, Titone, Weissman, Becker.

CONCERNING DEFENDANTS' RIGHTS RELATED TO PRETRIAL BOND.

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** In Colorado Revised Statutes, **amend** 16-4-102 as follows:

**16-4-102. Right to bail - before conviction.** (1) Any person who is in custody, and for whom the court has not set bond and conditions of release pursuant to the applicable rule of criminal procedure, and who is not subject to the provisions of section 16-4-101 (5), has the right to a hearing to determine bond and conditions of release. A person in custody may also request a hearing so that bond and conditions of release can be set. Upon receiving the request, the judge shall notify the district attorney immediately of the arrested person's request, and the district attorney ~~shall have~~ **HAS** the right to attend and advise the court of matters pertinent to the type of bond

*Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.*



and conditions of release to be set. The judge shall also order the appropriate law enforcement agency having custody of the prisoner to bring him or her before the court forthwith, and the judge shall set bond and conditions of release if the offense for which the person was arrested is bailable. It shall ~~IS not be~~ a prerequisite to bail that a criminal charge of any kind has been filed.

(2) (a) THE CHIEF JUDGE OF EACH JUDICIAL DISTRICT SHALL DEVELOP, IN CONJUNCTION WITH REPRESENTATIVES FROM SHERIFFS' OFFICES, PUBLIC DEFENDERS' OFFICES, DISTRICT ATTORNEYS' OFFICES, COUNTY COMMISSIONERS, AND ANY OTHER AGENCIES DETERMINED NECESSARY BY THE CHIEF JUDGE, A PLAN FOR SETTING BOND FOR ALL IN-CUSTODY DEFENDANTS WITHIN FORTY-EIGHT HOURS OF ARREST. IN DEVELOPING THE PLAN, THE COUNTY COMMISSIONERS, SHERIFFS, AND DISTRICT ATTORNEYS SHALL PROVIDE THE CHIEF JUDGE COST ESTIMATES OF FEASIBILITY AS WELL AS ANY POTENTIAL SAVINGS FROM THE PROPOSAL, INCLUDING JAIL BED COSTS AND SAVINGS. IN DEVELOPING THE PLAN, THE CHIEF JUDGE SHALL EVALUATE THE POTENTIAL OF UTILIZING NEW OR EXISTING AUDIOVISUAL CONFERENCE TECHNOLOGY. IN AREAS WHERE A LACK OF BROADBAND COVERAGE MAKES AUDIOVISUAL CONFERENCING IMPOSSIBLE OR UNRELIABLE, THE CHIEF JUDGE MAY EVALUATE THE POTENTIAL OF UTILIZING TELEPHONIC HEARINGS. NO LATER THAN NOVEMBER 1, 2019, THE STATE COURT ADMINISTRATOR'S OFFICE SHALL REPORT TO THE JUDICIARY COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES, THE PLANS FOR ALL TWENTY-TWO JUDICIAL DISTRICTS, NOT INCLUDING THE DENVER COUNTY COURT. THE REPORT MUST INCLUDE AN ESTIMATE OF RESOURCES NECESSARY TO IMPLEMENT THIS SUBSECTION (2)(a).

(b) UNLESS EXTRAORDINARY CIRCUMSTANCES EXIST, A DEFENDANT, A SURETY ON BEHALF OF THE DEFENDANT, OR ANOTHER THIRD PARTY ON BEHALF OF THE DEFENDANT MUST BE ALLOWED TO POST BOND WITHIN TWO HOURS AFTER THE SHERIFF RECEIVES THE BOND INFORMATION FROM THE COURT. NOTWITHSTANDING THE PROVISIONS OF THIS SECTION, A SHERIFF MAY ALLOW AN INDIVIDUAL TO CHOOSE TO STAY IN JAIL OVERNIGHT AFTER RELEASE WHEN EXTENUATING CIRCUMSTANCES EXIST, INCLUDING INCLEMENT WEATHER, LACK OF TRANSPORTATION, OR LACK OF SHELTER.

(c) THE CUSTODIAN OF A JAIL SHALL ENSURE THE DEFENDANT, A SURETY ON BEHALF OF THE DEFENDANT, OR ANOTHER THIRD PARTY ON

BEHALF OF THE DEFENDANT IS NOT CHARGED MORE THAN A TEN-DOLLAR BOND PROCESSING FEE.

(d) THE CUSTODIAN OF A JAIL SHALL ALSO ENSURE THE DEFENDANT, A SURETY ON BEHALF OF THE DEFENDANT, OR ANOTHER THIRD PARTY ON BEHALF OF THE DEFENDANT IS NOT CHARGED ANY ADDITIONAL TRANSACTION FEES INCLUDING KIOSK FEES; EXCEPT THAT THE STANDARD CREDIT CARD PROCESSING FEE THAT THE CREDIT CARD COMPANY CHARGES MAY BE CHARGED WHEN A CREDIT CARD IS USED, OR, WHEN A THIRD-PARTY VENDOR PROVIDES DEFENDANTS THE OPTION TO PAY MONETARY BOND WITH A CREDIT CARD, THE DEFENDANT CAN BE REQUIRED TO PAY UP TO A THREE-AND-ONE-HALF PERCENT CREDIT CARD PAYMENT PROCESSING FEE.

(e) UNLESS EXTRAORDINARY CIRCUMSTANCES EXIST, THE CUSTODIAN OF A JAIL SHALL RELEASE A DEFENDANT AS SOON AS PRACTICABLE BUT NO LATER THAN FOUR HOURS AFTER THE DEFENDANT IS PHYSICALLY PRESENT IN THE JAIL AND THE DEFENDANT'S BOND HAS BEEN POSTED. A SUPERVISORY CONDITION OF RELEASE DOES NOT SERVE AS A LEGAL BASIS TO CONTINUE TO DETAIN THE DEFENDANT; EXCEPT THAT, IF THE DEFENDANT IS ORDERED RELEASED UPON CONDITION OF BEING SUBJECT TO ELECTRONIC MONITORING, THE DEFENDANT MAY BE HELD UP TO AS LONG AS PRACTICABLE BUT NO LONGER THAN TWENTY-FOUR HOURS AFTER THE DEFENDANT IS PHYSICALLY PRESENT IN THE JAIL AND THE DEFENDANT'S BOND HAS BEEN POSTED, IF SUCH DELAY IS NECESSARY TO ENSURE THE DEFENDANT IS FITTED WITH ELECTRONIC MONITORING AND THE COURT HAS AUTHORIZED THE DEFENDANT TO BE HELD UNTIL THE ELECTRONIC MONITOR IS FITTED. IF THE COURT ORDERS ELECTRONIC MONITORING FOR THE PROTECTION OF A SPECIFIC INDIVIDUAL, AND THE DEFENDANT IS ORDERED TO HAVE NO CONTACT WITH THAT SPECIFIC INDIVIDUAL, AND THE JUDGE ORDERS THAT THE DEFENDANT NOT BE RELEASED WITHOUT ELECTRONIC MONITORING BASED ON FINDING THAT THE ELECTRONIC MONITORING IS NECESSARY FOR PUBLIC SAFETY, THEN THE TIME LIMITS REGARDING RELEASE OF THE DEFENDANT IN THIS SUBSECTION DO NOT APPLY. HOWEVER, IF A DEFENDANT IS HELD MORE THAN TWENTY-FOUR HOURS AFTER POSTING BOND AWAITING ELECTRONIC MONITORING FITTING, THE SHERIFF SHALL BRING THE DEFENDANT TO THE COURT THE NEXT DAY THE COURT IS IN SESSION AND EXPLAIN THE REASON FOR THE DELAY.

(f) A DEFENDANT WHO HAS POSTED BOND MUST BE RELEASED REGARDLESS OF WHETHER THE DEFENDANT HAS PAID ANY OUTSTANDING

FEE, COST, OR SURCHARGE, INCLUDING BOND PROCESSING FEES, BOOKING FEES, PRETRIAL SUPERVISION FEES, OR ELECTRONIC MONITORING SUPERVISION FEES.

(g) FOR PURPOSES OF THIS SECTION, "EXTRAORDINARY CIRCUMSTANCES" INCLUDES AN EMERGENCY THAT RENDERS STAFF UNABLE TO PROCESS BONDS AND RELEASE DEFENDANTS, BUT IT DOES NOT INCLUDE A LACK OF STAFFING RESOURCES OR ROUTINE ADMINISTRATIVE PRACTICES.

**SECTION 2.** In Colorado Revised Statutes, 16-4-111, **amend** (1)(b) as follows:

**16-4-111. Disposition of security deposits upon forfeiture or termination of bond.** (1) (b) (I) ~~Notwithstanding the provisions of paragraph (a) of this subsection (1);~~ If the depositor of the cash bond is the defendant and the defendant owes court costs, fees, fines, restitution, or surcharges at the time the defendant is discharged from all liability under the terms of the bond, the court may apply the deposit toward any amount owed by the defendant in court costs, fees, fines, restitution, or surcharges IF THE DEFENDANT VOLUNTARILY AGREES IN WRITING TO THE USE OF THE DEPOSIT FOR SUCH PURPOSE. A DEFENDANT SHALL NOT BE REQUIRED TO AGREE TO APPLY THE DEPOSIT TOWARD ANY AMOUNT OWED BY THE DEFENDANT AS A CONDITION OF RELEASE. If any amount of the deposit remains after paying the defendant's outstanding court costs, fees, fines, restitution, or surcharges, the court shall return the remainder of the deposit to the defendant.

(II) ~~Notwithstanding the provisions of paragraph (a) of this subsection (1);~~ If the depositor of the cash bond is not the defendant, but the defendant owes court costs, fees, fines, restitution, or surcharges at the time the defendant is discharged from all liability under the terms of the bond, the court ~~may~~ SHALL NOT apply the deposit toward the amount owed by the defendant in court costs, fees, fines, restitution, or surcharges. ~~if the depositor agrees in writing to the use of the deposit for such purpose. If any amount of the deposit remains after paying the defendant's outstanding court costs, fees, fines, restitution, or surcharges;~~ The court shall return the remainder of the deposit to the depositor.

(III) A DEPOSITOR OF A CASH BOND WHO IS NOT THE DEFENDANT MAY DEPOSIT BOND FUNDS DIRECTLY WITH THE JAIL. THE DEPOSITOR SHALL

NOT BE REQUIRED TO PAY ANY ADDITIONAL FEES, COSTS, OR SURCHARGES OTHER THAN THE BOND AMOUNT AND BOND PROCESSING FEE. THE DEPOSITOR SHALL NOT BE REQUIRED TO APPLY BOND FUNDS TO THE DEFENDANT'S INMATE ACCOUNT FOR PAYMENT OF THE BOND AND SHALL NOT BE REQUIRED TO DEPOSIT MONEY IN THE DEFENDANT'S NAME.

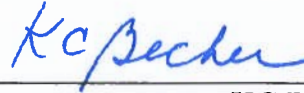
**SECTION 3. Act subject to petition - effective date.** Section 16-4-102 (2)(b), (2)(c), (2)(d), (2)(e), (2)(f), and (2)(g), Colorado Revised Statutes, in section 1 of this act takes effect January 1, 2020; and the remainder of this act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not



take effect unless approved by the people at the general election to be held in November 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.



Leroy M. Garcia  
PRESIDENT OF  
THE SENATE



KC Becker  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

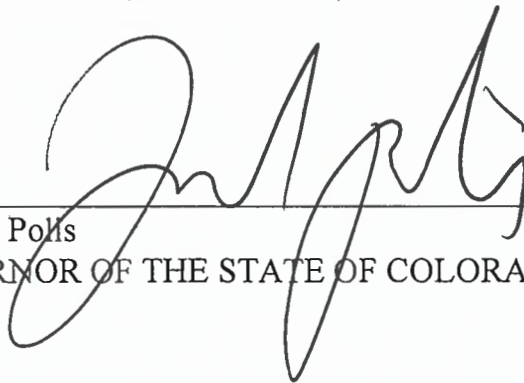


Cindi L. Markwell  
SECRETARY OF  
THE SENATE



Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

APPROVED May 23, 2019 at 10:40 A.M.  
(Date and Time)



Jared S. Polis  
GOVERNOR OF THE STATE OF COLORADO



AGENDA ITEM - 5.d.

**TITLE:**

10:50 am Acceptance of the San Miguel County Assessor's Office report for 2019 taxable assessed value of all property, and a list of all real and personal property protests, the status/outcome of each protest, a list of movable equipment apportionment's, and a list of owners who failed to return a Personal Property Declaration Schedule./MOTION

**Presented by:** Peggy Kanter, County Assessor

**Time needed:** 10 mins

**PREPARED BY:**

Peggy Kanter

**RECOMMENDED ACTION/MOTION:**

To approve as presented.

**INTRODUCTION/BACKGROUND:**

See attached documents.

**FISCAL IMPACT:**

| Contract Number:    | Date Executed | End Date | Department(s)                         |
|---------------------|---------------|----------|---------------------------------------|
| YYYY-###            |               |          | Board of County<br>Commissioner Staff |
| <b>Description:</b> |               |          |                                       |

**ATTACHMENTS:**

Description

Real and Personal Property 2019

Personal Property 2019

Upload Date

7/12/2019

7/12/2019

July 11, 2019

To: COUNTY BOARD OF EQUALIZATION

Fr: SAN MIGUEL COUNTY ASSESSOR

According to 39-8-105(1),(2) C.R.S., the assessor shall report the valuation for assessment of all taxable property in the county to the county board of equalization not later than July 15. A list shall be submitted of all real and personal property protest, the status/outcome of each protest. A list of all owners who failed to return a Personal Property Declaration Schedule.

Taxable assessed value for **Real & Personal Property in 2019**

| PROPERTY TYPE  | 2018                 | 2019                 |               |
|----------------|----------------------|----------------------|---------------|
| Property Type  | December-18          | June-19              | % Change      |
| Vacant         | \$170,632,140        | \$168,067,650        | -1.50%        |
| Residential    | \$479,140,200        | \$535,022,490        | 11.66%        |
| Commercial     | \$116,389,520        | \$143,032,640        | 22.89%        |
| Industrial     | \$3,187,730          | \$2,969,500          | -6.85%        |
| Agricultural   | \$8,746,570          | \$8,555,410          | -2.19%        |
| Nat. Resources | \$1,992,450          | \$2,003,720          | 0.57%         |
| Oil and Gas    | \$4,266,800          | \$5,847,730          | 37.05%        |
| State Assessed | \$20,094,900         | \$20,582,100         | 2.42%         |
| <b>TOTAL:</b>  | <b>\$804,450,310</b> | <b>\$886,081,240</b> | <b>10.15%</b> |

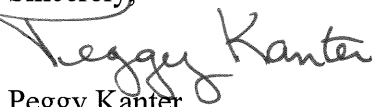
**PRIOR TO COUNTY BOARD OF EQUALIZATION**

**\$865,499,140.00** County Assessed Value  
**\$ 20,582,100.00** State Assessed Value  
**\$886,081,240.00** 2019 Preliminary Values

Total Protest: 503  
Protest Adjusted: 206  
Protest Denied: 297  
Protest Withdrawn:

**(List attached)**

Sincerely,



Peggy Kanter  
San Miguel County Assessor

## Real Appeals - BOCC

| Appeal # | Parcel #     | Account #   | Tax Year | Name                              | Status | Decision |
|----------|--------------|-------------|----------|-----------------------------------|--------|----------|
| 9831     | 456528319002 | R1030091102 | 2019     | KAUNELIS KRISTINA RASA AND        | Open   | Deny     |
| 9827     | 452704400012 | R2030023000 | 2019     | HALE JERI HAYNES                  | Open   | Deny     |
| 9825     | 477904109916 | R1080088916 | 2019     | HFT LLC                           | Open   | Deny     |
| 9833     | 456533405010 | R1080097655 | 2019     | SMITH EDWARD EMORY AND            | Open   | Adjust   |
| 9822     | 479907400018 | R3010029550 | 2019     | DOVE CREEK LAND AND CANYON CO LLC | Open   | Deny     |
| 9845     | 452113101009 | R1040013964 | 2019     | HOOPER ALLEN J AND DIANE V        | Open   | Deny     |
| 9818     | 456528219024 | R1030091124 | 2019     | CHAMBERS ADAM AND                 | Final  | Deny     |
| 9839     | 477904406018 | R1080020212 | 2019     | WORK CHRIS AND                    | Final  | Deny     |
| 9826     | 477903310308 | R1080088308 | 2019     | MARKS KENNETH AND ELENA AS JT     | Final  | Adjust   |
| 9843     | 452107200018 | R1040000014 | 2019     | BAEZ MANUEL AND REBECCA           | Final  | Deny     |
| 9835     | 456318100005 | R1040093662 | 2019     | CUSACK MICHAEL D AND CATHY D JT   | Final  | Adjust   |
| 9829     | 477901115002 | R1010003759 | 2019     | MARSHALL PETER                    | Final  | Deny     |
| 9851     | 482508302092 | R1040010410 | 2019     | BURGER SCOTT P                    | Open   | Deny     |
| 9853     | 477903306150 | R1080060069 | 2019     | SPRING LANE INVESTMENTS LLC       | Final  | Deny     |



| Appeal # | Parcel #     | Account #   | Tax Year | Name                                        | Status | Decision |
|----------|--------------|-------------|----------|---------------------------------------------|--------|----------|
| 9842     | 456520320144 | R1030093144 | 2019     | SCHENK MARKUS                               | Final  | Deny     |
| 9834     | 452709100017 | R2040110003 | 2019     | THOMPSON ROBERT P REV TRUST                 | Final  | Deny     |
| 9857     | 477910200017 | R1080093942 | 2019     | COONEY ROBERT AND COONEY MELISSA K<br>AS JT | Open   | Deny     |
| 9823     | 456533424009 | R1080040013 | 2019     | KNOWLES MERRIE G AND WILBUR R AS JT         | Open   | Adjust   |
| 9858     | 479718200003 | R3010030097 | 2019     | RM & ML LLC A CO LLC                        | Final  | Deny     |
| 9858     | 479720100005 | R3010030095 | 2019     | RM & ML LLC A CO LLC                        | Final  | Deny     |
| 9860     | 454525100016 | R3010099026 | 2019     | WEINGARDEN MARY ELLEN AND                   | Final  | Deny     |
| 9836     | 456731305087 | R1010010306 | 2019     | RUSSELL JENNIFER AND WADMAN CLAY JT         | Final  | Adjust   |
| 9856     | 455912102024 | R2050089240 | 2019     | CRAIG GREGORY L                             | Final  | Deny     |
| 9856     | 455912402025 | R2050089241 | 2019     | CRAIG GREGORY L                             | Final  | Deny     |
| 9856     | 455912402026 | R2050089242 | 2019     | CRAIG GREGORY L                             | Final  | Deny     |
| 9856     | 455912402027 | R2050089243 | 2019     | CRAIG GREGORY L                             | Final  | Deny     |
| 9861     | 452130306080 | R1040927200 | 2019     | HOLSTROM JOHN K AND KRIS DILS JT            | Open   | Deny     |
| 9865     | 456102300001 | R1040091160 | 2019     | COWLEY JOHN A II AND MARK T JT              | Open   | Deny     |
| 9869     | 452113401010 | R1040012866 | 2019     | DAVIS BILL DAN                              | Open   | Deny     |

| Appeal # | Parcel #     | Account #   | Tax Year | Name                                        | Status | Decision |
|----------|--------------|-------------|----------|---------------------------------------------|--------|----------|
| 9875     | 452335310006 | R1040015750 | 2019     | WEILAND DAVID P AND SHARON K AS<br>TTEES OF | Open   | Deny     |
| 9862     | 477904419414 | R1080089407 | 2019     | TIMM SHEILA M REV LIV TST UAD 6 8 11        | Open   | Deny     |
| 9887     | 456536316020 | R1010096464 | 2019     | ARNDT CHRISTOPHER F AND                     | Final  | Deny     |
| 9880     | 456536304023 | R1010091782 | 2019     | MUIR FAMILY TELLURIDE PROPERTY LLC          | Final  | Deny     |
| 9837     | 456532415043 | R1030092204 | 2019     | RIGHETTI RYAN JARED AND                     | Final  | Deny     |
| 9879     | 452103403010 | R1040011750 | 2019     | CARSON SCOTT RAMSEY AND                     | Final  | Deny     |
| 9874     | 452726403019 | R2040091498 | 2019     | WARREN SCOTT S                              | Final  | Adjust   |
| 9864     | 477901115005 | R1010003320 | 2019     | LUMI SOL LLC A CO LLC                       | Final  | Deny     |
| 9866     | 456318203027 | R1040010550 | 2019     | CATSMAN WERNER R                            | Final  | Deny     |
| 9863     | 430118400005 | R1040013810 | 2019     | LAKE ANDREW AND TIERNEY                     | Final  | Deny     |
| 9888     | 477903101043 | R1080000094 | 2019     | BINGHAM STUART AN UND 50 PCT INT            | Final  | Deny     |
| 9876     | 456536422021 | R1010030002 | 2019     | GLOWORM PROPERTIES LLC A CO LLC             | Final  | Adjust   |
| 9882     | 456536312028 | R1010002920 | 2019     | 260 NORTH DAVIS LLC                         | Final  | Deny     |
| 9870     | 477904112432 | R1080088432 | 2019     | MILLS ALAN B AND                            | Final  | Adjust   |
| 9873     | 456731305208 | R1010100038 | 2019     | GLEASON KELLI AND                           | Final  | Adjust   |

| Appeal # | Parcel #     | Account #   | Tax Year | Name                                | Status | Decision |
|----------|--------------|-------------|----------|-------------------------------------|--------|----------|
| 9859     | 454525400015 | R3010099025 | 2019     | OMANA MICHAEL D AND                 | Open   | Adjust   |
| 9893     | 454903200004 | R2050027010 | 2019     | STORY OREN D AND                    | Final  | Adjust   |
| 9892     | 477901100018 | R1010080026 | 2019     | MUSSELMAN THOMAS A JR AS TRUSTEE OF | Final  | Deny     |
| 9891     | 452334208006 | R1040020010 | 2019     | KIMMEL ANGELA                       | Final  | Adjust   |
| 9895     | 477910200027 | R1080093952 | 2019     | DAHL ZIVA E REVOCABLE TRUST         | Final  | Deny     |
| 9904     | 456113202027 | R1040096269 | 2019     | WALDBAUM NAOMI ZIPPORAH UNDER N Z   | Final  | Deny     |
| 9903     | 477934100026 | R1040000540 | 2019     | MARY BEEL MINE LLC A CO LLC         | Final  | Deny     |
| 9894     | 452725404026 | R2040097126 | 2019     | LENOX WILLIAM CASEY JR AND          | Final  | Deny     |
| 9896     | 456318201057 | R1040089262 | 2019     | WILSON JILL K AND                   | Final  | Adjust   |
| 9897     | 456536407015 | R1010001645 | 2019     | GOULANDRIS BASIL CONSTANTINE AND    | Final  | Adjust   |
| 9889     | 477903101028 | R1080002303 | 2019     | HEYNIGER SEAN GREEN AND             | Final  | Deny     |
| 9905     | 456534210006 | R1030008014 | 2019     | MAJOR PAUL C AND                    | Final  | Adjust   |
| 9871     | 482505201022 | R1040092710 | 2019     | LOMBINO LIVING TRUST                | Final  | Deny     |
| 9901     | 452506201005 | R2030090191 | 2019     | CHAPMAN PETER S                     | Final  | Deny     |
| 9900     | 456536406048 | R1010003555 | 2019     | EMCO PROPERTIES LLC A DE LLC        | Final  | Adjust   |

| Appeal # | Parcel #     | Account #   | Tax Year | Name                                 | Status | Decision |
|----------|--------------|-------------|----------|--------------------------------------|--------|----------|
| 9929     | 477904309006 | R1030007195 | 2019     | BETZ STEPHEN P AND JILL N AS COTREES | Final  | Deny     |
| 9927     | 456520320147 | R1030093147 | 2019     | MCTIGUE JACOB D H AND                | Final  | Deny     |
| 9926     | 477903334337 | R1080930377 | 2019     | SCHILLER DEBBIE                      | Final  | Deny     |
| 9917     | 477903318324 | R1080089324 | 2019     | MVTELLURIDE 100 LLC A DE LLC         | Final  | Adjust   |
| 9899     | 477901106004 | R1010000753 | 2019     | COE GAY L TTEE OF SAGGY AVE TRUST    | Final  | Deny     |
| 9918     | 456536328091 | R1010003326 | 2019     | SANTE PETER AND                      | Final  | Adjust   |
| 9922     | 456533307002 | R1080070011 | 2019     | GLYNN KEVIN AND                      | Final  | Deny     |
| 9955     | 456323201020 | R1030030002 | 2019     | DIPPEL RANCH LLC A TX LLC            | Final  | Deny     |
| 9951     | 477903115013 | R1080120003 | 2019     | END PATRICIA K AND                   | Final  | Deny     |
| 9921     | 477935303002 | R1050019150 | 2019     | WHITAKER JOYCE ANN AND               | Final  | Adjust   |
| 9949     | 477905404003 | R1040016075 | 2019     | HICKEY EMILY KING AND                | Final  | Deny     |
| 9949     | 477905404002 | R1040013117 | 2019     | HICKEY EMILY KING AND                | Final  | Deny     |
| 9933     | 482517102061 | R1040012960 | 2019     | WHITACRE DONALD A CO TRUSTEE OF      | Final  | Adjust   |
| 9930     | 456534301007 | R1080090401 | 2019     | JKH COMMUNITY PROPERTY TRUST         | Final  | Adjust   |
| 9941     | 477901102006 | R1010085014 | 2019     | SKRAMSTAD TROND                      | Final  | Deny     |



| Appeal # | Parcel #     | Account #   | Tax Year | Name                                                 | Status | Decision |
|----------|--------------|-------------|----------|------------------------------------------------------|--------|----------|
| 9954     | 477904406032 | R1080089220 | 2019     | CCJC REALTY LLC A CO LLC                             | Final  | Deny     |
| 9948     | 456536326103 | R1010060064 | 2019     | RISNER KIMBERLY A                                    | Final  | Adjust   |
| 9944     | 477908106038 | R1040094041 | 2019     | DEPPEN RYAN AND                                      | Final  | Deny     |
| 9940     | 477904307002 | R1030007910 | 2019     | RAMSAY GAVIN AND                                     | Final  | Deny     |
| 9946     | 456536319034 | R1010017034 | 2019     | TELLURIDE LOT 24R LLC A CO LLC                       | Final  | Adjust   |
| 9935     | 452103101006 | R1040016626 | 2019     | LAURITA MICHAEL AND JEAN JT                          | Final  | Deny     |
| 9938     | 477901102010 | R1010099006 | 2019     | SKRAMSTAD TROND AND                                  | Final  | Deny     |
| 9945     | 482515304047 | R1040088065 | 2019     | DICKE COLORADO PROPERTY TRUST                        | Final  | Deny     |
| 9919     | 477901107004 | R1010002762 | 2019     | 605 EAST COLUMBIA LLC A CO LLC                       | Final  | Deny     |
| 9920     | 477929300003 | R1040087036 | 2019     | TAYLOR THE WILLIAM J 2007 REV TRT                    | Final  | Deny     |
| 9956     | 477903310311 | R1080088311 | 2019     | NORTON MICHAELENE LUSK                               | Final  | Deny     |
| 9960     | 477910100919 | R1080093919 | 2019     | OLK ROBERT J A, MARRIED                              | Final  | Deny     |
| 9932     | 452334208003 | R1040020007 | 2019     | DOCKRAY DANIEL AND SARAH AS JT                       | Final  | Deny     |
| 9923     | 456532400045 | R1030020038 | 2019     | MCCLOSKEY HERBERT J AND                              | Final  | Adjust   |
| 10003    | 456534209019 | R1010040036 | 2019     | CANTOR SPELLMAN FAMILY PARTNERSHIP<br>LLLP A FL LLLP | Final  | Deny     |

| Appeal # | Parcel #     | Account #   | Tax Year | Name                                         | Status | Decision |
|----------|--------------|-------------|----------|----------------------------------------------|--------|----------|
| 9947     | 456113101009 | R1040094980 | 2019     | TENENBAUM JESSICA AND                        | Final  | Deny     |
| 9942     | 477904112422 | R1080088422 | 2019     | VEITIA DIEGO J FAMILY TRUST UTA 10 25 00     | Final  | Deny     |
| 10007    | 478303401004 | R1040015705 | 2019     | BEVAN DIANE ROSEMARY                         | Final  | Deny     |
| 9961     | 456326100041 | R1030092944 | 2019     | PROVIDENT TRUST GROUP FBO                    | Final  | Deny     |
| 9988     | 477904201006 | R1030850504 | 2019     | SANDERS BRUCE                                | Final  | Adjust   |
| 9953     | 456536409011 | R1010093414 | 2019     | JORGENSEN FAMILY LTD PARTNERSHIP             | Final  | Deny     |
| 9991     | 477910200927 | R1080094927 | 2019     | BREHM EDWARD W III AND KRISTEN H             | Final  | Adjust   |
| 9958     | 456533404605 | R1080091632 | 2019     | SHIMKONIS MIKE AND JENNIFER                  | Final  | Deny     |
| 10001    | 477904303011 | R1030007082 | 2019     | GOLDBERG JEFFREY M TRT PURSUANT TO           | Final  | Deny     |
| 9994     | 477910200342 | R1080096342 | 2019     | CMR TRUST                                    | Final  | Adjust   |
| 10005    | 478302301004 | R1040087008 | 2019     | GAMBLE PROPERTY TRUST                        | Final  | Deny     |
| 10005    | 478302301003 | R1040087009 | 2019     | GAMBLE PROPERTY TRUST                        | Final  | Deny     |
| 9821     | 477910100007 | R1080093958 | 2019     | MOUNTAINTOP SCENIC VIEW LLC A TX LLC         | Final  |          |
| 9993     | 456533402519 | R1080087519 | 2019     | GILBRIDE JOHN HENRY AND                      | Final  | Deny     |
| 9995     | 456536317004 | R1010017004 | 2019     | WELLS PRESCILLA W REV TRUST DTD<br>6/16/2000 | Final  | Deny     |

| Appeal # | Parcel #     | Account #   | Tax Year | Name                                        | Status | Decision |
|----------|--------------|-------------|----------|---------------------------------------------|--------|----------|
| 9996     | 477910200928 | R1080093928 | 2019     | PLUM SAMUEL A AND SP FAMILY                 | Final  | Deny     |
| 9963     | 477903318326 | R1080089326 | 2019     | HURWITZ RICHARD M AND SARAH K TTEES         | Final  | Deny     |
| 10039    | 456534401056 | R1080000117 | 2019     | SAFDI ANNE S AS TRUSTEE OF                  | Final  | Deny     |
| 10094    | 477903101025 | R1080087190 | 2019     | KLINTMALM FAM TST UTA DTD 1 27 03           | Final  | Deny     |
| 10035    | 477901100017 | R1010080025 | 2019     | EMMA O LLC A CO LLC                         | Final  | Deny     |
| 10031    | 477903310315 | R1080088315 | 2019     | WILKINSON GRANDCHILDRENS TRUST<br>DATED     | Final  | Deny     |
| 10110    | 456731305093 | R1010010312 | 2019     | DUNKAK KEVIN                                | Final  | Adjust   |
| 10004    | 456533313030 | R1080090130 | 2019     | ZUG ELIZABETH K AND                         | Final  | Deny     |
| 10008    | 456536409014 | R1010017015 | 2019     | 235 N OAK LLC A CO LLC                      | Final  | Deny     |
| 10099    | 477903306085 | R1080088250 | 2019     | DURRSCHMIDT DOROTHY AS TRUSTEE OF           | Final  | Deny     |
| 10070    | 477905401002 | R1040016688 | 2019     | DESTINATION PROPERTIES LLC AN AZ LLC        | Final  | Deny     |
| 10000    | 456532115025 | R1030092186 | 2019     | HOWE CHRISTOPHER                            | Final  | Deny     |
| 9990     | 477910100013 | R1080093964 | 2019     | MOUNTAIN VILLAGE HOLDINGS LLC               | Final  | Deny     |
| 9987     | 452102303009 | R1040010488 | 2019     | HAMON PROPERTIES LTD                        | Final  | Deny     |
| 10013    | 429521400009 | R2030023695 | 2019     | ROYER SARAH JANE FAM TST DTD 8 10 00<br>THE | Final  | Adjust   |

| Appeal # | Parcel #     | Account #   | Tax Year | Name                                   | Status | Decision |
|----------|--------------|-------------|----------|----------------------------------------|--------|----------|
| 10126    | 477903310306 | R1080088306 | 2019     | HEIM MICHAEL F AND LISA M              | Final  | Deny     |
| 10080    | 429522100023 | R2030023830 | 2019     | LEPEL COINTET NOELLE                   | Final  | Deny     |
| 10006    | 477901106105 | R1010060092 | 2019     | KUSUNO CHAD EITARO AND                 | Final  | Deny     |
| 10002    | 456533327715 | R1080091715 | 2019     | MCKINLEY MARTIN JAMES AND              | Final  | Deny     |
| 10125    | 477905123723 | R1080089723 | 2019     | ELKSTONE 2 LLC A CO LLC                | Final  | Deny     |
| 10086    | 477903216004 | R1080040049 | 2019     | B GENTRY VENTURES LTD A TX LP          | Final  | Deny     |
| 10014    | 456533402513 | R1080087513 | 2019     | STINSON CHARLES RUSSELL REV TST        | Final  | Deny     |
| 10101    | 477901115014 | R1010001975 | 2019     | BLAIR MANAGEMENT HOLDINGS LLC A CO LLC | Final  | Deny     |
| 9998     | 456520320150 | R1030093150 | 2019     | MONTGOMERY RUSSELL J AND KIM E         | Final  | Deny     |
| 10010    | 478312100003 | R1040140001 | 2019     | MOMAS ELK CREEK LLC AN IN LLC          | Final  | Adjust   |
| 10069    | 477904302024 | R1030789405 | 2019     | GOLDBERG MARK AND                      | Final  | Deny     |
| 10128    | 452314401009 | R1042789310 | 2019     | GAETHE GLENN R                         | Final  | Deny     |
| 10033    | 477904419405 | R1080089405 | 2019     | HALCYON MOUNTAIN LTD A CO LLC          | Final  | Adjust   |
| 10151    | 477901113019 | R1010930501 | 2019     | LEVEK AMY R                            | Final  | Adjust   |
| 10196    | 456534301012 | R1080091147 | 2019     | BC HC PROPERTIES LLC                   | Final  | Deny     |



| Appeal # | Parcel #     | Account #   | Tax Year | Name                               | Status | Decision |
|----------|--------------|-------------|----------|------------------------------------|--------|----------|
| 10197    | 456531400005 | R1030090055 | 2019     | ALEXANDER TRUST DATED JUNE 25 2014 | Final  | Adjust   |
| 10133    | 456532415056 | R1030093216 | 2019     | INTEMANN CONOR E AND               | Final  | Deny     |
| 10077    | 477909201030 | R1030007140 | 2019     | PIERCE TODD M                      | Final  | Adjust   |
| 10089    | 456529220125 | R1030093125 | 2019     | MCINTOSH ROBERT A AND MARY J JT    | Final  | Deny     |
| 10076    | 453726300005 | R3010029805 | 2019     | WILDER FAMILY TRUST DTD 6/15/10    | Final  | Adjust   |
| 10235    |              | R1040099020 | 2019     | ALEXANDER RANCH LLLP A CO LLLP     | Final  | Adjust   |
| 10226    | 455726200020 | R2040088120 | 2019     | ROYER CABIN LLC A CO LLC           | Final  | Adjust   |
| 10216    | 477933300011 | R1040010505 | 2019     | GOLD LISA D                        | Final  | Adjust   |
| 10123    | 456533404657 | R1089600657 | 2019     | 139 AJ DRIVE LLC A CO LLC          | Final  | Adjust   |
| 10083    | 456536302077 | R1010424107 | 2019     | TELLPROP 17 LLC A CO LLC           | Final  | Adjust   |
| 10084    | 456536302076 | R1010424106 | 2019     | TELLPROP 16 LLC A CO LLC           | Final  | Deny     |
| 10145    | 477903101004 | R1080000021 | 2019     | CLOUD CAP LODGE LLC                | Final  | Deny     |
| 10230    | 456536319008 | R1010070550 | 2019     | 456 BLUE SPRUCE LLC A CO LLC       | Final  | Deny     |
| 10121    | 456536315023 | R1010002525 | 2019     | SCHROEDL THOMAS E AND ELAINE B TC  | Final  | Deny     |
| 10217    | 430331400008 | R1040097196 | 2019     | DOUBLE E BAR LLC A CO LLC          | Final  | Deny     |

| Appeal # | Parcel #     | Account #   | Tax Year | Name                                        | Status | Decision |
|----------|--------------|-------------|----------|---------------------------------------------|--------|----------|
| 10208    | 477901113014 | R1010890501 | 2019     | COLORADO I/J LLC A CO LLC                   | Final  | Deny     |
| 10090    | 456533404609 | R1080091636 | 2019     | CERBERUS LAND COMPANY LLC A CO LLC          | Final  | Deny     |
| 10090    | 456533404610 | R1080091644 | 2019     | CERBERUS LAND COMPANY LLC A CO LLC          | Final  | Deny     |
| 10140    | 477901118002 | R1010001090 | 2019     | KATZ JEFFREY G TRUSTEE OF THE               | Final  | Deny     |
| 10198    | 456534302149 | R1080097901 | 2019     | ROSEN CASEY C                               | Final  | Deny     |
| 10137    | 456536322002 | R1010439905 | 2019     | WILBERT WENDY O                             | Final  | Adjust   |
| 10157    | 477908406002 | R1040086002 | 2019     | BARLOW EDWARD L                             | Final  | Deny     |
| 10157    | 477908406004 | R1040086004 | 2019     | BARLOW EDWARD L                             | Final  | Deny     |
| 10155    | 477901204022 | R1010002805 | 2019     | 430 W PACIFIC LLC A CO LLC AS TO UND %<br>A | Final  | Deny     |
| 10164    | 455714400048 | R2040093945 | 2019     | ARTHUR WILLIAM AND JULIE LIVING TRUST       | Final  | Deny     |
| 10068    | 477901113006 | R1010091890 | 2019     | WALSH CATHERINE                             | Final  | Deny     |
| 10160    | 477904211809 | R1089100809 | 2019     | REED DAVID ALLEN AND                        | Final  | Deny     |
| 10203    | 477904407412 | R1080890412 | 2019     | BECKYS RANCH DEVELOPMENT LTD                | Final  | Deny     |
| 10202    | 456731305006 | R1030050011 | 2019     | MOONDANCE INVESTMENTS LTD                   | Final  | Deny     |
| 10159    | 477910200923 | R1080094923 | 2019     | LOVE LAKE ADDITION LP A TX LP               | Final  | Deny     |

| Appeal # | Parcel #     | Account #   | Tax Year | Name                               | Status | Decision |
|----------|--------------|-------------|----------|------------------------------------|--------|----------|
| 9997     | 482515304036 | R1040011610 | 2019     | WILCOX ANTHONY J REVOCABLE TRUST   | Final  | Deny     |
| 9959     | 456533404606 | R1080091633 | 2019     | SHIMKONIS MICHAEL AND              | Final  | Deny     |
| 10193    | 482508302099 | R1040010030 | 2019     | BECKENDORF WILLIAM A TRUSTEE       | Final  | Deny     |
| 10108    | 477904202009 | R1038505023 | 2019     | RICCIARDELLI PETER A               | Final  | Deny     |
| 10009    | 478115201015 | R1041395201 | 2019     | SHAMBAUGH MARK P AS TRUSTEE OF     | Final  | Deny     |
| 10072    | 429524200072 | R2030023595 | 2019     | BRITT LORY LEE                     | Final  | Deny     |
| 10130    | 456533403525 | R1080087525 | 2019     | BRECKENRIDGE INTERESTS LTD A TX LP | Final  | Deny     |
| 10093    | 456534110027 | R1030007857 | 2019     | KANE FLORENCE 50 PERCENT INT AND   | Final  | Deny     |
| 10114    | 477904106005 | R1080020203 | 2019     | HVA LP A FL LP                     | Final  | Deny     |
| 10205    | 456119407004 | R2050092103 | 2019     | FUCIGNA NICOLA AND                 | Final  | Deny     |
| 10213    | 456531201002 | R1030096404 | 2019     | TELECAM PARTNERSHIP II LTD         | Final  | Deny     |
| 10213    | 456531201021 | R1030099004 | 2019     | TELECAM PARTNERSHIP II LTD         | Final  | Deny     |
| 10213    | 456531201022 | R1030099005 | 2019     | TELECAM PARTNERSHIP II LTD         | Final  | Deny     |
| 10091    | 456532416095 | R1031195309 | 2019     | SHOFF ROBERT ANDREW AND            | Final  | Deny     |
| 10195    | 452519102035 | R2060098438 | 2019     | MCKEEVER PATRICK J AND WENDY A JT  | Final  | Deny     |

| Appeal # | Parcel #     | Account #   | Tax Year | Name                                        | Status | Decision |
|----------|--------------|-------------|----------|---------------------------------------------|--------|----------|
| 10199    | 477910200019 | R1080093944 | 2019     | 134 HIGH COUNTRY LLC A CO LLC               | Final  | Deny     |
| 10156    | 477918107005 | R1040089005 | 2019     | ALA LLC A CO CORP                           | Final  | Deny     |
| 10041    | 456113101037 | R1040010387 | 2019     | TWO ROSES RANCH LLC A CO LLC                | Final  | Deny     |
| 10152    | 452132110052 | R1040040008 | 2019     | BRADBURY ALAN                               | Final  | Deny     |
| 10214    | 452103202001 | R1041038705 | 2019     | MILLER DAVID                                | Final  | Adjust   |
| 10073    | 456528319004 | R1030091104 | 2019     | ROSS GERALD S AND CARRIE L JT               | Final  | Adjust   |
| 10222    | 456731305106 | R1010085009 | 2019     | LANGFORD LEONARD COURTNEY TTEE<br>AND ANITA | Final  | Adjust   |
| 10191    | 429535100059 | R2030023870 | 2019     | SNYDER PROPERTIES LLC A CO LLC              | Final  | Adjust   |
| 9999     | 477905402011 | R1040011397 | 2019     | SAUNDERS ERIC A AND                         | Final  | Adjust   |
| 10067    | 477909126358 | R1080092358 | 2019     | MARITTIMI SOLE                              | Final  | Deny     |
| 10082    | 456536302078 | R1010424108 | 2019     | TELLPROP 18 LLC A CO LLC                    | Final  | Deny     |
| 10219    | 456536327005 | R1010041909 | 2019     | TDITD LLC A CO LLC                          | Final  | Adjust   |
| 10232    | 477910100920 | R1080093920 | 2019     | MOORE JEFFREY L                             | Final  | Deny     |
| 10165    | 456524420043 | R1031720045 | 2019     | DEEP CREEK #7 LLC A CO LLC                  | Final  | Adjust   |
| 10142    | 429923200024 | R1040098110 | 2019     | MULLIGAN FAMILY TRUST                       | Final  | Deny     |



| Appeal # | Parcel #     | Account #   | Tax Year | Name                                        | Status | Decision |
|----------|--------------|-------------|----------|---------------------------------------------|--------|----------|
| 9992     | 456534209030 | R1010040047 | 2019     | KOHARI MOIZ AND                             | Final  | Adjust   |
| 10201    | 456532400024 | R1030096024 | 2019     | HANNAHS THOMAS A AND HOLLIE H JT            | Final  | Adjust   |
| 10190    | 456534110020 | R1030726701 | 2019     | MUELLER MARY ELIZABETH                      | Final  | Deny     |
| 10192    | 477904201010 | R1030793508 | 2019     | GALLI BRYAN C , TTEE & GALLI MELISSA M TTEE | Final  | Adjust   |
| 10161    | 477903306070 | R1080020241 | 2019     | HANG GLIDER PARTNERS LP A TX LP             | Final  | Adjust   |
| 10143    | 456318203007 | R1040015955 | 2019     | NGNF LLC                                    | Final  | Adjust   |
| 9981     | 456534206007 | R1030007209 | 2019     | LONDON ALFRED L AND MARILYN C JT            | Final  | Adjust   |
| 10171    | 456534201007 | R1030008640 | 2019     | HAGAN MARY AND MIKE                         | Final  | Adjust   |
| 10028    | 477903208016 | R1080110816 | 2019     | HIGHLAND MANAGEMENT GROUP LLC A CO LLC      | Final  | Deny     |
| 10148    | 477903208022 | R1080110822 | 2019     | ELKSTONE 306 LLC                            | Final  | Deny     |
| 10032    | 477903208024 | R1080110824 | 2019     | STERLING CAPITAL LLC                        | Final  | Deny     |
| 10046    | 477903208028 | R1080110828 | 2019     | STERLING CAPITAL LLC                        | Final  | Deny     |
| 10223    | 477903432001 | R1080030058 | 2019     | SANDERS STEVEN B AND CARRIE AS JT           | Final  | Adjust   |
| 10064    | 456532203006 | R1030007877 | 2019     | SOUKUP JAMES RICHARD AND                    | Final  | Adjust   |
| 9980     | 456532203005 | R1030007134 | 2019     | WELLS WILLIAM A                             | Final  | Adjust   |

| Appeal # | Parcel #     | Account #   | Tax Year | Name                                      | Status | Decision |
|----------|--------------|-------------|----------|-------------------------------------------|--------|----------|
| 9957     | 456532203007 | R1030007890 | 2019     | MILLER AMANDA                             | Final  | Adjust   |
| 9964     | 477903106129 | R1080090153 | 2019     | TELLURIDE MOUNTAIN LIFESTYLE LLC A CO LLC | Final  | Adjust   |
| 9840     | 477903106137 | R1080090161 | 2019     | SABNIK VENTURES LLC A CO LLC              | Final  | Adjust   |
| 9852     | 477903106203 | R1080090251 | 2019     | MV330 LLC A CO LLC                        | Final  | Deny     |
| 10184    | 477903106244 | R1080090296 | 2019     | MADRIDE LLC A CO LLC                      | Final  | Deny     |
| 10040    | 477903201066 | R1080011109 | 2019     | CHRISMAN STEPHEN E AND TRACI L            | Final  | Adjust   |
| 9939     | 477906201070 | R1080011113 | 2019     | HALLIDAY HOLDINGS LLC A CA LLC            | Final  | Adjust   |
| 10017    | 477903201071 | R1080011114 | 2019     | KELLY GREGORY H AND                       | Final  | Adjust   |
| 9838     | 477903201520 | R1080080012 | 2019     | ROMEFELT MARK W AND                       | Final  | Deny     |
| 10088    | 477903201058 | R1080080074 | 2019     | MOY OHANA 3 LLC A CO LLC                  | Final  | Adjust   |
| 9950     | 477903104101 | R1080090382 | 2019     | TELLURIDE A LP AN ONTARIO LP              | Final  | Adjust   |
| 9884     | 477903104102 | R1080090383 | 2019     | CLARK COURCHEVAL B LLC A TX LLC           | Final  | Adjust   |
| 9886     | 477903104104 | R1080090385 | 2019     | COURCHEVAL D LLC A CO LLC                 | Final  | Adjust   |
| 10234    | 477903104105 | R1080090386 | 2019     | FENN JOHN                                 | Final  | Adjust   |
| 9846     | 477903214020 | R1080090373 | 2019     | ALLEN THOMAS E AND                        | Final  | Adjust   |

| Appeal # | Parcel #     | Account #   | Tax Year | Name                                    | Status | Decision |
|----------|--------------|-------------|----------|-----------------------------------------|--------|----------|
| 10025    | 477903100004 | R1080020076 | 2019     | J G MELTON CONDO LP                     | Final  | Adjust   |
| 10183    | 477903109099 | R1080040053 | 2019     | ROBERT DEAN AND                         | Final  | Adjust   |
| 10183    | 477903109100 | R1080040054 | 2019     | ROBERT DEAN AND                         | Final  | Adjust   |
| 10026    | 477903109076 | R1080080006 | 2019     | J G MELTON CONDO LP                     | Final  | Adjust   |
| 9907     | 477903114052 | R1080011105 | 2019     | HOLY COW INVESTMENTS LLC A VA LLC       | Final  | Deny     |
| 10107    | 477903112007 | R1080000008 | 2019     | RICCIARDELLI PETER A                    | Final  | Deny     |
| 10065    | 477903112024 | R1080030036 | 2019     | BROWN KEITH M                           | Final  | Deny     |
| 9828     | 456534403452 | R1080110452 | 2019     | LRW 2013 LLC A CO LLC                   | Final  | Deny     |
| 9911     | 456534403511 | R1080110511 | 2019     | ZIV DROR DANIEL                         | Final  | Adjust   |
| 10127    | 456534403515 | R1080110515 | 2019     | BASHVITZ GAD                            | Final  | Adjust   |
| 10186    | 456534403019 | R1089200721 | 2019     | BIG AIR LLC A TX LLC                    | Final  | Adjust   |
| 9983     | 456534407010 | R1080000076 | 2019     | KENTUCKY TELLURIDE DEVELOPMT LTD        | Final  | Adjust   |
| 10079    | 456534407014 | R1080000077 | 2019     | S3K LLC A CO LLC                        | Final  | Adjust   |
| 10177    | 477903101091 | R1080097006 | 2019     | RAUFF YVETTE AND                        | Final  | Adjust   |
| 9924     | 477903101093 | R1080097008 | 2019     | SWANSON ROCKWELL WILLIAM AND<br>SWANSON | Final  | Adjust   |

| Appeal # | Parcel #     | Account #   | Tax Year | Name                                           | Status | Decision |
|----------|--------------|-------------|----------|------------------------------------------------|--------|----------|
| 9868     | 477903101096 | R1080097011 | 2019     | GRANITA LODGES LLC A NE LLC                    | Final  | Adjust   |
| 10237    | 456534403327 | R1080110327 | 2019     | ALLISON AMY                                    | Final  | Adjust   |
| 10162    | 477903201218 | R1080091018 | 2019     | VILA ANA SOUTO                                 | Final  | Adjust   |
| 10168    | 477903201220 | R1080091020 | 2019     | CROWDER J. CALVIN AND                          | Final  | Adjust   |
| 10179    | 477903201209 | R1080395009 | 2019     | WILSON NANCY C REVOCABLE TRUST UAD<br>12/15/04 | Final  | Adjust   |
| 9912     | 477903201215 | R1080395015 | 2019     | TELLURIDE AT LAST LLC A CO LLC                 | Final  | Adjust   |
| 9915     | 456533405007 | R1080097652 | 2019     | BOCK WALTER H AND BEVERLY A TTES OF            | Final  | Adjust   |
| 9913     | 456534406010 | R1080095110 | 2019     | BROWN LINDA L REVOCABLE TRUST                  | Final  | Adjust   |
| 10103    | 477903115002 | R1080097030 | 2019     | AERC INVESTMENTS                               | Final  | Deny     |
| 9984     | 456534333035 | R1080010256 | 2019     | LENNON WILLIAM H                               | Final  | Deny     |
| 10231    | 456534333021 | R1080099076 | 2019     | CA 333 ADAMS RANCH LLC                         | Final  | Deny     |
| 9881     | 456534402030 | R1080093119 | 2019     | ECKLEY DAVID W                                 | Final  | Deny     |
| 9824     | 477903203079 | R1080000279 | 2019     | KLEMPNER INVESTMENTS LLC A WY LLC              | Final  | Deny     |
| 10220    | 477903114003 | R1080000362 | 2019     | JOYFUL DOGS LLC A CO LLC                       | Final  | Adjust   |
| 10061    | 456534301025 | R1080000150 | 2019     | MEEKS FAMILY LIMITED PARTNERSHIP               | Final  | Adjust   |



| Appeal # | Parcel #     | Account #   | Tax Year | Name                               | Status | Decision |
|----------|--------------|-------------|----------|------------------------------------|--------|----------|
| 10060    | 456534301026 | R1080000151 | 2019     | CORNERSTONE RETREAT PROPERTIES LLC | Final  | Adjust   |
| 10058    | 456534301027 | R1080010154 | 2019     | LEISER THOMAS A AND PHYLLIS F JT   | Final  | Adjust   |
| 10096    | 477903204006 | R1080010201 | 2019     | CAVALLARO PAUL                     | Final  | Adjust   |
| 10167    | 477903204008 | R1080010203 | 2019     | BATTON BRANDON                     | Final  | Adjust   |
| 10141    | 477903101220 | R1080050111 | 2019     | JODLOWSKI ANNEMARIE                | Final  | Deny     |
| 9890     | 477904206745 | R1080040063 | 2019     | JAMES DANIEL W AND ELIZABETH R JT  | Final  | Adjust   |
| 9970     | 477904206747 | R1080040065 | 2019     | OUPADIA PAUL P AND                 | Final  | Adjust   |
| 10221    | 477904206748 | R1080040066 | 2019     | HAIZLIP HENRY AND SARAH            | Final  | Adjust   |
| 10027    | 477903205004 | R1080050081 | 2019     | WAGNER STEPHEN M AND NANCY A AS JT | Final  | Deny     |
| 10055    | 477903306166 | R1080110676 | 2019     | FORBES ROAD INC A CALIFORNIA CORP  | Final  | Deny     |
| 10104    | 477903306168 | R1080110678 | 2019     | CTCT MV LLC A TX LLC               | Final  | Adjust   |
| 10233    | 477903201201 | R1080095158 | 2019     | KINGSLEY INDUSTRIAL LLC A TX LLC   | Final  | Adjust   |
| 9916     | 456536315029 | R1010087025 | 2019     | MORRELL CALVIN AND                 | Final  | Deny     |
| 10019    | 477901140024 | R1010094028 | 2019     | ZIVIAN MICHAEL T AND IRINA JT      | Final  | Deny     |
| 9973     | 477901140025 | R1010094029 | 2019     | KLIMEK ROBERT J EXEMPT SHARE B TST | Final  | Deny     |

| Appeal # | Parcel #     | Account #   | Tax Year | Name                                  | Status | Decision |
|----------|--------------|-------------|----------|---------------------------------------|--------|----------|
| 9855     | 477901250003 | R1010010140 | 2019     | VAUGHN JACK C AND                     | Final  | Deny     |
| 10144    | 477901208102 | R1010060080 | 2019     | BRENNER MARGARET TWOMEY AND           | Final  | Deny     |
| 9910     | 477901202028 | R1010895904 | 2019     | ANDERSON CHRIS AND                    | Final  | Deny     |
| 9914     | 456536319017 | R1010000687 | 2019     | ANDERSON CHRIS                        | Final  | Deny     |
| 9986     | 456534324022 | R1010010316 | 2019     | DELONG RAY AND DELONG MIA TRTEES OF   | Final  | Adjust   |
| 10011    | 456536318025 | R1010002539 | 2019     | MOMAS INVESTMENTS LLC AN IN LLC       | Final  | Adjust   |
| 10016    | 456536316040 | R1010030030 | 2019     | SHEILS A AND A LLC A GA LLC           | Final  | Deny     |
| 9844     | 456536316041 | R1010030031 | 2019     | ERRICO THEODORE A                     | Final  | Adjust   |
| 10178    | 477901203026 | R1010040053 | 2019     | TELLURIDE BLUE DOOR LLC A CO LLC      | Final  | Adjust   |
| 9952     | 456536326117 | R1010018001 | 2019     | MAXON PATRICIA ANNE TRUST DTD 6/11/19 | Final  | Adjust   |
| 10018    | 456536326118 | R1010018002 | 2019     | GUSTAFSON JOHN                        | Final  | Adjust   |
| 9867     | 456536326107 | R1010060068 | 2019     | HARRINGTON JOHN B                     | Final  | Adjust   |
| 10057    | 456536326116 | R1010060077 | 2019     | DOMINGUEZ STEVEN RICHARD              | Final  | Adjust   |
| 10106    | 456536326062 | R1010070048 | 2019     | ALEXANDER ANDREA K                    | Final  | Adjust   |
| 9985     | 456536326064 | R1010070050 | 2019     | POWDERHOUND PROPERTIES LLC A FL LLC   | Final  | Adjust   |

| Appeal # | Parcel #     | Account #   | Tax Year | Name                                | Status | Decision |
|----------|--------------|-------------|----------|-------------------------------------|--------|----------|
| 10169    | 456536326308 | R1010093208 | 2019     | HANLEY ANN KIMBERLY                 | Final  | Adjust   |
| 9848     | 456536326309 | R1010093209 | 2019     | ERRICO THEODORE A AS TRUSTEE OF THE | Final  | Adjust   |
| 9936     | 456536326311 | R1010093211 | 2019     | WARD SCOTT R AND                    | Final  | Adjust   |
| 9937     | 456536326312 | R1010093212 | 2019     | OWL ALWAYS LOVE YOU LLC             | Final  | Adjust   |
| 10238    | 456536326061 | R1010070047 | 2019     | BASLER DENNIS AND                   | Final  | Adjust   |
| 10029    | 477901107031 | R1010070026 | 2019     | HAMMER CHARLES                      | Final  | Deny     |
| 9883     | 456536318056 | R1010090217 | 2019     | KING WAYNE                          | Final  | Deny     |
| 10095    | 477901207094 | R1011100319 | 2019     | DEEP CREEK #3 LLC A CO LLC          | Final  | Deny     |
| 10095    | 477901207113 | R1011195417 | 2019     | DEEP CREEK #3 LLC A CO LLC          | Final  | Deny     |
| 10172    | 477901207105 | R1011195409 | 2019     | HAGAN MARY AND                      | Final  | Deny     |
| 10042    | 477901229019 | R1010097020 | 2019     | PFAFF RYAN                          | Final  | Deny     |
| 10102    | 477901229032 | R1010097033 | 2019     | BLOEMSMA VAN NES LAUREN             | Final  | Deny     |
| 10054    | 477901123205 | R1010098037 | 2019     | TURBO TELLURIDE LLC A TX LLC        | Final  | Deny     |
| 9971     | 456536329021 | R1010000799 | 2019     | BYNUM ZACHARY DANIEL AND            | Final  | Adjust   |
| 9972     | 456536329023 | R1010004572 | 2019     | BYNUM C KELLY AND BARBARA K AS JT   | Final  | Adjust   |

| Appeal # | Parcel #     | Account #   | Tax Year | Name                                                            | Status | Decision |
|----------|--------------|-------------|----------|-----------------------------------------------------------------|--------|----------|
| 9974     | 456536317026 | R1010000241 | 2019     | MILORD JEROME F AND                                             | Final  | Adjust   |
| 10056    | 477901207018 | R1010086104 | 2019     | SYVERSON MICHAEL                                                | Final  | Adjust   |
| 10185    | 477901207020 | R1010086106 | 2019     | SHINE BRENDAN F AND                                             | Final  | Adjust   |
| 10180    | 477901203019 | R1010087986 | 2019     | WRIGHT WALTER                                                   | Final  | Adjust   |
| 10182    | 477901203020 | R1010087987 | 2019     | TELLURIDE BASE CAMP LLC A TX LLC                                | Final  | Deny     |
| 9943     | 456536331002 | R1010000638 | 2019     | ELDER LLC A CO LLC                                              | Final  | Adjust   |
| 10236    | 456536331004 | R1010000802 | 2019     | BURN FAMILY LIVING TRUST DD 10/5/16                             | Final  | Adjust   |
| 9885     | 456536331011 | R1010002315 | 2019     | FOX KURT MICHAEL                                                | Final  | Adjust   |
| 10124    | 456536331003 | R1010002607 | 2019     | CLENDENEN WILLIAM AND                                           | Final  | Adjust   |
| 9962     | 456536332019 | R1010004130 | 2019     | ALLEN KARI K TTE OF THE KARI K ALLEN TR<br>DTD 3 8 2009 AMENDED | Final  | Deny     |
| 10105    | 477901213010 | R1010003487 | 2019     | COBB RIVER CORP                                                 | Final  | Adjust   |
| 10189    | 456536327095 | R1010000680 | 2019     | GASSMAN EDWARD C AND ANN L AND                                  | Final  | Deny     |
| 10187    | 456536327064 | R1010001720 | 2019     | NICKELL KEVIN G AND CATHERINE G AS JT                           | Final  | Adjust   |
| 10170    | 456536327119 | R1010098084 | 2019     | HAGAN MARY O AND CARL M AS JT                                   | Final  | Adjust   |
| 9841     | 456536311089 | R1010096035 | 2019     | ROADHOUSE JANET G                                               | Final  | Adjust   |

| Appeal # | Parcel #     | Account #   | Tax Year | Name                               | Status | Decision |
|----------|--------------|-------------|----------|------------------------------------|--------|----------|
| 9934     | 456536311023 | R1018094120 | 2019     | DAVIS MICHELLE Y                   | Final  | Adjust   |
| 10154    | 456536311029 | R1018094126 | 2019     | VENNE NANCY                        | Final  | Adjust   |
| 9982     | 477901212063 | R1010094041 | 2019     | SAILER JAY B                       | Final  | Adjust   |
| 10132    | 477901212045 | R1014399063 | 2019     | RIGLER MARK L AND                  | Final  | Adjust   |
| 9908     | 477901212048 | R1014399066 | 2019     | THICKER THAN WATER PRODUCTIONS LLC | Final  | Adjust   |
| 9847     | 456536329017 | R1010002818 | 2019     | HOLSINGER KENT                     | Final  | Adjust   |
| 10078    | 456536411022 | R1010080011 | 2019     | HEART OF TELLURIDE LLC A CO LLC    | Final  | Adjust   |
| 10078    | 456536411016 | R1010087408 | 2019     | HEART OF TELLURIDE LLC A CO LLC    | Final  | Adjust   |
| 10163    | 456536328006 | R1010010006 | 2019     | TERAN TIMOTHY E A                  | Final  | Adjust   |
| 10149    | 456536328061 | R1010030016 | 2019     | RNE INVESTMENTS LLC A CO LLC       | Final  | Adjust   |
| 10122    | 477901136106 | R1014901015 | 2019     | FALL LINE CONDOS 2 LLC A CO LLC    | Final  | Adjust   |
| 10122    | 477901136049 | R1014986002 | 2019     | FALL LINE CONDOS LLC A CO LLC      | Final  | Adjust   |
| 10122    | 477901136058 | R1014986011 | 2019     | FALL LINE CONDOS 2 LLC A CO LLC    | Final  | Adjust   |
| 10122    | 477901136059 | R1014986012 | 2019     | FALL LINE CONDOS LLC A CO LLC      | Final  | Adjust   |
| 10122    | 477901136060 | R1014986013 | 2019     | FALL LINE CONDOS LLC A CO LLC      | Final  | Adjust   |



| Appeal # | Parcel #     | Account #   | Tax Year | Name                                          | Status | Decision |
|----------|--------------|-------------|----------|-----------------------------------------------|--------|----------|
| 10122    | 477901136068 | R1014986021 | 2019     | FALL LINE CONDOS 2 LLC A CO LLC               | Final  | Adjust   |
| 10115    | 477901136048 | R1014986001 | 2019     | SCHUMACK HELEN M                              | Final  | Adjust   |
| 9909     | 477901136077 | R1014986030 | 2019     | STINCHCOMB DAVID E AND ANN                    | Final  | Adjust   |
| 9850     | 477901117015 | R1010000730 | 2019     | HALL CRAIG WILLIAM AND                        | Final  | Adjust   |
| 9925     | 477901134019 | R1010005042 | 2019     | COMMUNITY HOLDINGS OF BOULDER INC             | Final  | Deny     |
| 10153    | 477901134021 | R1010005044 | 2019     | DURANGO INVESTMENTS LLC                       | Final  | Deny     |
| 10048    | 477901134023 | R1010005046 | 2019     | DAVIS OSCAR L AND SUSAN AS JT                 | Final  | Deny     |
| 10047    | 477901134024 | R1010005047 | 2019     | MALOY ARIC                                    | Final  | Deny     |
| 10053    | 477901134003 | R1010005100 | 2019     | HAYS KRISTIN AND RANDAL AS JT                 | Final  | Deny     |
| 10087    | 477901134007 | R1010005104 | 2019     | TRAD MARY ELLEN AND TRAD JOSEPH<br>JEROME AND | Final  | Deny     |
| 10052    | 477901134008 | R1010005105 | 2019     | DECESSNA PAUL B                               | Final  | Deny     |
| 10112    | 477901134009 | R1010005106 | 2019     | MOFFATT LORA A INDIVIDUALLY                   | Final  | Deny     |
| 9849     | 477901134010 | R1010005107 | 2019     | CERCONE MARY ANN AND DAVID S AS JT            | Final  | Adjust   |
| 10051    | 477901134011 | R1010005108 | 2019     | EDWARDS SAMUEL ERIC AND                       | Final  | Deny     |
| 10147    | 477901134012 | R1010005109 | 2019     | JOHNSTON AL AND JOYCE SCHOLARSHIP<br>FUND     | Final  | Deny     |

| Appeal # | Parcel #     | Account #   | Tax Year | Name                            | Status | Decision |
|----------|--------------|-------------|----------|---------------------------------|--------|----------|
| 10050    | 477901134013 | R1010005110 | 2019     | KRONEMEYER ELYN AND JEFF        | Final  | Deny     |
| 10049    | 477901134014 | R1010005111 | 2019     | KELLEY AMY T AND PETER P        | Final  | Deny     |
| 10109    | 477901114027 | R1010092003 | 2019     | THOMPSON TODD AND DIANE JT      | Final  | Adjust   |
| 10012    | 477901137028 | R1010003776 | 2019     | SHAMBAUGH MARK P TRUSTEE        | Final  | Adjust   |
| 9854     | 477901201038 | R1010040030 | 2019     | HIGH ALPINE LIVING LLC A CO LLC | Final  | Adjust   |
| 10215    | 477901250035 | R1010100076 | 2019     | POPEK MICHAEL AND KAREN ALANA   | Final  | Adjust   |
| 10150    | 477901207097 | R1011195401 | 2019     | PIETERSE NICOLE Y AND           | Final  | Adjust   |
| 10135    | 477901207060 | R1011195207 | 2019     | ASPIRING PROPERTIES LLC         | Final  | Adjust   |
| 10135    | 477901207062 | R1011195209 | 2019     | ASPIRING PROPERTIES LLC         | Final  | Adjust   |
| 9832     | 456532119002 | R1030095514 | 2019     | BEDFORD JAMES M AND             | Final  | Adjust   |
| 10207    | 456536312014 | R1010091205 | 2019     | JOHNSON JAMES M REV TRUST       | Final  | Deny     |
| 10194    | 429519300018 | R2030089105 | 2019     | JOHNSON MATT                    | Final  | Deny     |
| 10200    | 456536406022 | R1010002664 | 2019     | 225 W GREGORY LLC A CO LLC      | Final  | Deny     |
| 10038    | 477918107011 | R1040094075 | 2019     | 8121 PRESERVE LLC A DE LLC      | Final  | Adjust   |
| 10038    | 477918107012 | R1040094076 | 2019     | 8121 PRESERVE LLC A DE LLC      | Final  | Adjust   |

| Appeal # | Parcel #     | Account #   | Tax Year | Name                          | Status | Decision |
|----------|--------------|-------------|----------|-------------------------------|--------|----------|
| 10071    | 456536303021 | R1010088645 | 2019     | NELSON WILLIAM H AND CHERYL M | Final  | Adjust   |
| 10081    | 456536302079 | R1010424109 | 2019     | TELLPROP 19 LLC A CO LLC      | Final  | Adjust   |
| 10239    | 477706105001 | R1030050022 | 2019     | BASLER DENNIS AND             | Final  | Deny     |
| 10030    | 456536302052 | R1010040023 | 2019     | 425 W GALENA LLC A CO LLC     | Final  | Deny     |
| 10212    | 456531201027 | R1030090005 | 2019     | TELECAM PARTNERSHIP II LTD    | Final  | Deny     |
| 10212    | 456531201024 | R1030099007 | 2019     | TELECAM PARTNERSHIP II LTD    | Final  | Deny     |
| 10020    | 456535401002 | R1010096407 | 2019     | LOTJAY PARTNERS LLC A CO LLC  | Final  | Adjust   |
| 10129    | 478130400035 | R1040094206 | 2019     | NICHOLS WILLIAM R             | Final  | Deny     |
| 10224    | 456536422020 | R1010020015 | 2019     | HEIN THOMAS E JR              | Final  | Deny     |
| 10166    | 429520403091 | R2030090004 | 2019     | HAGAN MICHAEL AND             | Final  | Deny     |
| 9898     | 456534401091 | R1080110661 | 2019     | MV COLORADO DEVELOPMENT       | Final  | Adjust   |
| 10249    | 477903334337 | R1080930377 | 2019     | SCHILLER DEBBIE               | Open   |          |
| 10243    | 452111203013 | R1040015480 | 2019     | SPITFIRE REALTY LLC A TX LLC  | Final  | Adjust   |
| 10244    | 452120100073 | R1040092861 | 2019     | SPITFIRE REALTY LLC A TX LLC  | Final  | Deny     |
| 10245    | 452113302018 | R1040012394 | 2019     | SPITFIRE REALTY LLC A TX LLC  | Final  | Deny     |

| Appeal # | Parcel #     | Account #   | Tax Year | Name                                         | Status | Decision |
|----------|--------------|-------------|----------|----------------------------------------------|--------|----------|
| 10246    | 452111401001 | R1040014142 | 2019     | SPITFIRE REALTY LLC A TX LLC                 | Final  | Deny     |
| 10131    | 456536313002 | R1010090090 | 2019     | EDWARDS ROSE G REV TST DTD 7 2 14 50%<br>INT | Final  | Deny     |
| 9872     | 478117200013 | R1040091270 | 2019     | SCHMID FAMILY RANCH LLC A CO LLC             | Final  | Adjust   |
| 9872     | 478109400006 | R1040015260 | 2019     | SCHMID FAMILY RANCH LLC A CO LLC             | Final  | Adjust   |
| 10247    | 456534404006 | R1080094020 | 2019     | PRESSLER LEE AND AMY AS JT                   | Final  | Deny     |
| 10139    | 477904112456 | R1080020101 | 2019     | TELLURIDE LOT 175 LLC                        | Final  | Adjust   |
| 10074    | 456731306017 | R1010093007 | 2019     | WINDHORSE PROPERTIES LLC A CO LLC            | Final  | Adjust   |
| 10074    | 456731306018 | R1010093008 | 2019     | WINDHORSE PROPERTIES LLC A CO LLC            | Final  | Adjust   |
| 10074    | 456731305048 | R1010093014 | 2019     | WINDHORSE PROPERTIES LLC A CO LLC            | Final  | Adjust   |
| 10074    | 477901104015 | R1010093015 | 2019     | WINDHORSE PROPERTIES LLC A CO LLC            | Final  | Adjust   |
| 10074    | 477901104017 | R1010093016 | 2019     | WINDHORSE PROPERTIES LLC A CO LLC            | Final  | Adjust   |
| 10074    | 456731305131 | R1010093019 | 2019     | WINDHORSE PROPERTIES LLC A CO LLC            | Final  | Adjust   |
| 10074    | 456731305132 | R1010093020 | 2019     | WINDHORSE PROPERTIES LLC A CO LLC            | Final  | Adjust   |
| 10074    | 456731306019 | R1010093023 | 2019     | TOWN OF TELLURIDE                            | Final  | Adjust   |
| 10063    | 477901118011 | R1010004435 | 2019     | SUMMER OF 72 LLC                             | Final  | Adjust   |

| Appeal # | Parcel #     | Account #   | Tax Year | Name                             | Status | Decision |
|----------|--------------|-------------|----------|----------------------------------|--------|----------|
| 10063    | 477901118027 | R1010964436 | 2019     | SUMMER OF 72 LLC                 | Final  | Adjust   |
| 10116    | 477903207012 | R1080070042 | 2019     | TELLURIDE MOUNTAIN VILLAGE       | Final  | Adjust   |
| 10116    | 477903107001 | R1080090008 | 2019     | TELLURIDE MOUNTAIN VILLAGE       | Final  | Adjust   |
| 10116    | 477903107040 | R1080140001 | 2019     | TELLURIDE MOUNTAIN VILLAGE       | Final  | Adjust   |
| 10092    | 477901119003 | R1010002230 | 2019     | KANE CORPORATION                 | Final  | Deny     |
| 10062    | 456536411013 | R1010087405 | 2019     | DYNAMO PROPERTIES LLC            | Final  | Adjust   |
| 10062    | 456536411014 | R1010087406 | 2019     | DYNAMO PROPERTIES LLC            | Final  | Adjust   |
| 10173    | 477901207035 | R1011195004 | 2019     | HIGH COUNTRY PROPERTIES PARTNERS | Final  | Adjust   |
| 10173    | 477901207042 | R1011195011 | 2019     | HIGH COUNTRY PROPERTIES PARTNERS | Final  | Adjust   |
| 10173    | 477901207064 | R1011195211 | 2019     | HIGH COUNTRY PROPERTIES PARTNERS | Final  | Adjust   |
| 10173    | 477901207068 | R1011195216 | 2019     | HIGH COUNTRY PROPERTIES PARTNERS | Final  | Adjust   |
| 10173    | 477901207070 | R1011195218 | 2019     | HIGH COUNTRY PROPERTIES PARTNERS | Final  | Adjust   |
| 10173    | 477901207072 | R1011195220 | 2019     | HIGH COUNTRY PROPERTIES PARTNERS | Final  | Adjust   |
| 10173    | 477901207076 | R1011195302 | 2019     | HIGH COUNTRY PROPERTIES PARTNERS | Final  | Adjust   |
| 10173    | 477901207077 | R1011195303 | 2019     | HIGH COUNTRY PROPERTIES PARTNERS | Final  | Adjust   |



| Appeal # | Parcel #     | Account #   | Tax Year | Name                             | Status | Decision |
|----------|--------------|-------------|----------|----------------------------------|--------|----------|
| 10173    | 477901207079 | R1011195305 | 2019     | HIGH COUNTRY PROPERTIES PARTNERS | Final  | Adjust   |
| 10173    | 477901207080 | R1011195306 | 2019     | HIGH COUNTRY PROPERTIES PARTNERS | Final  | Adjust   |
| 10173    | 477901207081 | R1011195307 | 2019     | HIGH COUNTRY PROPERTIES PARTNERS | Final  | Adjust   |
| 10173    | 477901207083 | R1011195309 | 2019     | HIGH COUNTRY PROPERTIES PARTNERS | Final  | Adjust   |
| 10173    | 477901207084 | R1011195310 | 2019     | HIGH COUNTRY PROPERTIES PARTNERS | Final  | Adjust   |
| 10173    | 477901207085 | R1011195311 | 2019     | HIGH COUNTRY PROPERTIES PARTNERS | Final  | Adjust   |
| 10173    | 477901207086 | R1011195312 | 2019     | HIGH COUNTRY PROPERTIES PARTNERS | Final  | Adjust   |
| 10174    | 477901207121 | R1010040008 | 2019     | HIGH COUNTRY PROPERTIES PARTNERS | Final  | Adjust   |
| 10174    | 477901207122 | R1010040009 | 2019     | HIGH COUNTRY PROPERTIES PARTNERS | Final  | Adjust   |
| 10174    | 477901207063 | R1011195210 | 2019     | HIGH COUNTRY PROPERTIES PARTNERS | Final  | Adjust   |
| 10174    | 477901207074 | R1011195222 | 2019     | HIGH COUNTRY PROPERTIES PARTNERS | Final  | Adjust   |
| 10158    | 477901207033 | R1011195002 | 2019     | EB RIVER LLC A COLORADO LLC      | Final  | Adjust   |
| 10158    | 477901207034 | R1011195003 | 2019     | EB RIVER LLC A CO LLC            | Final  | Adjust   |
| 10158    | 477901207044 | R1011195013 | 2019     | EB RIVER LLC A COLORADO LLC      | Final  | Adjust   |
| 10158    | 477901207045 | R1011195014 | 2019     | EB RIVER LLC A COLORADO LLC      | Final  | Adjust   |

| Appeal # | Parcel #     | Account #   | Tax Year | Name                                  | Status | Decision |
|----------|--------------|-------------|----------|---------------------------------------|--------|----------|
| 10158    | 477901207054 | R1011195201 | 2019     | EB RIVER LLC A COLORADO LLC           | Final  | Adjust   |
| 10158    | 477901207065 | R1011195213 | 2019     | EB RIVER LLC A COLORADO LLC           | Final  | Adjust   |
| 10158    | 477901207066 | R1011195214 | 2019     | EB RIVER LLC A COLORADO LLC           | Final  | Adjust   |
| 10098    | 477903107084 | R1080095228 | 2019     | CSO BLUE MESA PARTNERS A NY LP ET AL  | Final  | Adjust   |
| 10098    | 477903107078 | R1080095230 | 2019     | CSO BLUE MESA PARTNERS A NY LP        | Final  | Adjust   |
| 10098    | 477903107081 | R1080095232 | 2019     | CSO BLUE MESA PARTNERS A NY LP        | Final  | Adjust   |
| 10098    | 477903107083 | R1080095233 | 2019     | CSO BLUE MESA PARTNERS A NY LP        | Final  | Adjust   |
| 10097    | 477903107079 | R1080095229 | 2019     | CANSAN LLC A CO LLC                   | Final  | Adjust   |
| 10097    | 477903107080 | R1080095231 | 2019     | CANSAN LLC A CO LLC                   | Final  | Adjust   |
| 10097    | 477903107082 | R1080095234 | 2019     | CANSAN LLC A CO LLC                   | Final  | Adjust   |
| 10097    | 477903107085 | R1080095235 | 2019     | CANSAN LLC A CO LLC                   | Final  | Adjust   |
| 9979     | 477902202011 | R1080016111 | 2019     | COONSKIN RIDGE CABIN LOT LLC A MI LLC | Final  | Adjust   |
| 9966     | 477901114031 | R1010098005 | 2019     | BARKER JENNIFER L                     | Final  | Adjust   |
| 9906     | 477901151007 | R1010087720 | 2019     | STORMQUIST LLC A CO LCL               | Final  | Adjust   |
| 9969     | 477901123024 | R1010002006 | 2019     | CREEL TODD O                          | Final  | Adjust   |

| Appeal # | Parcel #     | Account #   | Tax Year | Name                              | Status | Decision |
|----------|--------------|-------------|----------|-----------------------------------|--------|----------|
| 9968     | 477901106101 | R1010060088 | 2019     | DEPOT PROPERTIES LLC A CO LLC     | Final  | Adjust   |
| 9967     | 477901123022 | R1010002004 | 2019     | CREEL TODD O                      | Final  | Adjust   |
| 10225    | 429527202015 | R2019721235 | 2019     | ROYER DAVID D AND PATTI JO        | Final  | Adjust   |
| 10258    | 477901113014 | R1010890501 | 2019     | COLORADO I/J LLC A CO LLC         | Open   |          |
| 10024    | 477901109009 | R1010097054 | 2019     | TELLURIDE PLAZA PARTNERS LP       | Final  | Deny     |
| 10023    | 477901109010 | R1010097056 | 2019     | TELLURIDE PLAZA PARTNERS LP       | Final  | Deny     |
| 10022    | 477901109007 | R1010097053 | 2019     | TELLURIDE PLAZA PARTNERS LP       | Final  | Deny     |
| 10021    | 477901109005 | R1010097051 | 2019     | TELLURIDE PLAZA PARTNERS LP       | Final  | Deny     |
| 10254    | 456536422020 | R1010020015 | 2019     | HEIN THOMAS E JR                  | Open   |          |
| 10253    | 477903310306 | R1080088306 | 2019     | HEIM MICHAEL F AND LISA M         | Open   |          |
| 10250    | 482508302092 | R1040010410 | 2019     | BURGER SCOTT P                    | Open   |          |
| 10248    | 456113202027 | R1040096269 | 2019     | WALDBAUM NAOMI ZIPPORAH UNDER N Z | Open   |          |
| 9977     | 477901121100 | R1010010200 | 2019     | LANGLADE ONE LLC A CO LLC         | Final  | Adjust   |
| 9975     | 477901122010 | R1010092367 | 2019     | HORN HERITAGE LLC                 | Final  | Adjust   |
| 9975     | 477901122011 | R1010092368 | 2019     | HORN HERITAGE LLC                 | Final  | Adjust   |

| Appeal # | Parcel #     | Account #   | Tax Year | Name                                 | Status | Decision |
|----------|--------------|-------------|----------|--------------------------------------|--------|----------|
| 9975     | 477901122024 | R1010096368 | 2019     | HORN HERITAGE LLC                    | Final  | Adjust   |
| 9975     | 477901122025 | R1010096369 | 2019     | HORN HERITAGE LLC                    | Final  | Adjust   |
| 10175    | 477901122018 | R1010092375 | 2019     | RICCIARDELLI PETER A                 | Final  | Adjust   |
| 10176    | 477903106250 | R1080090303 | 2019     | PROUST PROPERTIES LLC A CO LLC       | Final  | Adjust   |
| 10176    | 477903106276 | R1080090329 | 2019     | PROUST PROPERTIES LLC A CO LLC       | Final  | Adjust   |
| 10045    | 477901121012 | R1010004990 | 2019     | BRIDAL VEIL INVESTMENTS LLC A TX LLC | Final  | Adjust   |
| 10044    | 477901121011 | R1010004980 | 2019     | BRIDAL VEIL INVESTMENTS LLC A TX LLC | Final  | Adjust   |
| 9878     | 477901203042 | R1010090056 | 2019     | COLUMBIA TELLURIDE LLC A CO LLC      | Final  | Adjust   |
| 9878     | 477901203043 | R1010090057 | 2019     | COLUMBIA TELLURIDE LLC A CO LLC      | Final  | Adjust   |
| 9878     | 477901203044 | R1010090058 | 2019     | COLUMBIA TELLURIDE LLC A CO LLC      | Final  | Adjust   |
| 9878     | 477901203045 | R1010090059 | 2019     | COLUMBIA TELLURIDE LLC A CO LLC      | Final  | Adjust   |
| 9878     | 477901203046 | R1010090060 | 2019     | COLUMBIA TELLURIDE LLC A CO LLC      | Final  | Adjust   |
| 9877     | 477901122008 | R1010092365 | 2019     | MOLEN HERITAGE LLC A CO LLC          | Final  | Adjust   |
| 9976     | 477901151002 | R1010087715 | 2019     | HORN ELKS LLC                        | Final  | Deny     |
| 9830     | 477901123208 | R1010099063 | 2019     | OUT OF CONTROL LLC A CO LLC          | Final  | Adjust   |

| Appeal # | Parcel #     | Account #   | Tax Year | Name                                  | Status | Decision |
|----------|--------------|-------------|----------|---------------------------------------|--------|----------|
| 10136    | 477901122041 | R1010006041 | 2019     | WINTERCROWN ASSOCIATES LP             | Final  | Adjust   |
| 10111    | 477901137017 | R1010000801 | 2019     | SAN JUAN AVENUE LLC                   | Final  | Adjust   |
| 10111    | 477901137016 | R1010000834 | 2019     | SAN JUAN AVENUE LLC                   | Final  | Adjust   |
| 10260    | 477901122042 | R1010006042 | 2019     | WINTERCROWN ASSOCIATES LP             | Final  | Adjust   |
| 10262    | 456531201023 | R1030099006 | 2019     | TELECAM PARTNERSHIP II LTD            | Final  | Adjust   |
| 10261    | 456531201028 | R1030090006 | 2019     | TELECAM PARTNERSHIP II LTD            | Final  | Deny     |
| 10059    | 456534301028 | R1080010153 | 2019     | VALTELLURIDE PARTNERS LLC A CO LLC    | Final  | Adjust   |
| 10211    | 456531201026 | R1030099046 | 2019     | JONES CHEROSKE LLC A CO LLC           | Final  | Adjust   |
| 10037    | 477903114002 | R1080000361 | 2019     | LEE SHORE TFP LLC A MI LLC            | Final  | Adjust   |
| 10036    | 477901250050 | R1010100091 | 2019     | ORLOFF DAVID A AND                    | Final  | Adjust   |
| 9931     | 477903212002 | R1080030047 | 2019     | BLIEDEN J MARK AND SUSAN JT           | Final  | Deny     |
| 9928     | 456534403338 | R1080110338 | 2019     | NANNA LLC A CO LLC                    | Final  | Adjust   |
| 10218    | 477903405003 | R1080050024 | 2019     | ELEVATION DEVELOPMENT LLC A CO LLC    | Final  | Deny     |
| 9978     | 477902202006 | R1080001616 | 2019     | COONSKIN RIDGE CABIN LOT LLC A MI LLC | Final  | Adjust   |
| 9978     | 477902202026 | R1080008014 | 2019     | COONSKIN RIDGE CABIN LOT LLC A MI LLC | Final  | Adjust   |



| Appeal # | Parcel #     | Account #   | Tax Year | Name                                 | Status | Decision |
|----------|--------------|-------------|----------|--------------------------------------|--------|----------|
| 10034    | 456536422007 | R1010002280 | 2019     | ALTUPA LLC A CO LLC                  | Final  | Deny     |
| 10100    | 456536301011 | R1010094577 | 2019     | GORDON WILLIAM W AND                 | Final  | Deny     |
| 10085    | 477901112024 | R1010020020 | 2019     | HODES FAMILY TRUST UTA DATED 8 14 00 | Final  | Deny     |
| 10075    | 456536406047 | R1010020019 | 2019     | HICKCOX TRUST DTD MARCH 21 2016      | Final  | Deny     |
| 10146    | 477904407413 | R1080890413 | 2019     | MASTER OOGWAY LLC                    | Final  | Adjust   |
| 10134    | 456531201017 | R1030964425 | 2019     | SUNSHINE STORAGE LLC A CO LLC        | Final  | Adjust   |
| 9965     | 456533423019 | R1080030023 | 2019     | THORPE RICHARD C AND                 | Final  | Deny     |
| 10229    | 452111400017 | R1040090730 | 2019     | TRI BAR RANCH COMPANY A TX LP        | Final  | Deny     |
| 10204    | 477904302022 | R1030007917 | 2019     | SPRUCE GOOSE LLC                     | Final  | Adjust   |
| 9989     | 456531201018 | R1030963425 | 2019     | PAULS FAMILY PROPERTIES LLC          | Final  | Adjust   |
| 10188    | 477902202016 | R1080040044 | 2019     | EENHOORN RIDGE LLC                   | Final  | Adjust   |
| 10259    | 452128300113 | R1040030010 | 2019     | WOLF LAND COMPANY LP                 | Final  | Adjust   |
| 10259    | 456129100100 | R1040030011 | 2019     | WOLF LAND COMPANY LP                 | Final  | Adjust   |
| 10138    | 456536411009 | R1011100306 | 2019     | BELL BUILDING PARTNERS LLC A CO LLC  | Final  | Adjust   |
| 10273    | 456533313030 | R1080090130 | 2019     | ZUG ELIZABETH K AND                  | Open   |          |

| Appeal #                   | Parcel #     | Account #   | Tax Year                       | Name                                         | Status | Decision                         |
|----------------------------|--------------|-------------|--------------------------------|----------------------------------------------|--------|----------------------------------|
| 10274                      | 429524200072 | R2030023595 | 2019                           | BRITT LORY LEE                               | Open   |                                  |
| 10275                      | 477903203079 | R1080000279 | 2019                           | KLEMPNER INVESTMENTS LLC A WY LLC            | Open   |                                  |
| 10278                      | 477935303002 | R1050019150 | 2019                           | WHITAKER JOYCE ANN AND                       | Open   |                                  |
| 10279                      | 456536317004 | R1010017004 | 2019                           | WELLS PRESCILLA W REV TRUST DTD<br>6/16/2000 | Open   |                                  |
| 10280                      | 477903306150 | R1080060069 | 2019                           | SPRING LANE INVESTMENTS LLC                  | Open   |                                  |
| 10281                      | 479720100005 | R3010030095 | 2019                           | RM & ML LLC A CO LLC                         | Open   |                                  |
| 10282                      | 479718200003 | R3010030097 | 2019                           | RM & ML LLC A CO LLC                         | Open   |                                  |
| 10285                      | 478130400035 | R1040094206 | 2019                           | NICHOLS WILLIAM R                            | Open   |                                  |
| 10287                      | 456536315029 | R1010087025 | 2019                           | MORRELL CALVIN AND                           | Open   |                                  |
| <b>Total Real Appeals:</b> |              | 503         | <b>Total Appeals Adjusted:</b> |                                              | 260    | <b>Total Appeals Denied:</b> 240 |

July 11, 2019

To: COUNTY BOARD OF EQUALIZATION

FR: San MIGUEL COUNTY ASSESSOR

According to 39-8-105(1),(2) C.R.S., on or before each July 15, the assessor shall report the valuation for assessment of all taxable property in the county. The assessor shall submit a list of all persons who have appeared before him or her to present objections or protests and the action taken in each case. The assessor shall submit a list of all persons in the county who have failed to return any schedules and shall report the action taken in each case.

**Taxable assessed value for Personal Property in 2019**

| <b>Property Type</b> | <b>December 2018</b> | <b>June 2019</b>     | <b>\$ Change</b>    | <b>% Change</b> |
|----------------------|----------------------|----------------------|---------------------|-----------------|
| Residential          | \$ 2,717,360         | \$ 3,927,470         | \$ 1,210,110        | 44.53%          |
| Commercial           | \$ 11,309,640        | \$ 11,460,840        | \$ 151,200          | 1.33%           |
| Industrial           | \$ 386,450           | \$ 340,030           | -\$ 46,420          | -12.01%         |
| Nat. Resources       | \$ 91,430            | \$ 90,490            | -\$ 940             | -1.03%          |
| Oil and Gas          | \$ 3,758,090         | \$ 4,510,220         | \$ 752,130          | 20.01%          |
| <b>TOTAL:</b>        | <b>\$ 18,262,970</b> | <b>\$ 20,329,050</b> | <b>\$ 2,066,080</b> | <b>11.31%</b>   |

Total Protests: 6

Protests Adjusted: 4

Protests Denied: 2

(List attached)

Total accounts where taxpayers failed to file a personal property declaration schedule: 311

(List attached)

Sincerely,



Peggy Kanter

San Miguel County Assessor

## Personal Appeals - BOCC

| Review #                       | Parcel # | Account # | Tax Year                       | Name                            | Status | Decision                       |
|--------------------------------|----------|-----------|--------------------------------|---------------------------------|--------|--------------------------------|
| 10252                          |          | P2017073  | 2019                           | CIT BANK, N.A.                  |        | Adjust                         |
| 10257                          |          | P2010033  | 2019                           | BRENNER MARGARET TWOMEY AND     |        | Adjust                         |
| 10263                          |          | P0280031  | 2019                           | MULLOY JAMES C AND JOANNE TTEES |        | Deny                           |
| 10272                          |          | P0280245  | 2019                           | CANON FINANCIAL SERVICES INC    |        | Adjust                         |
| 10277                          |          | P2016010  | 2019                           | WILDCAT CANYON HOLDINGS LLC     |        | Deny                           |
| 10289                          |          | P2019021  | 2019                           | S3K LLC A CO LLC                |        | Adjust                         |
| <b>Total Personal Appeals:</b> |          | 6         | <b>Total Appeals Adjusted:</b> |                                 | 4      | <b>Total Appeals Denied:</b> 2 |

## Personal Property and Oil/Gas Late Declaration Penalty Report

| Account # | Account Name / Owner Name                                                          | Penalty | Dec Return Date |
|-----------|------------------------------------------------------------------------------------|---------|-----------------|
| 2018120   | LOT 27 HASTINGS MESA ESTATES / YIN JERRY CHI-PING AND                              | Yes     |                 |
| P0004650  | HOTEL NORWOOD FKA BACK NARROWS INN / NOLAN GERALD                                  | Yes     |                 |
| P0006500  | ANGLER INN / WICK HOSPITALITY GROUP LLC                                            | Yes     |                 |
| P0019775  | FORTENBERRY CONSTRUCTION / FORTENBERRY CONSTRUCTION                                | Yes     |                 |
| P0020004  | UNITS 101, 102, 103, 104, 105, 106, 107, 108, 202, / RIVER CLUB OWNERS ASSOCIATION | Yes     | 5/17/2019       |
| P0020029  | MONTANA PLACER / LIZARD LAND LLC A CO LLC                                          | Yes     |                 |
| P0020073  | / LODGE AT MOUNTAIN VILLAGE                                                        | Yes     |                 |
| P0020087  | LANDSCAPE ARCHITECTURE TOOLS / BRADLEY GROUP THE                                   | Yes     |                 |
| P0020097  | UNIT 302 CENTRUM / MORTELL MICHAEL J AND MEGAN A                                   | Yes     |                 |
| P0020103  | HOINS CONSTRUCTION / HOINS CONSTRUCTION                                            | Yes     |                 |
| P0020125  | #7 LODGES ON SUNDANCE / DORNHORST KD AND TERESA AND                                | Yes     |                 |
| P0020132  | UNIT 108 BLDG 2 THE LODGE AT MOUNTAIN / NINETY FOUR EIGHTY LLC A CO LLC            | Yes     |                 |
| P0020182  | DOWN TO EARTH APPAREL SHOP / DOWN TO EARTH                                         | Yes     |                 |
| P0020248  | COMPUTERIZED EMBROIDERY MACHINE / HELLER FINANCIAL LEASING INC                     | Yes     |                 |
| P0020460  | HITCHIN POST THE / KHARON'S CROSSING LLC A CO LLC                                  | Yes     |                 |
| P0032425  | UNIT 3 F LULU CITY / KOPROWSKI CHRISTOPHER AND                                     | Yes     |                 |
| P0034350  | LODGING / MANITOU LODGE B AND B                                                    | Yes     |                 |
| P0040600  | BLISS / BLISS SALON AND DAY SPA                                                    | Yes     |                 |
| P0041850  | PLACERVALLEY BLDG AND MAINTENANCE / PLACERVALLEY BLDG AND MAINTENANCE              | Yes     |                 |
| P0054260  | TELLURIDE VISITOR SERVICES / MARKETING TELLURIDE INC                               | Yes     |                 |
| P0059150  | NORWOOD INN (THE) / NORWOOD INN                                                    | Yes     |                 |
| P0070300  | MOUNTAIN VILLAGE OFFICE / TELLURIDE REAL ESTATE CORP                               | Yes     | 4/16/2019       |
| P0070301  | MAIN STREET OFFICE / TELLURIDE REAL ESTATE CORP                                    | Yes     | 4/16/2019       |
| P0071503  | UNIT A 101 RIVERSIDE CONDO / TOJAMAR LTD A TX LP                                   | Yes     |                 |
| P0075155  | UNIT 12 GHOST RIDER / 360 SOUTH PINE LLC A DE LLC                                  | Yes     |                 |
| P0075174  | UNIT E THE SMUGGLER / HELLSTROM EMILY E AND ERIKA C                                | Yes     |                 |
| P0076015  | RESTAURANT FURNISHINGS AND / REGGIANNINI INC DBA                                   | Yes     |                 |



| Account # | Account Name / Owner Name                                                    | Penalty | Dec Return Date |
|-----------|------------------------------------------------------------------------------|---------|-----------------|
| P0076104  | SWIRE COCA COLA USA / SWIRE COCA COLA USA                                    | Yes     | 6/3/2019        |
| P0076108  | SWIRE COCA COLA LEASED EQUIPMENT IN / SWIRE COCA COLA USA                    | Yes     | 6/3/2019        |
| P0076200  | SWIRE COCA COLA EQUIPMENT IN TAX AREA / SWIRE COCA COLA USA                  | Yes     | 6/3/2019        |
| P0076201  | SWIRE COCA COLA LEASED EQUIPMENT IN / SWIRE COCA COLA USA                    | Yes     | 6/3/2019        |
| P0089114  | FOLEY ASSOCIATES / FOLEY ASSOCIATES INC                                      | Yes     |                 |
| P0089118  | UNIT D LE CHAMONIX / DEARMAN RICHARD MARK AND                                | Yes     |                 |
| P0090057  | ARCHITECTURAL OFFICE FURNISHINGS AND / BERCOVITZ DESIGN INC                  | Yes     |                 |
| P0090240  | UNIT R 17 THE BASE / PCL PROPERTIES LLC                                      | Yes     |                 |
| P0090362  | UNIT C02 RIVERSIDE CONDO SHORT TERM / LILLARD BRIAN AND LINDA AS JT          | Yes     |                 |
| P0091140  | SAMS SERVICE STATION / SAMS SERVICE                                          | Yes     |                 |
| P0091227  | HI COUNTRY MOTORSPORTS INC / HI COUNTRY MOTORSPORTS INC                      | Yes     |                 |
| P0092034  | TELLURIDE PROPERTIES / TELLURIDE PROPERTIES                                  | Yes     |                 |
| P0092097  | / SPYDOR WOOD PRODUCTS INC                                                   | Yes     |                 |
| P0093040  | ALPINE BANK / ALPINE BANK                                                    | Yes     | 4/19/2019       |
| P0093241  | LOT 213 FILING 6 MOUNTAIN VILLAGE / RUCH EDWARD L                            | Yes     |                 |
| P0095025  | CONTROLLED HYDRONICS / CONTROLLED HYDRONICS                                  | Yes     | 4/20/2019       |
| P0095139  | UNIT 22 BLUE MESA CONDOS / PEELER JUSTIN AND                                 | Yes     |                 |
| P0095231  | TELLURIDE LAND WORKS AKA SHERRY / TELLURIDE LAND WORKS                       | Yes     | 5/6/2019        |
| P0096001  | LIFTSIDE VILLAS SHORT TERM RENTAL / KRAMEISEN STEVEN AND ELAINE AS JT        | Yes     |                 |
| P0096010  | SHORT TERM RENTAL / ZINTAK BENJAMIN J III TTEE OF RESTMT OF                  | Yes     |                 |
| P0096038  | LANDSCAPES BY LANCE / LANDSCAPES BY LANCE                                    | Yes     |                 |
| P0096084  | FRANZ KLAMMER LODGE OFFICE EQUIPMENT AND / CLUB TELLURIDE OWNERS ASSOCIATION | Yes     |                 |
| P0096098  | SAN JUAN SURVEYING / BIGHORN LAND SURVEYORS                                  | Yes     |                 |
| P0096181  | LORIAN UNIT 8 / LORIAN 8 LLC A CO LLC                                        | Yes     |                 |
| P0096197  | RESTAURANT FURNISHINGS AND / COSMOPOLITAN RESTAURANT                         | Yes     | 5/1/2019        |
| P0096198  | HOTEL FURNISHINGS DECORATIONS AND / COLUMBIA TELLURIDE LLC A CO LLC          | Yes     |                 |
| P0096225  | UNIT K ORE STATION / TELLURIDE BASE CAMP LLC A TX LLC                        | Yes     |                 |
| P0097088  | RUSTICO RESTAURANT / RUSTICO RESTAURANT                                      | Yes     |                 |
| P0097109  | SHORT TERM RENTAL / MORRIS WILLIAM S AND CHRISTINE AS JT                     | Yes     |                 |

| Account # | Account Name / Owner Name              |                                           | Penalty | Dec Return Date |
|-----------|----------------------------------------|-------------------------------------------|---------|-----------------|
| P0097121  | #3 YANKEE BOY                          | / ANDERSON CHRIS                          | Yes     |                 |
| P0097250  | TELLURIDE TIRE AND AUTO SERVICE        | / TELLURIDE TIRE AND AUTO SERVICE         | Yes     |                 |
| P0097253  | LOT 400.25 LAWSON HILL STORAGE         | / TELECAM PARTNERSHIP II LTD              | Yes     |                 |
| P0098114  |                                        | / LROC PROPERTIES SOUTHWEST LP            | Yes     |                 |
| P0098115  | LOT 218 MOUNTAIN VILLAGE BRIDGE        | / BUONANNO GARY AND SUSAN                 | Yes     | 4/19/2019       |
| P0098127  | GW CONCRETE                            | / GW CONCRETE                             | Yes     |                 |
| P0098155  | UNIT 6P LULU CITY                      | / DALMER DEREK AND                        | Yes     |                 |
| P0098250  | SAN MIGUEL VALLEY CORP EQUIP AT SAN    | / SAN MIGUEL VALLEY CORPORATION A         | Yes     | 4/24/2019       |
| P0098251  | SAWPIT MERCANTILE                      | / SAWPIT MERCANTILE                       | Yes     |                 |
| P0099016  | BREW PUB AND GRILLE                    | / SMUGGLER'S &                            | Yes     |                 |
| P0099017  | LA PIAZZA                              | / LA PIAZZA                               | Yes     |                 |
| P0099029  | UNIT B PACIFICA HOUSE                  | / LANGMADE PATRICIA LOUISE MORTENSEN      | Yes     |                 |
| P0099058  | CONSTRUCTION EQUIPMENT                 | / LUDWIG AND SONS LLC                     | Yes     |                 |
| P0099094  | STUDIO FRANK                           | / STUDIO FRANK                            | Yes     |                 |
| P0099117  | RESTAURANT AND BAR FURNISHINGS AND     | / LET IT RIDE INC                         | Yes     | 4/23/2019       |
| P02006653 | AUTO AND TRUCK SALES BROKERING         | / FOREIGN CARS LLC                        | Yes     |                 |
| P0201019  | PIZZA RESTAURANT EQUIPMENT AND         | / MAGGIE'S PIZZA                          | Yes     |                 |
| P0201040  | UNIT A3 GOLD DUST CROSSING             | / CHAMBERS SCOTT C                        | Yes     |                 |
| P0201060  | UNIT 522B PACIFIC STREET TOWNHOMES     | / BEAUDRY CHAD A NOT INDIV BUT AS TTEE OF | Yes     |                 |
| P0201072  | RESTAURANT FURNISHINGS AND             | / CORNERHOUSE GRILLE INC                  | Yes     |                 |
| P0270010  | SKI FITTING SCIENCE LLC                | / WAGNER CUSTOM                           | Yes     |                 |
| P0270019  | SHORT TERM RENTAL CONDO UNIT 4G        | / TELLURIDE LLC A MI LLC                  | Yes     |                 |
| P0270047  | SHORT TERM RENTAL BEAR CREEK LODGE 401 | / TELLURIDE BEAR, LLC                     | Yes     |                 |
| P0270048  | SHORT TERM RENTAL BEAR CREEK LODGE 402 | / TELLURIDE BEAR, LLC                     | Yes     |                 |
| P0270052  | SHORT TERM RENTAL BEAR CREEK LODGE 405 | / MFT PARTNERSHIP LP, A TX LP             | Yes     |                 |
| P0270159  | SHORT TERM RENTAL GRANITA CONDOS UNIT  | / 560 MOUNTAIN VILLAGE LLC A CO LLC       | Yes     |                 |
| P0270191  | RESTAURANT                             | / FLORADORA SALOON                        | Yes     |                 |
| P0280029  | SHORT TERM RENTAL GRANITA CONDOS       | / PARKER JAMES HOOD AND PILSON LEE ANNE   | Yes     |                 |
| P0280031  | SHORT TERM RENTAL HOME                 | / MULLOY JAMES C AND JOANNE TTEES         | Yes     |                 |

| Account # | Account Name / Owner Name                                                   | Penalty | Dec Return Date |
|-----------|-----------------------------------------------------------------------------|---------|-----------------|
| P0280045  | SHORT TERM RENTAL / PAINE CHRISTOPHER<br>WARD PAINE SEPARATE                | Yes     |                 |
| P0280046  | SHORT TERM RENTAL / ROSADO JOSE AND                                         | Yes     |                 |
| P0280054  | SHORT TERM RENTAL / YONNA INVESTMENTS<br>INC A TX CORP                      | Yes     |                 |
| P0280059  | SHORT TERM RENTAL / MESSENGER PAUL AND<br>KELLY AS JT                       | Yes     |                 |
| P0280097  | SHORT TERM RENTAL / HARTMANN HILL HOMES<br>LLC A CO LLC                     | Yes     | 5/1/2019        |
| P0280100  | SHORT TERM RENTAL / HECHTMAN MARK<br>FAMILY TRUST DTD                       | Yes     | 4/25/2019       |
| P0280105  | SHORT TERM RENTAL / TAYLOR SHAWN A                                          | Yes     |                 |
| P0280205  | SHORT TERM RENTAL / HOFFMAN GEORGE                                          | Yes     |                 |
| P0280208  | SHORT TERM RENTAL / MCINTOSH ALAN AND                                       | Yes     |                 |
| P0280215  | SHORT TERM RENTAL / GREWAL HOMES LLC                                        | Yes     |                 |
| P0280221  | SHORT TERM RENTAL / SIKORA JEFF                                             | Yes     |                 |
| P0280224  | SIAM / HEMANN PROPERTIES<br>LLC                                             | Yes     |                 |
| P0290001  | SHORT TERM RENTAL / TDSR LLC                                                | Yes     |                 |
| P0290006  | SHORT TERM RENTAL / K B FITZGERALD LLC A<br>A404 CO LLC                     | Yes     |                 |
| P0290040  | RENTAL HOME / SIERRA PRESERVATION<br>CASTLEWOOD PARTNERS LLC                | Yes     | 5/14/2019       |
| P0290046  | SHORT TERM RENTAL / LIEBLER JAMES<br>RANDOLPH SR                            | Yes     |                 |
| P0290053  | B402 SEE FOREVER VLG / POWNALL GRAY DICKON<br>AT THE PEAKS AND LISA         | Yes     |                 |
| P0290054  | SHORT TERM RENTAL / TDITD LLC A CO LLC                                      | Yes     |                 |
| P0290068  | SHORT TERM RENTAL / SNOWDRIFT LANE LLC A<br>HOME CO LLC                     | Yes     |                 |
| P0290077  | SHORT TERM RENTAL / MINERS UNION NO 6<br>LLC                                | Yes     |                 |
| P0290083  | SHORT TERM RENTAL / ADLER JOHN K AND<br>EVEN HEATHER M AS JT                | Yes     |                 |
| P0290091  | SHORT TERM RENTAL / MEEKS FAMILY LIMITED<br>RETREAT AT MOUNTAIN PARTNERSHIP | Yes     |                 |
| P2002069  | HARDWOOD FLOORING / FLOORED INC                                             | Yes     |                 |
| P2002098  | GENERAL CONTRACTOR / RAY MESSIER<br>CONSTRUCTION                            | Yes     |                 |
| P2002110  | STONE QUARY / TELLURIDE STONE<br>COMPANY                                    | Yes     |                 |
| P2002136  | JANITORIAL SERVICE / AJAX JANITORIAL                                        | Yes     |                 |
| P2002234  | SNOWMOBILE TOURS / TELLURIDE OUTFITTERS                                     | Yes     |                 |
| P2002261  | RENTAL HOME / GOLDEN THOUGHTS<br>LLC A CO LLC                               | Yes     |                 |
| P2002262  | LANDSCAPING / SAN JUAN LANDSCAPES                                           | Yes     | 5/6/2019        |

| Account # | Account Name / Owner Name              |                                            | Penalty | Dec Return Date |
|-----------|----------------------------------------|--------------------------------------------|---------|-----------------|
| P2002290  | DBA TELLURIDE OUTSIDE AND              | / TELLURIDE FLY FISHING CO INC             | Yes     | 4/30/2019       |
| P2002309  | SHORT TERM RENTALS                     | / WOODRUFF DINA                            | Yes     | 4/30/2019       |
| P2002438  | UNIT 110 SEE FOREVER VILLAGE CONDO     | / LANDON NON EXT MARITAL TRT UTD 4 26      | Yes     |                 |
| P2003016  | UNIT 6N LULU CITY                      | / PEABODY JAMES R                          | Yes     |                 |
| P2003096  | FITNESS                                | / PEAK FITNESS                             | Yes     |                 |
| P2004030  | RENTAL HOME                            | / HVA LP A FL LP                           | Yes     |                 |
| P2004116  | SKIN AND NAIL SALON                    | / STUDIO G DBA                             | Yes     | 5/1/2019        |
| P2004133  | UNIT 1 FAGO TOWERS                     | / EAT 0733 LLC A CO LLC                    | Yes     |                 |
| P2004168  | 558 W PACIFIC AVE RENTAL               | / MOUNTAIN VENTURE LLC A CO LLC            | Yes     |                 |
| P2004238  | THE PLAZA UNIT 301                     | / COGHLAN MICHAEL T                        | Yes     |                 |
| P2006103  | CINDY BREAD, 168 SOCIETY DRIVE         | / CINDY BREAD                              | Yes     |                 |
| P2006229  | SHORT TERM RENTAL THE PLAZA 302        | / GANG DAVID A AND DITTMAR                 | Yes     |                 |
| P2006410  | BROWN DOG PIZZA                        | / BROWN DOG PIZZA                          | Yes     |                 |
| P2006757  |                                        | / TELLURIDE ECO CLEANERS                   | Yes     |                 |
| P2006800  | SHORT TERM RENTAL 214 E GALENA         | / HIGH MEADOWS TELLURIDE LLC               | Yes     |                 |
| P20070098 | SINGLE FAMILY VINGAN HOME              | / VINGAN ROY AND MONICA                    | Yes     |                 |
| P2010005  | SHORT TERM RENTAL                      | / FARACA PAUL A JR AND TINA V AS JT        | Yes     |                 |
| P2010033  | SHORT TERM RENTAL                      | / BRENNER MARGARET TWOMEY AND              | Yes     |                 |
| P2010036  | SHORT TERM RENTAL                      | / 94PMV LLC A CO LLC                       | Yes     |                 |
| P2010040  | A PRIVATE GYM                          | / 8750 ALT A PRIVATE GYM                   | Yes     | 4/18/2019       |
| P2010041  | THREE RESTAURANTS LOCATED IN THE HOTEL | / TELLURIDE RESORT PARTNERS LLC A DE LLC   | Yes     |                 |
| P2010072  | POOL AREA PART OF THE HOTEL MADELINE   | / TELLURIDE RESORT PARTNERS LLC A DE LLC   | Yes     |                 |
| P2010073  | SPA PART OF THE HOTEL MADELINE         | / TELLURIDE RESORT PARTNERS LLC A DE LLC   | Yes     |                 |
| P2010086  | FOOD AND BEV TELLURIDE LOST CREEK      | / TELLURIDE LOST CREEK LLC                 | Yes     |                 |
| P2010088  | SHORT TERM RENTAL B301                 | / OLSON JOHN D                             | Yes     |                 |
| P2010091  | SHORT TERM RENTAL A207                 | / SNELL ROBERT A AND                       | Yes     |                 |
| P2010095  | SHORT TERM RENTAL A203                 | / DAVIS BRIAN D AND DIVA STARK DAVIS AS JT | Yes     |                 |
| P2010102  | TELLURIDE COFFEE ROASTERS              | / TELLURIDE COFFEE ROASTERS                | Yes     |                 |
| P2011003  | SHORT TERM RENTAL HOME                 | / 408 W PACIFIC UNIT A TELLURIDE CO LLC    | Yes     | 5/2/2019        |

| Account # | Account Name / Owner Name                                          | Penalty | Dec Return Date |
|-----------|--------------------------------------------------------------------|---------|-----------------|
| P2011005  | SHORT TERM RENTAL HOME / 408 W PACIFIC UNIT B TELLURIDE CO LLC     | Yes     | 5/2/2019        |
| P2011006  | SHORT TERM RENTAL HOME / MR. CASCADES LLC                          | Yes     |                 |
| P2011010  | SHORT TERM RENTAL HOME / FENN JOHN                                 | Yes     |                 |
| P2011016  | SHORT TERM RENTAL / LEBLANC PHILLIP                                | Yes     |                 |
| P2011017  | SHORT TERM RENTAL / HARRIS RICHARD                                 | Yes     |                 |
| P2011022  | SHORT TERM RENTAL / LUMIERE 703 LLC A CO LLC                       | Yes     |                 |
| P2011027  | FINBRO CONSTRUCTION / FINBRO CONSTRUCTION                          | Yes     |                 |
| P2011030  | / LATITUDE 38 VACATION RENTALS                                     | Yes     |                 |
| P2011038  | SHORT TERM RENTAL / CASTELLINA A LLC A CO LLC                      | Yes     |                 |
| P2011048  | SHORT TERM RENTAL / SEG INTERESTS LLC A TX LLC                     | Yes     |                 |
| P2011060  | SHORT TERM RENTAL RIVERCROWN / 320 S PINE NO1 LLC                  | Yes     |                 |
| P2011080  | SHORT TERM RENTAL UNIT 1 ELKSTONE / BARTH DAVID W                  | Yes     |                 |
| P2011090  | SHORT TERM RENTAL / KINLANI INVESTMENTS LLC AN AZ LLC              | Yes     |                 |
| P2011093  | SHORT TERM RENTAL HOME VICTORIA DRIVE / SURFSIDE FOUR LLC A FL LLC | Yes     |                 |
| P2012010  | SHORT TERM RENTAL / STORHAUG CAITLIN AND HEBRON JULIAN             | Yes     |                 |
| P2012023  | / THERE...                                                         | Yes     |                 |
| P2012024  | SHORT TERM RENTAL HOME / BOX CANYON 416 LLC A CO LLC               | Yes     |                 |
| P2012026  | OBSERVATORY / OBSERVATORY AT ALTA LAKES                            | Yes     |                 |
| P2012030  | SHORT TERM RENTAL / 236 PANDORA LLC A CO LLC                       | Yes     |                 |
| P2012035  | SHORT TERM RENTAL / PINE MEADOWS 136 LLC A CO LLC                  | Yes     |                 |
| P2012044  | SHORT TERM RENTAL / PELLAS THERESA C AND F ALFREDO JT              | Yes     |                 |
| P2013011  | / FUEL TELLURIDE                                                   | Yes     |                 |
| P2013024  | SHORT TERM RENTAL SKI RANCHES / SKWELLS QUAKEY LLC                 | Yes     | 5/6/2019        |
| P2013027  | SHORT TERM RENTAL / FLAT CIRCLE PROPERTIES LLC A TX                | Yes     |                 |
| P2013028  | SHORT TERM RENTAL / KAPSNER HOPE L TRUST                           | Yes     |                 |
| P2013030  | SHORT TERM RENTAL / RIVERHOUSE B 352 LLC A CO LLC                  | Yes     |                 |
| P2013031  | SHORT TERM RENTAL / TELLURIUM WEST 201 LLC A DE LLC                | Yes     |                 |
| P2013033  | SHORT TERM RENTAL / PEACOCK JONATHAN M AND                         | Yes     |                 |
| P2013043  | / WHITIS BLUEBERRY HILL LLC A TX LLC                               | Yes     |                 |



| Account # | Account Name / Owner Name                                      | Penalty | Dec Return Date |
|-----------|----------------------------------------------------------------|---------|-----------------|
| P2013045  | / CUSICK TOM P AND<br>SILVIA M JT                              | Yes     |                 |
| P2014008  | SHORT TERM RENTAL / MOY OHANA 3 LLC A CO<br>LLC                | Yes     |                 |
| P2014019  | SHORT TERM RENTAL / FERNWOOD 1 LLC A CO<br>LLC                 | Yes     |                 |
| P2014021  | / HILLENMEYER<br>TELLURIDE                                     | Yes     |                 |
| P2014022  | / CHRISMAN STEPHEN E<br>AND TRACI L                            | Yes     | 4/29/2019       |
| P2014028  | STARBUCKS / TELLURIDE RESORT<br>PARTNERS LLC A DE LLC          | Yes     |                 |
| P2014036  | / THE LAUNDROMAT                                               | Yes     |                 |
| P2015001  | / PESCADO RESTAURANT                                           | Yes     |                 |
| P2015002  | / ESPERANZA<br>RESTAURANT                                      | Yes     |                 |
| P2015006  | STEAMIES BURGER BAR / STEAMIES BURGER BAR                      | Yes     |                 |
| P2015007  | / SUBLIME TELLURIDE                                            | Yes     | 5/14/2019       |
| P2015012  | TELLURIDE DISTILLING / TELLURIDE DISTILLING<br>COMPANY COMPANY | Yes     |                 |
| P2015013  | / HUB TELLURIDE                                                | Yes     |                 |
| P2015015  | / TELLURIDE SLEIGHS<br>AND WAGONS                              | Yes     |                 |
| P2015015  | SLEIGH RIDES AND / TELLURIDE SLEIGHS<br>DINNER AND WAGONS      | Yes     |                 |
| P2015016  | / HIGH PIE PIZZERIA AND<br>TAP ROOM                            | Yes     |                 |
| P2016002  | / NORDSTROM EXEMPT<br>Q-TIP TRUST                              | Yes     |                 |
| P2016009  | / PROUST PROPERTIES<br>LLC                                     | Yes     |                 |
| P2016010  | / WILDCAT CANYON<br>HOLDINGS LLC                               | Yes     |                 |
| P2016013  | / NISKY MIKE AND LISA AS<br>JT                                 | Yes     |                 |
| P2016019  | / CHAIKA TELLURIDE A CO<br>LLC                                 | Yes     |                 |
| P2016020  | / TELLURIDE MOUNTAIN<br>HOLDINGS                               | Yes     |                 |
| P2016022  | / TELLURIDE<br>GYMNASTICS AND                                  | Yes     |                 |
| P2016033  | / 106 PALMYRA LLC                                              | Yes     |                 |
| P2016036  | / ZGALJIC DAVOR                                                | Yes     |                 |
| P2016052  | / FREEMAN JAMES                                                | Yes     | 4/22/2019       |
| P2016054  | SHORT TERM RENTAL / HODGES JANNAH<br>REVOCABLE TRT             | Yes     |                 |
| P2016055  | / LEE DUNCAN W AND<br>ANNE H JT                                | Yes     |                 |
| P2016057  | / WEST BRET                                                    | Yes     |                 |

| Account # | Account Name / Owner Name                     | Penalty                                    | Dec Return Date  |
|-----------|-----------------------------------------------|--------------------------------------------|------------------|
| P2016060  | /WESTERN TAMPA LLC                            | Yes                                        | 5/20/2019        |
| P2016064  | /HOOK ON A WALL                               | Yes                                        |                  |
| P2016080  | /PEAKS UNIT 303 136<br>COUNTRY CLUB DR        | Yes                                        |                  |
| P2017001  | /BOX CANYON BICYCLES                          | Yes                                        |                  |
| P2018001  | UNIT 3 THE LODGES ON<br>SUNDANCE              | /HOWARD DONALD AND<br>PATRICIA REV LIV TST | Yes              |
| P2018004  | RC 303 TMV RESORT<br>CONDO                    | /ROCKIN C MOUNTAIN<br>PROPERTIES LLC A CO  | Yes              |
| P2018006  | UNIT R-201 THE<br>BALLARD CONDOS              | /COAZY LLC AN AZ LLC                       | Yes              |
| P2018025  | UNIT 2R WILLOWS AT<br>TELLURIDE CONDO         | /JUE TINGATE TRUST                         | Yes              |
| P2018026  | LOT 82R1 UNIT B202 SEE<br>FOREVER VILLAGE AT  | /GIBSON JEFFREY                            | Yes              |
| P2018047  | RC 705 TMV RESORT<br>CONDOS                   | /RHINO HOLDINGS (USA)<br>LLC A DE LLC      | Yes              |
| P2018049  | LOT 3 BACKMAN<br>VILLAGE                      | /POTTER JAMES WAYNE<br>AND                 | Yes              |
| P2018050  | RC 431 431L TMV<br>RESORT CONDOS              | /AGVA HOLDINGS LLC A<br>CO LLC             | Yes              |
| P2018052  | MARIJUANA GROW                                | /MOONRISE<br>ENTERPRISE LLC A CO           | Yes              |
| P2018053  | A TR O FLAND IN THE<br>N2NE4 SEC 29 T45 R13   | /ELEVATED CBD PHARM<br>LLC                 | Yes              |
| P2018056  | LOT 36 FILING 3<br>TELLURIDE SKI              | /STANTON FAMILY<br>TRUST DTD AUGUST 30     | Yes              |
| P2018058  | UNIT 18 BUILDING 8 THE<br>LODGES ON SUNDANCE  | /GARFEIN EVAN AND                          | Yes              |
| P2018073  | RC 202 TELLURIDE<br>MOUNTAIN VILLAGE          | /TO-HELL-WE-RIDE-<br>PARTNERS LLC A FL LLC | Yes<br>4/24/2019 |
| P2018078  | LOT 310 TELLURIDE<br>MOUNTAIN VILLAGE         | /TELLURIDE HAPPY<br>HOUR LLC               | Yes<br>6/3/2019  |
| P2018082  | UNIT B303 CASSIDY<br>RIDGE CONDOS             | /KINZLER TELLURIDE<br>LLC AN IA LLC        | Yes              |
| P2018084  | LOT 636A TELLURIDE<br>MOUNTAIN VILLAGE        | /YATES PETER<br>JONATHAN AND               | Yes              |
| P2018085  | LOT 2 AND S 5 FT OF LOT<br>4 BLK 25 TELLURIDE | /NO QUARTER TRUST                          | Yes              |
| P2018087  | UNIT PH6 THE<br>DIAMONDTOOTH BLDG A           | /KD SKI, LLC                               | Yes              |
| P2018088  | UNIT 6 DOUBLE CABINS<br>TOWNHOMES             | /TAU CETI CAPITAL LTD A<br>CO LLC          | Yes              |
| P2018109  | THE LIBERTY                                   | /DOWN FIR<br>ENTERPRISES LLC DBA           | Yes              |
| P2018111  | SIDE BY SIDE PET                              | /SIDE BY SIDE PET                          | Yes              |
| P2018122  | LUMIERE HOTEL AND<br>LODGING                  | /LUMIERE TELLURIDE                         | Yes              |
| P2018126  | UNIT 326 TELLURIDE<br>LODGE                   | /OPIE DOPIE LLC                            | Yes              |
| P2018127  |                                               | /3 OLD BREWERY LANE<br>LLC                 | Yes              |
| P2018130  |                                               | /ROCKING R ELK AND<br>CATTLE LLC           | Yes              |

| Account # | Account Name / Owner Name                                           | Penalty | Dec Return Date |
|-----------|---------------------------------------------------------------------|---------|-----------------|
| P2019005  | SHORT TERM RENTAL / EL FLASKO LLC A CO LLC                          | Yes     |                 |
| P2019006  | SHORT TERM RENTAL A204 / ELIASSON SUNNY RIDGE A204 LLC A FL         | Yes     |                 |
| P2019009  | SHORT TERM RENTAL - UNIT S1-A ELEMENT 52 / JOHNSON JOHN O'NEIL AND  | Yes     |                 |
| P2019010  | SHORT TERM RENTAL - LOT 600 BR4 TRAILS / EAT-1802 LLC A CO LLC      | Yes     |                 |
| P2019011  | SHORT TERM RENTAL - RC 502R TMV RESORT / MADELINE 1502 LLC A CO LLC | Yes     |                 |
| P2019012  | SHORT TERM RENTAL - LOT 404-R TELLURIDE / J. W. RANLAN LLC          | Yes     |                 |
| P2019015  | SHORT TERM RENTAL - LOT 22R BLK 5 WEST / CLAPP JASON AND            | Yes     |                 |
| P2019017  | SHORT TERM RENTAL / ACTOUT LLC A TX LLC                             | Yes     |                 |
| P2019018  | SHORT TERM RENTAL / HUSAN LLC A CO LLC                              | Yes     |                 |
| P2019020  | SHORT TERM RENTAL / 514 E. COLUMBIA LLC A PA LLC                    | Yes     |                 |
| P2019025  | SHORT TERM RENTAL / CAPTAIN JACK HOLDINGS LLC A CO LLC              | Yes     | 5/3/2019        |
| P2019030  | SHORT TERM RENTAL / THIRIET ALRIK AND                               | Yes     |                 |
| P2019031  | UNIT 15 ELKSTONE / KRONFOL RANA AND                                 | Yes     |                 |
| P2019032  | SHORT TERM RENTAL / J W RANLAN LLC A DE LLC                         | Yes     |                 |
| P2019034  | SHORT TERM RENTAL / PEAKS 432 LLC A CO LLC                          | Yes     |                 |
| P2019036  | SHORT TERM RENTAL PARKSIDE 301 / FORSTER ROBERT FRANK III           | Yes     |                 |
| P2019037  | SHORT TERM RENTAL 330 W PACIFIC UNIT B / GILBERT KURT B AND         | Yes     |                 |
| P2019040  | SHORT TERM RENTAL / KERRIGAN KIRSTEN JUNKINS AS TRUSTEE             | Yes     |                 |
| P2019043  | WOOD EAR WHISKEY LOUNGE & NOODLE BAR / WOOD EAR LLC                 | Yes     |                 |
| P2019044  | SHORT TERM RENTAL PACIFIC PLACE CONDOS / LELE ABHIJEET              | Yes     |                 |
| P2019048  | SHORT TERM RENTAL / 134 HIGH COUNTRY LLC A CO LLC                   | Yes     |                 |
| P2019050  | SHORT TERM RENTAL BEAR CREEK LODGE 213 / SANCHEZ CARLOS E AND       | Yes     |                 |
| P2019052  | SHORT TERM RENTAL / COPPOLA JOHN C AND                              | Yes     |                 |
| P2019053  | SHORT TERM RENTAL LULU CITY 6L / HAUS HOME LLC A CO LLC             | Yes     |                 |
| P2019054  | SHORT TERM RENTAL / FORTNER FAMILY TRUST DTD 12/9/09                | Yes     |                 |
| P2019057  | SHORT TERM RENTAL PARK HOUSE / ENJU LLC A NEVADA LLC                | Yes     |                 |
| P2019059  | SHORT TERM RENTAL / STRONG RIVER LLC A NEVADA LIM LIAB CO           | Yes     |                 |
| P2019060  | SHORT TERM RENTAL PROSPECT HOUSE / COVINGTON ELIZABETH M AND        | Yes     |                 |
| P2019062  | SHORT TERM RENTAL RIVERCROWN 4 / EJRI III LLC                       | Yes     |                 |

| Account # | Account Name / Owner Name                                                               | Penalty | Dec Return Date |
|-----------|-----------------------------------------------------------------------------------------|---------|-----------------|
| P2019064  | SHORT TERM RENTAL<br>GALENA CHALET / HOFFMAN SUSANNA M<br>TRUSTEE ET AL                 | Yes     | 5/13/2019       |
| P2019065  | SHORT TERM RENTAL / MAYBACK WILLIAM B<br>AND                                            | Yes     |                 |
| P2019066  | SHORT TERM RENTAL<br>MOUNTAIN LODGE 321 / EQUITY TRUST<br>COMPANY CUSTODIAN             | Yes     |                 |
| P2019067  | SHORT TERM RENTAL<br>LOG HUT LUXURY / SUNSHINEMESA LLC                                  | Yes     |                 |
| P2019068  | SHORT TERM RENTAL<br>SEE FOREVER VILLAGE / LEE ZACHARY D AND                            | Yes     |                 |
| P2019070  | SHORT TERM RENTAL<br>WESTERMERE 411 / TELLURIDE ADVENTURE<br>PROPERTIES LLC A CO        | Yes     |                 |
| P2019071  | SHORT TERM RENTAL<br>SEE FOREVER VILLAGE / NELSON WILLIAM LEE<br>AND                    | Yes     |                 |
| P2019073  | SHORT TERM RENTAL<br>NORTH STAR B UNIT 22 / RODRIGUEZ GARY T<br>AND                     | Yes     |                 |
| P2019076  | SHORT TERM RENTAL<br>LULU CITY 5G / PARKER BRANDON K<br>AND                             | Yes     |                 |
| P2019077  | SHORT TERM RENTAL<br>LODGE AT MOUNTAIN / PEAR TREE COLORADO<br>LLC A TX LLC             | Yes     |                 |
| P2019079  | TRANSFORMATION<br>THERAPEUTICS PLLC / TRANSFORMATION<br>THERAPEUTICS LLC A              | Yes     |                 |
| P2019080  | SHORT TERM RENTAL / DUNN CRAIG E AND                                                    | Yes     |                 |
| P2019083  | SHORT TERM RENTAL<br>UNIT 4 BELVEDERE PARK / ALCANTARA PAULA<br>ABDO AND                | Yes     |                 |
| P2019084  | SHORT TERM RENTAL / JMP SKIHAUS LLC A CO<br>LLC                                         | Yes     |                 |
| P2019085  | SHORT TERM RENTAL / ARTHUR TIM AND                                                      | Yes     |                 |
| P2019088  | / FREDLAKE LAUREL H<br>REVOCABLE TRUST OF                                               | Yes     |                 |
| P2019089  | SHORT TERM RENTAL<br>MINERS UNION UNIT 11 / HUSSAIN SHAZIA M                            | Yes     |                 |
| P2019090  | SHORT TERM RENTAL / AMEND JOHN W                                                        | Yes     |                 |
| P2019091  | SHORT TERM RENTAL<br>UNIT 12 VILLAS AT / SAMPCO LLC A LA LLC                            | Yes     |                 |
| P2019096  | SHORT TERM RENTAL<br>UNIT 101 BLDG 100 / WURZELBACHER ALAN                              | Yes     |                 |
| P2019099  | SHORT TERM RENTAL<br>UNIT 321 BLDG 4 THE / CONCRETE CASSANO<br>LLC A LA LLC             | Yes     |                 |
| P2019102  | SHORT TERM RENTAL<br>THE PALMYRA UNIT 3D / TELLURIDE LLC A MI LLC                       | Yes     |                 |
| P2019103  | SHORT TERM RENTAL<br>UNIT C IRONWOOD AT / FINGER FAMILY<br>IRONWOOD                     | Yes     |                 |
| P2019105  | SHORT TERM RENTAL<br>OWL MEADOWS UNIT 11 / WARD SCOTT R AND                             | Yes     |                 |
| P2019112  | SHORT TERM RENTAL<br>GRAYSILL UNIT F2 BLDG / ALLEN KARI K TTE OF<br>THE KARI K ALLEN TR | Yes     |                 |
| P2019115  | SHORT TERM RENTAL / TELLURIDE HOLDINGS<br>LLC A CO LLC                                  | Yes     |                 |
| P2019116  | SHORT TERM RENTAL<br>UNIT 17 ASPEN RIDGE II / RATTERREE ALAN AND                        | Yes     |                 |
| P2019117  | SHORT TERM RENTAL / LEVERETT LAWRENCE<br>AND                                            | Yes     |                 |
| P2019118  | SHORT TERM RENTAL / RALEY ZACHARY AS TO<br>EIGHT NINTHS INT                             | Yes     |                 |

| Account # | Account Name / Owner Name         |                                         | Penalty | Dec Return Date |
|-----------|-----------------------------------|-----------------------------------------|---------|-----------------|
| P2019119  | SHORT TERM RENTAL                 | /WILLBERG HANS HEINRICH                 | Yes     |                 |
| P2019120  | SHORT TERM RENTAL                 | /LEXINGTON TRUST                        | Yes     |                 |
| P2019122  | SHORT TERM RENTAL                 | /FIRST ASCENT LLC A TX LLC              | Yes     |                 |
| P2019123  | SHAKE N DOG GRUB SHACK            | /SHAKE N DOG GRUB SHACK                 | Yes     |                 |
| P2019128  | WOLF PIG BAR                      | /WOLF PIG LLC                           | Yes     |                 |
| P2019129  | TELLURIDE WRANGLERS               | /GAITS OF GRACE DBA                     | Yes     |                 |
| P2019130  | MOUNTAIN ADVENTURE EQUIPMENT      | /MOUNTAIN ADVENTURE EQUIPMENT           | Yes     | 4/16/2019       |
| P2019131  | SAN MIGUEL WELLNESS CENTER LLC    | /JOANNA LYONS DBA                       | Yes     |                 |
| P2019132  | TELLURIDE WINDOW COVERINGS        | /TELLURIDE WINDOW COVERINGS             | Yes     |                 |
| P2019133  | PET TELLURIDE                     | /TELLURIDE PET CO LLC DBA               | Yes     |                 |
| P2019136  | THE SHOP                          | /CASSINI ENTERPRISES LLC DBA            | Yes     |                 |
| P2019137  | VIVID VACATION RENTALS            | /VIVID VACATION RENTALS                 | Yes     |                 |
| P2019138  | NATIONAL THE                      | /NATIONAL THE                           | Yes     |                 |
| P2019140  | DROP BOARDSHOP THE                | /DROP BOARDSHOP THE                     | Yes     |                 |
| P2019142  | SAN JUAN SOUND & VISION           | /SAN JUAN SOUND & VISION INC            | Yes     |                 |
| P2019143  | PEDAL DEN                         | /PEDAL DEN LLC                          | Yes     |                 |
| P2019145  | MAN CAVE OF TELLURIDE             | /MAN CAVE OF TELLURIDE LLP              | Yes     |                 |
| P2019147  | NORWOOD SMALL ENGINE              | /NORWOOD SMALL ENGINE                   | Yes     |                 |
| P2019151  | SHORT TERM RENTAL                 | /TOBIN KATHERINE O INDIVIDUALLY         | Yes     |                 |
| P2019152  | SOCIETY TELLURIDE                 | /SOCIETY TELLURIDE                      | Yes     |                 |
| P2900116  | SHORT TERM RENTAL                 | /KASPRZYK DANIEL                        | Yes     |                 |
| P2900154  | THE HOTEL MADELINE HOTEL PERSONAL | /TELLURIDE RESORT PARTNERS LLC A DE LLC | Yes     |                 |
| P2900179  | SHORT TERM RENTAL                 | /LEVY NIKI REVOCABLE TRUST              | Yes     |                 |





AGENDA ITEM - 5.e.

**TITLE:**

Ratification of Commissioner's submission regarding the protest letter to the BLM regarding the Uncompaghere Field Office, Resource Management Plan/MOTION

**Presented by:**

**Time needed:**

**PREPARED BY:**

**RECOMMENDED ACTION/MOTION:**

To approve as presented.

**INTRODUCTION/BACKGROUND:**

**FISCAL IMPACT:**

| Contract Number:    | Date Executed | End Date | Department(s)                         |
|---------------------|---------------|----------|---------------------------------------|
| YYYY-###            |               |          | Board of County<br>Commissioner Staff |
| <b>Description:</b> |               |          |                                       |

**ATTACHMENTS:**

Description

BLM Protest Documents Final

Upload Date

8/2/2019



## BOARD OF COMMISSIONERS

HILARY COOPER KRIS HOLSTROM LANCE WARING

July 29, 2019

Director (210)  
Attention: Protest Coordinator, WO-210  
20 M St SE, Room 2134LM  
Washington, D.C. 20003

Via electronic submission button (<https://eplanning.blm.gov/epl-front-office/eplanning/comments/commentSubmission.do?commentPeriodId=77137>) and overnight (non-USPS) delivery.

RE: San Miguel County, Colorado Protest of the Proposed Resource Management Plan (PRMP) and Final Environmental Impact Statement (FEIS) for the Bureau of Land Management (BLM) Uncompahgre Field Office (UFO), June 2019

Dear Director,

Please accept this timely protest which is filed in accordance with 43 C.F.R. § 1610.5-2.

**Statement of Resource Management Plan Being Protested:**

We are protesting the Proposed Resource Management Plan (PRMP) and Final Environmental Impact Statement (FEIS) for the Bureau of Land Management (BLM) Uncompahgre Field Office (UFO) released to the public on June 28, 2019.

**This protest is submitted by the Board of County Commissioners (BOCC), San Miguel County, Colorado (SMC).**

**Protester**

**Name:** Board of County Commissioners, San Miguel County, Colorado

**Address:** Via U.S. Mail – PO Box 1170, Telluride, CO 81435

Via Delivery (non-USPS) – 333 West Colorado Avenue, 3<sup>rd</sup> Floor, Telluride, CO 81435

**Phone:** 970-728-3844

**Email:** [bocc@sanmiguelcountyco.gov](mailto:bocc@sanmiguelcountyco.gov)

**Statement of Protester's Interest:**

The San Miguel County (SMC) Board of County Commissioners (BOCC) are responsible for ensuring health, safety and welfare—including environmental health—within the County. Watershed health, soil health and protection of wildlife habitat are essential elements of San Miguel County. SMC has collaborated, cooperated and coordinated with federal land agencies on federal land planning and projects. Sixty percent of the land in San Miguel County is federal public land with another 4 percent being owned by the State of Colorado. Only 36 percent of San Miguel County consists of private land. San Miguel County is 70.6 percent federal mineral estate.

San Miguel County has assisted in the protection of thousands of acres of private lands with important wildlife habitat values, especially Gunnison sage grouse (GuSG) critical habitat, by participating in the acquisition of conservation easements intended to preserve and protect GuSG habitat. San Miguel County has financially contributed approximately \$2 million for GuSG habitat conservation and improvements through the County's Land Heritage Program, co-funding of the Gunnison sage-grouse Working Group and funding of other actions intended to provide direct benefits to GuSG recovery and resilience. SMC continues to actively participate with the stakeholder group that developed the Gunnison sage-grouse Rangewide Conservation Plan and is currently participating in the U.S. Fish and Wildlife Service's 5-year species status review, Species Status Assessment, Recovery Plan and Collaborative Action Plan.

San Miguel County commissioned "A Natural Heritage Assessment San Miguel and Western Montrose Counties, Colorado," prepared by the Colorado Natural Heritage Program in 2000, which identified several areas having high biodiversity as Potential Conservation Areas (PCAs).<sup>1</sup> Citizens of San Miguel County have long recognized the need to plan for the conservation of plants and animals that are native to the San Miguel And Dolores River Basins and have demonstrated their desire to protect significant natural heritage and natural resources by organizing the San Miguel Watershed Coalition, San Miguel Conservation Foundation, San Miguel County Open Space Commission, San Miguel County Land Heritage Program and providing co-funding of collaborative groups such as the previously mentioned Gunnison sage-grouse Working Group and the Public Lands Partnership.

In addition, San Miguel County elected officials, staff and liaisons regularly and vigorously participate publicly and as a cooperating agency in federal public lands planning processes. We have participated throughout the BLM UFO RMP planning process as a cooperating agency and through official public comment periods. SMC has been a cooperating agency with BLM UFO for this RMP revision process since June 10, 2010 when an MOU was signed (attached). We are similarly a cooperating agency for the BLM Gunnison Sage-Grouse (GuSG) Resource Management Plan Amendment (RMPa) process (MOU attached) which was expected to amend or be inserted into the GuSG portion of this plan. We have a 2017 MOU with the UFO to emphasize continued SMC and UFO consultation, coordination, cooperation, collaboration and communication in land use actions and ratifying our partnership for the continued coordination and cooperation for implementation of the "Connecting with Communities" Recreation Strategy (attached). We

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<sup>1</sup>[http://www.cnhp.colostate.edu/download/documents/2000/San\\_Miguel\\_and\\_Western\\_Montrose.pdf](http://www.cnhp.colostate.edu/download/documents/2000/San_Miguel_and_Western_Montrose.pdf)

commented on the Section 368 Corridor Review (attached) which is reviewing an energy corridor that intersects San Miguel County and the UFO.

Additional recent and ongoing planning processes that SMC is actively participating in include the BLM Tres Rios Field Office (TRFO) RMP/FEIS; BLM TRFO Travel Area Planning (TAP) process; BLM TRFO Areas of Critical Concern (ACEC) RMP amendment process; Alpine Ranger coalition with the BLM, US Forest Service (USFS); the USFS Grand Mesa, Uncompahgre and Gunnison National Forests (GMUG) Forest Plan Revision process; USFS Spruce Beetle Epidemic and Aspen Decline (SBEADMR); Uncompahgre Collaborative Forest Restoration project and others.

Federal lands agency resource management plans and forest plans directly impact San Miguel County's mandate to provide health, safety and welfare services to our citizens and visitors. They impact our socio-economic opportunities, environmental quality and quality of life. We will continue to participate in the planning process for the BLM UFO RMP.

**Issues Being Protested:**

1. Excessive delay between the Draft RMP/EIS (DRMP/DEIS) and Proposed RMP/Final EIS (PRMP/FEIS) and development of a substantially new agency alternative without providing a public comment period.
2. Inadequate Public Comment opportunity without all supporting data and files being made publicly available for the full Protest Period.
3. References to the Gunnison sage grouse: The failure to make available the Biological Assessment (BA) and Biological Opinion (BO). A lack of clarity on which Alternative the BA and BO analyzed. Inadequate NEPA analysis and protections for Gunnison sage grouse and the designation of a Section 368 Energy Corridor that will negatively impact Gunnison sage grouse populations and habitat.
4. Inadequate NEPA analysis and protections for water bodies, aquatic, wetland, and hydrologic resources, source water protection areas, domestic water supplies and cultural resources for fluid mineral leasing and surface disturbing activities.
5. General Wildlife: Failure to follow Colorado Parks & Wildlife (CPW) recommendations and guidelines for wildlife species, including Gunnison sage grouse, aquatic species, desert bighorn sheep and big game migration corridors. Lack of consistency with CPW Best Management Practices (BMPs), species-specific stipulations and ungulate winter range protection. In all cases, BLM UFO RMP should require collaboration, coordination, cooperating and consulting with CPW on wildlife species and habitats.
6. San Miguel River: Inadequate visual resource management protection of the San Miguel River Corridor, adjacent Scenic Byways, and San Miguel River ACEC and inadequate management of lands within the proposed San Miguel River Expansion ACEC.

7. Burn Canyon: Failure to appropriately manage Burn Canyon as a Special Recreation Management Area (SRMA) vs. an Extensive Recreation Management Area (ERMA) or provide management direction for appropriate visual resource management protection and protection of sensitive riparian areas from motorized or mechanized uses or surface occupancies.
8. Dolores River: Inadequate management direction to protect the lands within the analyzed Dolores River Slickrock Canyon ACEC to protect and prevent degradation of the significant natural, biological, cultural, recreational and scenic resources and values.
9. San Miguel River Segment 1 and Beaver Creek Segment ORVs are incompatible with hydro, solar, wind, and mineral development.
10. Lands Identified for Disposal: San Miguel County opposes Lands Identified for Disposal within San Miguel County that are within 4-miles of a Gunnison sage grouse lek, adjacent to or intersecting Gunnison sage grouse Critical Habitat, contain Public Rights-Of-Way, contain Lone Cone Reservoir and are adjacent to private land conserved for Gunnison sage grouse Habitat.
11. The Proposed PRMP/FEIS does not adequately consider the consequences of climate change.
12. Underlying analysis of uranium and other locatable minerals is factually incorrect which renders the analysis of the direct, indirect and cumulative impacts arbitrary, capricious and factually incorrect.

**Detailed Discussion of Issues with Identification of Parts of the Plan Being Protested:**

Our discussion of each of these issues below provides a statement of the part(s) of the plan being protested (including Chapter, Section, Page and/or Map) with a concise statement explaining why the State Director's decisions are believed to be wrong.

**Excessive delay between the Draft RMP/EIS (DRMP/DEIS) and Proposed RMP/Final EIS (PRMP/FEIS) and development of a substantially new agency alternative without providing a public comment period.**

The Draft RMP/DEIS was released in 2016 and the Proposed RMP/FEIS was released in June 2019 with an entirely new Agency Preferred Alternative. The 30-day protest period does not provide adequate time for a thorough analysis or comparison of the alternatives, especially the previous Agency Preferred Alternative D and the new Preferred Alternative E. The 30-day protest period does not allow for public comment and restricts the ability to protest to those that have commented in the past and restricts content to issues that have been raised in the past. In the three years since the Draft RMP was released, there may be new stakeholders who should have the ability to comment on a Resource Management Plan that is intended to guide land-use



decisions for at least the next decade. Also, the release of a new Alternative may raise new issues that were not commented on in the past. Without adequate time for review, adequate analysis is not possible by the public and cooperating agencies.

The DRMP/DEIS was released for review May 20, 2016. San Miguel County commented on the DRMP/DEIS in October 2016. We received UFO agency responses to our October 2016 comments in April of 2018. The BLM Southwest Resource Advisory Council (RAC) examined a range of alternatives presented by UFO in February of 2013 and a more timely review should be allowed.

Volume 1, Page I-9 of the Proposed RMP states that following the introduction of the agency preferred alternative in the DRMP/DEIS there was a 150-day comment period incorporating a 60-day extension and six open houses in six Planning Area communities. In contrast, following the PRMP/FEIS with a NEW Alternative there is no opportunity for comment, minimal public outreach and no open houses.

Given the 30-day Protest Period, SMC worked diligently to review the over 4000-page document provided and requested additional information to improve our ability to analyze in the short period of time. GIS other supporting data and documents were not provided on a timely basis for us to adequately understand the potential impacts of the new Alternative.

***Requested Remedy:*** BLM should rescind the Proposed RMP and release the new Alternative as a Draft RMP with a 60-day comment period.

**Inadequate Public Comment opportunity without all supporting data and files being made publicly available for the full Protest Period.**

Issue Reference Citations:

- Volume I, Executive Summary, Page ES-1
- Volume I, Chapter 2, Page 2-5 and Table 2-2
- Volume II, Appendix A, Figures (Pages A1-A267)
- <https://eplanning.blm.gov/epl-front-office/eplanning/planAndProjectSite.do?methodName=dispatchToPatternPage&currentPageId=86012>
- <https://eplanning.blm.gov/epl-front-office/eplanning/planAndProjectSite.do?methodName=dispatchToPatternPage&currentPageId=86011>

The 30-day Protest Period was initiated by the publication of the official Notice of Availability in the Federal Register on Friday, June 28, 2019. At that time there were no GIS files newer than June 2016 available on the e-planning website<sup>2</sup>. There were no GIS data files for the new

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<sup>2</sup> <https://eplanning.blm.gov/epl-front-office/eplanning/planAndProjectSite.do?methodName=dispatchToPatternPage&currentPageId=86004>

proposed alternative. After SMC staff requested the current GIS files, they were made available on July 11, 2019. SMC staff identified at least one important supporting data file (Lands Identified for Disposal) still missing from the BLM's e-planning data web page<sup>3</sup>. This file was emailed to SMC staff on July 16, 2019, but as of July 21, 2019 is still not publicly available. Lands Identified for Disposal is a topic which was previously a SMC subject of concern and detailed comments from San Miguel County were provided for the agency preferred alternative to the DRMP/DEIS in 2016. The PRMP/FEIS maps in Volume II, Appendix A are at a scale that shows the entire UFO decision area across six counties. This scale is not conducive to reviewing a 40-acre proposed disposal parcel in context.

Additionally, this scale does not allow for examination of proposed actions and the proposed decision to inform comments and plan understanding. The BLM is required to consult with local governments and citizens regarding site-specific knowledge when making land-use decisions. GIS data files and interactive maps similar to the "Story Maps" made available online by the USFS as part of the Grand Mesa, Uncompahgre, and Gunnison National Forests Plan Revision are needed to examine how the proposed actions affect lands and resources and allow informed input to ensure the best land-use decisions.

Page ES-1 of the PRMP states, "This website contains background information about the project, a public involvement and project timeline, maps and relevant GIS data of the Planning Area, and copies of public information documents released throughout the RMP/EIS process."

This statement is not true and over half of the protest period has passed without the agency publicly posting relevant maps and GIS data to inform reviews of the new proposed alternative. All relevant supporting material upon which the agency's alternative has been based or which contains proposed management codes and administrative or designated area boundaries must be provided at the onset of the protest or public comment period.

There is a significant difference between the objective of Alternative D, the agency preferred alternative in the DRMP/DEIS which described incorporating a "balanced level of protection, restoration, enhancement, and use of resources and services to meet ongoing programs and land uses,"<sup>4</sup> and the new Proposed Alternative E, which is described by the BLM as a "reasonable combination of objectives and actions from A, B, C, and D"<sup>5</sup>. There is no rationale provided for this significant switch to determine if it is actually "reasonable." "Reasonable" is a subjective term that should not be used for an official Agency Preferred Alternative.

SMC would like the time to conduct a thorough GIS analysis of the Ecological Emphasis Areas, included in Alternative D and eliminated from Alternative E to determine any potential loss of protection of resources.

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<sup>3</sup> <https://eplanning.blm.gov/epl-front-office/eplanning/planAndProjectSite.do?methodName=dispatchToPatternPage&currentPageId=86012>

<sup>4</sup> PRMP/FEIS Page 2-5

<sup>5</sup> PRMP/FEIS Page 2-5

**Requested Remedy:** BLM should rescind the Proposed RMP based on the numerous substantive changes made to the alternatives without public and cooperating agency access to complete supporting materials and GIS files at the initial time of publication. Further supplemental analysis is required. An adequate public comment period is warranted due to the introduction of a new Alternative and lack of supporting documentation for review. All supporting background and data should be publicly available at the beginning of the comment period or protest period.

**References to the Gunnison Sage Grouse: The failure to make available the Biological Assessment (BA) and Biological Opinion (BO). A lack of clarity on which Alternative the BA and BO analyzed. Inadequate NEPA analysis and protections for Gunnison sage grouse and the designation of a Section 368 Energy Corridor that will negatively impact Gunnison sage grouse populations and habitat.**

Issue Reference Citations:

- Volume I, Pages 1-8, 1-9, 2-38, 2-113, 2-129, 2-130, 3-45, 3-48, 3-52, 3-59, 3-62, 4-13, 4-126, 4-128, 4-129, 4-133, 4-138, 4-141, 4-144, 4-148, 4-149, 4-176, 4-362, 4-363, 4-364, 4-365, 4-366, 4-370, 4-371, 4-372, 4-373, 4-374, 4-375, 4-376, and 4-474
- Volume I, Appendix A, Figure 2-92
- Volume I, Appendix B (all)
- Volume II, Chapter 5, Page 5-2
- Volume III, Appendix T, Pages T-113, T-114, T-115, T-116, T-117, T-235, T-239, T-244, T-245, T-251, T-255, T-256, T-259, T-408, T-409, T-412, T-464, T-465, and T-466

The Gunnison sage grouse (GuSG) was listed as a threatened species under the Endangered Species Act (ESA) by the U.S. Fish and Wildlife Service on November 20, 2014 (79 Fed. Reg. 69192).

San Miguel County, a Cooperating Agency, and the general public are denied the opportunity to adequately review the new Proposed Alternative E in the PRMP/FEIS for GuSG and habitat impacts. It is unclear how the proposed actions in the PRMP/FEIS were contemplated by the BLM's referenced Biological Assessment, which has not been made available or contemplated by the USFWS's Biological Opinion (BO), referenced in the PRMP/FEIS as having been signed on December 17, 2018, and also not provided for review.<sup>6</sup> The PRMP/FEIS was published in the Federal Register on June 28, 2019. A Biological Opinion is a document prepared by USFWS stating their opinion as to whether or not a federal action will likely jeopardize the continued existence or adversely modify the habitat of a listed threatened or endangered species.

According to the PRMP/FEIS (page 5-2), the Biological Opinion was issued "concurring with the determinations that the Proposed RMP: 1) may affect, but is not likely to adversely affect, the greenback cutthroat trout, Mexican spotted owl, western yellow-billed cuckoo, Colorado

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<sup>6</sup> Biological Opinion – Revision of the Resource Management Plan for the Uncompahgre Field Office. Western Slope Supervisor, US Department of the Interior, Fish and Wildlife Service, Ecological Services, Grand Junction, CO. December 17, 2018.

pikeminnow, razorback sucker, bonytail, and humpback chub; and 2) may affect, and is likely to adversely affect, Colorado hookless cactus, clay-loving wild buckwheat (including designated critical habitat), and Gunnison sage grouse (including designated critical habitat) (USFWS 2018d).”

In 2016, San Miguel County provided substantial comments on the DRMP/DEIS treatment of the GuSG and critical habitat, which took into consideration that there was a more robust Gunnison Sage Grouse Rangewide RMP Amendment process underway which was considering making all GuSG critical habitat an Area of Critical Environmental Concern and was considering protective stipulations for not just BLM lands designated as habitat and/or within 4-miles of GuSG leks, but also split estate.

At the time of release of this PRMP/FEIS, the Gunnison Sage Grouse Rangewide RMP Amendment has been canceled and the process ended. This new situation changes the context and importance of comments and input into the need for necessary land protection, resource allocation and stipulations to protect and enhance GuSG populations and habitat within the UFO.

San Miguel County desired the GuSG Rangewide RMP Amendment<sup>7</sup> to modify and strengthen the UFO RMP measures after completion of this UFO RMP. Although we have not had adequate time to thoroughly review the PRMP/FEIS we do find that it allows for discretion to waive the protective stipulations that are present in the new Proposed Alternative E.

San Miguel County has been participating in the Section 368 West Wide Energy Corridor review process<sup>8</sup> since the DRMP/DEIS was released. SMC recommended relocation of the corridor going north-south through SMC because it would have significant negative impacts on GuSG. SMC provided these comments to responsible officials at the UFO and discussed them in-person in 2018.

We are attaching our comments on both the Section 368 West Wide Energy Corridor and the GuSG Rangewide RMP Amendment DRMP/DEIS.

***Requested Remedies:***

1. Provide the BLM’s Biological Assessment and the USFWS Biological Opinion for review and clarify whether the BO was based on the June 28, 2019 PRMP/FEIS or a different alternative. UFO should incorporate any recommendations of the Biological Opinion into the PRMP/FEIS. Cooperating Agencies and the public should be allowed to comment on the new Proposed Alternative E within the current context of no forthcoming GuSG

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<sup>7</sup> <https://eplanning.blm.gov/epl-front-office/eplanning/planAndProjectSite.do?methodName=renderDefaultPlanOrProjectSite&projectId=39681>

<sup>8</sup> <http://corridoreis.anl.gov>

Rangewide RMP Amendment. This PRMP/FEIS fails to adequately protect GuSG or address split estate.

2. The UFO should fully follow and incorporate the recommendations of the Biological Opinion for GuSG<sup>9</sup> and the 2005 Rangewide Conservation Plan<sup>10</sup> which include:
  - a. *Protect occupied habitats from permanent loss. If permanent habitat loss from development (primarily) or conversion is not addressed, successful implementation of all the other conservation strategies is not likely to be successful in conserving GUSG. An equally important strategy is preventing significant degradation, whatever the cause, of existing habitat that is seasonally important to GUSG.*
  - b. *Coordinate with Colorado Parks & Wildlife in their effort to stabilize existing populations demographically and genetically through augmentation, and establish new populations in suitable historically occupied habitats (i.e., unoccupied critical habitat).*
  - c. *Improve habitat within currently occupied and adjacent potential habitats.*
  - d. *Protect suitable unoccupied habitat areas from permanent loss.*
  - e. *Improve habitat conditions within unoccupied habitat, which will accommodate item 2 above.*
3. The BLM should not allow stipulations intended to protect GuSG to be available for administrative waivers, exceptions and modifications without clear criteria and process. The UFO RMP Proposed Alternative should follow the following guidance of the Biological Opinion<sup>11</sup>:

***Fluid Minerals - When considering waivers, exceptions, and modifications within NSO designated areas, we recommend implementing the criteria developed for the Northwest Colorado Greater Sage-Grouse RMPA as follows:***

***\*\*Exceptions or modifications may be considered if, in consultation with the State of Colorado, it can be demonstrated that there is no impact on Gunnison sage-grouse based on one of the following:***

1. *Topography/areas of non-habitat create an effective barrier to impacts*
2. *No additional impacts would be realized above those created by existing major infrastructure (for example, State Highway 50).*
3. *The exception or modification precludes or offsets greater potential impacts if the action were proposed on adjacent parcels (for example, due to land ownership patterns).*

***\*\*In order to approve exceptions or modifications to this lease stipulation, the Authorized Officer must obtain: agreement, including written justification, between the BLM District Managers and CPW that the proposed action satisfies at least one of the criteria listed above***

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<sup>9</sup> Biological Opinion – Revision of the Resource Management Plan for the Uncompahgre Field Office. Western Slope Supervisor, US Department of the Interior, Fish and Wildlife Service, Ecological Services, Grand Junction, CO. December 17, 2018; Pages 27-28

<sup>10</sup> <https://cpw.state.co.us/learn/Pages/GunnisonSagegrouseConservationPlan.aspx>

<sup>11</sup> Biological Opinion – Revision of the Resource Management Plan for the Uncompahgre Field Office. Western Slope Supervisor, US Department of the Interior, Fish and Wildlife Service, Ecological Services, Grand Junction, CO. December 17, 2018; Page 28



*Waivers - No waivers are authorized unless the area or resource mapped as possessing the attributes protected by the stipulation is determined during collaboration with the State of Colorado to lack those attributes or potential attributes. A 30-day public notice and comment period is required before waiver of a stipulation. Waivers would require BLM State Director approval.*

*• Incorporate “Available Conservation Measures” and “Overarching Conservation Objectives” found in the GUSG final listing rule (79 FR 69192, p. 69305-69309).*

- 4. Incorporate the management prescriptions and protective ACECs developed for the Gunnison sage grouse Rangewide RMP Amendment into the UFO RMP, since the Gunnison Sage-Grouse Rangewide RMP process is no longer active. BLM and Cooperating Agencies invested many years into researching and developing that RMP. See Attachment 3.*
- 5. Un-designate or relocate the portion of the Section 368 West Wide Energy Corridor that goes through San Miguel County. There is no ROW on non-federal land that will not significantly impact GuSG habitat. See Attachment 4.*

**Inadequate NEPA analysis and protections for waterbodies, aquatic, wetland, and hydrologic resources, source water protection areas, domestic water supplies and cultural resources for fluid mineral leasing and surface disturbing activities.**

Issue Reference Citations:

- Chapter 2, Pages 2-8 to 2-11, under the headers of Fluid Mineral Leasing, Restrictions for Surface-disturbing Activities, and Locatable Minerals, Mineral Materials, and Non-energy Solid Leasable Minerals
- Appendix B: Restrictions Applicable to Fluid Minerals Leasing and Other Surface-disturbing Activities constitute an entirely new Alternative

The fluid mineral leasing acreage in the new Proposed Alternative E, retains the same open and closed acreage as Alternative A, the current condition. The current RMP predates the concerns for Canada lynx, Gunnison sage grouse and many new conditions that have developed, including new science and data regarding climate change. There is no explanation for the changes in the new Proposed Alternative E. The acreage identified for NSO is significantly reduced in the new alternative. Omission of stipulations NL-8 (Page B-9), NSO-6/SSR-8 (Page B-17), NSO-9/SSR-11 (Page B-18), NSO-11/SSR-13 (Page B-19), NSO-19/SSR-16 (Page B-23), NSO-31/SSR-32 (Page B-128), NSO-69 (Page B-52), CSU-16 (Page B-63), and CSU-23/SSR-26 (B-67) are inadequate for protection of special resources.

***Requested Remedy:*** The fluid mineral leasing acreage significantly changes from Alternative D to Alternative E and the BLM must allow for adequate public comment and re-consider Cooperating Agency input prior to a protest period for this new Proposed Alternative which significantly reduces protections for hydrologic, aquatic, riparian, water supply resources, as well as cultural

and wildlife resources. Colorado Parks and Wildlife guidelines and standards need to be followed.

**General Wildlife: Failure to follow Colorado Parks & Wildlife recommendations and guidelines for wildlife species, including Gunnison sage grouse, aquatic species, desert bighorn sheep and big game migration corridors. Lack of consistency with CPW Best Management Practices (BMPs), species-specific stipulations and ungulate winter range protection. In all cases, BLM UFO RMP should require collaboration, coordination, cooperating and consulting with CPW on wildlife species and habitats.**

Issue Reference Citations:

- Volume I, Chapter 2
- Volume I, Table 2-2, especially, but not limited to Fish & Wildlife, Special Status Species, and Livestock Grazing
- Volume II, Chapters 4-5 and Appendix B
- Volume III, Appendix K
- Volume IV, Appendix T, Description of Alternatives

San Miguel County works closely with State of Colorado wildlife biologists and CPW staff to ensure the protection of wildlife and habitat in the county. The Final RMP should fully incorporate protective stipulations including NSO's, timing limitations and best management practices in collaboration and consultation with CPW. San Miguel County continues to support Alternative D's overall direction on Page 2-127: "Alternative D's overall management direction is similar to Alternative B, with additional direction to promote ecosystem integrity and protect and restore ecosystem processes. As a result, Alternative D would reduce adverse impacts on special status species, compared with Alternative A, and would provide beneficial impacts through active management to restore and enhance habitats." In contrast, Alternative E, through the seemingly less restrictive Controlled Surface Use stipulation reduces protections according to the overall management direction on Page 2-127: "The BLM's overall management direction and associated impacts would be similar to Alternative D, although across fewer acres and with less-protective stipulations (i.e., CSU versus NSO)."

***Requested Remedy:*** Incorporate the additional details for desired conditions, standards suggested by CPW and best management practices related to the management, preservation, and consideration of fish and wildlife species and habitat. Fully incorporate previous CPW requests offered during the DRMP/DEIS comment period on Alternative D, through their specific comments on GuSG, aquatic species, bighorn sheep, land health standards and stipulations for fluid mineral leasing and other surface disturbing activities.

**San Miguel River: Inadequate visual resource management protection of the San Miguel River Corridor, adjacent Scenic Byways, and San Miguel River ACEC and inadequate management of lands within the proposed San Miguel River Expansion ACEC.**

Issue Reference Citations:

- Volume I, Page 2-160 to 2-161

- Volume II, Appendix B
- Volume IV, Page T-490 and T-491
- Volume I, Appendix A: Figures 2-84 [Alternative B], 2-85 [Alternative C], 2-86 [Alternative D], and 2-103 [Alternative E]
- Index, Page I-1, Entire list of ACEC references as they apply to the San Miguel River and San Miguel River Expansion ACECs.

The lands within the existing San Miguel River ACEC currently have a visual resource management protection level of VRM-II (V-2). The Proposed Alternative will change that to VRM-III (V-3). The PRMP/FEIS will treat the San Juan Skyway as VRM Class III and Unaweept/Tabeguache Byway as VRM Class III within 0.5 mile of the road. Visual resources are extremely important to San Miguel County's economy, tourism, and quality of life (see Attachments 1 and 2). The San Miguel River Canyon should be given the greatest possible visual resource management level, no less than a VRM-II.

The BLM describes VRM-II class and objective as follows: "To retain the existing character of the landscape. Allowed Level of Change: The level of change to the characteristic landscape should be low. Management activities may be seen, but should not attract the attention of the casual observer. Any changes must repeat the basic elements of form, line, color, and texture found in the predominant natural features of the characteristic landscape." VRM Class III Objective is described as follows: "To partially retain the existing character of the landscape. Allowed Level of Change: The level of change to the characteristic landscape should be moderate. Management activities may attract attention, but should not dominate the view of the casual observer. Changes should repeat the basic elements found in the predominant natural features of the characteristic landscape."<sup>12</sup>

Proposed Alternative E removes the stipulation presented in Alternative D for excluding wind, solar, and hydropower from the San Miguel River ACEC and changes it to avoidance. We have not had adequate time for review of these new and significantly changed stipulations and how they will be put into practice. Due to the strong support from our business, recreation and conservation communities, we continue to support the exclusion of any impacts that would alter the native character and scenic beauty of the San Miguel River corridor and its scenic, recreational, vegetation and wildlife values.

To provide cohesive management and avoid conflicts with recreation and ecological values of the San Miguel River Canyon, San Miguel County believes the final alternative and decision should include the San Miguel River Expansion ACEC and the protective management stipulations described in Alternative B of the DRMP/DEIS.

**Requested Remedy:** Manage the San Miguel River ACEC and lands within the San Juan Skyway and Unaweept/Tabeguache Byway as VRM Class II. It is unacceptable to diminish the VRM Class and objective of these lands so that objective is to only "partially retain" the existing scenic

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<sup>12</sup> <http://blmwyomingvisual.anl.gov/vr-mgmt/blm/index.cfm>

character. Incorporate the management prescriptions and designate the San Miguel River Expansion ACEC as described in Alternative B.

**Burn Canyon: Failure to appropriately manage Burn Canyon as a Special Recreation Management Area (SRMA) vs. an Extensive Recreation Management Area (ERMA) or provide management direction for appropriate visual resource management protection and protection of sensitive riparian areas from motorized or mechanized uses or surface occupancies.**

Issue Reference Citations:

- Volume I, Page 2-11, 2-84 to 2-91, 3-112, 3-113, 4-6, 4-212, 4-276, 4-283, 4-284, 4-291, 4-296, 4-298, 4-305
- Volume II, Appendix B
- Volume IV, Appendix T
- Index, Page I-3, I-4, and I-8, Entire lists of SMRA and ERMA references as they apply to the Burn Canyon SMRA or Burn Canyon ERMA

In our previous comments, San Miguel County requested to have Burn Canyon managed as an SRMA vs and ERMA, primarily to retain the sensitive riparian areas in the drainages as non-motorized areas. We requested that if the Burn Canyon is managed as an ERMA, it be given a clear NSO, with the riparian areas in the canyons closed to motorized and mechanized uses. We requested that these areas have VRM-II to further protect the scenic resources. The Proposed Alternative E significantly alters the previous Agency Alternative and removes stipulations for CSU. This is a major change of use in areas considered during the trail planning stages for Burn Canyon to be sensitive habitats which should be avoided.

Burn Canyon and Naturita Canyon were analyzed in Alternative B as Ecological Emphasis Areas. San Miguel County recommended in our 2016 comments (Attachment 2) that the full Naturita Canyon EEA as described in Alternative B and stipulations for the Burn Canyon EEA and the Naturita Canyon EEA presented in Alternative B be incorporated into the final alternative and decision.

***Requested Remedy:*** Burn Canyon should be managed to limit recreational activities to non-motorized, non-mechanized, backcountry primitive types of recreation in the sensitive scenic and riparian areas within the canyon terrain. These areas should be VRM-II. See Attachments 1 and 2. SMC continues to support the management stipulations for the Naturita Canyon EEA and Burn Canyon EEA, as described in Alternative B of the DEIS/FEIS.

**Dolores River: Inadequate management direction to protect the lands within the analyzed Dolores River Slickrock Canyon ACEC to protect and prevent degradation of the significant natural, biological, cultural, recreational and scenic resources and values.**

Issue Reference Citations:

- Volume I, Chapter 2, Including Table 2-2
- Volume II, Chapter 4, Tables 4-69 through 4-72

- Volume IV, Appendix T
- All references to Dolores River Slickrock Canyon ACEC and SRMA in Volume II, Index Pages I-1 and I-8.

Management of the Dolores River Slickrock Canyon ACEC should protect and prevent damage to the significant “scenic, cultural and paleontological resources, desert bighorn sheep, peregrine falcon, roundtail chub and sensitive plant communities, including sensitive species Kachina daisy and Naturita milkvetch. Not including recognition or protection for these resources, plants and animals will likely result in the degradation of significant natural, biological, cultural, recreational and scenic values that are unique to the Dolores River Slickrock Canyon. SMC continues to support the Dolores River Slickrock Canyon ACEC considered in Alternative B of the DRMP/DEIS which was adequate to protect the unique landscape and ecosystems of this section of the Dolores River. SMC continues to support the following stipulations for this section of the Dolores River; ROW exclusion, No Lease, No Ground Disturbance, No Recreational Mining, No Commercial Seed Collection, No Commercial Wood Collection, No Campfires, Camping Only In Designated Sites, Petition Sec of Interior to withdrawal for locatable minerals and exclusion from hydro, solar, and wind energy developments.

***Requested Remedy:*** At a minimum, return to the management levels contained in Alternative D and summarized on Page T-49 and designate a Dolores River Slick Canyon ACEC, which provides a balance between the management levels warranted and other input:

“Manage 9,780 acres as the Dolores River Slickrock Canyon ACEC to protect scenic values, cultural and paleontological resources, desert bighorn sheep, peregrine falcon, roundtail chub, and plant communities and the BLM sensitive species Kachina daisy and Naturita milkvetch. Management actions are as follows:

- Close to motorized and mechanized travel.
- Provide such facilities as informational and interpretive signs, designated trail systems and camping areas, restrooms, barricades and fences, as needed for resource protection.
- Allow dispersed camping unless otherwise posted.
- Prohibit open campfires: require use of fire pans, stoves, or grills.
- Allow on-site collection of dead and downed wood for campfires (fire pans, stoves, or grills required), unless monitoring indicates a need for change.
- Close to wood product sales and/or harvest.
- Require porta-potties for overnight use if restroom is not available.
- Manage as VRM Class II.
- Allowable Use: **STIPULATION** NSO-58/ SSR-57: *Special Designation ACEC*. Prohibit surface occupancy and use and apply SSR restrictions in the ACEC. (Refer to Appendix B.)
- Manage as ROW avoidance.
- Recommend to the Secretary of the Interior for withdrawal from locatable mineral entry.
- Allowable Use: Close to mineral materials disposal.
- Allowable Use: Close to non-energy solid mineral leasing.



The Dolores River SRMA offers some management protection for a lesser extent of the Dolores River Slickrock Canyon, however, stipulations for fluid mineral leasing and other surface disturbing activities are subject to administrative waiver or modification where they would be in effect and if allowed could severely degrade the unique and sensitive conditions of the Dolores River Slickrock Canyon area.

**San Miguel River Segment 1 and Beaver Creek Segment ORVs are incompatible with hydro, solar, wind, and mineral development.**

Issue Reference Citations:

- Wild and scenic river (WSR), 1-5, 2-124, 2-157, 3-118, 3-128, 3-129, 4-47, 4-60, 4-83, 4-104, 4-107, 4-148, 4-193, 4-209, 4-301, 4-313, 4-321, 4-396, 4-400, 4-405, T-25, T-43, T-49, T-163
- Volume II, Appendix A, Figures
- Appendix P

Similar to Alternative D of the DRMP/DEIS, new Proposed Alternative E finds the San Miguel River Segment 1 is Suitable and recommended for a Recreational classification with Scenic, Recreational, Wildlife, Historic, Vegetation, and Paleontology Outstandingly Remarkable Values (ORVs). Beaver Creek is Suitable and recommended for a Recreational classification with Vegetation ORV. Unlike Alternative D, the protective stipulations provided in the new Alternative E omit exclusion of hydro, solar, or wind energy. This will allow inappropriate and incompatible development of marginal renewable energy resources in these segments.

***Requested Remedy:*** Retain the stipulations that exclude wind, solar, and hydro from Beaver Creek and San Miguel River Segment 1. Review Attachment 1 and consider the list of stipulations that are warranted for these segments and the lands within the San Miguel River ACEC, San Miguel River Expansion ACEC and San Miguel River SRMA. These stipulations provide appropriate and warranted protection and management for these areas which provide irreplaceable scenic beauty, ecological services that protect watershed and forest health, habitat and recreation opportunities that are important to our environmental quality and economy.

**Lands Identified for Disposal: San Miguel County opposes Lands Identified for Disposal within San Miguel County that are within 4-miles of a Gunnison sage grouse lek, adjacent to or intersecting Gunnison sage grouse Critical Habitat, contain Public Rights-Of-Way, contain Lone Cone Reservoir and are adjacent to private land conserved for Gunnison sage grouse habitat.**

Issue Reference Citations:

- Volume III, Appendix N, Page N-6
- Volume II, Appendix A, Figure 2-62 and Table 2-2 (Page 2-12)

Three parcels are in the PRMP/FEIS proposed alternative as Lands Identified for Disposal within San Miguel County on Page N-6:

N. Legal Descriptions of Lands Identified for Disposal

| Township | Range | Section | Aliquot Lot Tract | Acres | Alt A | Alt B | Alt C | Alt D | Alt E BLM Proposed |
|----------|-------|---------|-------------------|-------|-------|-------|-------|-------|--------------------|
| 43 N     | 13 W  | 12      | NESW              | 40    | No    | Yes   | No    | Yes   | Yes                |
| 44 N     | 13 W  | 24      | NESE              | 40    | Yes   | Yes   | Yes   | Yes   | Yes                |
| 44 N     | 13 W  | 35      | NWSW              | 40    | Yes   | Yes   | Yes   | Yes   | Yes                |

The three parcels are within Lone Cone and Gurley Reservoir areas. The parcel within T43 N R13 W Section 12 intersects Lone Cone Reservoir and is surrounded by Gunnison sage grouse critical habitat (Figure VIII.a below). The parcel is within 0.25 miles of the active Lone Cone Lek complex. It is less than one mile from a historic lek. Due to the conflicts with existing uses, water rights, access and Gunnison sage grouse critical habitat, San Miguel County opposes this action.

The parcel within T44 N R13 W Section 35 intersects and is adjacent to Gunnison sage grouse critical habitat (Figure VIII.a below). The parcel is within 1.25-1.5 miles of the active Lone Cone Lek complex and an additional historic lek. It is surrounded by private land with a conservation easement in place to protect Gunnison sage grouse habitat. There is a BLM route (undesignated) on this parcel and aerial imagery shows tracks that connect to adjacent land. Due to the conflicts with existing uses, access, and Gunnison sage grouse critical habitat and lands conserved for Gunnison sage grouse, San Miguel County opposes this action.

The parcel within T44 N R13 W Section 24 is adjacent to private land with a conservation easement in place to protect Gunnison sage grouse habitat (Figure VIII.a below). The parcel is within 3-4 miles of the active Lone Cone and Beaver Mesa Lek complex and additional historic leks. There is a BLM route (undesignated) on this parcel and aerial imagery shows tracks that connect to adjacent land. Due to the conflicts with existing uses, access, and Gunnison sage grouse critical habitat and lands conserved for Gunnison sage grouse, San Miguel County opposes this action.

San Miguel County is opposed to any land disposal that interferes with public or private land access, water rights and irrigation and the protection of Gunnison sage grouse habitat or populations. The GIS shapefile of the Lands Identified for Disposal was not made publicly available for the protest period or for the 2016 DRMP/DEIS, which should be considered to be a procedural error.

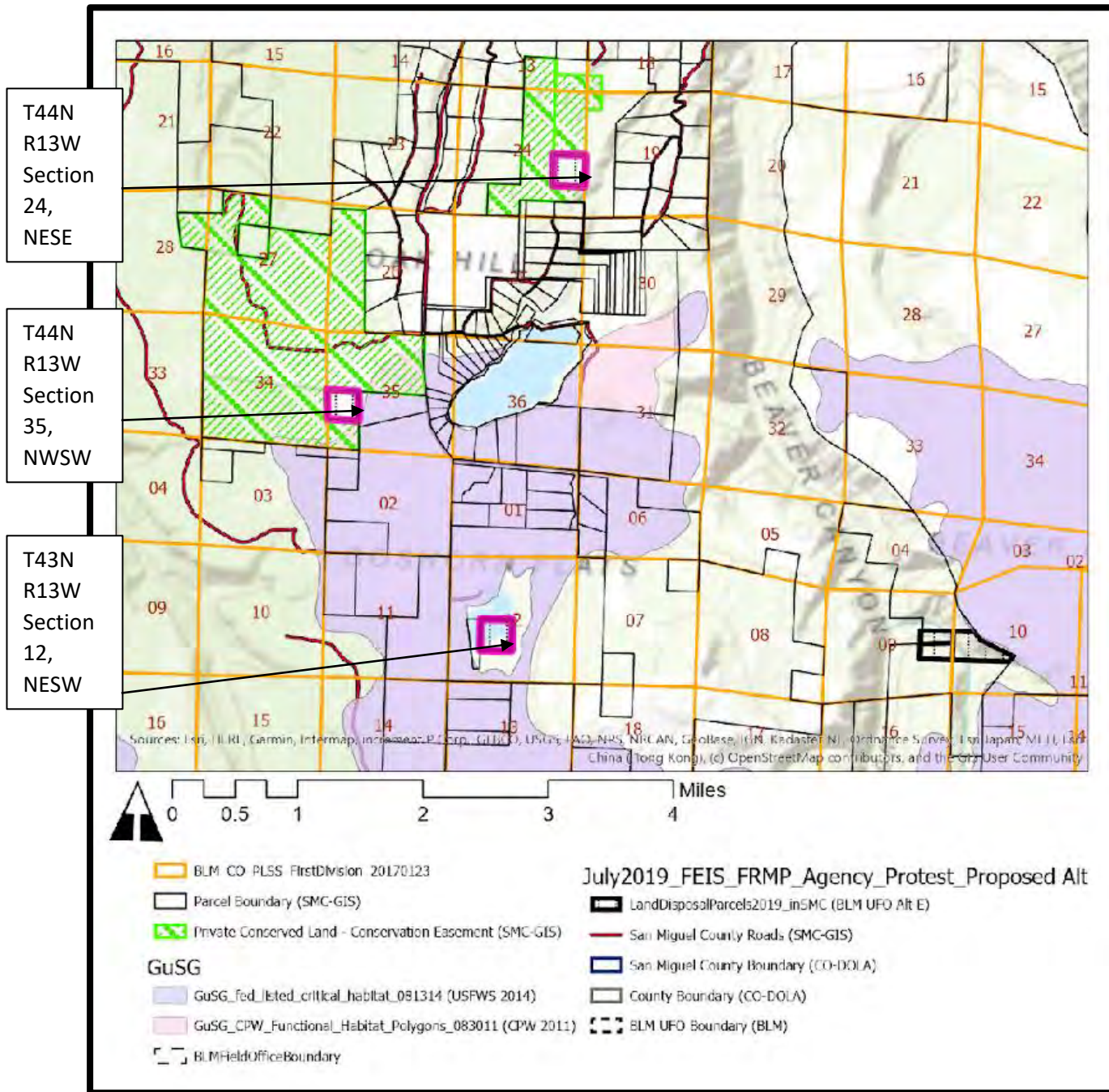


Figure VIII.a: Showing the locations of the three parcels identified for disposal in the new Proposed Alternative

**Requested Remedy:** BLM should not include the three parcels above within San Miguel County as “Lands Identified For Disposal” in the final decision due to conflicts with existing water rights and Lone Cone Reservoir, conflicts with existing access routes between public and private lands and conflicts with Gunnison sage grouse habitat conservation.

**The Proposed PRMP/FEIS does not adequately consider the consequences of climate change.**

Alternative E does not acknowledge climate change, make climate change a priority, nor in any substantial way include an analysis of climate impacts of any of the alternatives.

***Requested Remedy:*** An adequate PRMP/FEIS must, at a minimum, include a carbon emission reduction plan that is demonstrably consistent with the efforts of the State to meet the State's climate and carbon emission reduction goals.

**Underlying analysis of uranium and other locatable minerals is factually incorrect which renders the analysis of the direct, indirect and cumulative impacts arbitrary, capricious and factually incorrect.**

**Issue Reference Citations:**

- **Volume 1, Chapter 2, 3 & 4**

The current status of the public lands and the likelihood of uranium mining within the project area is set out in Federal District Court Judge Martinez's March 18, 2019 Order (see attachments A-D) dissolving the injunction on lease tracts within the UFO jurisdiction where Dpt of Energy (DOE) manages the minerals and BLM manages the surface. The PRMP/FEIS relies on outdated information and analysis based on the now-invalidated Pinon Ridge Mill license. As stated in the Martinez ruling (page 11): "[T]he supplemental BA [the US Fish and Wildlife Service prepared for the uranium lease tracts jointly managed by BLM and DOE] plausibly and adequately explains why the Piñon Ridge Mill will likely never be constructed, and why substantial uranium mining is not likely to occur anyway". The Pinon Ridge license was revoked by Colorado regulators on April 26, 2018, based on the April 17, 2018 findings entered by Hearing Officer Dana, pursuant to the September 3, 2014 remand order of the Colorado District Judge McGahey that held the license in abeyance. Federal Judge Martinez's Order further confirms that "the only potential location that ULMP-generated uranium ore could be milled is the White Mesa Mill near Blanding, Utah, roughly 100 miles from Paradox Valley." (page 11). Both of Judge Martinez's conclusions - uranium mining is not likely, and White Mesa is the only potential mill for ore mined from the project area - must be applied to analysis of all uranium mines, whether part of the relocatable minerals BLM leads or the DOE lease program that BLM serves as the surface management agency.

The PRMP/FEIS - and particularly the decision to adopt the new Alternative E - is devoid of accurate direct, indirect and cumulative impacts analysis of the current legal status or actual conditions that have changed since the DRMP/DEIS was issued.

Due to the lack of time for an adequate review of Preferred Alternative E and the considerable time that has elapsed between the initiation of this RMP Revision and the delay between the DRMP and PRMP/FEIS, we assume there are additional errors of fact, due to lack of current information.



**Requested Remedy:** Based on the considerably extended ten-year planning process for this RMP, we request that the BLM restart the planning process in order to allow for factually correct and current information used to conduct the thorough analysis needed to develop the ultimate preferred Alternative. We also continue to request that the public and cooperating agencies have adequate time to review and comment on all alternatives.

**List of attachments submitted to BLM UFO and DOI during the planning process by San Miguel County:**

1. April 23, 2018: Letter from San Miguel County to UFO.
2. October 31, 2016: Comments from San Miguel County to UFO on the DRMP/EIS.
3. January 9, 2017: Comments by the San Miguel County, Colorado Board of County Commissioners regarding the Gunnison Sage Grouse Rangewide Draft Resource Management Amendment/Draft EIS (“GuSG DRMPa”); 81 Fed. Reg. 53503 (August 12, 2016)
4. February 28, 2018: Section 368 West-Wide Energy Corridors Region 2 Review Cooperating Agency Agreements demonstrating SMC is an interested and engaged party:
  - a. June 10, 2010, MOU Between SMC and BLM UFO to be a Cooperating Agency for the RMP revision
  - b. September 4, 2014, MOU Between SMC and Colorado BLM to be a Cooperating Agency for the Gunnison Sage Grouse EIS
  - c. May 3, 2017, MOU Between SMC and BLM UFO establishing a mechanism for consultation, coordination, cooperation, collaboration and communication in land use actions and ratifying our partnership for the continued coordination and cooperation for implementation of the “Connecting with Communities” Recreation Strategy.

**List of additional attachments:**

- A. A.Doc 166 Order Dissolving.pdf
- B. B.12A1318b Findings Conclusions and Ruling on Remand
- C. C.Radiation Management - State Licensing - Revocation - Colorado Radioactive Materials License Number CO 1170-01-1
- D. D.Order RE\_ Energy Fuels Resources Corporation's Motion to Remand to Hearing Officer

**In summary, the State Director’s decision does not comply with NEPA, FLPMA or MOU’s signed with San Miguel County, does not consider local land use jurisdiction and contains analysis lacking accurate direct, indirect and cumulative impacts.**

Ther agency preferred alternative introduced in the DRMP/DEIS was shaped through considerable public and cooperating agency input over a six-year period. Volume IV, Section 5.2, Page 5-2 states, “The BLM implemented an extensive collaborative outreach and public involvement process that has included conducting a community assessment (BLM 2009f), coordinating with cooperating agencies, and working closely with the Colorado Southwest Resource Advisory Council and a specially created and sanctioned subgroup of the resource



advisory council. ***The BLM will continue to meet with interested agencies and organizations throughout the planning process, as appropriate, and will continue coordinating closely with cooperating agencies and the resource advisory council subgroup.*** [Emphasis added].

Section 5.24, Pages 5-2 to 5-4 also state that, “The BLM invites agency cooperation early in the RMP process using the process outlined in 43 CFR 1501.6. A cooperating agency is any federal, state, or local government agency or Indian tribe that enters into a formal agreement with the lead federal agency to help develop an environmental analysis. More specifically, cooperating agencies “work with the BLM, sharing knowledge and resources, to achieve desired outcomes for public lands and communities within statutory and regulatory frameworks” (BLM Land Use Planning Handbook H-1601-1; BLM 2005a). ***The primary role of cooperating agencies during the planning process is to provide input on issues for which they have a special expertise or jurisdiction.*** [Emphasis added].

The UFO has not satisfied the stated Purpose of the MOU or followed through on certain stated Roles and Responsibilities listed in the Memorandum of Understanding Between San Miguel County and the Bureau of Land Management Uncompahgre Field Office (MOU). In the MOU signed in June 2010 (Attachment 5(a)), the BLM provided in the Purpose that, “...the BLM recognizes a compelling need to ensure that the interests of San Miguel County are accounted for, and that they are meaningfully engaged in...resource management planning effort and associated EIS.”

The UFO Roles and Responsibilities are listed in Section V.A(i-iv) of the document:

## **V. ROLES AND RESPONSIBILITIES**

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### **A. RESPONSIBILITIES OF THE BUREAU OF LAND MANAGEMENT, UFO**

The BLM UFO is responsible for the following:

- i. To prepare and ensure the content and quality of the Draft RMP/Draft EIS, the Proposed RMP/Final EIS, and the Record of Decision/Approved RMP.
- ii. To provide San Miguel County with meaningful opportunities for participation, including involvement in:
  - identifying issues and concerns of relevance to the planning effort,
  - identifying or providing data that is suitable, available and relevant to the planning effort,
  - reviewing and commenting on draft sections of the EIS for which San Miguel County provided input due to its special expertise.
- iii. To consider and incorporate information and comments provided by San Miguel County into EIS documents to the extent possible and where appropriate.
- iv. To make all final determinations regarding the content of the EIS document.

The San Miguel County Roles and Responsibilities are listed in Section V.B(i-vii) of the document:

## B. RESPONSIBILITIES OF SAN MIGUEL COUNTY

San Miguel County has special expertise in a number of areas related to planning, and as such, is responsible for the following:

- i. Along with other involved Cooperating Agencies, to participate in the planning process to the fullest extent possible.
- ii. To assist the BLM with the identification of issues and concerns to be addressed through the planning effort.
- iii. To provide data of potential relevance and value to the RMP revision/EIS effort. This data may include but is not limited to the following:
  - approved San Miguel County programs, plans and policies potentially affected by the RMP,
  - information regarding planning area resources and current and proposed uses and management actions,
  - environmental analyses on issues for which San Miguel County has special expertise,
  - socio-economic data such as demographics, activities and values.
- iv. To review and provide comments during specified review periods on preliminary baseline and other technical reports for which San Miguel County has contributed data or other pertinent information.
- v. To review and provide comments during specified review periods concerning the following sections of the preliminary Draft EIS:
  - preliminary range of alternatives to be considered in detail,
  - relevant portions of the "Affected Environment" section (including the socio-economic portion),
  - relevant portions of the "Environmental Consequences" section,
  - relevant portions of the "Consultation and Coordination" section, including information on consistency reviews.
- vi. During public review periods for the Draft EIS, to provide the BLM with a consolidated comprehensive review of the Draft EIS.
- vii. To assist the BLM with analyzing and reviewing public comments and data, and with the development of the Proposed RMP/Final EIS.

In March 2018, San Miguel County and Cooperating Agencies were invited to meet with UFO and learned about their consideration of new concepts for the RMP. We offered comments on a draft revised Table 2-2 provided to us electronically on March 29, 2018 (see Attachment 1). There was no meaningful opportunity to help develop Alternative E. The public and cooperating agencies have never been given the opportunity to officially comment on this Alternative which introduces completely new concepts and direction. Supporting data including but not limited to, the Biological Assessment, Biological Opinion and GIS files were not made available for all or a significant part of this 30-day Protest Period. It is a procedural error and violation of FLPMA to deny the public an opportunity to comment on materials upon which the BLM bases its decisions. New situations have developed since 2016, such as the halting of the GuSG Rangeland RMP Amendment, which may significantly affect comments received that were contextual to concurrent planning processes and expectations, which have now changed. With the changed

condition of the stalled GuSG Rangewide RMP process, this RMP/EIS needs to reconsider GuSG management and protections and allow adequate public comment and cooperating agency collaboration. With the significantly changed status of the Pinon Ridge Uranium Mill, the BLM must revise the analysis of all potential impacts of related land use, environmental and socio-economic considerations.

**RESERVATION:** Given the time constraints of filing this Protest, San Miguel County may not have addressed all issues. Therefore, San Miguel County reserves its right to further process regarding any and all issues identified by other protestors or commenters.

**CONTACT INFORMATION:** Pursuant to 43 C.F.R. 1610. 5-2, please send all notices and correspondence regarding this Protest to:

Amy Markwell  
San Miguel County Attorney  
333 West Colorado Ave. 3rd Floor  
PO Box 791  
Telluride, CO 81435  
Ph: (970)728-3879  
amym@sanmiguelcountyco.gov

Sincerely,  
San Miguel County, Colorado  
Board of Commissioners

Kris Holstrom, Chair  
Hilary Cooper  
Lance Waring

Attachment A

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge William J. Martínez**

Civil Action No. 08-cv-1624-WJM-NRN

COLORADO ENVIRONMENTAL COALITION,  
INFORMATION NETWORK FOR RESPONSIBLE MINING,  
CENTER FOR NATIVE ECOSYSTEMS,  
CENTER FOR BIOLOGICAL DIVERSITY, and  
SHEEP MOUNTAIN ALLIANCE,

Plaintiffs,

v.

OFFICE OF LEGACY MANAGEMENT, and  
UNITED STATES DEPARTMENT OF ENERGY,

Defendants.

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**ORDER GRANTING MOTION TO DISSOLVE INJUNCTION AND  
DIRECTING ENTRY OF FINAL JUDGMENT**

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Plaintiffs bring this lawsuit under the Administrative Procedure Act (“APA”), 5 U.S.C. §§ 701 *et seq.*, the National Environmental Policy Act (“NEPA”), 42 U.S.C. §§ 4231 *et seq.*, and the Endangered Species Act (“ESA”), 16 U.S.C. §§ 1531 *et seq.*, challenging certain decisions made by the United States Department of Energy’s Office of Legacy Management (for purposes of this order, “DOE”) concerning a uranium mining program in southwestern Colorado that DOE oversees. That program was known as the Uranium Lease Management Program (“ULMP”). At some point, the program dropped “Management” from its title and now goes by “ULP,” but the Court will continue to refer to it as “ULMP” for consistency with prior orders.

In an earlier phase of this lawsuit, the Court enjoined DOE from implementing its

most recent decisions regarding the ULMP. Currently before the Court is DOE's Motion to the Dissolve Injunction ("Motion to Dissolve"). (ECF No. 160.) For the reasons explained below, the Court will grant this motion, dissolve the injunction, and enter final judgment.

## I. BACKGROUND

### A. Early Stages and Original Injunction

In 2007 and 2008, DOE approved new uranium mining under the ULMP, mostly on lands around Paradox Valley in southwestern Colorado. Plaintiffs sued in July 2008, claiming that DOE had not satisfied its obligations under NEPA, ESA, and associated regulations when making this decision. (ECF No. 1.) Substantive proceedings moved slowly at first due to parallel litigation over collateral matters, and to limited discovery the Court permitted. (ECF No. 41.) The case was transferred to the undersigned upon his appointment in February 2011. (ECF No. 71.)

In October 2011, having finally received full substantive briefing, the Court partially agreed with Plaintiffs' challenges. *See Colo. Envtl. Coal. v. Office of Legacy Mgmt.*, 819 F. Supp. 2d 1193 (D. Colo. 2011) (ECF No. 94) ("*CEC I*"). Consequently, the Court vacated DOE's environmental review documents, stayed all existing ULMP leases, and enjoined DOE from approving additional leases or other ULMP-related activities on the lease tracts. *Id.* at 1224. The Court then invited DOE to "move . . . to dissolve this injunction" after it had "conduct[ed] an environmental analysis on remand that complies with NEPA, ESA, all other governing statutes and regulations, and this Order." *Id.*



## B. Previous Motion to Dissolve Injunction

In April 2017, DOE moved to dissolve the injunction. (ECF No. 147.) The Court resolved that motion in February 2018. *See Colo. Envtl. Coal. v. Office of Legacy Mgmt.*, 302 F. Supp. 3d 1251 (D. Colo. 2018) (ECF No. 151) (“*CEC II*”). The Court agreed with DOE that it had corrected all previously noted errors, save for one. The ESA requires federal agencies to evaluate whether their actions might jeopardize the habitat of an endangered or threatened species, and this evaluation process may include consultation with the United States Fish & Wildlife Service (“FWS”). *See id.* at 1269–70. In this case, the main question was whether reasonably foreseeable uses and discharges of water in the course of mining and associated activities might ultimately affect four endangered fish species living in the Colorado River. *Id.* at 1270, 1273–74. DOE requested FWS’s opinion on the matter (a “Biological Opinion” or “BiOp”) by sending to FWS the DOE’s Biological Assessment (“BA”) that that water usage would have at least *some* adverse effect on the endangered Colorado River fish. *Id.* at 1270. FWS’s resulting BiOp concluded that there was no likelihood of jeopardizing or threatening those fishes’ habitat. *Id.* at 1270–71.

However, when requesting the BiOp, DOE conveyed to FWS only the forecasted annual water consumption of ULMP mines, and not water consumption for “other mining operations expected to coincide with renewed mining on ULMP lease tracts.” *Id.* at 1273. In particular, DOE’s water consumption analysis did not address a uranium mill planned for Paradox Valley, to be known as the Piñon Ridge Mill:

Among the many things DOE says about this mill, DOE predicts “[a] surge in uranium exploration, mining, and permitting . . . if the mill is constructed,” referring to mining on BLM land rather than ULMP lease tracts. DOE notes that

the Piñon Ridge Mill would require water as part of its milling operations. DOE does not, however, estimate the mill's water requirements, nor the water requirements of the non-ULMP uranium mines it predicts will come into existence.

*Id.* (citations omitted; alterations in original). “Notably,” the Court added,

DOE does not claim that it lacks information from which it can reasonably estimate the amount of water the Piñon Ridge Mill will likely consume, or the amount of water non-ULMP uranium mines will likely consume. The Court is therefore compelled to presume that DOE possesses the necessary information.

*Id.* at 1274.

With the ability to predict all water consumption associated with renewed mining on the ULMP tracts—whether caused by DOE’s decision to resume mining there, or simply coinciding with it and reasonably foreseeable to occur—the Court held that DOE had acted arbitrarily and capriciously by relying on FWS’s resulting BiOp, knowing that the BiOp was formulated with materially incomplete information. *Id.*; see also *id.* at 1272 (“An agency acts ‘not in accordance with law,’ 5 U.S.C. § 706(2)(A), when it fails to convey material information in its possession to FWS, and the agency behaves arbitrar[ily] and capriciously when it relies on a BiOp resulting from a materially defective consultation.”). “Fortunately,” the Court continued,

the remedy in this circumstance does not require total vacatur . . . . Instead, the Court will leave the existing injunction in place, for the time being, and order DOE to reinitiate consultation with FWS based on a supplemental BA. The supplemental BA may be limited solely to the question of water depletion based on DOE’s estimates of the likely combined annual water usage of ULMP mines, non-ULMP mines likely to become operational, and the Piñon Ridge Mill. Upon receiving FWS’s response (presumably an additional or supplemental BiOp), DOE may then issue an updated or supplemental ROD [*i.e.*, record of decision] and move once again to dissolve the injunction. Such a motion

need only address whether DOE fulfilled its ESA § 7 consultation duties with respect to water depletion that may affect Colorado River endangered fish.

*Id.* (footnote omitted).

### **C. Current Motion to Dissolve**

By letter dated May 2, 2018, DOE transmitted a supplemental BA to FWS. (ECF No. 160-1.) The supplemental BA reports DOE's efforts to search for all relevant current or reasonably foreseeable uranium mining and related activities in the area, and to estimate annual water usage of all these activities. (*Id.* at 4–7.) The BA also tabulates all of the estimated water usage. (*Id.* at 7–10.)

The most notable development reported in the supplemental BA is that, not long after this Court issued *CEC II*, a Colorado administrative law judge ruled that the Colorado Department of Public Health and Environment (“CDPHE”) should not have issued the license under which the Piñon Ridge Mill was to be constructed and operated. (*Id.* at 5–6.) The supplemental BA further reports that CDPHE elected not to appeal the judge's decision, and “therefore the license [was] revoked as of April 26, 2018.” (*Id.* at 6.) In this light, the supplemental BA announces that the Piñon Ridge Mill is no longer a reasonably foreseeable action coinciding with renewed ULMP mining, so DOE would not consider its potential water usage. (*Id.*) However, perhaps out of a desire not to appear to be shirking the Court's instructions in *CEC II*, DOE included within the supplemental BA the amount of water the Piñon Ridge Mill had been expected to consume. (*Id.*) DOE also included a parting comment about the changing uranium market and its potential relationship to the defunct Piñon Ridge proposal:

Finally, in the [previous BA's] discussion regarding cumulative effects from the yet-to-be constructed Piñon

Ridge Mill, whose license was revoked in April 2018, DOE cited the following text from that company's reports for the mill: "A surge in uranium exploration, mining, and permitting is anticipated if the mill is constructed, including permitting and development of uranium/vanadium deposits controlled by Energy Fuels Resources." The cited reports were circa 2009 to 2012. This statement may have been appropriate at that time; however, since then, various world events happened (e.g., Fukushima in 2011) that contributed to continued low uranium ore prices—lower than economically feasible for new mining or a surge in mining.

(*Id.* at 10–11.)

By letter dated June 19, 2018, FWS responded to DOE's supplemental BA. (ECF No. 160-2.) As to Piñon Ridge, FWS agreed that it was no longer the sort of reasonably foreseeable action that must be considered. (*Id.* at 3.) As to all other data reported in the supplemental BA, FWS announced that its previous BiOp was still accurate in predicting no jeopardy to the Colorado River endangered fishes' habitat. (*Id.* at 2–4.)

Having received this information, DOE moved to dissolve the injunction in July 2018. (ECF No. 160.) Plaintiffs remain opposed to dissolving the injunction, except as to ULMP least tracts that will be reclaimed rather than newly mined. (ECF No. 162 at 9–10.)

## II. LEGAL STANDARD

In opposing the *first* motion to dissolve, Plaintiffs argued from case law that a party seeking to dissolve an injunction bears a heavy burden to show that circumstances have changed. (See ECF No. 148 at 10–11.) The Court rejected this argument: "Plaintiffs' cited case law relates to injunctions that were meant to last indefinitely. Here, however, the Court specifically contemplated lifting its injunction after

DOE completed the necessary environmental review.” *CEC II*, 302 F. Supp. 3d at 1255 (citing *CEC I*, 819 F. Supp. 2d at 1224).

In opposing DOE’s *current* Motion to Dissolve, Plaintiffs once again argue that DOE bears a heavy burden of showing changed circumstances. (ECF No. 162 at 4.) The Court again rejects this argument, for the reasons just stated. Although DOE bears the burden in this procedural posture, it is simply a burden to show that it has materially complied with the Court’s instructions.

### III. ANALYSIS

#### A. Whether a New or Supplemental Administrative Record is Needed

DOE attached its supplemental BA and FWS’s response to its Motion to Dissolve (ECF Nos. 160-1, 160-2), but has not submitted any other documents generated during the re-consultation process the Court ordered in *CEC II*. Plaintiffs’ primary challenge is that DOE cannot move to dissolve the injunction without first assembling and lodging a new or supplemental administrative record, comprising all documents related to the re-consultation. (ECF No. 162 at 5–6.)

The parties have not cited, nor has the Court located, any authority establishing that a government agency must, in all instances, assemble and disclose a full administrative record before seeking a Court’s approval of its administrative action. The case law *assumes* that an administrative record will be assembled, but without discussing it as some sort of categorical or jurisdictional requirement.

Despite the paucity of case law on the topic, judicial review of administrative action will, by nature, nearly always require an administrative record. Under the unique circumstances presented here, however, the Court finds that DOE committed no error,



or, if it did, the error is attributable to Plaintiffs as the equivalent of invited error. These outcomes are evident from the procedures that led up to the Motion to Dissolve.

To repeat, the Court's instructions in *CEC II* were as follows:

Fortunately, the remedy in this circumstance does not require total vacatur . . . . Instead, the Court will leave the existing injunction in place, for the time being, and order DOE to reinitiate consultation with FWS based on a supplemental BA. The supplemental BA may be limited solely to the question of water depletion based on DOE's estimates of the likely combined annual water usage of ULMP mines, non-ULMP mines likely to become operational, and the Piñon Ridge Mill. Upon receiving FWS's response (presumably an additional or supplemental BiOp), DOE may then issue an updated or supplemental ROD and move once again to dissolve the injunction. Such a motion need only address whether DOE fulfilled its ESA § 7 consultation duties with respect to water depletion that may affect Colorado River endangered fish.

302 F. Supp. 3d at 1274 (footnote omitted). A few months later, DOE submitted a status report announcing that it had transmitted its supplemental BA to FWS and “intend[ed] to file a motion to dissolve the injunction as soon as practicable after receipt of [FWS's] final response to the [BA].” (ECF No. 154 at 1–2.) The Court then ordered the parties to “confer and . . . file a joint status report explaining their views (including their respective views, if they cannot agree) on: (1) what steps remain, if any, before [DOE] may file a motion to dissolve the injunction, and (2) an appropriate briefing schedule for such a motion.” (ECF No. 155.) In the joint status report, “[t]he parties agree[d] that the only step remaining before [DOE] may file a motion to dissolve the injunction is for [DOE] and [FWS] to complete their consultation over [the supplemental BA].” (ECF No. 156 at 1.) The parties also presented an agreed-upon briefing schedule, with the motion to dissolve due “30 days after receipt of final response from

FWS to Supplemental BA.” (*Id.* at 3.) The Court adopted the proposed briefing schedule, with the first deadline (*i.e.*, filing of the motion to dissolve) set for 30 days after DOE received a final response from FWS regarding the supplemental BA. (ECF No. 157.)

This course of events reveals three things. First, the Court charged DOE with a limited, discrete task—in contrast to a reopening of the entire process that the Court ordered in *CEC I*. Second, the Court expressed its expectation of an updated or supplemental ROD,<sup>1</sup> but the Court said nothing about a new or supplemental administrative record—in contrast to proceedings before the original motion to dissolve (ECF No. 147), where the Court specifically required a new administrative record (see ECF No. 132). Third, the Court asked the parties to describe “what steps remain, if any, before [DOE] may file a motion to dissolve the injunction” (ECF No. 155), and Plaintiffs did not at that time raise the need to produce a new or supplemental administrative record.

Accordingly, because the Court did not require a new administrative record, DOE did not err in failing to produce one. Also, the situation is equivalent to “invited error” because Plaintiffs had their opportunity to insist on an administrative record as part of the scheduling order but did not. *See, e.g., United States v. Edward J.*, 224 F.3d 1216, 1222 (10th Cir. 2000).

Finally, assembling an administrative record would take more time and likely more briefing. The Court finds that it would not be in the interest of justice to delay

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<sup>1</sup> No party has pointed the Court to an updated or supplemental ROD, unless the supplemental BA (ECF No. 160-1) is deemed to be the same thing. But Plaintiffs do not object on this account, so the Court will not explore the matter further.

resolution of the matter any further. This case is almost eleven years old, and the Court's injunction has been in place for more than seven years.

For all these reasons, the Court holds under the unusual circumstances presented here that DOE need not have assembled and disclosed a full administrative record before seeking review of its limited, Court-ordered re-consultation with FWS.

**B. Whether DOE Properly Evaluated the Significance of the Piñon Ridge Mill Developments**

Plaintiffs' only other argument against dissolving the injunction is that DOE purportedly did not recognize the true significance of the Piñon Ridge Mill's demise. (ECF No. 162 at 6–8.) Plaintiffs note that the Piñon Ridge Mill was expected to consume a substantial amount of water—substantial enough to exceed a numeric threshold that FWS finds significant, particularly when added to all other estimated water usage. (*Id.* at 7.) Plaintiffs argue that FWS therefore should have considered the Piñon Ridge estimate as a proxy for whatever mill will handle the uranium likely to be mined in the area: “the newly presented fact that [the] Piñon Ridge Mill license is no longer effective *and another mill must be used* does not allow [DOE] to arbitrarily exclude the water depletions needed to mill the oars from the [DOE] uranium lease tracts.” (*Id.* (emphasis added).) Plaintiffs' argument fails for at least three reasons.

First, Plaintiffs fail to recognize the significance of the Piñon Ridge Mill in the Court's previous ruling. The Court noted DOE's prediction that the Piñon Ridge Mill would prompt a uranium mining boom in the area, particularly on non-ULMP tracts. *CEC II*, 302 F. Supp. 3d at 1273. The Court thus faulted DOE for failing to “estimate the mill's water requirements, [and] the water requirements of the non-ULMP uranium mines [DOE] predicts will come into existence.” *Id.* And that is what the Court tasked

DOE with estimating and then transmitting to FWS. *Id.* at 1274. The Court never faulted DOE's estimates for water usage associated with ULMP lease tracts.

Regardless, the supplemental BA plausibly and adequately explains why the Piñon Ridge Mill will likely never be constructed, and why substantial uranium mining is not likely to occur anyway. There is no hint that the mining that likely *will* occur will require anywhere near the fairly large amount of water predicted for the Piñon Ridge Mill.

Second, FWS in fact conveyed the Piñon Ridge Mill estimate to FWS. It did so, of course with a significant caveat, *i.e.*, that it no longer viewed the estimate as relevant and it was not seeking FWS's opinion in light of the estimate. (ECF No. 160-1 at 5–6.) Nonetheless, FWS came to its own conclusion, in agreement with DOE, that the Piñon Ridge estimate was not a matter it needed to consider. (ECF No. 160-2 at 3.) DOE therefore did not fail to convey the relevant information to FWS—and conveying that information is what the Court ordered in *CEC II*.

Third, the only potential location that ULMP-generated uranium ore could be milled is the White Mesa Mill near Blanding, Utah, roughly 100 miles from Paradox Valley. DOE conveyed White Mesa's estimated water requirements to FWS. (ECF No. 160-1 at 7.) Plaintiffs fault DOE for relying on a 1979 figure for that estimate, stating that "[c]urrent data is [*sic*] presumably available." (ECF No. 162 at 8.) But Plaintiffs then go on to note that the previously-filed administrative record shows the White Mesa Mill processes "only alternate feed" (nuclear waste generated through non-natural processes, from which uranium may be extracted), not uranium ore. (*Id.* (internal quotation marks omitted).) This strongly suggests that useful data for White Mesa Mill are *not* available, given that the mill does not presently process what ULMP and other

uranium mines would produce—uranium ore.

For these reasons, the Court finds that DOE did not fail to convey adequate information to FWS during the re-consultation process. Consequently, DOE has remedied the only lingering problem noted in *CEC II*, and is entitled to have the injunction dissolved.


#### **IV. CONCLUSION**

For the reasons set forth above, the Court ORDERS as follows:

1. Defendants' Motion to Dissolve the Injunction (ECF No. 160) is GRANTED;
2. The Court's injunction entered October 18, 2011 (ECF No. 94, as modified by ECF No. 102) is DISSOLVED;
3. The Clerk shall enter judgment in favor of Defendants and against Plaintiffs, and shall terminate this action; and
4. The parties shall bear their own costs.

Dated this 18<sup>th</sup> day of March, 2019.

BY THE COURT:



William J. Martinez  
United States District Judge



JAG No. 12 A 1318; Pursuant to § 24-4-105, C.R.S.

IN RE: THE APPLICATION OF ENERGY FUELS RESOURCES, INC. FOR A  
RADIOACTIVE MATERIALS LICENSE FOR THE **PIÑON RIDGE URANIUM MILL**

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**FINDINGS OF FACT, CONCLUSIONS OF LAW AND RULING – APRIL 17, 2018**

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PROCEDURAL HISTORY

Beginning November 7, 2012 and concluding on November 13, 2012, the undersigned, acting as the hearing officer appointed by the director of the Colorado Department of Public Health and the Environment (hereafter CDPHE), presided over a hearing in Nucla, Colorado to consider the application of Energy Fuels filed with CDPHE for issuance of a license to mill radioactive materials. Sheep Mountain Alliance, Rocky Mountain Wild, Center for Biological Diversity, Colorado Environment Coalition and Dr. Robert L. Grossman (collectively hereafter referred to as Sheep Mountain Alliance, et al.) sought and were granted party status to resist the issuance of the license sought by Energy Fuels.

On January 14, 2013, the undersigned entered “Findings of Fact, Conclusions of Law and Ruling (hereafter January 14, 2013 Ruling)” following a public hearing. As noted at pages one and five of the January 14, 2013 Ruling, the undersigned concluded as a matter of law that the hearing was an intermediate step in CDPHE’s consideration of Energy Fuels application. Sheep Mountain Alliance, et al. and Rocky Mountain Wild, the Plaintiffs in the current Judicial Proceeding, argued at the hearings held in 2012 and reassert in the current Judicial Proceeding that the undersigned committed error in refusing to issue an “initial decision” and make findings and conclusions upon all material issues of fact, law or discretion.

An administrative appeal of the January 14, 2013 Ruling to the Executive Director of CDPHE was denied and on April 25, 2013 CDPHE issued the uranium milling license sought by Energy Fuels. Plaintiffs thereafter filed a complaint in the Denver District Court (Action No. 13CV32397) seeking judicial review of the April 24, 2013 license, including adequacy of the 2012 hearing and the January 14, 2013 Ruling. Plaintiffs’ claims for relief include:

1. Failure of the January 14, 2013 Ruling to meet the requirements of an “initial decision” as required by the Administrative Procedure Act. §24-4-105 (14)(a), C.R.S.
2. Failure of the January 14, 2013 Ruling to provide and adhere to an explicit and predetermined burden of proof.
3. Failure of the January 14, 2013 Ruling to make factual and legal determinations upon each of the procedural requirements and substantive issues enumerated in part 18 of the Rules and Regulations pertaining to Radiation Control promulgated by CDPHE.

4. Failure of the January 14, 2013 Ruling to conclude that the absence of competent localized economic data requires a conclusion that Energy Fuels failed to meet its burden of proof.
5. Inadequacy of the Environmental Impact Analysis upon which the April 24, 2013 license was based.

Plaintiffs' seek a declaration that the license issued is void.

On September 3, 2014, Judge Robert L. McGahey, Jr. of the Denver District Court issued an Order remanding Plaintiffs' action (1) for an "initial decision" as to whether Energy Fuels application met all criteria under state law for issuance of a license pursuant to § 25-11-203 and (2), C.R.S. for a *post hoc* determination of the burdens of proof in the hearing. After limited discovery, the matter was referred to the undersigned as the original hearing officer.

The decision in this review is to be based upon the record made in the hearing held in Nucla, Colorado in 2012. In requiring an "initial decision" upon the evidence previously presented the Court's Order requires a statement of findings and conclusions upon all the material issues of fact, law, or discretion presented by the record. § 24-4-105 (14)a, C.R.S. The parties disagreed about the appropriateness of an additional hearing or briefing to address the application of the standard of an "initial decision" to the record. Therefore the required review of the record and the evidence offered was undertaken without the assistance of counsel.

#### BURDEN OF PROOF

The parties do not significantly disagree about the applicable burden of proof, Energy Fuels, as the applicant and proponent of the license, bears the ultimate burden of proof to support the entry of an Order that the license should be issued. § 24-4-105 (7), C.R.S.; 6 C.C.R.1007-1 §18.7.6.5. In the briefs filed by Energy Fuels and by Sheep Mountain Alliance, et al., the parties agree, and the undersigned now concludes, that Sheep Mountain Alliance, et al., as the party seeking an affirmative order, bears the burden of persuasion in challenging the sufficiency of the notice for the hearing held and the competence of the Environmental Impact Analysis prepared by CDPHE. As noted in the Conclusions of Law below, § 25-11-203 (3) (c) (III), C.R.S. assigns the burden of proof upon the technical issues argued at the hearing to the Applicant, Energy Fuels. The requirements of proof shall conform, to the extent practicable, with those in civil nonjury cases in the district courts. §24-4-105 (7), C.R.S.. To satisfy the burden of proof, a party must therefore prove its position by a preponderance of the evidence.

#### JANUARY 14, 2013 RULING

In that earlier ruling, the undersigned made a number of Findings of Fact and Conclusions of Law that are necessary to an "initial decision." That Ruling is attached hereto (Attachment A) and made a part of this Ruling and the undersigned specifically again finds by a preponderance of the evidence that Findings of Fact Number 2 & 3 and Conclusions of Law Number 1, 2 and 3 remain valid and should be repeated in this Ruling.

## INITIAL DECISION

The initial decision as to whether Energy Fuels application met all criteria under state law for issuance of a license pursuant to § 25-11-203, C.R.S. as required by the District Court Order of September 3, 2014, shall include a statement of findings and conclusions upon all the material issues of fact, law or discretion presented by the record and the appropriate order, sanction, relief or denial thereof. § 24-4-105 (14) (a), C.R.S. That initial decision is then subject to appeal to CDPHE.

The conflicting perceptions of counsel and the undersigned about the purpose of the hearing held in Nucla, Colorado in the fall of 2012 caused Energy Fuels and CDPHE to limit the evidence they offered to the voluminous documents filed in support of and response to the application for a license together with an overview of that application process by the witnesses offered by those parties. Sheep Mountain Alliance, et al. offered technical evidence addressing specific argued deficiencies in the application or CDPHE's evaluation of it. In some instances, Energy Fuels and CDPHE offered technical evidence in response to those argued deficiencies. The written record prepared by CDPHE and presented at the hearing was submitted to the undersigned in electronic form without an index, making access to all of the material relating to a particular argument highly difficult.

## FINDINGS OF FACT

Applying the burden of proof adopted above to the evidence offered, the undersigned now finds, by a preponderance of the evidence:

1. Energy Fuels and CDPHE substantially complied with the notice and process requirements governing the issuance of a license to mill radioactive materials. § 25-11-201 et seq., C.R.S.; 6 C.C.R.1007-1 part 18. Minor procedural defects, if any, in that process do not preclude issuance of a license. As noted in Conclusion of Law #3 below, the hearing fully satisfied the requirements of § 24-4-105, C.R.S.

2. The Environmental Assessment prepared by Energy Fuels and Submitted to the CDPHE pursuant to § 25-11-203 (2) (b) (II), C.R.S.; § 25-11-203 (2) (c), C.R.S.; 6 C.C.R. 1007-1 §3.8.8; 6 C.C.R. 1007-1 §18.3.4; and 6 C.C.R. 1007-1 §28.3.5.4 substantially complies with the requirements of the statutes of the State of Colorado and the regulations adopted by CDPHE. A specific dispute with all or part of that Assessment does not make the document unlawful or insufficient.

3. The Environmental Impact Analysis prepared by CDPHE pursuant to C.C.R. 1007-1 §18.4.1 substantially complies with the requirements of the regulations adopted by CDPHE. A specific dispute with all or part of that Analysis does not make the document unlawful or insufficient.

4. Counsel for Rocky Mountain Wild, Center for Biological Diversity and Colorado Environmental Coalition, (hereafter collectively referred to as the "Wildlife Coalition"), offered documentary evidence that the proposed mill site was a potential habitat area for a number of species of animals, birds and plants. They further argued that there has been an historical impact

upon aquatic life in the rivers in the region from the uranium mining and milling industry. With the exception of one sighting of the Gunnison Sage Grouse several years ago, there was no evidence offered of the presence of an endangered or threatened species on or in the immediate proximity of the proposed mill site. There are some references in the record reflecting consideration within the Environmental Assessment and the Environmental Impact Analysis of impacts upon animals, birds and plants in proximity to the proposed mill site. The undersigned now finds that Energy Fuels has failed to meet its burden to prove that those impacts have been fully considered.

5. Dr. Craig Little and Dr. Robert Grossman were qualified and testified as experts in the air modeling process and possible wind dispersion of radioactive dust from the tailings ponds and the materials storage piles at the proposed mill. The conflicts in the expert testimony and the lack of clarity in the documentary record leads the undersigned to find that Energy Fuels has failed to meet its burden to prove that the statutory and regulatory requirements to minimize the impacts to the public and the environment of windborne radioactive dust have been met..

6. Ann Maest testified as an expert to address the qualities of the caffeine to be discharged to the tailings ponds and its comparison with water quality standards for the ground water and surface water in the vicinity of the proposed mill, and the studies of and issues related to the designed pond liners and pond construction. Kimberly F. Morrison testified as an expert to discuss the liner systems proposed for the tailings piles and netting to mitigate access of waterfowl. The conflicts in the testimony and ambiguities in the documentary record leads the undersigned to find that Energy Fuels has failed to meet its burden to prove that the statutory and regulatory requirements to minimize the impacts of contaminated ground water to the public and the environment have been met..

7. Constance L Travers testified as an expert to address the sufficiency of the ground water supply plan and the ground water investigation and monitoring plan, and dispute the conclusion found in the Environmental Assessment and the Environmental Impact Assessment (EIA) that no pathways are present for ground water below the site. Roman Popielak testified as an expert to address the ground water investigation and the possibility of perched ground water evidenced in the test wells. The conflicts in the testimony and the lack of clarity in the documentary record leads the undersigned to find that Energy Fuels has failed to meet its burden to prove that the statutory and regulatory requirements to assure a sufficient water supply for operation of the proposed mill have been satisfied.

8. Dr. Thomas M. Power and Sandra L. Goodman testified as experts about the socioeconomic impacts of the proposed mill, each using the employment prediction of Energy Fuels for direct jobs to be created and different study areas for a calculation of indirect jobs that might be created. Any cost-benefit analysis for this proposed site, as with any other site, is entirely dependent upon the physical area of impact to be studied. The broader the area included in the study, the less statistically significant the possible benefit would be and the greater the impact of a possible or potential risk. Considering the reports of each witness, and the absence of separate and distinct economic data for the west end of Montrose County, the conclusions reached by each of them seems highly speculative and without significant probative value. The proposed mill site is intentionally located as far as possible from any population center. The absence of precise economic data to support the opinions of experts does not, however, preclude

a thorough analysis of the environmental, social, technical and other benefits of the proposed application against environmental costs and social effects while considering available alternatives. The hundreds of individuals interviewed or offering comments at numerous public hearings, including the November 2012 hearing in Nucla, where more than two hundred individuals offered oral or written comments, provide a sufficient data base to support CDPHE's conclusions about the socio-economic impact of the proposed license. Energy Fuels has satisfied its burden of proof that it has fully considered the socio-economic impact of the proposed mill.

9. Many of the individuals offering public comments and counsel for Sheep Mountain Alliance, et al. challenge the adequacy of the bond amount set by CDPHE although each relate their objections to the cost of remediation at historic mills that were more loosely regulated or to the cost that might be realized if an upset condition existed. The statutory and regulatory requirements that the bond amount be regularly reviewed make a finding upon the bond amount set in 2012 unnecessary.

10. (2013 Finding #2) Energy Fuels has had internal discussions about the capacity of the proposed mill and the possibility of seeking an amendment or amendments to the license to allow for a greater capacity of production. Those discussions and related analysis and design documents do not mandate a modification of the application to reflect that greater capacity or require a modified Environmental Impact Assessment to reflect that increased capacity. The application seeks to process 500 tons per day and any application to enlarge that capacity would require another full review by CDPHE. There is no evidence offered supporting a conclusion that CDPHE would attempt to circumvent that full review.

11. (2013 Finding #3) Counsel for Sheep Mountain Alliance, et al., and a number of the individuals making public comments, complain that there were too many informal conversations between Energy Fuels and CDPHE, and that the informality of that relationship is evidence of a bias or at least a lack of objectivity on the part of CDPHE in favor of Energy Fuels. Informality in the relationship between a regulated party and the regulator may simply indicate civility. The evidence does not evidence a bias in the behavior of CDPHE or its employees.

## CONCLUSIONS OF LAW

Considering the foregoing Findings of Fact, the undersigned now makes the following conclusions of law:

1. § 25-11-203 (3) (c) (II), C.R.S. provides that "the department (CDPHE) may order reasonable mitigation measures to address any substantial adverse impacts to public health or the environment or transportation infrastructure or transportation facilities within the county attributable solely to approval of the license...pertaining to the facility's receipt of the radioactive material." § 25-11-203 (3) (c) (III), C.R.S. provides, in part, "the applicant shall demonstrate that if the license . . . pertaining to the facility's receipt of the radioactive material is approved, then the receipt, storage, processing, and disposal of radioactive material will: (A) Be conducted such that the exposures to workers and the public are within the dose limits of part 4 of the department's rules pertaining to radiation control for workers and the public; (B) Not cause releases to the air, ground or surface or groundwater that exceed permitted limits; . . ."



2. 6 C.C.R.1007-1 §4.5.2 provides that “the licensee. . . shall use, to the extent practical, procedures and engineering controls based upon sound radiation protection principles to achieve occupational doses and doses to members of the public that are as low as reasonably achievable (ALARA),”

3. (2013 Conclusion #1) The hearing conducted as described in the record of these proceedings fully satisfies the requirements of § 24-4-105, C.R.S., in that notice was properly issued; any entity or individual who sought party status was admitted as a party; the parties were offered the opportunity to call witnesses and offer exhibits and cross-examine the witnesses who testified without limitation; the rules of evidence were relaxed to allow the tender of documents as exhibits without foundation; each step of the proceedings were recorded by a reporter and transcripts of those proceedings were made available to the parties; and that oral and written comments were solicited from members of the public who had not sought party status, without limitation on the time they wished to speak or the content of their comments.

4. (2013 Conclusion #2) As discussed above the purpose and scope of this ruling is to render an “initial decision” as to whether Energy Fuels application met all criteria under state law for issuance of a license pursuant to § 25-11-203, C.R.S., and (2) for a *post hoc* determination of the burdens of proof in the hearing. As an initial issue the undersigned must address the purpose and scope of this hearing. Many of those offering public comments, either oral or written, exceeded the scope of the hearing and the broader issues they raised require some discussion of the role of CDPHE, and its appointed hearing officer, in the regulation of uranium milling. Those public comments offered in support of the application and the proposed license cited primarily the economic opportunities to be realized by bringing additional employment to the west end of Montrose County. Many of the public comments offered in opposition to the application and the proposed license discussed the general impact upon the environment of any energy development, the risk of nuclear power production as evidenced by incidents in the Ukraine and in Japan, the risk of nuclear power production compared to production from other energy sources, the adequacy of the regulatory process put in place to regulate uranium mining and milling, the inherent health and environmental risk from the processing and handling of radioactive materials, alternate possibilities for employment, the possible use of thorium as a safer nuclear fuel and the possible proliferation of nuclear weapons.

Decisions to allow the mining, milling and use of uranium have been made by the United States Congress through the Atomic Energy Act and the Uranium Mill Radiation Control Act and by the legislative process in Colorado through the Radiation Control Act. Through the agreement with the Nuclear Regulatory Commission and the provisions of the Radiation Control Act, the regulation of the nuclear industry has been delegated to CDPHE, which also receives its funding through the state budgetary process. Perhaps the more collegiate process suggested in the testimony of Dr. Grossman would produce a superior result but it is not the process provided by law. The statutory obligation of CDPHE to consider Energy Fuel’s application may conflict with both its mission statement and its vision. Neither CDPHE nor its appointed hearing officer has the authority to simply ignore the statutory mandate to consider and act upon Energy Fuels Application. Consideration of the broader questions raised during the public comments must be addressed to the Congress of the United States or the Legislature of the State of Colorado.

5. (2013 Conclusion #3) Arguments and a number of public comments urge the possibility that the market price of the minerals produced will be inadequate to support construction and operation of the proposed mill. Economic consequences of that nature are highly speculative and are typically left to the market for resolution.

Applying the Conclusions of Law above to the Findings of Fact above the undersigned now finds that Energy Fuels has failed to meet its burden of proof upon the following issues:

1. Impacts upon animals, birds and plants in proximity to the proposed mill site;
2. Limiting, so far as reasonably achievable, wind dispersion of radioactive materials;
3. Limiting, so far as reasonably achievable, contamination of ground water at the proposed mill site; and
4. Provision of an adequate water supply for operation of the proposed mill.

Application of Energy Fuels for a license to mill radioactive materials should, absent an additional hearing, be denied.

Entered in Denver, Colorado this 17th day of April, 2018.

A handwritten signature in black ink, appearing to read "Richard W. Dana", is written above a horizontal line.

Richard W. Dana  
Appointed Hearing Officer

## CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of April, 2018, a true and correct copy of the foregoing FINDINGS OF FACT, CONCLUSIONS OF LAW AND RULING – APRIL 17, 2018, was served via electronic filing (E-Mail), addressed to the following:

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Original Signature on File  
Lisa Garcia, Administrative Clerk  
Judicial Arbiter Group, Inc.

## ATTACHMENT A

JAG No. 12 A 1318

IN RE: THE APPLICATION OF ENERGY FUELS RESOURCES, INC. FOR A  
RADIOACTIVE MATERIALS LICENSE FOR THE **PIÑON RIDGE URANIUM MILL**

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### FINDINGS OF FACT, CONCLUSIONS OF LAW AND RULING – JANUARY 14, 2013

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By a Judicial Review Order entered June 13, 2012 by Judge John M. McMullen of the Denver District Court in Action No. 2011CV861 the Colorado Department of Public Health and the Environment (CDPHE) was ordered to convene a hearing pursuant to C.R.S. § 24-04-105. On August 6, 2012 the undersigned was appointed as a hearing officer for that proceeding and CDPHE issued a Notice of Public Hearing and Opportunity for Public Comment describing the process for participation in the hearing and announcing, pursuant to a stipulation of the parties to the District Court litigation and approval by the Court on August 7, 2012, a tentative schedule for pre and post hearing procedures.

Without specific repeating each event here, the parties participated in a pre-hearing and post-hearing process fully described in the Record of Proceedings circulated with this Ruling, specifically including Minute Orders dated August 23, 2012, September 10, 2012, September 19, 2012, October 5, 2012, October 15, 2012, November 2, 2012, November 5, 2012, Hearing Minutes, Index of Exhibits, and a Minute Order dated November 27, 2012. The findings and conclusions made in each of those intermediate Orders and during the hearing are now incorporated in and made a part of these Findings of Fact and Conclusions of Law.

Having concluded as a matter of law that this hearing is an intermediate step in CDPHE's consideration of Energy Fuels application and considering that the administrative record may be further expanded before a final agency action on the license application, the undersigned has limited further Findings of Fact to listing issues and expressing opinions about the evidence presented except in those situations where the evidence offered by all parties appears fully developed.

#### FINDINGS OF FACT

1) The District Court Order entered by Judge McMullen sitting in the Denver District Court calls for this hearing as a substitute for a second public meeting occurring on February 17, 2012, and calls for this record to be a part of the record to be considered during CDPHE's reconsideration and remaking of its licensing decision. The Notice of Public Hearing issued and published by CDPHE described the purpose of the hearing as an opportunity to receive comment and evidence on the application of Energy Fuels Resource Corp. (Energy Fuels) for a radioactive materials license and on the Environmental Impact Assessment prepared by CDPHE.

2) Energy Fuels has had internal discussions about the capacity of the proposed mill and the possibility of seeking an amendment or amendments to the license to allow for a greater

capacity of production. Those discussion and related analysis and design documents do not mandate a modification of the application to reflect that greater capacity or require a modified Environmental Impact Assessment to reflect that increase capacity. The application seeks to process 500 tons per day and any application to enlarge that capacity would require another full review by CDPHE. There is no evidence offered supporting a conclusion that CDPHE would attempt to circumvent that full review.

3) Counsel for Sheep Mountain Alliance and a number of the individuals making public comments complain that there were too many informal conversations between Energy Fuels and CDPHE and that the informality of that relationship is evidence of a bias or at least a lack of objectivity on the part of CDPHE in favor of Energy Fuels. Informality in the relationship between a regulated party and the regulator may simply indicate civility. The evidence does not evidence a bias in the behavior of CDPHE or its employees.

4) Counsel for Rocky Mountain Wild, Center for Biological Diversity and Colorado Environmental Coalition, hereafter referred to as the “Wildlife Coalition”, offered documentary evidence that the proposed mill site was a potential habitat area for a number of species of animals, birds and plants and further that there has been an historical impact upon aquatic life in the rivers in the region from the uranium mining and milling industry. With the exception of one sighting of the Gunnison Sage Grouse several years ago there was no evidence offered of the presence of an endangered or threatened species on or in the immediate proximity of the proposed mill site. CDPHE is required to consider the evidence and comments offered during this hearing as a part of the administrative record.

5) Dr. Craig Little and Dr. Robert Grossman were qualified and testified as experts in the air modeling process and possible wind dispersion of radioactive dust from the tailings ponds and the materials storage piles at the proposed mill. CDPHE is required to consider the evidence and comments they offered during this hearing as a part of the administrative record.

6) Ann Maest testified as an expert to address the qualities of the effluent to be discharged to the tailings ponds and its comparison with water quality standards for the ground water and surface water in the vicinity of the proposed mill, the studies of and issues related to the designed pond liners and pond construction. Kimberly F. Morrison testified as an expert to discuss the liner systems proposed for the tailings piles and netting to mitigate access of waterfowl. CDPHE is required to consider the evidence and comments they offered during this hearing as a part of the administrative record.

7) Constance L Travers testified as an expert to address the sufficiency of the ground water supply plan and the ground water investigation and monitoring plan and dispute the conclusion found in the application and the Environmental Impact Assessment (EIA) that no pathways are present for ground water below the site. Roman Popielak testified as an expert to address the ground water investigation and the possibility of perched ground water evidenced in the test wells. CDPHE is required to consider the evidence and comments they offered during this hearing as a part of the administrative record.



8) Dr. Thomas M. Power and Sandra L. Goodman testified as experts about the socioeconomic impacts of the proposed mill, each using the employment prediction of Energy Fuels for direct jobs to be created and different study areas for a calculation of indirect jobs that might be created. Any cost-benefit analysis for this proposed site, as with any other site is entirely dependent upon the physical area of impact to be studied. The broader the area included in the study the less statistically significant the possible benefit would be and the greater the impact of a possible or potential risk. Considering the reports of each witness and the absence of separate and distinct economic data for the west end of Montrose County the conclusions reached by each of them seems highly speculative and without significant probative value. CDPHE is required to consider the evidence and comments they offered during this hearing as a part of the administrative record.

9) Many of the individuals offering public comments and counsel for Sheep Mountain Alliance challenge the adequacy of the bond amount set by CDPH although each relate their objections to the cost of remediation at historic mills that were more loosely regulated or to the cost that might be realized if an upset condition existed. CDPHE is required to consider the evidence and comments offered during this hearing as a part of the administrative record.

#### CONCLUSIONS OF LAW

1) The hearing conducted as described in the record of these proceedings fully satisfies the requirements of C.R.S. §24-4-105 in that notice was properly issued; any entity or individual who sought party status was admitted as a party, the parties were offered the opportunity to call witnesses and offer exhibits and cross-examine the witnesses who testified without limitation; the rules of evidence were relaxed to allow the tender of documents as exhibits without foundation; each step of the proceedings were recorded by a reporter and transcripts of those proceedings were made available to the parties; and that oral and written comments were solicited from members of the public who had not sought party status, without limitation on the time they wished to speak or the content of their comments.

2) As an initial issue the undersigned must address the purpose and scope of this hearing. A broad issue is presented with the relief sought by those making public comments, either oral or written, and that broader issue requires some discussion of the role of CDPHE, and its appointed hearing officer, in the regulation of uranium milling. Those public comments offered in support of the application and the proposed license cited primarily the economic opportunities to be realized by bringing additional employment to the west end of Montrose County. Many of the public comments offered in opposition to the application and the proposed license discussed the general impact upon the environment of any energy development, the risk of nuclear power production as evidenced by incidents in the Ukraine and in Japan, the risk of nuclear power production compared to production from other energy sources, the adequacy of the regulatory process put in place to regulate uranium mining and milling, the inherent health and environmental risk from the processing and handling of radioactive materials, alternate possibilities for employment, the possible use of thorium as a safer nuclear fuel and the possible proliferation of nuclear weapons.

Decisions to allow the mining, milling and use of uranium have been made by the United States Congress through the Atomic Energy Act and the Uranium Mill Radiation Control Act and by the legislative process in Colorado through the Radiation Control Act. Through the agreement with the Nuclear Regulatory Commission and the provisions of the Radiation Control Act the regulation of the nuclear industry has been delegated to CDPHE which also receives its funding through the state budgetary process. Perhaps the more collegiate process suggested in the testimony of Dr. Grossman would produce a superior result but it is not the process provided by law. The statutory obligation of CDPHE to consider Energy Fuel's application may conflict with both its mission statement and its vision. Neither CDPHE nor its appointed hearing officer has the authority to simply ignore the statutory mandate to consider and act upon Energy Fuels Application. Consideration of the broader questions raised during the public comments must be addressed to the Congress of the United States or the Legislature of the State of Colorado.

3) Arguments and a number of public comments urge the possibility that the market price of the minerals produced will be inadequate to support construction and operation of the proposed mill. Economic consequences of that nature are highly speculative and are typically left to the market for resolution.

4) In addition to the general issues raised by those offering public comments there is a fundamental dispute between those granted party status about the scope and purpose of this hearing. Energy Fuels and CDPHE urge that the limited purpose of this hearing is to offer an adversarial hearing with an opportunity to participate, cross-examine and offer comments, and that that hearing becomes part of the record to be considered in the future deliberations of CDPHE about the Energy Fuels application. Sheep Mountain Alliance, the three environmental entities referred to as the "Wildlife Coalition", and the Town of Ophir urge that procedural and substantive deficiencies in Energy Fuel's application and in the Environmental Impact Analysis (EIA) prepared by CDPHE are sufficient to preclude the issuance of the requested license. Dr. Robert Grossman offered evidence and arguments challenging the air pollution conclusions and transportation issues discussed in the EIA and raised issues regarding the design and objectivity of the permitting process.

5) Considering the Order of the Denver District Court and the Published Notice of this Hearing compels a conclusion that this hearing is an intermediate step in CDPHE's consideration of Energy Fuel's application. The undersigned may make findings of fact or conclusions of law upon the evidence presented and the issues raised but those findings and conclusions are to be considered in the future deliberations of CDPHE and are not a final agency decision subject to appeal.

6) During cross examination of witnesses employed by CDPHE by counsel for Sheep Mountain Alliance it became apparent that each individual employee of CDPHE who played a part in the review of the license application at issue in this proceeding may have retained individual files relating to that review process and that those files may not have been placed in the public record available to the parties to this proceeding. Discovery of those files was conducted in a post hearing procedure in the office of CDPHE on November 27, 2012 as reflected in the Minute Order of that date. Sheep Mountain Alliance complains that those documents were not earlier produced in response to the general and broad requests for

production of documents earlier addressed to CDPHE. There was no effort before the hearing to conduct depositions of those CDPHE employees and no reason to conclude that the existence of those individual files would not have been disclosed in any formal or informal discovery process. The documents discovered are now a part of the record in this proceeding. The record does not support a conclusion that CDPHE failed to respond to reasonable discovery requests and sanctions for discovery violations or reopening the hearing are not appropriate.

Having concluded that this hearing is an intermediate step in CDPHE's consideration of Energy Fuels the single additional issue upon which a Conclusions of Law is made addresses the discovery issue arising from delayed production of personal files from CDPHE personnel.

This Ruling was scheduled to be delivered on January 11, 2013. In light of the volume of material submitted in the proposed Findings of Fact and Conclusions of Law presented by the parties its completion and delivery was delayed until January 14, 2013.

Entered in Denver, Colorado this 14<sup>th</sup> day of January, 2013

s/Richard W. Dana  
Richard W. Dana  
Appointed Hearing Officer



**COLORADO**  
**Department of Public  
Health & Environment**

Dedicated to protecting and improving the health and environment of the people of Colorado

April 26, 2018

Pinon Ridge Resources Corporation  
31161 Highway 90  
PO Box 825  
Nucla, CO 81424-0825

Attention: George Glasier, President and CEO

Re: Revocation - Colorado Radioactive Materials License Number CO 1170-01

On April 17, 2018, Richard W. Dana, Appointed Hearing Officer, issued the findings of fact, conclusions of law and ruling in response to Judge Robert L. McGahey, Jr.'s September 3, 2014 order on Colorado Radioactive Materials License Number CO 1170-01. In his ruling, Judge Dana concluded that Energy Fuels failed to meet its burden of proof on four issues and that the application of Energy Fuels for a license to mill radioactive materials should, absent an additional hearing, be denied.

Although the Department believes the original decision on the license application was appropriate, the department has elected not to challenge Judge Dana's decision. As such, this decision provides the Department with the rationale to revoke the license pursuant to Section 3.23.2 of the *Colorado Rules and Regulations Pertaining to Radiation Control*. Therefore, effective the date of this letter, Colorado Radioactive Materials License Number CO 1170-01 is revoked.

If you have any questions regarding this letter please contact me at 303-692-3403 or [jennifer.opila@state.co.us](mailto:jennifer.opila@state.co.us).

A handwritten signature in blue ink that reads "Jennifer T. Opila".

Jennifer T. Opila, MPA  
Radiation Program Manager  
Hazardous Materials and Waste Management Division

CC: Steven Brown, Radiation Safety Officer  
Jerry Goad, Colorado Attorney General's Office



Attachment D

|                                                                                                                                                                                                                                                                                                                                                                          |                                                                    |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------|--|
| DISTRICT COURT, CITY AND<br>COUNTY OF DENVER, COLORADO<br>1437 Bannock Street<br>Denver, Colorado 80202                                                                                                                                                                                                                                                                  | DATE FILED: September 3, 2014 12:17 PM<br>CASE NUMBER: 2013CV32397 |  |
| SHEEP MOUNTAIN ALLIANCE and<br>ROCKY MOUNTAIN WILD<br>Plaintiffs;<br>v.<br>COLORADO DEPARTMENT OF<br>PUBLIC HEALTH AND<br>ENVIRONMENT, JENNIFER OPILA, IN<br>HER OFFICIAL CAPACITY; CDPHE<br>EXECUTIVE DIRECTOR DR.<br>CHRISTOPHER URBINA, IN HIS<br>OFFICIAL CAPACITY;<br>and<br>DEFENDANT INDISPENSABLE<br>PARTY ENERGY FUELS RESOURCES<br>CORPORATION,<br>Defendants. | <input type="checkbox"/> COURT USE ONLY <input type="checkbox"/>   |  |
| <p align="center"><b>ORDER RE: ENERGY FUELS RESOURCES CORPORATION'S<br/>         MOTION FOR REMAND TO HEARING OFFICER</b></p>                                                                                                                                                                                                                                            |                                                                    |  |

THIS MATTER comes before me on Energy Fuels Resources Corporation's ("Energy Fuels") Motion for Remand to Hearing Officer, filed on May 2, 2014. I have reviewed the Motion, the Colorado Department of Public Health and Environment ("CDPHE") Response, the Sheep Mountain Alliance ("SMA") and others Response, Reply, the entire case file, as well as the applicable case and statutory law, and make the following findings of fact and conclusions of law:

**I. Background**

On November 18, 2009, indispensable party Energy Fuels submitted an application to defendant Colorado Department of Public Health and Environment ("CDPHE") for the issuance of a Radioactive Materials License. Energy Fuels sought to construct and operate a Uranium Mill in Montrose County, Colorado. CDPHE determined that the application, including a voluminous Environmental Impact Analysis, was substantially complete and ready to be presented for public hearings required by Colorado statute. *See* C.R.S. § 25-11-203 (2)(b)(I) (2013). Several public hearings were held, and the license was issued by CDPHE to Energy Fuels in 2011.



Plaintiff Sheep Mountain Alliance (“SMA”), among others, filed an appeal of CDPHE’s license decision with the Colorado District Court, alleging that the public hearings held by Energy Fuels and CDPHE did not meet statutory requirements. On June 13, 2012, the Denver District Court found CDPHE’s action of issuing Energy Fuels a license without first holding a hearing pursuant to C.R.S. § 24-4-105 to be illegal. The prior court invalidated the issued license and remanded with instructions to hold a §105 hearing, and included a new timeframe for the parties to follow.

The parties proceeded. At the Hearing Plaintiffs claimed the purpose of the Hearing was determine whether Energy Fuel’s application met all criteria under state law for issuance of a license. Energy Fuel claimed the purpose was to gather evidence within the procedural confines of APA § 105. The Hearing Officer agreed with Energy Fuels and determined the Hearing was an intermediate step in CDPHE’s granting the license. A decision was then reached by CDPHE granting a license to Energy Fuels.

Plaintiffs sought invalidation of a Radioactive Materials License issued to Energy Fuels by CDPHE on April 25, 2013. Plaintiffs made six claims in arguing that the license should be invalidated: (1) CDPHE deprived SMA of an “initial decision” following the required hearing, (2) the hearing officer failed to determine and adhere to an explicit burden of proof in the hearing as required by 6 C.C.R. 1007-1 § 18 (“part 18 regulations”), (3) the hearing officer did not apply the substantive protections of part 18 regulations, (4) the hearing lacked competent socioeconomic data in violation of part 18 regulations, (5) CDPHE arbitrarily relied on an unlawful Environmental Impact Analysis, and (6) cumulatively, CDPHE’s licensing action and decision violates the Uranium Mill Tailings Radiation Control Act (“UMTRCA”), the Atomic Energy Act (“AEA”), the Administrative Procedure Act (“APA”), Colorado Radiation Control Act (“RCA”), and part 18 of the implementing regulations.

I denied CDHPE’s Motion to Dismiss the Complaint on September 9, 2013 and denied Energy Fuels’ Motion to Dismiss the Complaint on September 16, 2013.

In order to resolve issues raised in the Complaint, Energy Fuels requests that I hold its license in abeyance and remand the entire matter to CDPHE and the Hearing Officer to address all of Plaintiff’s claims. Specifically, Energy Fuels moves that I (1) order the Hearing Officer render an initial decision based solely on the record from the initial Hearing and (2) determine which party bore the burden of proof and whether that burden was satisfied. Defendant moves that CDPHE review all Plaintiffs substantive and procedural claims (3), (4), (5), and (6). Defendant and Indispensable Party argue remand is appropriate, asserting that the Hearing Officer’s Finding of Fact, Conclusions of Law, and Ruling were deficient. They also claim such an order would promote judicial efficiency.

### **III. Law and Analysis**

#### **A. Order is Not Prejudicial and Promotes Judicial Economy**

A review of the case record suggests the Order is not Prejudicial because it is not likely to require Plaintiff to expend unnecessary resources. Further, judicial economy is served by remanding this case because it directly allows for the resolutions of issues raised by Plaintiff.

**B. Hearing Officer Can Resolve Plaintiff's Claim Surrounding the Burden of Proof**

Public officials acting in an adjudicatory capacity are entitled to “quasi-judicial absolute immunity” if there are sufficient procedural safeguards in the adjudicatory actions. *Churchill v. Univ. of Colo. At Boulder*, 285 P.3d 986, 999-1005 (Colo. 2012). There is no case law to suggest that the remand of a post-hearing assignment of the burdens of proof is a violation of due process rights.

**C. Remand is Appropriate**

The Administrative Procedure Act is to provide “a plain, simple, and prompt remedy to persons or parties . . . aggrieved by agency actions.” C.R.S. § 24-4-106(1). When there can be no meaningful review on the merits, the proper action is to remand the case for appropriate proceedings. *See Lawless v. Bach*, 489 P.2d 316, 318 (Colo. 1971); C.R.S. § 24-4-106(7). Remand is appropriate where a hearing officer “failed to adopt any findings or conclusions or to give any reasons for its action.” *Ivy v. State Personnel Bd.*, 860 P.2d 602, 605 (Colo. App. 1993). “[T]he court shall determine all questions of law and interpret the statutory and constitutional provisions involved and shall apply such interpretation to the facts duly found or established.” C.R.S. § 24-4-106(7).

Here, the Hearing Officer failed to make a conclusion as to whether Energy Fuels application met all criteria for issuance of a license pursuant to C.R.S. § 25-11-203. Additionally, there are no questions of law or constitutional issues that I need to resolve.

**IV. Order**

It is ordered that: (1) **The Energy Fuels license is held in abeyance**, (2) **That this matter is remanded for hearing consistent with this Order**, including the following:

- A. CDPHE is ordered to convene an appropriate Hearing Officer. Original Hearing Officer shall be selected if he or she is available and are eligible to issue a *post hoc* determination of the burdens of proof in the hearing. If Original Hearing Officer is unavailable or ineligible to issue a *post hoc* determination of the burdens of proof in the hearing, then CDPHE shall select another appropriate Hearing Officer. That Hearing Officer shall review the record of the initial §105 hearing.
- B. Limited Discovery shall be made available only for the purpose of determining whether the original Hearing Officer is eligible to enter *post hoc* determinations of the burdens of proof in the hearing due to post-hearing ex-parte communications.

- C. After limited discovery, CDPHE shall decide whether the original Hearing Officer is eligible.
- D. The Hearing Officer formally assigned to the case shall issue an initial decision as to whether Energy Fuels' application met all criteria under state law for issuance of a license pursuant to C.R.S. § 25-11-203. Hearing Officer shall also issue a *post hoc* determination of the burdens of proof in the hearing.
- E. Said Hearing Officer shall make decisions based on the record from the initial §105 hearing.
- F. Parties may modify terms of who is the Hearing Officer by written stipulation signed by all parties, provided that any such stipulation does not impair the rights of any party.
- G. Following proceedings with the Hearing Officer, CDPHE shall review whether the original Hearing Officer in the original Hearing applied substantive protections of part 18 regulations, possessed competent socioeconomic data as per part 18 regulations, whether CDPHE arbitrarily relied on an unlawful Environmental Impact Analysis and whether the CDPHE's licensing violated UMTRCA, AEA, APA, RCA, and part 18 of the implementing regulations,
- H. CDPHE shall review the determination of Energy Fuel's License with regards to prior §105 record and additional proceedings mandated by this order.

SO ORDERED this 3<sup>rd</sup> day of August, 2014.

BY THE COURT:



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Robert L. McGahey, Jr.  
District Court Judge



## GOVERNMENT AFFAIRS/NATURAL RESOURCES

LYNN PADGETT

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April 23, 2018

RE: Draft Alternative E CA Meeting Follow-up

Dear Greg and Matt,

San Miguel County appreciates the opportunity to continue working with the Uncompahgre Field Office as a Cooperating Agency during the extended Resource Management Plan revision process.

Thank you for providing a draft of Uncompahgre Field Office (UFO) and Agency Preferred Alternative, new Alternative E as summarized in the draft revised Table 2-2 for us to review following the UFO RMP Cooperating Agency (CA) meeting held in Montrose on March 28 where some of the concepts of Alternative E were introduced. Immediately following the March 28 meeting, San Miguel County forwarded a comment document submitted by the Board of County Commissioners on the West-Wide Energy Corridor segment going north-south through San Miguel County for the Section 368 West-Wide Energy Corridors Region 2 Review comment period to help inform UFO and the RMP of our concerns regarding the location of this corridor.

We are grateful to you both for taking the time to meet with Commissioner May and me on April 16 to dialogue about questions and concerns San Miguel County has with the draft Alternative E.

It is our recollection that during our April 16 meeting we heard that Alternative E has been crafted to incorporate new information, BLM and administrative priorities, input from the BLM's interdisciplinary team, comments received from the public and Cooperating Agencies, and to reduce some of the complexities of having overlapping management prescriptions from special designations.

Our recollection and takeaways of our discussion of the important topics that were discussed during our April 16 meeting were:

- San Miguel County expressed a desire that the San Miguel River Expansion ACEC be designated in the final RMP. We heard from UFO that the mosaic of landownership makes management of the expanded area more difficult. San Miguel County suggested that the north end of an expanded ACEC could be terminated at the San Miguel County line. We indicated if this is not possible, that the existing San Miguel River ACEC and SRMA is supported by San Miguel County and is desired to have the highest possible visible resource management and be managed to protect and not degrade important riparian ecosystems and bird habitat and avoid conflicts between recreation, permitted outfitter activities, new routes and rights-of-way, and in-stream mining. We also asked

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that the stipulations that had been part of Alternative D within the existing ACEC, specifically the codes LOCATE, HYDROE, SOLARE, and WINDE be retained in Alternative E with HYDROE being incorporated for all WSR segments being designated as Suitable, vs. just those classified as Wild.

- We asked that the San Miguel River SRMA have a visual resource management level of V-2. With more protective stipulations that emphasize sustaining the ecological integrity and scenic beauty of the San Miguel River corridor, and Beaver and Saltado Creeks and important riparian habitat, San Miguel County can be supportive of not having an Ecological Emphasis Area co-designated. We heard that the agency would consult with its interdisciplinary team about the current conditions, but that the UFO would not want to manage areas that have Visual Resource Management Class 3 characteristics as a Class 2.
- During this meeting, we learned more about why target shooting stipulations have changed between Alternatives D and E.
- We indicated concern with potential Gunnison Sage-grouse management differences if they are based on neighbor resource management plans that were created using pre-listing NEPA. The Gunnison Sage-grouse was listed as a Threatened species and critical habitat was designated by the U.S. Fish and Wildlife Service (USFWS) in November of 2014.
- We indicated desire to have Burn Canyon managed as an SRMA vs. an ERMA as recommended in draft Alternative E, primarily to have the sensitive riparian areas in the drainages be retained as non-motorized area. We learned from UFO that the BLM has concerns that an SRMA will over-emphasize and/or advertise recreational uses and potentially exacerbate access and enforcement conflicts vs. an ERMA. UFO has put a lot of thought into this change and has taken into consideration the difficulty of access, the safety of access on existing narrow county roads, honoring and incorporating the recent Burn Canyon Travel Management Plan, and agency direction for energy dominance.
- San Miguel County compared the management codes between the SRMA in Alternative B and the ERMA in Alternatives D and E. Burn Canyon would have had a clear NSO in Alternative B, with the riparian canyon portions closed to motorized and mechanized uses and/or have visual resource management levels of V-2. We asked for the UFO to take another look at the ERMA stipulations which would only be CSU, V-3, and DAY for the entire area and re-consider adding more of the protective management to protect the scenic and riparian resources in this incredible area.
- San Miguel County requested more explanation of the new language in draft Alternative E that uses slight variations of language such as "...for greater than 80 percent of [stream segments/vegetation communities/etc.] in ACECs, WSAs, suitable wild and scenic river segments, lands managed to protect wilderness characteristics, and greater than 70 percent of [stream segments/vegetation communities/etc.] on the remaining BLM-administered lands, over 10 years with 80 percent confidence. We wondered if this could result in losing 30 percent of special characteristics of a special area during successive 10-year intervals. We also said one interpretation was that BLM was going to manage only 10 percent more of the stream/vegetation communities/etc. (see Rows 43, 63 and 75 for examples of the language) if they were in a special area vs. a non-special area

documented as having special qualities. We asked how 80 percent confidence will be measured and achieved in a non-subjective way. We hope to get more information about this new assessment, monitoring and evaluation concept from the BLM.

- We indicated that we would verify if Norwood had a Source Water Protection Area designated and help UFO know where any such areas are in San Miguel County. In 2002, the Town of Norwood did prepare a Sourcewater Assessment and Protection Report. San Miguel County will scan and send Greg and Matt the documents we have on file. The San Miguel County Source Water Assessment Reports we have documentation of are Aldasoro Ranch HOA, Ilium Valley WS, Last Dollar PUD, Mountain Village, Norwood Water Commission, Town of Ophir, Town of Telluride, Wilson Mesa, Telluride Regional Airport, Camp Ilium, Skyline Guest Ranch Ski Lodge, Matterhorn Campground, and Sunshine Campground. Colorado Department of Public Health and Environment (CDPHE) should also be a reference for these reports and boundaries of source water protection areas.

We did not get a chance to discuss a few topics that San Miguel County has flagged as becoming a concern in the draft Table 2-2 and Alternative E. We'd like to let you know that we have concerns about what appears to be changes in direction with the new draft Alternative E:

- Lesser protective management for hydrology and wetland features, and omission of protective buffering for intermittent and ephemeral streams, and riparian areas. Rows 77 and 82 are a couple examples of this. Where many tributaries in our headwaters position are snow-fed and are technically intermittent, managing resources to provide protection of hydrological systems and water quality is extremely important.
- Changes in language between cooperating, collaborating and coordinating with Colorado Parks and Wildlife (CPW) in various rows.
- Less protective management for irreplaceable cultural resources and national/historic trails.
- No longer proposing to manage Dolores (River) Slickrock Canyon ACEC as an ACEC in Alternative E. The previous agency preferred alternative D would have managed the Dolores River Slickrock Canyon ACEC to protect and prevent damage to the significant "scenic, cultural and paleontological resources, desert bighorn sheep, peregrine falcon, roundtail chub, and plan communities and the BLM sensitive species Kachina daisy and Naturita milkvetch" (See revised draft Table 2-2, Row 534). We support the collaborative stakeholder process of the Dolores River Dialogue and feel that management of the Dolores River Slickrock Canyon ACEC as provided in the previous agency preferred Alternative D best protects these significant natural, biological, cultural, recreational and scenic resources and values.

We really appreciated the opportunity to spend a couple hours with you both to learn more about the proposed revisions and Alternative F and to discuss our concerns and make suggestions. We value our close working relationship with the UFO and its dedicated staff.

Sincerely,



Lynn Padgett

Director, Government Affairs/Natural Resources  
San Miguel County



# SAN MIGUEL COUNTY

## BOARD OF COMMISSIONERS

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ART GOODTIMES

AMY LEVEK

JOAN MAY

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October 31, 2016

Joseph Meyer, Southwest District Manager  
Dana Wilson, Acting Uncompahgre Field Office Manager  
Project Manager, Uncompahgre RMP  
Bureau of Land Management  
Uncompahgre Field Office  
2465 S. Townsend Ave.  
Montrose, CO 81401  
Via Email: [uformp@blm.gov](mailto:uformp@blm.gov)

Dear Joe and Dana,

San Miguel County (SMC) is pleased to be offered the opportunity to comment on the Uncompahgre Field Office of the Bureau of Land Management (UFO BLM) Draft UFO Resource Management Plan (RMP) / Environmental Impact Statement (EIS) [hereafter, "*DRMP/EIS*"]

In 2015, the San Miguel County Board of County Commissioners approved Resolution 2015-009<sup>1</sup> (Attachment A), stating that public land under the management of the U.S. Forest Service and BLM constitute more than 60% of the land within San Miguel County and included the following statements:

- federal public lands are essential to the quality of life in San Miguel County, providing public recreational opportunities for wildlife watching, hiking, hunting, fishing, backpacking, horseback riding, skiing, bicycling, sightseeing, and numerous other outdoor recreational activities;
- federal public lands provide essential habitat for wildlife;
- wildlife and scenic landscapes on the public lands attract outdoor recreation and tourism that are the dominant drivers of San Miguel County's economy;
- San Miguel County business owners attract employees in large part because of the iconic landscape and recreational opportunities on federal public lands;
- San Miguel County's agriculture industry includes numerous ranchers and sheepherders who are dependent on grazing on federal public land;
- San Miguel County residents are actively collaborating among diverse interests and with public land managers to improve public land management and public access.

We have attempted to recommend actions that San Miguel County would like to have incorporated into the Final RMP and Record of Decision (ROD) and recommend improvements for what we consider shortcomings in portions of the plan and. We are not asking for just a single alternative to be implemented. We have identified places where we do not agree with the agency preferred Alternative D, and might agree in whole or in part with another Alternative, such as Alternative B. However, we have tried to approach each item that we perceive to be within or directly affecting San Miguel County in such a way as to offer desired actions and stipulations, which may be a customized mix or hybrid of different alternatives. We have attempted to offer our desires so that they can be practically accomplished when implementation of the Final RMP begins. We believe incorporating our

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<sup>1</sup><http://www.sanmiguelcountyco.gov/301/Document-Viewer>

recommendations will strengthen the document so that it provides clearer guidance and expectations in resource management programs, practices, and protections for the present and for the future.

Our comments are also offered in the spirit of the DRMP/EIS statement, "The BLM's planning regulations require that RMPs be consistent with officially approved or adopted resource-related plans ...so long as they are also consistent with the purposes, policies, and programs of federal laws and regulations applicable to BLM-administered lands."<sup>2</sup>

We also offer our comments in the spirit that the BLM attempted to "explore opportunities to enhance management of resources and resources uses; resolve conflicts among resources and resource uses; meet the purpose and need for the RMP; and are feasible to accomplish."

While San Miguel County philosophically is more supportive of the intent of Alternative B over Alternatives C and D, there are times where our comments realize that a balanced multiple use and human activities and structures are necessary for economic development and recreation, where they can avoid or mitigate impacts to other activities or wildlife needs.

### **2.3.3 Alternative B**

Alternative B emphasizes improving, rehabilitating, and restoring resources and sustaining the ecological integrity of habitats for all priority plant, wildlife, and fish species, while allowing appropriate development scenarios for allowable uses (such as mineral leasing, locatable mineral development, recreation, ROWs, and livestock grazing). It particularly targets the habitats needed for the conservation and recovery of federally listed, proposed, or candidate threatened and endangered plant and animal species. Goals and objectives focus on environmental and social outcomes achieved by sustaining relatively unmodified physical landscapes and natural and cultural resource values for current and future generations. This alternative would establish the greatest number of special designation areas such as ACECs and special recreation management areas, with specific measures designed to protect or enhance resource values. Appropriate and allowable uses and restrictions would be contingent on minimizing impacts on natural and cultural resources.

(From Page 2-7 of the DRMP/EIS)

### **2.3.6 Alternative D: Agency Preferred**

Alternative D is the agency-preferred alternative, which emphasizes balancing resources and resource use among competing human interests, land uses, and the conservation of natural and cultural resource values, while sustaining and enhancing ecological integrity across the landscape, including plant, wildlife, and fish habitat. This alternative incorporates a balanced level of protection, restoration, enhancement, and use of resources and services to meet ongoing programs and land uses. Goals and objectives focus on environmental, economic, and social outcomes achieved by strategically addressing demands across the landscape. **Section 2.5** (Considerations in Selecting a Preferred Alternative) outlines the selection process for the preferred alternative.

(From Page 2-8 of the DRMP/EIS)

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<sup>2</sup>[http://www.blm.gov/style/medialib/blm/co/field\\_offices/uncompahgre\\_field/rmp/rmp\\_draft\\_vol\\_1.Par.7326.File.dat/1\\_UFO-DRMP-2016\\_508.pdf](http://www.blm.gov/style/medialib/blm/co/field_offices/uncompahgre_field/rmp/rmp_draft_vol_1.Par.7326.File.dat/1_UFO-DRMP-2016_508.pdf)

With the intent that our comments are practical, we are not commenting on Alternative B-1 or designations that are not within or do not have direct impacts on San Miguel County.

We have prepared our comments mostly by special designation or resource use categories, and our comments are generally specific to areas, resources, resource uses, and potential designations within San Miguel County. In some cases where the RMP decision may affect San Miguel County, we have also commented. We have attempted to provide clear comments and recommendations, but in reviewing a plan, supporting materials, and spatial data, we realize our comments may not be as clear as we intended. Please encourage the UFO staff to contact our staff lead, at 970-369-5441 or lynnp@sanmiguelcountyco.gov if there are any questions or clarifications needed.

**1. LANDS WITH WILDERNESS CHARACTERISTICS/WILDERNESS STUDY AREAS (WSAs)**

Summary: There are no Lands with Wilderness Characteristics or WSAs mapped within San Miguel County. San Miguel County appreciates that these lands were inventoried by the BLM and supports comments being submitted by Conservation Colorado and Western Colorado Congress on this subject.

**2. WILD AND SCENIC RIVER (WSR) SUITABILITY.**

Summary:

- San Miguel County fully supports the designations of the identified river segments within the San Miguel Basin as suitable.
- San Miguel County fully supports the designation as "suitable" of the segments proposed in DRMP/EIS Alternative D, with some differences in the Alternative D stipulations.
- See Rational/Discussion for specific comments on segment management stipulations.

Rationale/Discussion:

**Determination of Suitability**

By making a determination of "suitable" for inclusion in the National Wild and Scenic Rivers System for the segments contained in Alternative D of the DRMP/EIS, the UFO BLM is honoring the countless hours of work from local stakeholders, citizens, sub-RAC (Resource Advisory Council), RAC members, and state and federal agency specialists, along with all of the public input gathered in-person and via multiple written comment periods.

The number of segments recommended as "suitable" is a very small subset of the number of segments analyzed and their designation as suitable was found to be the best locally acceptable method to maintaining important native fish or other critical wildlife habitat, recreation and scenic values. Private property rights and water rights were carefully considered during the suitability process led by the stakeholder group and had been appropriately respected in Alternative D of the draft RMP/EIS.<sup>3,4</sup>

San Miguel County urges the UFO BLM to support these determinations of suitability within the Dolores and San Miguel Basin and to work with the Colorado Water Conservation Board (CWCB) to obtain flow protections using state processes to support the flow-related Outstandingly Remarkable Values (ORVs) where they do not already exist within these segments.

In June 2010, the UFO BLM published their findings of eligibility for 174 river segments studied and evaluated in advance of the Uncompahgre Resource Management Plan (RMP). The analysis area included

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<sup>3</sup>Pages 3-164-167;

[http://www.blm.gov/style/medialib/blm/co/field\\_offices/uncompahgre\\_field/rmp/rmp\\_draft\\_vol\\_1.Par.96289.File.dat/3\\_UFO-DRMP-2016\\_508.pdf](http://www.blm.gov/style/medialib/blm/co/field_offices/uncompahgre_field/rmp/rmp_draft_vol_1.Par.96289.File.dat/3_UFO-DRMP-2016_508.pdf)

<sup>4</sup>[http://www.blm.gov/style/medialib/blm/co/field\\_offices/uncompahgre\\_field/rmp/rmp\\_draft\\_appendix0.Par.2133.File.dat/P\\_WSR-Suit\\_UFO-DRMP-2016\\_508.pdf](http://www.blm.gov/style/medialib/blm/co/field_offices/uncompahgre_field/rmp/rmp_draft_appendix0.Par.2133.File.dat/P_WSR-Suit_UFO-DRMP-2016_508.pdf)

a portion of the Dominguez-Escalante National Conservation Area (NCA). An additional segment of the Dolores River, identified in the San Juan Public Lands Draft Land Management Plan, was evaluated by the UFO BLM because the northernmost 11.8-mile downstream portion of this segment is within the UFO planning area.

The BLM found after completion of field assessments and data analysis that informed their eligibility determination process, that 34 segments out of the 174 segments scoped were determined to be both free-flowing and to possess one or more outstandingly remarkable values (ORVs) that are necessary for Wild and Scenic River eligibility. During the eligibility process, reviews of free-flowing character and determinations of ORVs were made by Colorado Parks and Wildlife (formerly Colorado Division of Wildlife; CPW), U.S. Fish and Wildlife Service (USFWS), and Colorado Natural Heritage Program (CNHP). The Draft Eligibility Report had a typical public comment period with comments received by the BLM from diverse interests.

In addition, fish values were assessed by Colorado Parks and Wildlife (CPW) on the San Miguel and Dolores Rivers. A presentation by Dan Kowalski, Aquatic Biologist, CPW, stated that San Miguel River Segments 1 and 2 are very important and highly used fisheries with important recreational fishing values. San Miguel River Segment 2 was identified as exceeding the Gold Medal Biomass standard in some years. Native fish species identified on the San Miguel River are Colorado Pikeminnow (Federally Endangered/State Threatened); Bluehead Sucker (State Threatened); Flannelmouth Sucker (State Threatened); Roundtail chub (State Species of Special Concern; BLM Sensitive Species); Colorado River Cutthroat Trout (State Species of Special Concern); Speckled Dace and Mottled Sculpin.<sup>5</sup>

In February 2013, the UFO BLM published their final Wild and Scenic River Suitability Report, which further analyzed the suitability of 28 river segments, including the 11.88-mile segment of the Dolores River.<sup>6</sup> (Six river segments, found eligible, were separately analyzed for suitability within the Dominguez-Escalante NCA RMP.)

During the robust suitability process, the BLM weighed protective measures for eligible river segments and the corresponding corridor in relation to current and potential identified uses. Possible environmental and economic consequences of, management issues resulting from, and reasonable alternatives to WSR designation were considered. Preliminary segment boundaries and classifications were reevaluated in response to public input. Geographic information systems data was recalculated, at times resulting in modified segment lengths and land ownership measures. Public participation and comments resulted in refinement of which segments were considered suitable for 10 stakeholder group meetings within the Dolores/San Miguel Basin. (Separate stakeholder processes were initiated for segments in the Gunnison River Basin and those in the Dolores and San Miguel river basins.) Stakeholder groups held public meetings during late 2010 and early 2011. The Dolores/San Miguel Basin subgroup considered BLM analysis and public input and developed recommendations for each of the Dolores-San Miguel segments. A second public comment period was held to receive even more input prior to suitability recommendations from the stakeholder group. Hundreds of public comments were considered during the formal suitability public comment period.

San Miguel County fully believes that the stakeholder group, co-chaired by John Reams, a construction and mining contractor and rancher based in Norwood and Naturita, and Peter Mueller, a project director for the Nature Conservancy, based in Telluride, represented diverse backgrounds and interests and solicited diverse input from the public that was deeply considered in the final results of the process.

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<sup>5</sup>[http://www.blm.gov/style/medialib/blm/co/field\\_offices/uncompahgre\\_field/rmp/wsr\\_docs.Par.32765.File.dat/San%20Miguel%20Dolores%20Fish%20DOW%20Presentation%20Dan%20Kowalski.pdf](http://www.blm.gov/style/medialib/blm/co/field_offices/uncompahgre_field/rmp/wsr_docs.Par.32765.File.dat/San%20Miguel%20Dolores%20Fish%20DOW%20Presentation%20Dan%20Kowalski.pdf)

<sup>6</sup>[http://www.blm.gov/style/medialib/blm/co/field\\_offices/uncompahgre\\_field/rmp/rmp\\_draft\\_docs\\_1.Par.70506.File.dat/WSR%20Suitability%20Report\\_Final\\_04272012.pdf](http://www.blm.gov/style/medialib/blm/co/field_offices/uncompahgre_field/rmp/rmp_draft_docs_1.Par.70506.File.dat/WSR%20Suitability%20Report_Final_04272012.pdf)



Stakeholder meetings were held in Norwood, Naturita, and Telluride, whose residents are known to have very different political views on energy, minerals, recreation, agriculture, and forestry.<sup>7</sup> The Dolores/San Miguel Basin subgroup examined 21 different stream segments and public input received was incorporated into their findings.<sup>8</sup> The stakeholder group found 7 segments to be Suitable with modifications, 6 segments to be Suitable, and 8 to be Not Suitable.<sup>9</sup> Their recommendations were then considered by the BLM Southwest Resource Advisory Council (SW RAC) which voted unanimously to recommend that 8 segments in the San Miguel Basin and 5 segments in the Dolores Basin be found suitable. The BLM incorporated these recommendations into its preferred Alternative D of the UFO draft RMP/EIS.

San Miguel County is supportive of NCA legislation on the Dolores River Segments 1 and 2 and the La Sal Creek Segments 2 and 3, which overlap with the Tres Rios and Uncompahgre BLM offices. If the NCA is successful, we believe that a Suitability determination would no longer be relevant. However, until an NCA is agreed upon, Suitability is a powerful tool to bring stakeholders and governments to the table to agree on NCA terms. Currently, there is no guarantee that an NCA will happen in the near future or that there will be agreement as to how the NCA will protect flows in place of current Suitability. Therefore, until such time as an NCA may be established that protects both flow-related and non-flow dependent ORVs, San Miguel County urges the CWCB to support the Alternative D suitability recommendations for the Dolores River. If an NCA is established that accomplishes full protection of ORVs, we would then support the determination for these 4 segments to be changed to not suitable.

San Miguel County understands that when the CWCB voted to appropriate an Instream Flow right (ISF) on the Dolores River from the San Miguel to Gateway (Lower Dolores Segment), the BLM offered in an unprecedented agreement, not to seek a federal water right on this river segment to protect the ORV flows. This was a very important consideration by the CWCB in voting to appropriate the ISF. We support the CWCB in asking for this language to be carried through on the other Dolores River sections.

While the ISF is important to protect the Lower Dolores segment (25), the ISF alone would not protect the wide array of ORVs, including: recreational and the extraordinary rafting, kayaking and canoeing opportunities; peregrine falcon habitat, including for breeding and nesting; and geologic and scenic, including the historic hanging flume. The BLM's Report admits that due to the limited unappropriated water, it is unlikely that the high flows needed to sustain recreational activities could be secured. The Suitability determination on the Lower Dolores sections would complement the State's ISF by adding land management protection for this incredibly scenic and remote stretch of river with its historical, cultural and wildlife attributes.

San Miguel County also understands that The Lower Dolores from McPhee Dam to Bedrock already operates with a Suitability designation that was in place when the dam was built. The BLM has made it clear that it can't take away the senior water rights of the Dolores Project or require new reservoir releases through Suitability; rather it must work within the Colorado water rights system. The current Suitability determination on the Dolores has not appeared to affect Drought Contingency Planning or any coordinated management efforts.

**A. San Miguel River Segment 1** – ORVs are Scenic, Recreational, Wildlife, Historic, Vegetation, and Paleontology. Over 19 miles of this segment lies within the existing San Miguel ACEC, and it

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<sup>7</sup>[http://www.telluridenews.com/news/article\\_d60c6f40-91d2-542e-8dad-e06bb13d4e85.html](http://www.telluridenews.com/news/article_d60c6f40-91d2-542e-8dad-e06bb13d4e85.html)

<sup>8</sup>[http://matchbin-assets.s3.amazonaws.com/public/sites/165/assets/64CW\\_The\\_Watch\\_March\\_17\\_2011.pdf](http://matchbin-assets.s3.amazonaws.com/public/sites/165/assets/64CW_The_Watch_March_17_2011.pdf)

<sup>9</sup>[http://www.blm.gov/style/medialib/blm/co/field\\_offices/uncompahgre\\_field/rmp/wsr\\_docs.Par.31074.File.dat/2011-0225%20WSR%20Dolores%20San%20Miguel%20Segment%20Analysis%20RAC%20Recommendation.pdf](http://www.blm.gov/style/medialib/blm/co/field_offices/uncompahgre_field/rmp/wsr_docs.Par.31074.File.dat/2011-0225%20WSR%20Dolores%20San%20Miguel%20Segment%20Analysis%20RAC%20Recommendation.pdf)

appears nearly the whole segment lies within the proposed San Miguel Expansion ACEC (GIS files).<sup>10</sup>

The San Miguel River corridor is extremely important for the local economy. Preserving scenic views while allowing for high-quality boating, fishing, and retaining the existing travel management plan uses/limitations is extremely important to San Miguel County.

Due to the scenic and recreational ORVs, the fact that this segment is within the designated San Juan Skyway Scenic Byway and the Unaweep-Tabeguache Scenic and Historic Byway, it is very important to retain no less than a V-2 category for visual resource management. This is consistent with the San Juan Scenic Byway Management Plan<sup>11</sup>, the Unaweep-Tabeguache Scenic and Historic Byway Corridor Management Plan<sup>12</sup>, and the San Miguel County Comprehensive Development Plan<sup>13</sup>. While the DRMP/EIS states "The BLM would not permit any actions that would adversely affect the free-flowing condition, ORVs, and adequate water quality to support those ORVs or tentative classification of any of the segments, or would result in the reduction of water quality to the extent that it would no longer support the ORVs..."<sup>14</sup>, the stipulations provided in Alternative D do not provide the safeguards needed to make this a true statement. If this is indeed a fact, then stronger stipulations are needed to replace those in Alternative D and/or in addition to the Alternative D stipulations. Also, reaches within this segment contain four globally vulnerable (G3) riparian communities.

**B. Salgado Creek** – This segment is proposed for a WSR designation of Wild in Alternative D. The stated ORV for this segment is Vegetation, described as an "A-ranked" superior occurrence of globally vulnerable (G3) narrowleaf cottonwood/blue spruce/thinleaf alder riparian forest, which is a primary reason the existing San Miguel ACEC was created.<sup>15</sup>

**C. Beaver Creek --**

This segment is proposed for a WSR designation of Recreational in Alternative D. The stated ORV for this segment is Vegetation, described as an "A-ranked" superior occurrence of globally vulnerable (G3) narrowleaf cottonwood/blue spruce/thinleaf alder riparian forest, which is a primary reason the existing San Miguel ACEC was created.<sup>16</sup> The designation of Recreational received strong support from a primary private landowner and San Miguel County, and was chosen to provide "reasonable certainty that future water development projects would receive consideration and could move forward with minimal difficulty."<sup>17</sup>

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<sup>10</sup>[http://www.blm.gov/co/st/en/fo/ufo/uncompahgre\\_rmp/ufo\\_draft\\_rmp\\_shape.html](http://www.blm.gov/co/st/en/fo/ufo/uncompahgre_rmp/ufo_draft_rmp_shape.html)

<sup>11</sup>[https://www.codot.gov/travel/scenic-byways/southwest/san-juan-skyway/SanJuanSkywayCorridorManagementPlan.pdf/at\\_download/file](https://www.codot.gov/travel/scenic-byways/southwest/san-juan-skyway/SanJuanSkywayCorridorManagementPlan.pdf/at_download/file)

<sup>12</sup><https://www.codot.gov/travel/scenic-byways/southwest/unaweep-tabeguache/unaweep-tageguache-byway-corridor-management-plan-sep-2013>

<sup>13</sup><http://www.sanmiguelcountyco.gov/DocumentCenter/Home/View/222>

<sup>14</sup>Page 4-409;

[http://www.blm.gov/style/medialib/blm/co/field\\_offices/uncompahgre\\_field/rmp/rmp\\_draft\\_vol\\_2.Par.12939.File.dat/4\\_UFO-DRMP-2016\\_508.pdf](http://www.blm.gov/style/medialib/blm/co/field_offices/uncompahgre_field/rmp/rmp_draft_vol_2.Par.12939.File.dat/4_UFO-DRMP-2016_508.pdf)

<sup>15</sup>Page 64;

[http://www.blm.gov/style/medialib/blm/co/field\\_offices/uncompahgre\\_field/rmp/rmp\\_docs.Par.16348.File.dat/Final%20WSR%20Eligibility%20Report%20Final%20Web%20071210.pdf](http://www.blm.gov/style/medialib/blm/co/field_offices/uncompahgre_field/rmp/rmp_docs.Par.16348.File.dat/Final%20WSR%20Eligibility%20Report%20Final%20Web%20071210.pdf)

<sup>16</sup>Page 64;

[http://www.blm.gov/style/medialib/blm/co/field\\_offices/uncompahgre\\_field/rmp/rmp\\_docs.Par.16348.File.dat/Final%20WSR%20Eligibility%20Report%20Final%20Web%20071210.pdf](http://www.blm.gov/style/medialib/blm/co/field_offices/uncompahgre_field/rmp/rmp_docs.Par.16348.File.dat/Final%20WSR%20Eligibility%20Report%20Final%20Web%20071210.pdf)

<sup>17</sup>Page 37;

[http://www.blm.gov/style/medialib/blm/co/field\\_offices/uncompahgre\\_field/rmp/rmp\\_draft\\_docs\\_1.Par.70506.File.dat/WSR%20Suitability%20Report\\_Final\\_04272012.pdf](http://www.blm.gov/style/medialib/blm/co/field_offices/uncompahgre_field/rmp/rmp_draft_docs_1.Par.70506.File.dat/WSR%20Suitability%20Report_Final_04272012.pdf)



### 3. SAN MIGUEL RIVER/SALTADO CREEK/BEAVER CREEK AREA COMMENTS:

First, the San Miguel River corridor along with tributaries Saltado and Beaver Creeks was analyzed by San Miguel County staff holistically. These areas have several existing and proposed designations within either Alternative A, Alternative B, and/or Alternative D. However, we found that the stipulations provided in the UFO BLM DRMP/EIS GIS files did not match the language within the RMP, and added quite literally, layers of complexity to understand which stipulation (generally the most protective or stringent) would apply to which portion of land within this area.

To aid in this analysis, San Miguel County staff prepared a comparison table (Attachment B) that showed the stated stipulations for each designation category, for the San Miguel River mainstem and surrounding canyon/Area of Critical Environmental Concern (ACEC) lands; the Saltado Creek drainage and surrounding canyon/ACEC lands; and the Beaver Creek drainage and surrounding canyon/ACEC lands.

As one example of the inconsistencies of stipulations in this area, a single place within the San Miguel River proposed Wild and Scenic River (WSR) Segment 1, near the confluence with Specie Creek -- was within:

- the Alternative D WSR segment proposed as Suitable, Recreation;
- the Alternative D San Miguel River Special Recreation Management Area (SRMA);
- the Alternative A and D existing San Miguel River Area of Critical Environmental Concern (ACEC) designated in 1993 to protect the high-quality riparian vegetation resources, habitat for many bird species, and the scenic value of the corridor, within or proximal to a State designated Scenic Byway; (According to the BLM's ACEC Final Report of 2013, the riparian vegetation community exists "mainly due to the undammed San Miguel River and its intact hydrology." The report when on to state, "Such communities are becoming increasingly rare in Colorado." <sup>18</sup> The report also states that the Visual Resource Index (VRI) should be V-2 for the existing San Miguel River ACEC.)
- the Alternative D San Miguel Ecological Emphasis Area;
- the Alternative D fluid minerals stipulation: No Surface Occupancy (NSO)
- the Alternative B San Miguel River Expansion ACEC which would expand the ACEC to protect additional lands having high-quality riparian vegetation resources, bird habitats, and scenic values, within or proximal to State designated Scenic Byways; (The BLM's ACEC Final Report states that the VRI should be V-2 for the San Miguel River Expansion ACEC.)
- the Alternative B fluid minerals stipulation: No Lease (NL);
- the Alternative A lands shown as not having Coal potential.

What we found in our comparison table was that the preferred Alternative D, for the above designations and shapefiles, would classify this with a hodge-podge of V-2 within the WSR polygon, but V-3 within the ACEC and SRMA. This makes no sense because these lands are proximal/in/adjacent to two state-designated scenic byways. The Enhanced Ecological Area and WSR would have a Controlled Surface Occupancy (CSO) stipulation, while the overlapping ACEC, SMRA, and fluid minerals layers would have No Surface Occupancy (NSO) for Alternative D. The SMRA, ACEC Expansion, and fluid minerals Alternative B stipulation would be NL.

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<sup>18</sup>Page 41:

[http://www.blm.gov/style/medialib/blm/co/field\\_offices/uncompahgre\\_field/rmp/rmp\\_draft\\_docs\\_1.Par.52182.File.dat/ACEC%20Report%20Final%2001152013.pdf](http://www.blm.gov/style/medialib/blm/co/field_offices/uncompahgre_field/rmp/rmp_draft_docs_1.Par.52182.File.dat/ACEC%20Report%20Final%2001152013.pdf)

Rather than have so many overlapping layers with varying and conflicting stipulations overlying each other on the ground, a situation that will certainly be more prone to human error in interpretation and implementation, San Miguel County desires that the lands within the San Miguel Expansion ACEC and/or San Miguel SMRA Alternative B boundaries be given protections that will be simplified, allow for appropriate recreation, allow for adequate protection for the ACEC and WSR values, provide co-protection for wildlife, and adequately protect the visual resources.

**The final decision should:**

- A. Include a determination of "suitable" for inclusion in the National Wild and Scenic Rivers System for San Miguel River Segment 1, Beaver Creek and Saltado Creek.
- B. Expand the San Miguel River ACEC to include all of the lands within the existing San Miguel River ACEC and the proposed San Miguel River Expansion ACEC in Alternative B.
- C. Continue the existing San Miguel River SRMA which is included in the agency preferred Alternative D. There are an additional 76 acres that would be included in the SRMA just southwest of the confluence of Willow Creek and the San Miguel River. San Miguel County does not want this SRMA changed to become the San Miguel River Corridor Extensive Recreation Management Area (ERMA) that is proposed in Alternative C. The VRM classification should be changed from VRM-III to VRM-II to be consistent with the ACEC and the two state-designated scenic byways. The incredible scenic qualities of this area are very important economically to the region and should be maintained and managed at VRM-II. The SRMA should be expanded to match the San Miguel River Expansion ACEC boundary, such as in Big Bear Creek area.

According to the BLM, any area not identified as an SRMA is automatically managed as an ERMA. On the BLM UFO Recreation Management Area web page, the BLM states: "Within ERMA's, recreation is unstructured and does not require intensive management or significant investment in trails or facilities. This type of custodial or "dispersed" recreation management provides minimal visitor services and few developed recreational facilities."<sup>19</sup> Because there is a large identified local, regional, national and international market demand for structured recreation, the San Miguel River SRMA is the best management fit. Within the San Miguel River SRMA, there are developed recreation sites, including campgrounds, staging areas, visitor information, and limited facilities.

- D. With appropriate stipulations for the above, the complex mosaic of Enhanced Ecological Areas as proposed in the San Miguel River Expansion ACEC/SRMA areas should not be needed as wildlife will be getting protection benefits from the management decisions and implementation of the WSRs, SMRA, and expanded ACEC. The stipulations contained in the Enhanced Ecological Area shapefile for Alternatives B and D are much weaker than those for the other intersecting designations of ACEC, SRMA, and WSR (see Attachment A).<sup>20</sup>

The BLM's stated reason for contemplating an EEA in the San Miguel River is provided in its description in the DRMP/EIS Appendix D<sup>21</sup>:

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<sup>19</sup><http://www.blm.gov/co/st/en/fo/ufo/recreation.print.html>

<sup>20</sup>[http://www.blm.gov/style/medialib/blm/co/field\\_offices/uncompahgre\\_field/rmp/shape\\_files\\_3.Par.60521.File.dat/ecological\\_emphasiz\\_areas.zip](http://www.blm.gov/style/medialib/blm/co/field_offices/uncompahgre_field/rmp/shape_files_3.Par.60521.File.dat/ecological_emphasiz_areas.zip)

<sup>21</sup>[Page](#)

[http://www.blm.gov/style/medialib/blm/co/field\\_offices/uncompahgre\\_field/rmp/rmp\\_draft\\_appendix.Par.39615.File.dat/D\\_EEAs\\_UFO-DRMP-2016\\_508.pdf](http://www.blm.gov/style/medialib/blm/co/field_offices/uncompahgre_field/rmp/rmp_draft_appendix.Par.39615.File.dat/D_EEAs_UFO-DRMP-2016_508.pdf)

| Ecological Emphasis Area Name | Description                                                                                                                                                                                                                                                    | Habitat Type                                                                            | Primary Benefiting Species                                        |
|-------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| San Miguel                    | Links the Mount Wilson area on National Forest across the San Miguel Canyon to the Uncompahgre Plateau, and contributes to linkage between Mount Sneffels area and Lizard Head area; includes parts of the existing San Miguel ACEC. Divided into seven zones. | Riverine and riparian, cliff and canyon, mountain shrub, pinyon-juniper, montane forest | Bear, mountain lion, lynx, mule deer, elk, native cold water fish |

San Miguel County desires that within the San Miguel River existing/expansion ACEC - San Miguel River SRMA - San Miguel Segment 1/Beaver Creek/Saltado Creek WSRs that the final RMP/ROD does not designate the additional San Miguel Enhanced Ecological Areas. With the stipulations recommended below, these areas will be well served. All of the stipulations recommended for Alternative D for creating the San Miguel EEA are included or exceeded in our list of stipulations below.

The BLM defines Ecological Emphasis Areas (EEAs) as areas that are "otherwise unprotected core wildlife and native plant habitat and associated movement, dispersal, and migration corridors," with the objective of having a designated EEA being "manage to preserve the continuity of habitats, vegetation communities, and native wildlife within, while following vegetation mosaic objectives" <sup>22</sup>

E. San Miguel County believes that the San Miguel River, including the Saltado and Beaver Creek areas, can be served by a single set of stipulations that meet the needs and criteria of all of the overlapping designations recommended by the BLM and/or requested by San Miguel County (San Miguel ACEC Expansion, San Miguel River SRMA, and all 3 WSR segments). The stipulations for these lands collectively should include:

- **"7"** = Limit camping to 7 days, 6 nights maximum within a 30-day period for dispersed camping.
  - SMC Note: Do not change the current maximum length of stays at the improved BLM campgrounds: Fall Creek (7 days), Caddis Flats (14 days), or Lower Beaver (7 days).
- **"AVOID"** = ROW Avoidance.
  - SMC Note: San Miguel County would support an EXCL = ROW Exclusion for some areas where no ROWs currently exist, however, it is the county's desire to have the ability to scope a bike path or trail from Telluride to Placerville somewhere off of State Highway 135 and near the San Miguel River and/or additional broadband infrastructure on existing ROWs or short segments of new ROW, if there are not significant negative impacts to ACECs, WSR, or recreation.
- **"CAMPFIRE"** = No Campfires for dispersed camping.
  - SMC Note: San Miguel County is ok with campfires in existing campgrounds - Fall Creek, Caddis Flats and Lower Beaver if already allowed.
- **"COAL"** = Closed to coal mineral leasing.
  - SMC Note: BLM data that there is little to no actual coal potential and allowing for coal mineral disposal would negatively impact ORVs with little actual mineral resource benefit. This entire area is given a classification of no coal potential in Alternative A.

<sup>22</sup>[Page 2-68; http://www.blm.gov/style/medialib/blm/co/field\\_offices/uncompahgre\\_field/rmp/rmp\\_draft\\_vol\\_1.Par.31726.File.dat/2\\_UFO-DRMP-2016\\_508.pdf](http://www.blm.gov/style/medialib/blm/co/field_offices/uncompahgre_field/rmp/rmp_draft_vol_1.Par.31726.File.dat/2_UFO-DRMP-2016_508.pdf)

- **"CWOD"** = Closed to commercial wood cutting.
- **"DES"** = Limited to designated routes / Limited to existing routes.
- **"DR\_Timing"** = Designated routes - Timing Limitations, Limited to designated routes all other times (for wildlife).
- **\*"HYDROE"** = Exclusion area for hydropower.
  - SMC Note: This is consistent with the importance of this segment for fishing and recreational boating.
- **"LOCATE"** = Petition Secretary of Interior to withdrawal for locatable minerals.
- **"NL"** = No lease.
  - SMC Note: There are low oil and gas potential in the eastern portion of the expanded San Miguel River ACEC. According to Colorado Oil & Gas Commission (COGCC), Well Data downloaded in September 2016, only one well has been drilled within 2 miles of the proposed WSR suitable segments. This well was a wildcat well near Placerville, drilled in 1960 and was "DA: dry and abandoned."
  - SMC Note: SMC finds that the negative impacts to the San Miguel River, Beaver Creek, and Saltado Creek corridors, scenic byways, traffic, recreation, visual resources, and wildlife in an area without any oil/gas infrastructure, identified oil/gas fields, and history of interest or past production far outweighs any possible benefits from resource exploration or extraction within this area. According to the Fluid Minerals Alt D code in the Fluid Minerals Alt D shapefile<sup>23</sup>, the entire San Miguel River Segment 1, Beaver Creek, and Saltado Creek WSRs, and the existing and expanded San Miguel ACEC and San Miguel SRMA is coded as NSO for the preferred alternative. However, this stipulation seems to be missing from the WSR Alt D shapefile attribute table<sup>24</sup>. Alternative B gives all these areas the stipulation of "NL" which is preferred by San Miguel County as it conserves valuable staff time and resources from even going through the federal lease process.
- **"RANGE"** = Closed to livestock grazing.
  - SMC Note: essentially already recommended in Alternatives B and D. This is a high conflict area with many uses constrained in a narrow canyon. Monsoonal rains cause road closures, debris flows, and rockfalls multiple times each summer. Grasses and forbs should not be grazed as they provide protection. Wildlife needs this food source.
- **"RECMINE"** = No recreational mining.
  - SMC Note: SMC has found recreational mining is disruptive to other quiet uses, wildlife, and has caused conflicts with public access, boating, fishing, hiking, photography and other quiet use activities within the San Miguel River corridor. Non-motorized recreational mining does not have the same level of impact and disruption to the aquatic and riparian ecosystems as motorized recreational mining. San Miguel County believes that to protect the WSR, ACEC, SRMA, and highly scenic and important riparian and aquatic ecosystems, there should be no motorized recreational mining on the San Miguel River Segment 1, and the Beaver and Saltado Creek segments found suitable for WSR designation.
- **"SALABLE"** = Closed to salable mineral disposal.

<sup>23</sup>[http://www.blm.gov/style/medialib/blm/co/field\\_offices/uncompahgre\\_field/rmp/shape\\_files\\_1.Par.20291.File.dat/fluid\\_minerals\\_alt\\_d.zip](http://www.blm.gov/style/medialib/blm/co/field_offices/uncompahgre_field/rmp/shape_files_1.Par.20291.File.dat/fluid_minerals_alt_d.zip)

<sup>24</sup>[http://www.blm.gov/style/medialib/blm/co/field\\_offices/uncompahgre\\_field/rmp/shape\\_files\\_3.Par.28698.File.dat/WSR\\_ALT\\_D\\_FINAL.zip](http://www.blm.gov/style/medialib/blm/co/field_offices/uncompahgre_field/rmp/shape_files_3.Par.28698.File.dat/WSR_ALT_D_FINAL.zip)

- SMC Note: Gravel and dimension stone mining is not consistent with the ORVs and ACEC riparian values.
- **"SEED"** = Area closed to seed collection.
- **"SHEEP"** = Grazing of sheep and goats not permitted
  - SMC Note: essentially already recommended in Alternatives B and D. SMC Note: This is a high conflict area with many uses constrained in a narrow canyon. Monsoonal rains cause road closures, debris flows, and rockfalls multiple times each summer. Grasses and forbs should not be grazed as they provide protection. Wildlife needs this food source.
- **\*"SOLARE"** = Exclusion area for solar.
  - SMC Note: Commercial solar concentrators or PV panels are not compatible with the WSR/SRMA/ACEC/scenic and wildlife values here. The San Miguel River corridor is determined to have "Very Good" Solar PV potential by the UFO BLM Renewable Energy Potential Report (2010), which doesn't take into account distance from substations. PV arrays for off-site uses need to be proximal to substations.<sup>25</sup>
- **"SOLID"** = Closed to non-energy solid mineral leasing.
  - SMC Note: Ground disturbing activities, such as surface mining, are not consistent with the ORVs, wildlife and ACEC values, nor the important scenic qualities.
- **"SSR"** = Site-Specific Relocation.
- **"TAR"** = Prohibit target shooting.
  - SMC Note: Target shooting in the narrow rock-walled canyons results in amplified noise and disturbances to the wildlife, birds and pristine experiences of these areas.
- **"V-2"** = VRM II
  - SMC Note: WSR and San Miguel River Existing/Expansion ACEC should have a VRM II, as the DRMP/EIS states "Managing the segments according to VRM Class 1 or II objectives would provide direct protection to segments with a scenic ORV by requiring that the alterations to the landscape be done so as not to dominate the viewshed. If alterations cannot be mitigated to reach the VRM class objective, they would not be permitted...In turn, this would provide indirect protection to segments with a cultural or historical ORV."<sup>26</sup> As noted elsewhere, the BLM 2013 ACEC Final Report states that the San Miguel existing and expansion ACECs should have VRM II.
  - SMC Note: Beaver Creek was not provided any VRM stipulation in the WSR Alt D shapefile. WSR should have a VRM II.
- **\*"WINDE"** = Exclusion area for the wind.
  - SMC Note: The San Miguel River corridor is determined to have "Poor" wind potential by the UFO BLM Renewable Energy Potential Report (2010).<sup>27</sup>
- **"WOOD"** = Closed to wood cutting.

<sup>25</sup>[http://www.blm.gov/style/medialib/blm/co/field\\_offices/uncompahgre\\_field/rmp/rmp\\_draft\\_docs\\_1.Par.91799.File.dat/UFO\\_RenewEnergy\\_05-25-2010\\_508.pdf](http://www.blm.gov/style/medialib/blm/co/field_offices/uncompahgre_field/rmp/rmp_draft_docs_1.Par.91799.File.dat/UFO_RenewEnergy_05-25-2010_508.pdf)

<sup>26</sup>Page 4-412;

[http://www.blm.gov/style/medialib/blm/co/field\\_offices/uncompahgre\\_field/rmp/rmp\\_draft\\_vol\\_2.Par.12939.File.dat/4\\_UFO-DRMP-2016\\_508.pdf](http://www.blm.gov/style/medialib/blm/co/field_offices/uncompahgre_field/rmp/rmp_draft_vol_2.Par.12939.File.dat/4_UFO-DRMP-2016_508.pdf)

<sup>27</sup>[http://www.blm.gov/style/medialib/blm/co/field\\_offices/uncompahgre\\_field/rmp/rmp\\_draft\\_docs\\_1.Par.91799.File.dat/UFO\\_RenewEnergy\\_05-25-2010\\_508.pdf](http://www.blm.gov/style/medialib/blm/co/field_offices/uncompahgre_field/rmp/rmp_draft_docs_1.Par.91799.File.dat/UFO_RenewEnergy_05-25-2010_508.pdf)



\*All above stipulations apply where there is BLM surface estate, however, HYDROE, SOLARE, AND WINDE are not included as stipulations on the non-BLM surface estate (private, U.S. Forest Service lands).

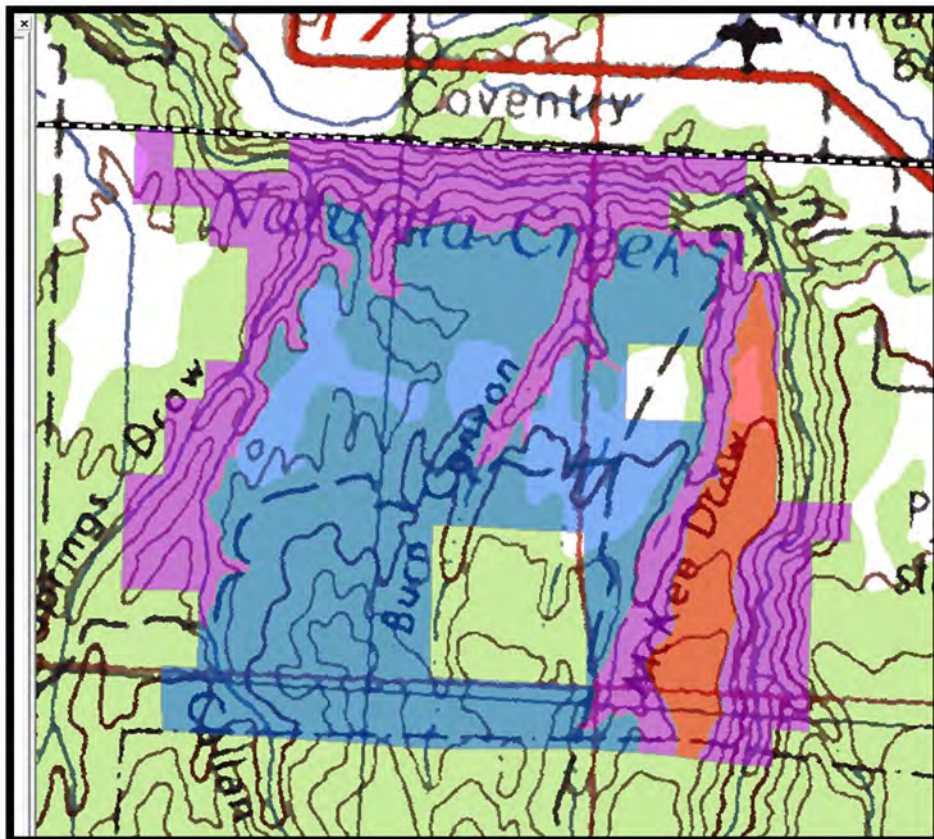
We obtained definitions of these codes from BLM GIS metadata made available for each BLM UFO DRMP/EIS shapefile, such as the WSR Alt D shapefile metadata.<sup>28</sup>

### 3. Special Recreation Management Areas (SRMAs) & Extensive Recreation Management Areas (ERMAs)

Summary: There are two SRMAs discussed in the DRMP/EIS within San Miguel County: San Miguel River (which includes the San Miguel River Segment 1, Saltado Creek and Beaver Creek segments determined to be suitable for Wild & Scenic River designation in Alternative D; and Burn Canyon. We commented above that we desire to continue the designation of the San Miguel River SRMA. The San Miguel River SRMA already exists but the preferred Alternative D would add approximately 76 acres to this SRMA, just southwest of the confluence of Willow Creek and San Miguel River.

Specific to the Burn Canyon SRMA, we note that it is within the proposed Naturita Canyon EEA. The Burn Canyon SRMA is recommended in Alternative B, but not in the agency preferred alternative, Alternative D. Under Alternative B, if designated, the Burn Canyon SRMA would have the following management stipulations:

#### SRMA Scenario (Alternative B)



<sup>28</sup>[http://www.blm.gov/style/medialib/blm/co/field\\_offices/uncompahgre\\_field/rmp/shape\\_files\\_3.Par.87378.File.dat/WSR\\_ALT\\_D\\_FINAL.html](http://www.blm.gov/style/medialib/blm/co/field_offices/uncompahgre_field/rmp/shape_files_3.Par.87378.File.dat/WSR_ALT_D_FINAL.html)



| alt_b_code                            |                                                                       |
|---------------------------------------|-----------------------------------------------------------------------|
| <span style="color: red;">■</span>    | V-2,AVOID,COAL,NSO,LOCATE,SALABLE,SOLID,CAMPSITE,COMPETE2,DES,TAR     |
| <span style="color: purple;">■</span> | V-2,AVOID,COAL,NSO,LOCATE,SALABLE,SOLID,CAMPSITE,COMPETE2,MM,WOOD,TAR |
| <span style="color: blue;">■</span>   | V-3,AVOID,COAL,NSO,LOCATE,SALABLE,SOLID,CAMPSITE,COMPETE2,DES,TAR     |

Figure 3.1 -- showing the Burn Canyon SRMA Alternative B scenario.

It would have travel restricted to mostly designated routes, portions (purple) would be closed to mechanized (bikes) and motorized vehicles, and would not allow competitive events. It would be closed to coal and solid mineral leasing, the BLM would petition for withdrawal of locatable minerals, and there would be no surface occupancy for oil and gas. It would have VRM II.

Targeted activities would be hiking and horseback riding and enjoyment of nature in the canyons. On the mesa tops and slopes, activities would also include mountain biking.

Under the agency preferred ERMA in Alternative D, the ERMA would have VRM III and controlled surface use for oil/gas development only. The SRMA and ERMA have the same boundary. However, under the ERMA scenario, the lands would be managed to allow ATVs and motorcycles, mountain biking, and hiking in both the canyons and the mesa top/slopes, while retaining a natural appearing landscape and providing necessary recreation facilities such as trails/trailheads/staging areas/signage to facilitate recreational activities.<sup>29</sup>

<sup>29</sup>Pages J-5-7; J-91:

[http://www.blm.gov/style/medialib/blm/co/field\\_offices/uncompahgre\\_field/rmp/rmp\\_draft\\_appendix0.Par.40130.File.dat/J\\_Rec\\_UFO-DRMP-2016\\_508.pdf](http://www.blm.gov/style/medialib/blm/co/field_offices/uncompahgre_field/rmp/rmp_draft_appendix0.Par.40130.File.dat/J_Rec_UFO-DRMP-2016_508.pdf)

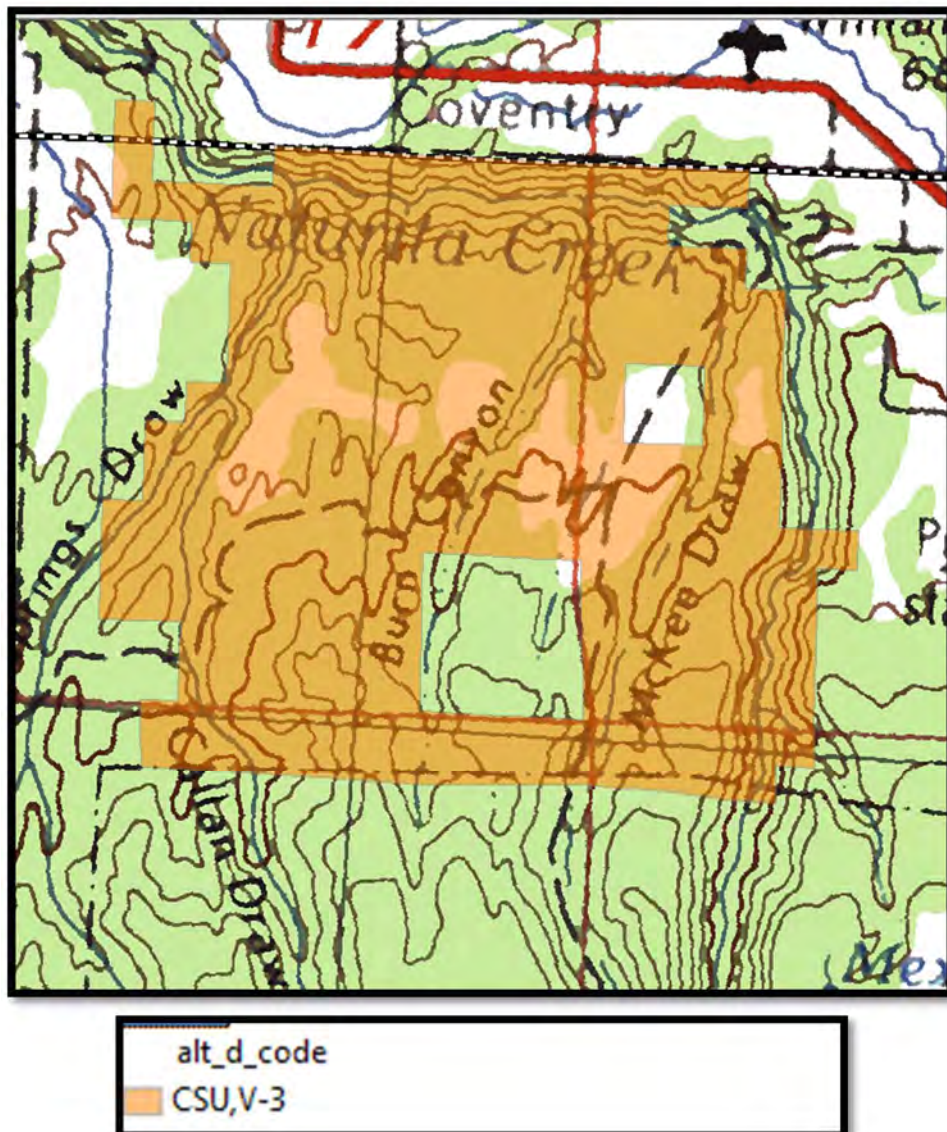


Figure 3.2 -- showing the Burn Canyon SRMA Alternative D scenario.

San Miguel County desires that the Burn Canyon SMRA as mapped and stipulated in Alternative B be approved and incorporated into the final RMP. We believe that the SRMA will complement the proposed Naturita Canyon EEA as mapped and recommended in Alternative B, along with the fluid minerals stipulations from Alternative B in this area.

#### 4. Enhanced Ecological Areas (EEAs)

##### A. San Miguel EEA.

The BLM UFO DRMP/EIS contemplates two EEAs within San Miguel County: San Miguel EEA and Naturita Canyon EEA.<sup>30</sup> The San Miguel River Expanded ACEC preferred by San Miguel County, the existing San Miguel SRMA and the Alternative D recommended WSR segments for San Miguel River Segment 1,

<sup>30</sup>Pages D-3 & D-4;  
[http://www.blm.gov/style/medialib/blm/co/field\\_offices/uncompahgre\\_field/rmp/rmp\\_draft\\_appendix.Par.39615.File.dat/D\\_EEAs\\_UFO-DRMP-2016\\_508.pdf](http://www.blm.gov/style/medialib/blm/co/field_offices/uncompahgre_field/rmp/rmp_draft_appendix.Par.39615.File.dat/D_EEAs_UFO-DRMP-2016_508.pdf)

Beaver Creek and Saltado Creek. San Miguel County recommended a standardized set of stipulations (pages 7-9 of this document) that would meet the needs of all of these San Miguel County desired designations, and also meet and exceed the stipulations that had been proposed by the BLM for the San Miguel EEA.

#### **B. Naturita Canyon EEA.**

The BLM describes the reasons for considering Naturita Canyon EEA on Page D-4 of Appendix D of the DRMP/EIS as:

| <b>Ecological<br/>Emphasis<br/>Area Name</b> | <b>Description</b>                                                                                                                                                                                                   | <b>Habitat Type</b>                        | <b>Primary<br/>Benefiting<br/>Species</b>                                 |
|----------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|---------------------------------------------------------------------------|
| Naturita<br>Canyon                           | Adjoins National Forest System lands leading up to Lone Cone area; includes the major Naturita Canyon drainage, which has wildlife/indicator species emphasis on adjoining National Forest. Divided into four zones. | Riparian, cliff and canyon, pinyon-juniper | Bear, mountain lion, mule deer elk, native warm water and cold water fish |

Geographically, there are several parcels mapped as comprising the Naturita Canyon EEA for Alternative B. The purple and red polygons (see figures below) make up the Naturita Canyon EEA. It would provide linkages between adjacent State land (blue) and National Forest land (green). The hatching shows occupied critical Gunnison Sage-grouse habitat as designated by U.S. Fish and Wildlife Service (USFWS). The DRMP/EIS does not list Gunnison Sage-grouse (GuSG) as a species that the EEA would be managed to benefit.



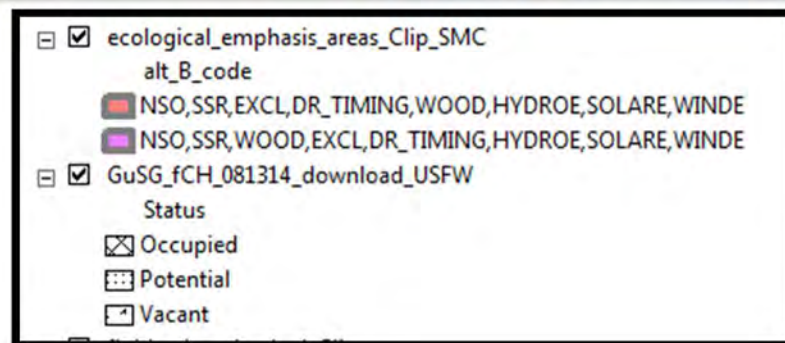
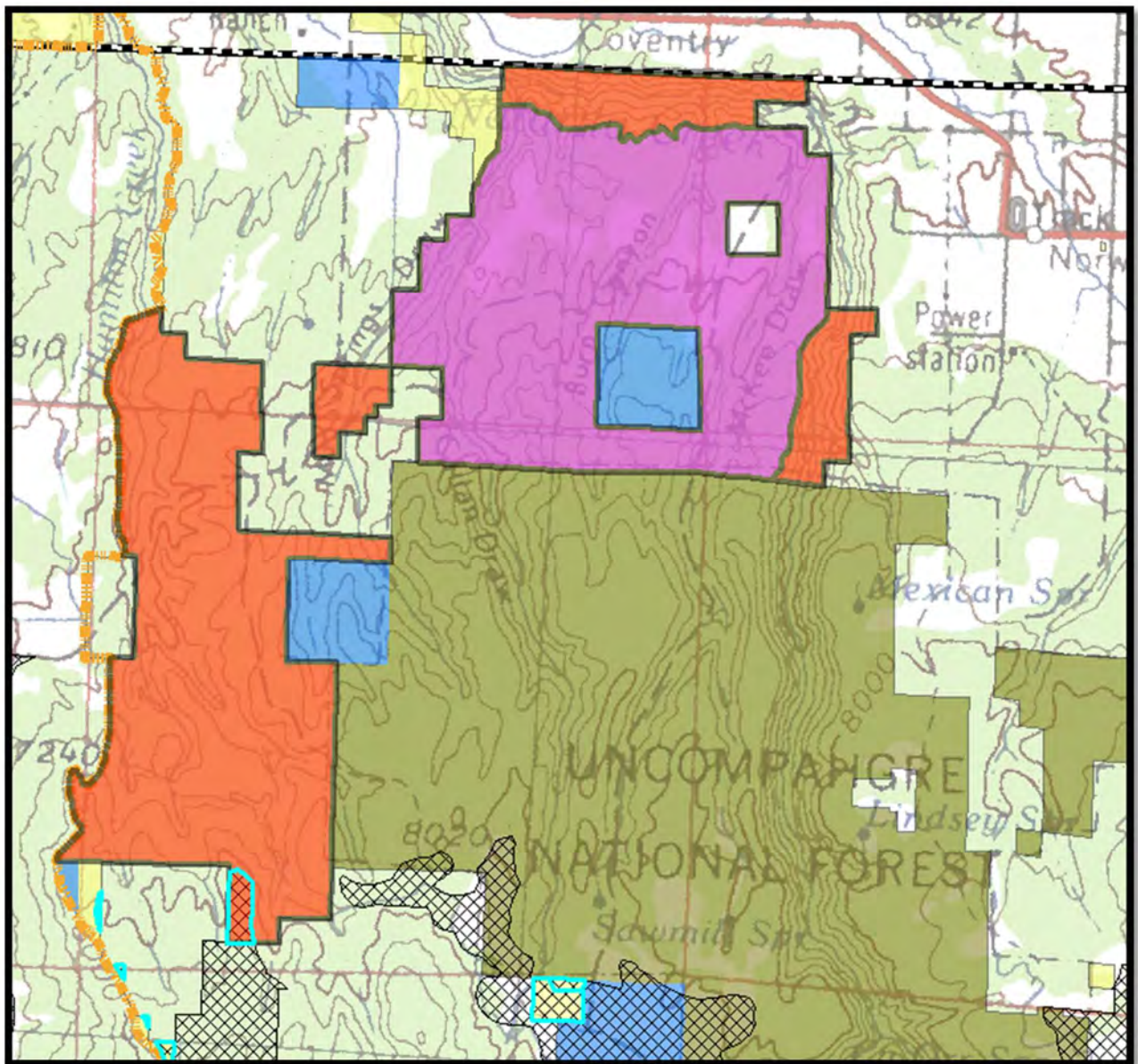


Figure 4b.1 -- Showing the Naturita Canyon EEA Alternative B.

In Alternative D, the agency preferred alternative, only the two red parcels of the Naturita Canyon EEA would actually be designated as an EEA:



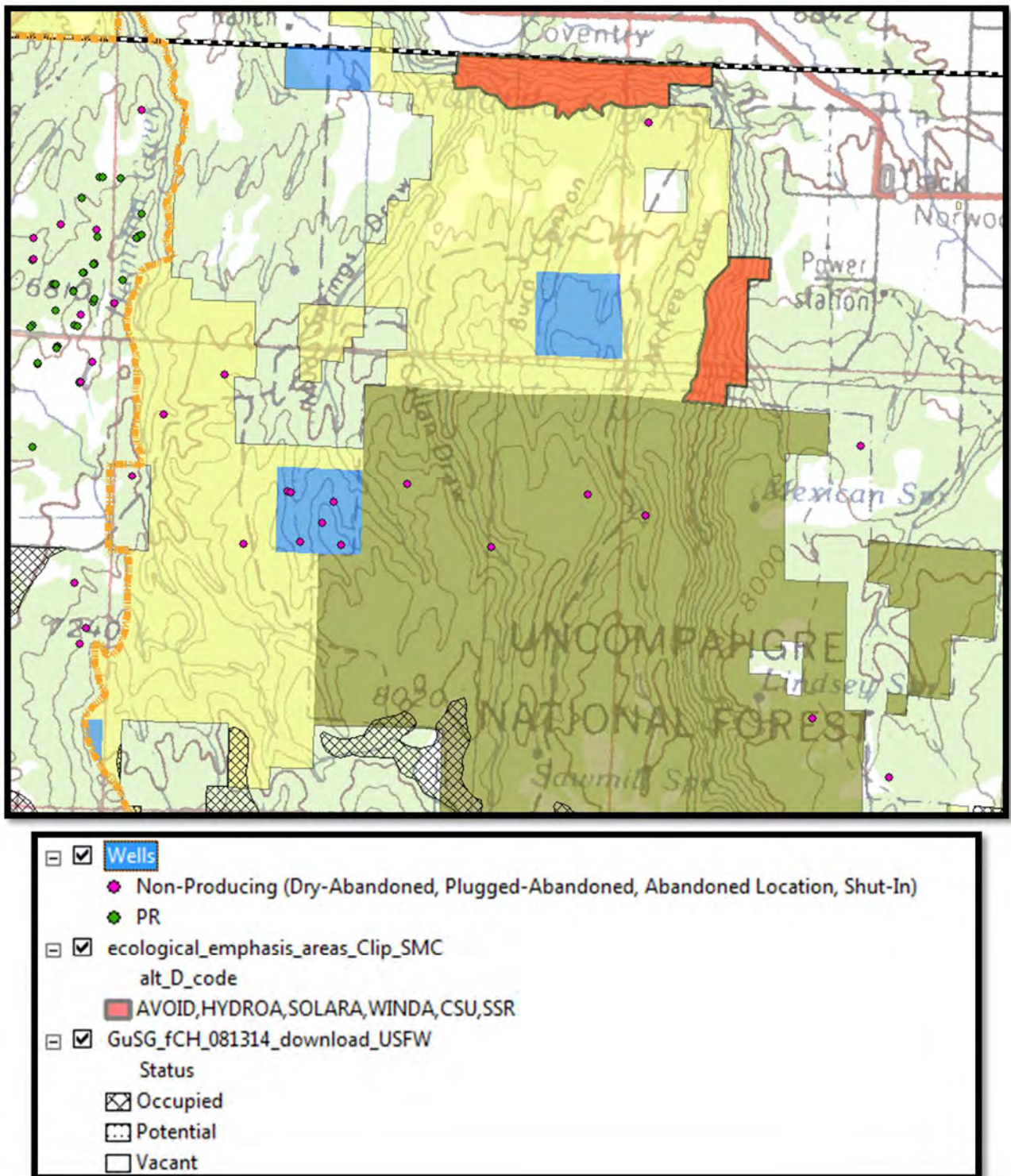


Figure 4b.2 is showing Naturita Canyon EEA Alternative D and Colorado Oil and Gas Commission (COGCC) wells.

Above, the BLM surface that would not be part of the Naturita Canyon EEA is shown in yellow. We also show oil and gas wells, with green wells being producing oil or gas wells, and red wells being mostly wildcat wells that are non-producing. An EEA consisting of just the red polygons, especially with simply controlled surface use (CSU) and ROW avoidance (AVOID), instead of no surface occupancy (NSO), designated routes- timing limitations (DR\_TIMING), seems this would result in two small token EEA parcels without meaningful habitat protection or connectivity, beyond what is already anticipated by the fluid minerals management in Alternative D. Most of these two polygons are already anticipated to be



NSO. However, the remainder of the area that is analyzed for Naturita Canyon EEA is CSU under alternative D.

Alternative D, agency preferred, for Naturita Canyon EEA and fluid minerals stipulations:

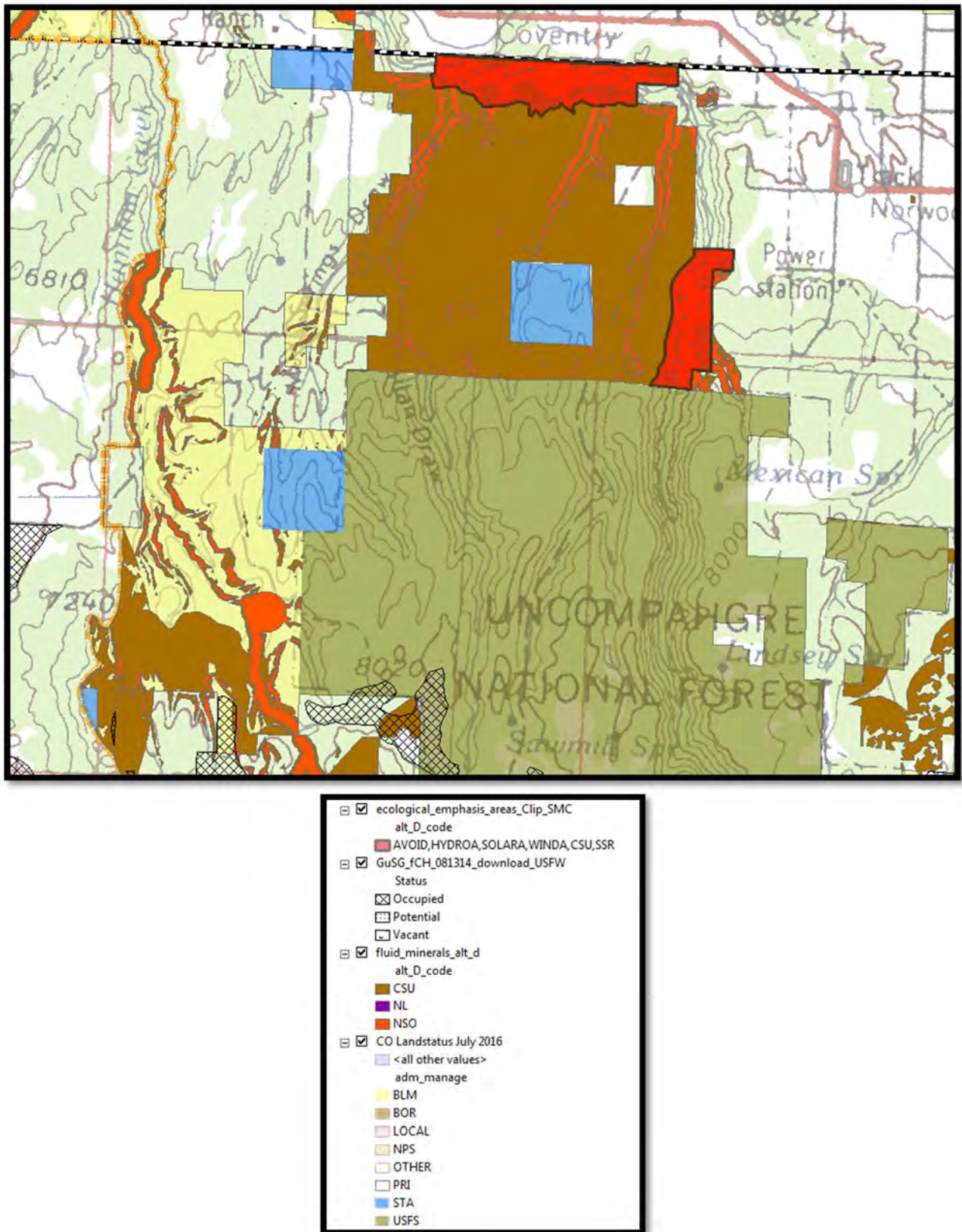


Figure 4b.3 -- showing the Naturita Canyon EEA Alternative D with fluid minerals Alternative D



Alternative B, San Miguel County preferred, for Naturita Canyon EEA and fluid minerals stipulations:

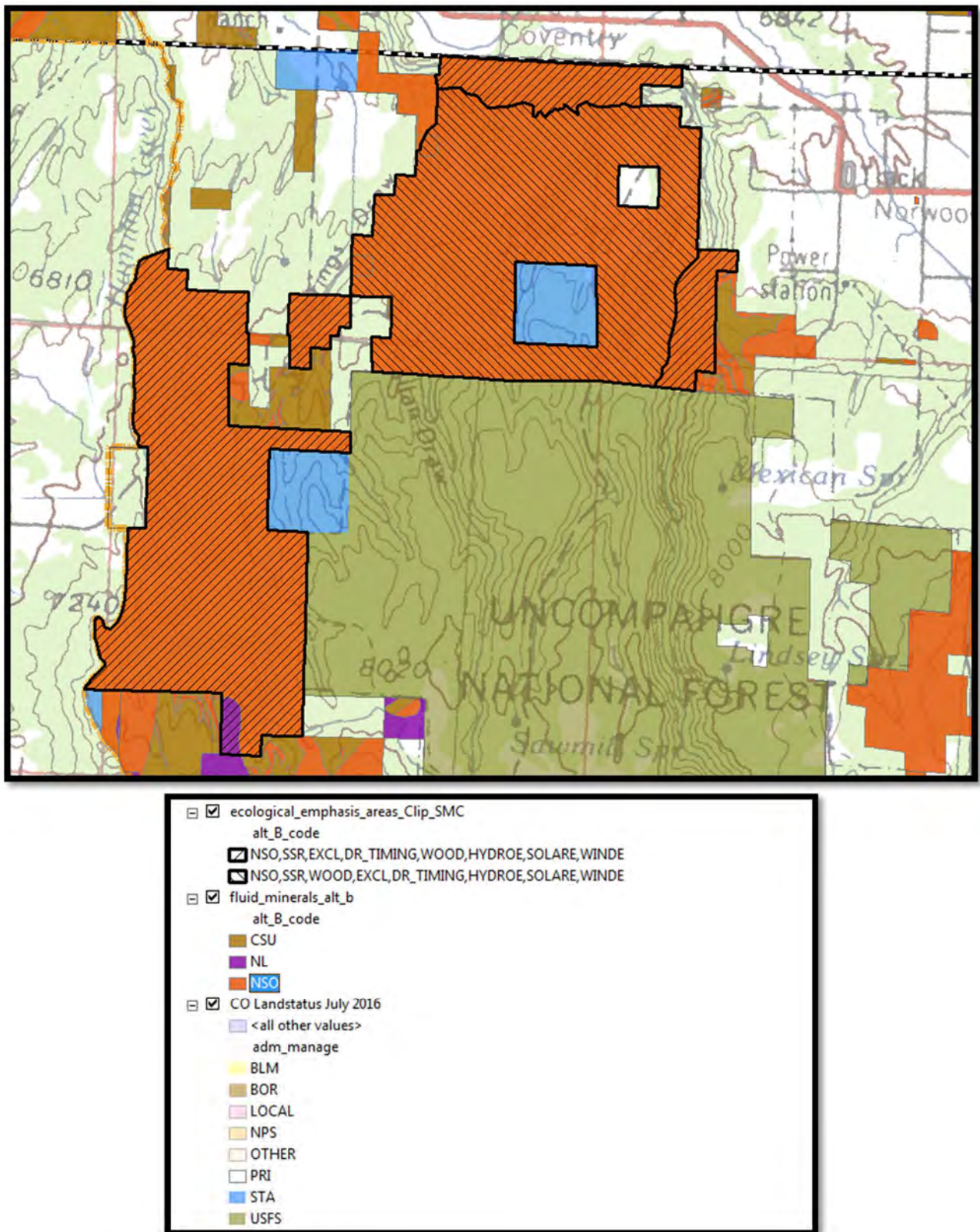


Figure 4b.4 showing Naturita Canyon Alternative B and fluid minerals Alternative B.

San Miguel County believes that since the wildlife values warranted studying the Naturita Canyon area for an EEA, that Alternative B for the EEA boundary and EEA stipulations, as well as Alternative B fluid

minerals stipulations, should be applied by the final decision in this area. We could not locate a discussion in the DRMP/EIS explaining the BLM rationale for how choosing Alternative D over Alternative B with respect to this EEA and the fluid minerals stipulations that overlap, would achieve the stated objectives of preserving the continuity of habitats, vegetation communities, and native wildlife.<sup>31</sup>

San Miguel County recommends that the full Naturita Canyon EEA be designated, as mapped in Alternative B, along with Alternative B fluid minerals stipulations. This will be complimented by also designating the Burn Canyon SRMA as mapped in Alternative B.

## **5. Areas of Critical Environmental Concern (ACECs)**

The UFO DRMP/EIS contemplates three ACECs within San Miguel County:

### **A. San Miguel River ACEC and San Miguel River Expansion ACEC.**

These ACECs have been discussed in detail in this document above, and San Miguel County strongly supports Alternative B, which would designate the additional lands within the San Miguel River Expansion ACEC. According to the BLM's Final ACEC report (2013), all of the relevance and importance criteria were met, just as with the existing San Miguel River ACEC.<sup>32</sup> San Miguel County also strongly supports a cohesive management of the overlapping ACEC lands, SRMA lands, and WSR segments within San Miguel River Segment 1, Beaver Creek and Saltado Creek through one set of stipulations, with a VRM II stipulation. The agency preferred VRM III stipulation does not adequately protect the exceptional scenic qualities of this area, nor the regional economy, nor the viewshed of the two state-designated Scenic Byways. Please see this document, Section 3, pages 5-9 above for specific requests for changes and implementation that San Miguel County desires in the final decision.

### **B. San Miguel Gunnison Sage-grouse ACEC.**

This ACEC is comprised of 470 acres in multiple parcels occurring on scattered critical Gunnison Sage-grouse habitat that whose surface estate is managed by the BLM. San Miguel County was originally one of the proponents of this ACEC. When the BLM's Final ACEC report was published in 2013, this was prior to the federal decision to list the Gunnison Sage-grouse as Threatened and designate critical habitat in 2014.

On November 12, 2014, the U.S. Fish and Wildlife Service (USFWS) announced that it determined that the Gunnison Sage-grouse, a ground-dwelling bird found only in southwestern Colorado and southeastern Utah, required the protection of the Endangered Species Act (ESA) as a threatened species. The USFWS originally proposed to list the species as 'endangered' under the ESA in January 2013, but efforts by the two states, tribes, local communities, private landowners and other stakeholders to conserve the species and its habitat were found to have helped reduce the threats to the bird sufficiently to give it the more flexibly protected status of 'threatened.'<sup>33</sup>

The supporting EIS for the Threatened Status designation of the Gunnison Sage-grouse<sup>34</sup> and for the Designation of Critical Habitat for the Gunnison Sage-grouse<sup>35</sup> is dated November 9, 2014.

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<sup>31</sup>Pages 2-68 & 2-69;

[http://www.blm.gov/style/medialib/blm/co/field\\_offices/uncompahgre\\_field/rmp/rmp\\_draft\\_vol\\_1.Par.31726.File.dat/2\\_UFO-DRMP-2016\\_508.pdf](http://www.blm.gov/style/medialib/blm/co/field_offices/uncompahgre_field/rmp/rmp_draft_vol_1.Par.31726.File.dat/2_UFO-DRMP-2016_508.pdf)

<sup>32</sup>Pages 41-47;

[http://www.blm.gov/style/medialib/blm/co/field\\_offices/uncompahgre\\_field/rmp/rmp\\_draft\\_docs\\_1.Par.52182.File.dat/ACEC%20Report%20Final%2001152013.pdf](http://www.blm.gov/style/medialib/blm/co/field_offices/uncompahgre_field/rmp/rmp_draft_docs_1.Par.52182.File.dat/ACEC%20Report%20Final%2001152013.pdf)

<sup>33</sup>[https://www.fws.gov/mountain-](https://www.fws.gov/mountain-prairie/pressrel/2014/11122014_ServiceProtectsGunnisonSageGrouseAsThreatenedUnderESA.php)

[prairie/pressrel/2014/11122014\\_ServiceProtectsGunnisonSageGrouseAsThreatenedUnderESA.php](https://www.fws.gov/mountain-prairie/pressrel/2014/11122014_ServiceProtectsGunnisonSageGrouseAsThreatenedUnderESA.php)

<sup>34</sup>[https://www.fws.gov/mountain-prairie/species/birds/gunnisonsagegrouse/GUSGFinalListingRule\\_11202014.pdf](https://www.fws.gov/mountain-prairie/species/birds/gunnisonsagegrouse/GUSGFinalListingRule_11202014.pdf)

<sup>35</sup>[https://www.fws.gov/mountain-prairie/species/birds/gunnisonsagegrouse/GuSGCriticalHabitat\\_11202014.pdf](https://www.fws.gov/mountain-prairie/species/birds/gunnisonsagegrouse/GuSGCriticalHabitat_11202014.pdf)

The Gunnison Sage-grouse ACEC as proposed in this UFO DRMP/EIS does not contemplate the status of the species or critical habitat as listed in the federal register in 2014, does not contemplate surface disturbance and other disturbances on critical habitat that may be non-BLM surface estate but is BLM-managed federal mineral estate, and does not contemplate guidelines within numerous plans and the latest best management practices for stipulations and buffers from leks.

The UFO DRMP/EIS does not take into consideration that Occupied GuSG Habitat includes specific properties (and split estate) that the USFWS excluded from the critical habitat designation. The political removal of surface lands coinciding within these specific private properties under conservation easements from listed critical habitat is appropriate, but the removal of subsurface public lands from Occupied Habitat is not appropriate because it excludes the subsurface mineral estate from the management actions contained in the UFO DRMP/EIS.

- A. In summary, San Miguel County does not support the Gunnison Sage-grouse ACEC as proposed in Alternative B of this UFO DRMP/EIS. The proposed alternatives with regards to Gunnison Sage-grouse and this ACEC are neither adequate, accurate, nor informed by the most recent federal actions and data available. The UFO DRMP/EIS also predates the new alternative B analysis within the GuSG DRMPa/DEIS which analyzes an ACEC for all GUSG Occupied and Unoccupied Habitat. Please see Section 6, Gunnison Sage-grouse.

## **6. Gunnison Sage-grouse.**

These designations prompted a process for the BLM to prepare a draft Gunnison Rangewide Plan Amendment that would potentially result in multiple resource plan amendments (GuSG DRMPa) and a companion draft environmental impact statement (GuSG DEIS) which more closely analyzes planning issues, including energy and minerals actions, in order "to analyze the addition of GuSG conservation measures to several existing RMPs", including the BLM UFO DRMP/EIS. The deadline for comments on the GuSG DRMPa is after the deadline to comment on this UFO DRMP/EIS. The GuSG DRMPa documents were released as drafts in August 2016.

In the GuSG DRMPa, the BLM states, "The BLM manages approximately 40 percent of GUSG habitat across twelve counties in southwestern Colorado and southeastern Utah...The inadequacy of regulatory mechanisms in land use plans was identified as a major threat in the FWS listing decision."<sup>36</sup>

We realize that since much of the UFO DRMP/EIS work occurred between 2010 and 2013, that the latest work done by the USFWS and BLM for the GuSG DRMPa was not incorporated into this UFO DRMP/EIS. The San Miguel Gunnison Sage Grouse ACEC analysis was not informed by the latest information, nor the oil and gas stipulations, travel management and several other sections of this UFO DRMP/EIS.

Thus, if the UFO DRMP/EIS moves forward, it should have its Record of Decision signed prior to the BLM RMPa ROD so that the BLM RMPa will amend the relevant portions of this RMP to adequately protect Gunnison Sage-grouse and incorporate the latest science and best management practices. All leases within the UFO should be deferred until the ROD is signed for the GuSG RMPa so that no lease is allowed a 20-year period with out-of-date stipulations and practices. While the GuSG DRMPa goes much further than this UFO DRMP/EIS for incorporating protections, conservation measures, and habitat enhancement

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<sup>36</sup>Page I; [https://eplanning.blm.gov/epl-front-office/projects/lup/39681/78597/89605/2016-0811\\_GUSG\\_Draft\\_RMP\\_Amendment\\_ePlanning.pdf](https://eplanning.blm.gov/epl-front-office/projects/lup/39681/78597/89605/2016-0811_GUSG_Draft_RMP_Amendment_ePlanning.pdf)



and connectivity measures, it still needs additional work, which San Miguel County will comment on separately under that comment process. The GuSG DRMPa does contemplate that removal of subsurface public lands from Occupied Habitat management actions is inappropriate, which is differently than how these lands are treated in the UFO DRMP/EIS.

It would be remiss to issue leases under any circumstances within the UFO until there is a final decision on the Gunnison Sage-grouse amendments.

The Purpose section of the GuSG DRMPa states, *"This RMP amendment provides a framework for conserving and assisting with the recovery of the GuSG and for conserving and restoring habitat upon which the species depends on BLM-administered public lands across the range of the bird."* The Need section of this document states, *"The BLM conducted land use plan evaluations in accordance with its planning regulations, which require that RMPs 'shall be revised as necessary based on ..., new data, new or revised policy...(43 CFR 1610.5-6).'"*<sup>37</sup>

San Miguel County believes that the listing of the GuSG and designation of critical habitat is a new circumstance that requires modification of the UFO DRMP/EIS, but to be consistent where the San Miguel Basin population has key areas such as Miramonte Reservoir area that are split among the UFO and Tres Rios Field Office (TRFO) there needs to be a consistent set of management guidelines and stipulations across the entire San Miguel Basin population. There may be different lek buffers and needs between the different subpopulations, such as the Gunnison Basin and the San Miguel Basin populations. Seasonal habitat has not been delineated within the San Miguel Basin population the way it has in the Gunnison population. The fact that the BLM is conducting the GuSG DRMPa/DEIS process and recommending a preferred alternative that would amend the TRFO RMP seems to point to that need. San Miguel County also does not agree that the range of alternatives analyzed in the 2013 TRFO RMP/FEIS nor this UFO DRMP/EIS is appropriate with respect to the needs of GuSG.

The range of alternatives considered in the GuSG DRMP/DEIS includes having the stipulation of No Surface Occupancy being applied to all BLM lands within 4-miles of a lek. These documents analyze all BLM lands within occupied, unoccupied or a 4-mile buffer of a lek as the decision area. Yet, the 2005 Gunnison Sage-grouse Rangewide Conservation Plan<sup>38</sup> and the presence of occupied critical habitat more than 4 miles from leks within the San Miguel Basin show that GuSG is found occupying habitat and using seasonal habitat 6 or more miles away from leks.<sup>39</sup> For example, the occupied habitat within the Dry Creek Basin area, San Miguel Basin GuSG population, shown on Map 1 that is beyond the 4-mile lek buffer, is between 6- and 6.25-miles from leks. The BLM should allow for additional review of appropriate protections for Gunnison Sage-Grouse habitat from oil and gas development within at least a 6-mile buffer, preferably a 6.2-mile buffer of leks within the San Miguel Basin.

## **Section 7. Lands Identified For Disposal.**

The DRMP/EIS states that in Alternatives B-D, the UFO's objective is to "consider disposal of lands that would consolidate public ownership for greater management efficiency while serving the public interest, including communities and their expanding needs."<sup>40</sup>

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<sup>37</sup>Page iii; [https://eplanning.blm.gov/epl-front-office/projects/lup/39681/78597/89605/2016-0811\\_GUSG\\_Draft\\_RMP\\_Amendment\\_ePlanning.pdf](https://eplanning.blm.gov/epl-front-office/projects/lup/39681/78597/89605/2016-0811_GUSG_Draft_RMP_Amendment_ePlanning.pdf)

<sup>38</sup><http://cpw.state.co.us/learn/Pages/GunnisonSagegrouseConservationPlan.aspx>

<sup>39</sup>Page J-5;

<http://cpw.state.co.us/Documents/WildlifeSpecies/SpeciesOfConcern/GunnisonSageGrouse/ConsPlan/AppendixJSGHabitatUse03.pdf>

<sup>40</sup>Page 2-319;

[http://www.blm.gov/style/medialib/blm/co/field\\_offices/uncompahgre\\_field/rmp/rmp\\_draft\\_vol\\_1.Par.31726.File.dat/2\\_UFO-DRMP-2016\\_508.pdf](http://www.blm.gov/style/medialib/blm/co/field_offices/uncompahgre_field/rmp/rmp_draft_vol_1.Par.31726.File.dat/2_UFO-DRMP-2016_508.pdf)

The lands identified for disposal were identified on Appendix A, Figure 2-60<sup>41</sup> and legal descriptions were provided in Appendix N.<sup>42</sup> It appears that only the lands recommended for disposal under the agency preferred alternative D are shown in Figure 2-60.

We recommend that it would be very helpful for the reviewing public and agencies if the UFO made more readily available the Land Tenure/Land Disposal GIS files on the UFO RMP GIS web page, and also if the name of the county were provided in Appendix N. We were able to obtain from UFO GIS staff the land tenure shapefile via email. While actual reasons for recommending individual parcels for disposal or non-disposal in the four alternatives were not located in the DRMP/EIS, there were some cryptic rationales present within the land tenure shapefile attribute table for a few but not all parcels.

San Miguel County does not desire any parcels to be disposed of that would interfere with existing public roads or trails, existing private driveways or access roads, irrigation ditches or other easements. Any parcels disposed of should conform with the criteria and standards set forth in the San Miguel County Comprehensive Plan. Parcels that contain critical habitat for sensitive or listed species or that provide connectivity between other public lands should not be disposed of. If the BLM doesn't want to manage such parcels, then the adjacent federal or state agency should be given an opportunity for management or ownership.

The metadata from the land tenure shapefile for the 10 parcels analyzed by the DRMP/EIS for disposal within San Miguel County is below:

| SMC Parcel Ref # | RMP                                          | gis_ac res | alt _A | alt _B | alt _C | alt _D | alt_B_c ode | alt_C_c ode | alt_D_c ode | Comment_                         |
|------------------|----------------------------------------------|------------|--------|--------|--------|--------|-------------|-------------|-------------|----------------------------------|
| 1                | San Juan / San Miguel Planning Area RMP 1985 | 35         | Yes    | No     | Yes    | No     |             | DISPOS AL   |             | Riparian                         |
| 2                | San Juan / San Miguel Planning Area RMP 1985 | 35         | Yes    | No     | Yes    | No     |             | DISPOS AL   |             | Riparian                         |
| 3                | San Juan / San Miguel Planning Area RMP 1985 | 214        | Yes    | No     | Yes    | No     |             | DISPOS AL   |             | Range, Veg, Riparian             |
| 4                | San Juan / San Miguel Planning Area RMP 1985 | 88         | Yes    | No     | Yes    | No     |             | DISPOS AL   |             | Range, Veg, Riparian, Recreation |
| 5                | San Juan / San Miguel Planning Area RMP 1985 | 82         | Yes    | No     | Yes    | No     |             | DISPOS AL   |             | Range, Veg, Riparian, Recreation |
| 6                | San Juan / San Miguel Planning Area RMP 1985 | 38         | Yes    | Yes    | Yes    | Yes    | DISPOS AL   | DISPOS AL   | DISPOS AL   |                                  |
| 7                | San Juan / San Miguel Planning Area RMP 1985 | 40         | Yes    | Yes    | Yes    | No     | DISPOS AL   | DISPOS AL   |             |                                  |
| 8                | San Juan / San Miguel Planning Area RMP 1985 | 41         | Yes    | Yes    | Yes    | Yes    | DISPOS AL   | DISPOS AL   | DISPOS AL   |                                  |
| 9                | San Juan / San Miguel Planning Area RMP 1985 | 133        | Yes    | No     | Yes    | No     |             | DISPOS AL   |             | salinity/selenium, GuSG          |
| 10               | 2011 RMP                                     | 40         | No     | Yes    | No     | Yes    | DISPOS AL   |             | DISPOS AL   |                                  |

Table 7.1 -- the land tenure GIS shapefile attribute table for parcels within San Miguel County.

#### a. Fall Creek Area Parcels.

We attempted to map the legal descriptions of the parcels (SMC Parcel Reference #s 1 & 2 in the table above) within San Miguel County and found that these two of the parcels (in T42N R11W Section 2) were

<sup>41</sup>[http://www.blm.gov/style/medialib/blm/co/field\\_offices/uncompahgre\\_field/rmp/rmp\\_draft\\_appendix.Par.78374.File.dat/App%20A%20Combined.pdf](http://www.blm.gov/style/medialib/blm/co/field_offices/uncompahgre_field/rmp/rmp_draft_appendix.Par.78374.File.dat/App%20A%20Combined.pdf)

<sup>42</sup>[http://www.blm.gov/style/medialib/blm/co/field\\_offices/uncompahgre\\_field/rmp/rmp\\_draft\\_appendix0.Par.77552.File.dat/N\\_Disposal\\_UFO-DRMP-2016\\_508.pdf](http://www.blm.gov/style/medialib/blm/co/field_offices/uncompahgre_field/rmp/rmp_draft_appendix0.Par.77552.File.dat/N_Disposal_UFO-DRMP-2016_508.pdf)

just east of Little Cone, adjacent to Fall Creek Road, County Road 57 P (see pink outlines below). It appears these two parcels were currently listed for disposal by the existing RMP (Alternative A), and are not recommended for disposal in Alternatives B or D. They are located within the Fall Creek riparian corridor. San Miguel County agrees with the Alternative D (no disposal) for these parcels.

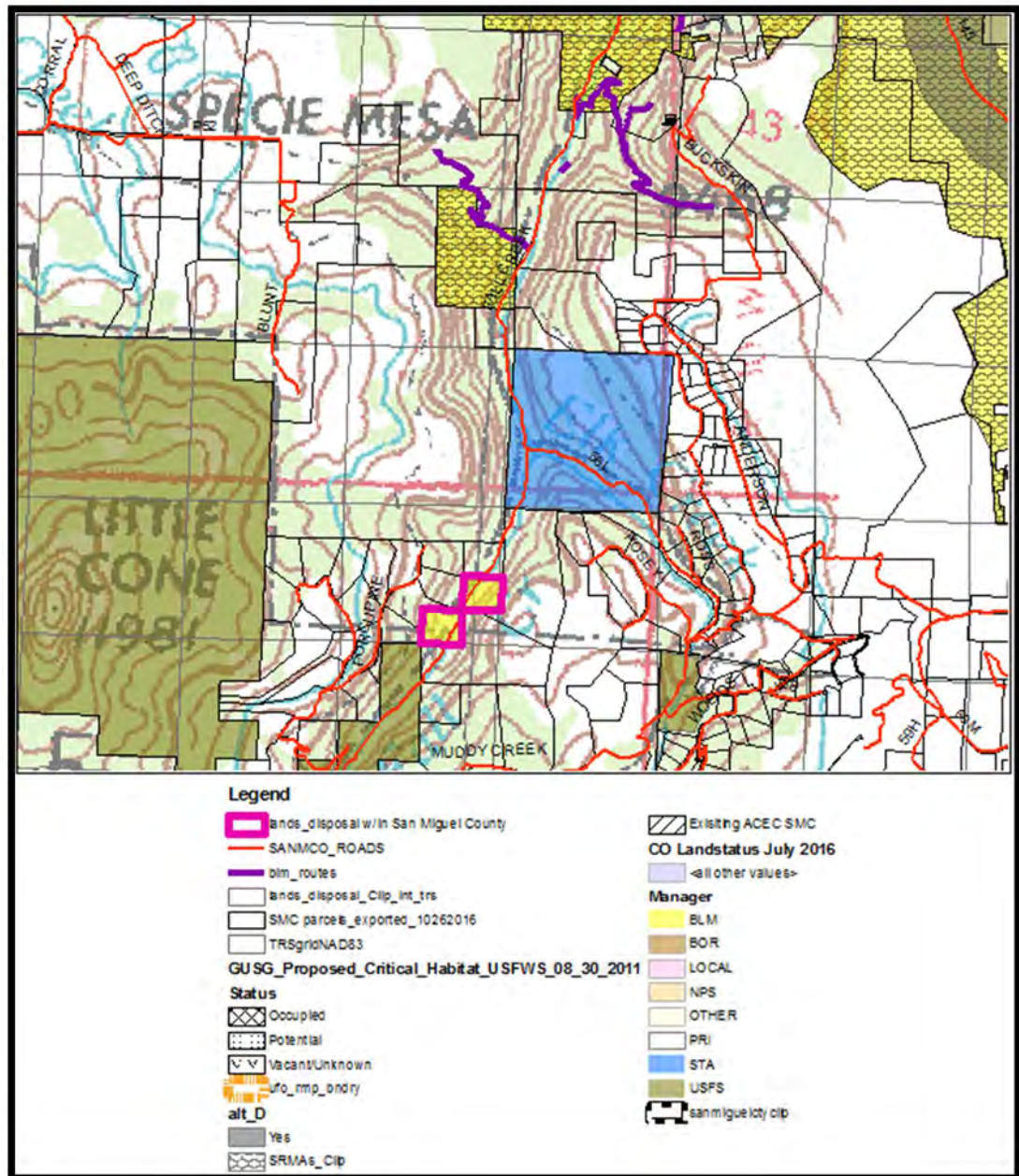


Figure 7a. Fall Creek area parcels in T42N R11W Section 2, not recommended by SMC or agency preferred Alternative D for disposal.

#### b. Beaver Creek and Saltado Creek Area Parcels.

We could not quite get the legal descriptions rectified for the parcels in Saltado Creek between Appendix N and the GIS land tenure file provided. However, the parcel within the Saltado Creek area intersects the Saltado Creek WSR segment, the existing ACEC and the SRMA. It also is adjacent to critical occupied Gunnison Sage-grouse habitat. It is within 1 to 2 miles of 3 active leks. It should not be disposed of.

The Beaver Creek parcel in T43N R12W Sections 9 & 10 is within the Beaver Creek WSR segment, existing ACEC and SRMA. It also is adjacent to critical occupied Gunnison Sage-grouse habitat. It is within 0.3 to 0.75 mile of 3 active leks. It should not be disposed of.



Both of these areas appear also to be within the San Miguel River Expansion ACEC (which San Miguel County recommends be designated. The DRMP/EIS states that in Alternatives B-D, the UFO's objective is to "retain lands in public ownership when it will serve the public interest, protect valuable resources, or achieve management goals." <sup>43</sup> Alternative B and Alternative D state that the UFO action will be to retain lands that are within ACECs or SRMAs. <sup>44</sup> Lands immediately adjacent to critical Gunnison Sage-grouse habitat should not be disposed of. The 2005 Gunnison Sage-grouse Rangewide Conservation Plan<sup>45</sup> and the presence of occupied critical habitat more than 6 to 6.25 miles from leks within the San Miguel Basin subpopulation show that GuSG is found occupying habitat and using seasonal habitat 6 or more miles away from leks. <sup>46</sup>

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<sup>43</sup>Page 2-321;

[http://www.blm.gov/style/medialib/blm/co/field\\_offices/uncompahgre\\_field/rmp/rmp\\_draft\\_vol\\_1.Par.31726.File.dat/2\\_UFO-DRMP-2016\\_508.pdf](http://www.blm.gov/style/medialib/blm/co/field_offices/uncompahgre_field/rmp/rmp_draft_vol_1.Par.31726.File.dat/2_UFO-DRMP-2016_508.pdf)

<sup>44</sup>Page 2-322;

[http://www.blm.gov/style/medialib/blm/co/field\\_offices/uncompahgre\\_field/rmp/rmp\\_draft\\_vol\\_1.Par.31726.File.dat/2\\_UFO-DRMP-2016\\_508.pdf](http://www.blm.gov/style/medialib/blm/co/field_offices/uncompahgre_field/rmp/rmp_draft_vol_1.Par.31726.File.dat/2_UFO-DRMP-2016_508.pdf)

<sup>45</sup><http://cpw.state.co.us/learn/Pages/GunnisonSagegrouseConservationPlan.aspx>

<sup>46</sup>Page J-5;

<http://cpw.state.co.us/Documents/WildlifeSpecies/SpeciesOfConcern/GunnisonSageGrouse/ConsPlan/AppendixJSGHabitatUse03.pdf>

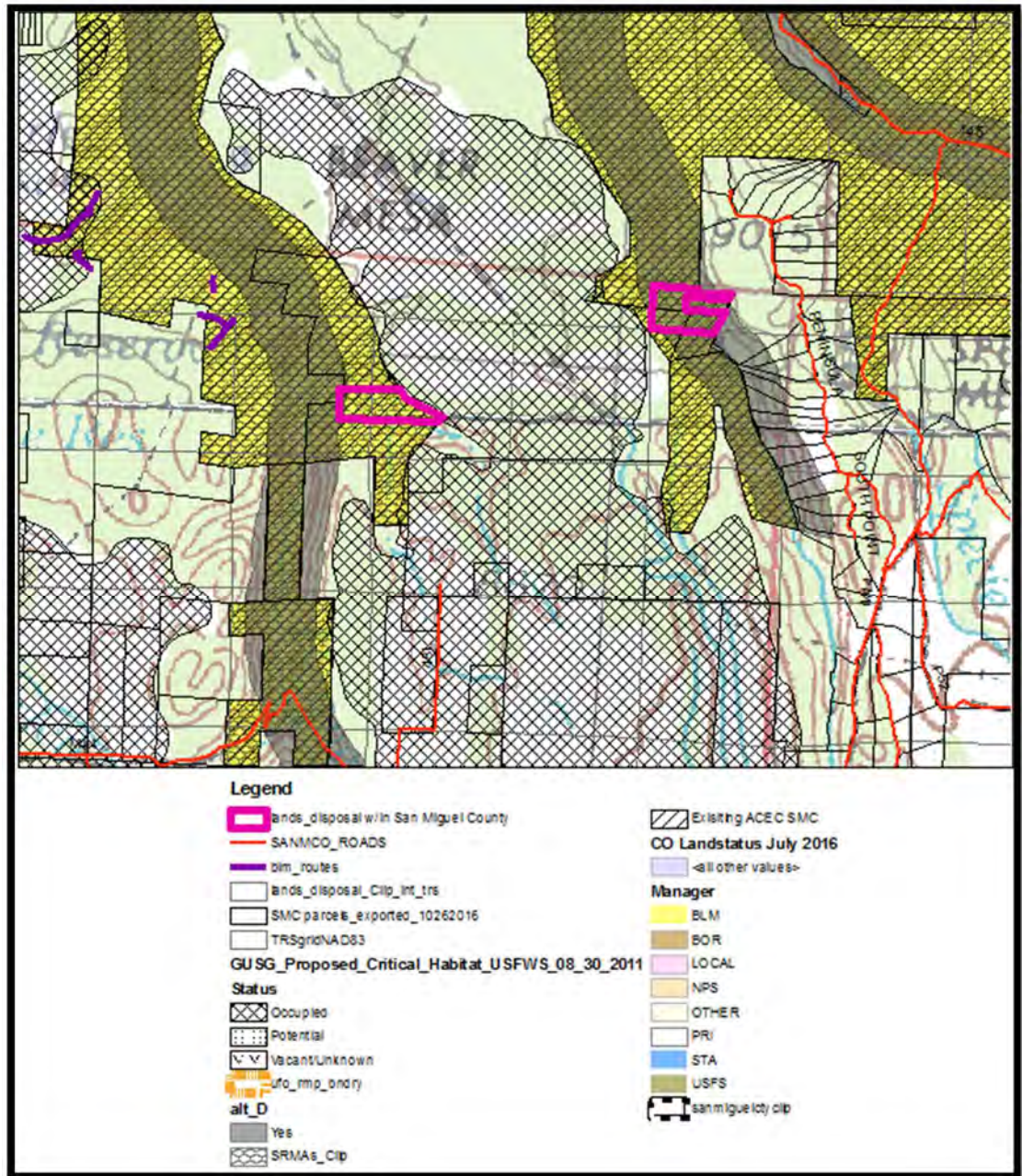


Figure 7b. Showing the Beaver Creek (left) and Saltado Creek (right) area disposal parcels in T43N R12W Sections 9 & 10; not recommended by SMC or agency preferred Alternative D for disposal. If sold for private development, there would be impacts to the scenic and primitive qualities of these areas, as well as the important riparian ecosystem and wildlife. Alternatives B and D do not recommend these parcels for disposal. San Miguel County believes it is best for the public and for the protection of valuable river corridors, ORVs, and Gunnison Sage-grouse if these parcels are not disposed of.

### c. Lone Cone & Gurley Reservoir Area Parcels.

The BLM land tenure shapefile identified 3 parcels in the Lone Cone/Gurley Reservoir area that are recommended for disposal under the agency preferred Alternative D (according to the shapefile attribute table). They are shown with the bright blue highlight around the pink parcel boundaries in Figure 7c below:



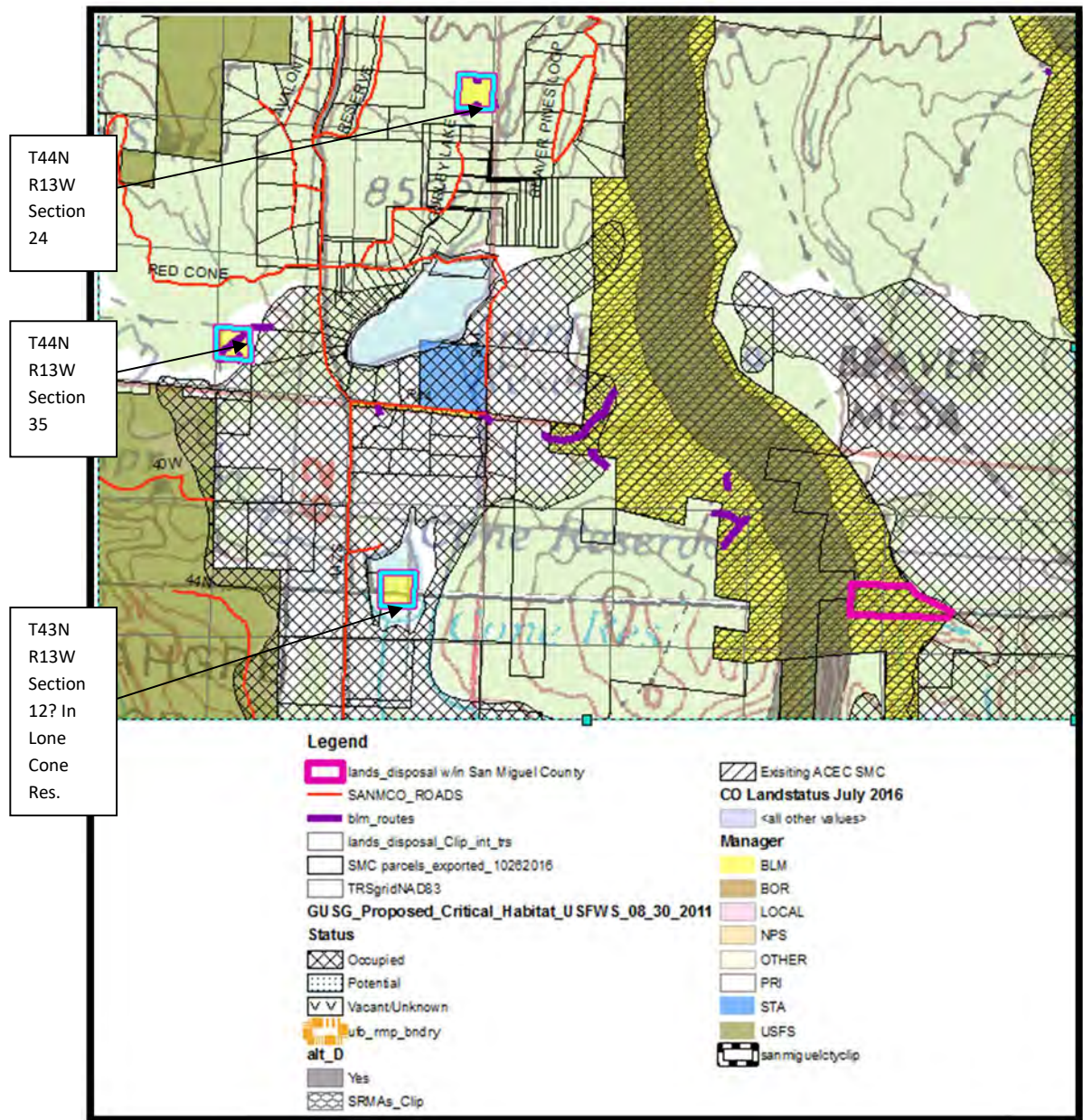


Figure 7c. Lone Cone Reservoir and Gurley Reservoir Area Parcels identified in GIS metadata within the provided land tenure GIS shapefile as being recommended for disposal in the agency preferred Alternative D.

Appendix N only recommends two parcels for disposal in the agency preferred Alternative D. So we are concerned that there is an error in mapping the southernmost parcel on Figure 7c. It appears to be within T43N R13W S12. However, this does not match a legal description in Appendix N. Appendix N, and the land tenure shapefile should be rectified before the final RMP and ROD. The southernmost parcel is entirely surrounded by Gunnison Sage-grouse occupied habitat and is also mapped on top of (or under?) the Lone Cone Reservoir. This parcel is within 0.5 miles of an active lek and 0.7 miles of a second inactive lek. San Miguel County does not support disposal of this parcel.

The parcel directly west of Gurley Reservoir (just south of Red Cone Rd.) is the parcel with the legal description of T44N R13W Section 35. The parcel directly north of Gurley Reservoir in the northern portion of Figure 7c is the parcel with the legal description of T44N R13W Section 35.

The northernmost parcel in Section 24 is 1.5 miles north of occupied Gunnison Sage-grouse habitat but is also surrounded by private land. It is 3.5 miles from the nearest active lek and 2 miles from the nearest inactive lek. If a parcel were to be disposed of, this would probably be the only parcel that makes sense. There are some undesignated BLM routes mapped on the fringes of this parcel.

The parcel in Section 35 is within 0.5 miles of an active lek and is adjacent to occupied Gunnison Sage-grouse critical occupied habitat. There is an undesignated BLM route mapped on this parcel. San Miguel County does not recommend disposal of this parcel.

**d. Hastings Mesa Area Parcel**

One additional isolated BLM parcel was analyzed for disposal is located on Hastings Mesa near Alder Creek in T44N R10W Section 29 adjacent to the Alder Creek Ranches subdivision. This parcel is entirely surrounded by private land. It was recommended for disposal in Alternatives A-C. However, no reason is given why it is not included for disposal in the agency preferred Alternative D. It is close to the Alder Creek riparian area. We would like an opportunity to review this parcel further with the UFO to examine it with respect to our Comprehensive plan, public rights of way, easements and other items, and to understand the UFO rationale for not including it for disposal in Alternative D. San Miguel County desires that if the BLM disposes of parcels it ensures there are either public ROW or private easements already in place prior to disposal, to ensure ingress/egress for future owners.



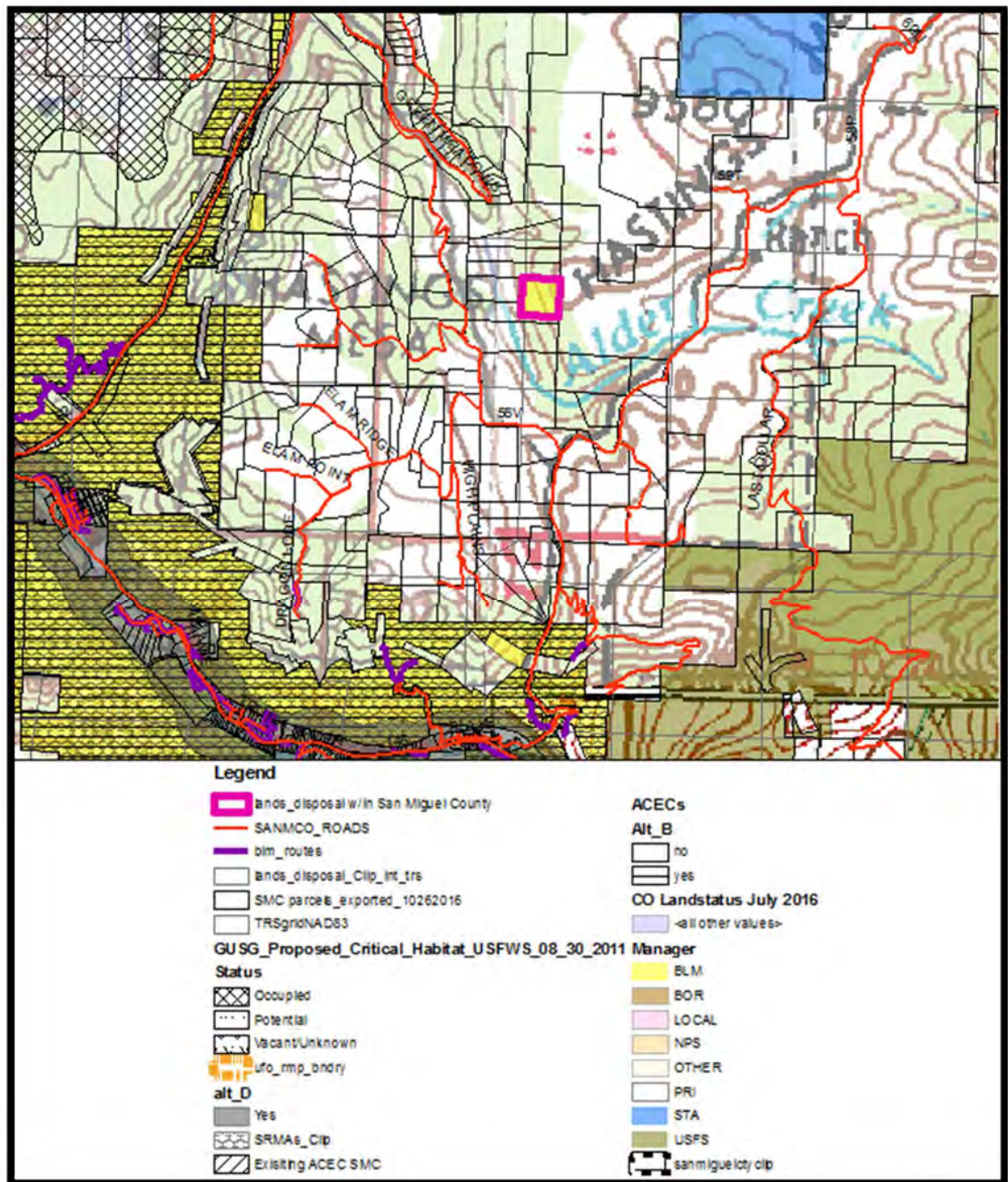


Figure 7c. Hastings Mesa/Alder Creek Area Parcel within T44N R10W Section 29. This parcel is not recommended for disposal in the agency preferred Alternative D.

#### e. Big Bear Creek Area Parcels

These parcels are within T42N R10W Section 4. Under the agency preferred alternative they are not recommended for disposal. San Miguel County agrees that they should not be disposed of by the BLM. They are within the Big Bear Creek riparian corridor, and the San Miguel River Expansion ACEC desired to be designated by San Miguel County. The San Miguel SRMA boundary should be expanded to match the San Miguel River Expansion ACEC boundary in this area.



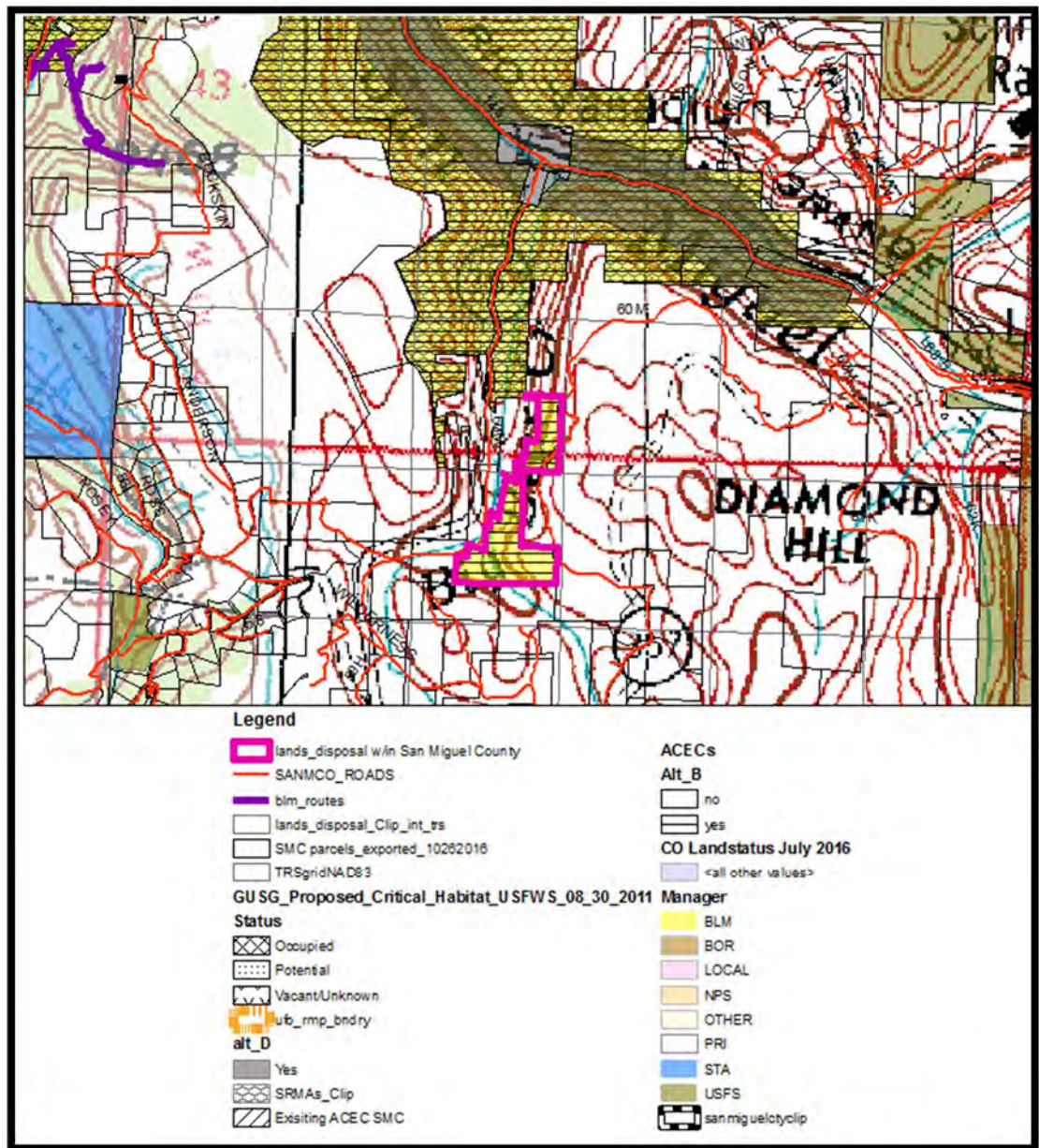


Figure 7e. Showing the Big Bear Creek Area parcels. If sold for private development, there would be impacts to the scenic and primitive qualities of these areas, as well as the important riparian ecosystem and wildlife. Alternatives B and D do not recommend these parcels for disposal. San Miguel County believes it is best for the public and for the protection of valuable river corridors and riparian habitat if these parcels are not disposed of. The San Miguel River Expansion ACEC should be designated, and it would include these parcels. The San Miguel River SRMA boundary should be expanded to include all of these parcels and the expansion ACEC.

## Section 8. Wildlife management.

San Miguel County urges the BLM to further consult and consider the Colorado Parks and Wildlife (CPW), formerly Colorado Department of Wildlife (CDOW), detailed list of Best Management Practices (BMPs) for oil and gas development titled "Actions to Minimize Adverse Impacts to Wildlife Resources." with species-specific BMPs, including recommendations on protective buffers, timing information, and recommendations on surface density caps, referenced in their letter to BLM State Director Helen Hankins dated December 13, 2010.



We appreciate the statement in the DRMP/EIS on Page I-11 of Volume 1<sup>47</sup> that says "The BLM will consult with Colorado Parks and Wildlife (CPW). The RMP will recognize the State's responsibility and authority to manage wildlife." At the UFO RMP co-operator meeting in Montrose on October 15, 2016, we heard CPW staff say that their information was not incorporated into at least one alternative and that the RMP has not included BMPs, timing limitations or stipulations offered by CPW.

San Miguel County supports CPW's desire that at least a "No Surface Occupancy" (NSO) stipulation be applied to all Federal minerals within the boundaries of State Wildlife Areas (SWAs) and State Park boundaries to balance mineral extraction with the protection of surface resources.

San Miguel County has assisted in the protection of thousands of acres of private lands with important wildlife habitat values, including GuSG critical habitat, during the last few decades by participating in the acquisition of conservation easements intended to preserve and protect GuSG habitat. San Miguel County has contributed between roughly \$1.4 and \$1.6 million during this period for habitat conservation and improvements through the County's Land Heritage Program, co-funding of the GuSG working group, and other actions to benefit GuSG.

U.S. Fish and Wildlife Service did not include in its final listed critical habitat private lands that were under conservation easement. However, the BLM states in the GuSG DRMPa on Page ii, in the introductory discussion of occupied habitat for Gunnison Sage-grouse<sup>48</sup> that "Occupied Habitat includes specific properties coinciding with BLM-administered federal minerals that the [US] FWS excluded from critical habitat designation. While the removal of surface lands with these properties from critical habitat is appropriate, the removal of subsurface public lands from Occupied Habitat is not." In other words, the BLM in its GuSG DRMPa understands that subsurface mineral estate actions should not be precluded from management actions. San Miguel County requests that the UFO RMP obtain from San Miguel County our GIS shapefile and database of private land conservation easements, and where split estate managed by the BLM exists, that the BLM implement NSO and other stipulations consistent with the primary conservation easement values on these properties.

San Miguel County supports CPW in their statement in the 2010 letter, "As the surface density of development increases beyond one well pad per section, literature sources strongly suggest that avoidance and minimization measures alone are no longer sufficient to address adverse impacts to some species, and compensatory mitigation is necessary to offset the permanent loss of wildlife resources." We support the concept that the UFO (and Tres Rios) RMP incorporate ways to obtain compensatory mitigation when surface density exceeds one well pad per section (within habitats identified by CPW).

San Miguel County requests that the UFO examine carefully CPW recommended species-specific stipulations and ensured that the stipulations in the final UFO RMP/ROD meet or exceed the recommended species-specific stipulations. We also request that standards and guidelines be developed for oil and gas activities in Gunnison Sage-grouse habitat, mule deer winter range, raptor nesting areas, bighorn sheep lambing areas, lynx denning and winter foraging habitat to address impacts from oil and gas operations to the maximum extent possible. Such standards and guidelines within these habitats should require that operators use the best technically and economically available development technology to meet the intent of guidelines while acting on a right to develop a lease.

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<sup>47</sup>Page I-11;

[http://www.blm.gov/style/medialib/blm/co/field\\_offices/uncompahgre\\_field/rmp/rmp\\_draft\\_vol\\_1.Par.7326.File.dat/1\\_UFO-DRMP-2016\\_508.pdf](http://www.blm.gov/style/medialib/blm/co/field_offices/uncompahgre_field/rmp/rmp_draft_vol_1.Par.7326.File.dat/1_UFO-DRMP-2016_508.pdf)

<sup>48</sup>Page ii; [https://eplanning.blm.gov/epl-front-office/projects/lup/39681/78597/89605/2016-0811\\_GUSG\\_Draft\\_RMP\\_Amendment\\_ePlanning.pdf](https://eplanning.blm.gov/epl-front-office/projects/lup/39681/78597/89605/2016-0811_GUSG_Draft_RMP_Amendment_ePlanning.pdf)

San Miguel County requests that the UFO RMP also consider adding winter range to ungulate protection strategies, which we understand has implications across all management activities. CPW has strongly recommended the use of deer and elk winter range as defined in CPW species mapping when applying protection strategies for deer and elk in RMP documents in Colorado<sup>49</sup>. CPW states, "Winter concentration areas and critical winter range are more narrowly defined subsets within the broader winter range category that fail to capture the totality of important wintering areas for ungulates. 'Winter Range' is defined as that part of the overall range where 90% of individuals reside during five winters out of ten. During an 'average' winter, animals residing in 'winter range' are no less sensitive to disturbance than those on severe winter range or winter concentration areas."

San Miguel County requests revisions to the DRMP/EIS and stipulations to acknowledge the increasing body of evidence that Timing Limitation Stipulations on oil and gas development activities are not adequate to protect winter habitats and migratory corridors for big game, and that additional limitations on the density of surface facilities may be necessary to maintain big game populations in developing areas.<sup>50,51,52,53,54</sup>

San Miguel County further requests that a Master Leasing Plan be prepared and implemented as required by BLM IM No. 2010-117.

### **Section 9. Watchable Wildlife Viewing Areas.**

Incorporating a watchable wildlife viewing area under the federal Watchable Wildlife Program to foster education and appreciation of wildlife in their habitats would be a positive addition within the UFO. When there are enhanced opportunities for public and educational institutions like local and regional schools to view, enjoy, and learn about wildlife, then there are tangible positive benefits for the local and regional economies and for appreciation of the national treasure that our public lands are. When people know about the needs and impacts of human activities on species, then they are more likely to support resource conservation and the hard choices of altering human activities that lead to climate change.

The San Miguel River is identified as being a very rich terrestrial bird habitat within North America by the BLM, the Audubon Society, and others.<sup>55</sup> San Miguel County supports the concept of studying the San Miguel River ACEC and San Miguel River Expansion ACEC for creating one or more watchable wildlife viewing areas. We believe this will actually help with future mitigation of threats such as invasive plants, non-native species, feral cats, and other disturbances. The scenic qualities of this area also further enhance the potential high-quality viewing experience.

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<sup>49</sup>Such as in the CPW San Juan Plan Revision comment letter dated April 11, 2008 titled "San Juan Public Lands Center, Draft Land Management Plan and Draft Environmental Impact Statement, 72 Fed. Reg. 71148 (December 14, 2007)" and addressed to the San Juan Plan Revision, P.O. Box 162909 Sacramento, CA 95816-2909.

<sup>50</sup><http://fwpiis.mt.gov/content/getItem.aspx?id=35572>

<sup>51</sup>[http://www.wyofile.com/wp-content/uploads/2011/04/Deer.2010annualreport\\_muledeer.pdf](http://www.wyofile.com/wp-content/uploads/2011/04/Deer.2010annualreport_muledeer.pdf)

<sup>52</sup><http://onlinelibrary.wiley.com/doi/10.2193/2008-478/abstract>

<sup>53</sup><http://www.blm.gov/style/medialib/blm/wy/information/NEPA/pfodocs/anticline/revdr-comments/eg.Par.10425.File.dat/02Bio-attach1.pdf>

<sup>54</sup><https://www.fws.gov/southwest/ES/Documents/Oil-Gas-Fragmentation-Wilbert%20et%20al%202008.pdf>


<sup>55</sup>Page 3-171;

[http://www.blm.gov/style/medialib/blm/co/field\\_offices/uncompahgre\\_field/rmp/rmp\\_draft\\_vol\\_1.Par.96289.File.dat/3\\_UFO-DRMP-2016\\_508.pdf](http://www.blm.gov/style/medialib/blm/co/field_offices/uncompahgre_field/rmp/rmp_draft_vol_1.Par.96289.File.dat/3_UFO-DRMP-2016_508.pdf)

We appreciate your consideration of these comments for the Uncompahgre Field Office Draft Resource Management Plan/Environmental Impact Statement. As we have offered specific requests, we hope the final RMP and ROD will not simply take the recommendations of a single alternative but will create a final hybrid decision that will incorporate our specific requests.

Respectfully,

SAN MIGUEL COUNTY  
BOARD OF COUNTY COMMISSIONERS

  
\_\_\_\_\_  
Joan May, Chair

ATTACHMENT A: RESOLUTION 2015-009  
ATTACHMENT B: COMPARISON TABLES

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF  
SAN MIGUEL COUNTY, COLORADO,  
PUBLICLY STATING THE VALUE OF PUBLIC LANDS TO THE COUNTY'S ECONOMY,  
RECREATION, HERITAGE, AND QUALITY OF LIFE; AND OPPOSING ANY EFFORT TO  
CLAIM, TAKE OVER, LITIGATE FOR, OR SELL OFF FEDERAL PUBLIC LANDS WITHIN  
SAN MIGUEL COUNTY, COLORADO**

Resolution #2015 -   9  

**WHEREAS,** San Miguel County includes many beautiful, natural landscapes, including mountains, rivers, forests, lakes, basins and plateaus; and

**WHEREAS,** many of those stunning places are public lands owned by all Americans; and

**WHEREAS,** public land under the management of the U.S. Forest Service and U.S. Bureau of Land Management constitutes more than 60% of the land in San Miguel County; and

**WHEREAS,** these federal public lands are essential to the quality of life in San Miguel County, providing public recreational opportunity for wildlife watching, hiking, hunting, fishing, backpacking, horseback riding, skiing, bicycling, sightseeing, and numerous other outdoor recreational activities; and

**WHEREAS,** these federal public lands provide essential habitat for wildlife; and

**WHEREAS,** wildlife and the scenic landscape on public lands attract outdoor recreation and tourism that are the dominant drivers of San Miguel County's economy; and

**WHEREAS,** the unified, consistent management of Federal land by the Federal Land Agencies across the nation best protects the national value and utility of the public lands for all Americans and the values on which the economy in San Miguel County is dependent; and

**WHEREAS,** San Miguel County business owners attract employees in large part because of the iconic landscape and recreational opportunities on federal public lands; and

**WHEREAS,** San Miguel County's agriculture industry includes numerous ranchers and sheepherders who depend on grazing on federal public land; and

**WHEREAS,** there is a broad consensus in San Miguel County of the need for effective management of our federal public lands and wildlife, and that collaborative approaches in which federal public land management agencies cooperate with Colorado Parks and Wildlife, San Miguel County officials, and our community are more likely to produce effective management than would ownership or management of federal public lands by the state of Colorado; and

**WHEREAS,** San Miguel County residents are actively collaborating among diverse interests and with public land managers to improve public land management and public access; and

**WHEREAS,** federal public land management agencies employ residents of San Miguel County who are passionate and expert at their jobs, despite lack of adequate federal funding, pay taxes, and contribute to our community; and

**WHEREAS,** Americans from throughout the country value these public lands as a part of our national



heritage and as our inalienable birthright as Americans; and

**WHEREAS**, San Miguel County's forests are naturally prone to fire, including periodic large-scale fires, as part of the ecosystem in which they have evolved over millennia, although a warming climate has accentuated the process; and

**WHEREAS**, federal money and expertise to suppress wildfires is essential to protecting our communities, infrastructure, and public lands.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of San Miguel County, Colorado, as follows:

That the Board of County Commissioners opposes any effort to claim, take over, litigate for, or sell off federal public lands within San Miguel County except pursuant to legislative processes established by Congress in the Recreation and Public Purposes Act, National Environmental Policy Act, Federal Land Policy and Management Act, and other applicable federal laws, following public participation and site-based analysis of the wildlife, ecological and community implications of the proposed land transfer.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of San Miguel County, Colorado, as follows:

1. The Board of County Commissioners strongly supports federal land management in San Miguel County and the irreplaceable value public lands bring to our county's economy, recreation, heritage, and quality of life.
2. The Board of County Commissioners enthusiastically commends the dedicated federal employees who manage America's public lands in San Miguel County, and the dedicated employees of Colorado Parks and Wildlife who manage wildlife in San Miguel County, in partnership with the federal public land managers.

**DONE AND APPROVED** by the Board of Commissioners of San Miguel County, Colorado, at a duly noticed public meeting held in Telluride, Colorado, on March 25, 2014.

**BOARD OF COUNTY COMMISSIONERS  
SAN MIGUEL COUNTY, COLORADO**

  
Joan May, Chair

ATTEST:

  
John Huebner, Chief Deputy Clerk to the Board



VOTE:

|                     |                                      |     |         |        |
|---------------------|--------------------------------------|-----|---------|--------|
| Joan May            | <input checked="" type="radio"/> Aye | Nay | Abstain | Absent |
| Elaine R.C. Fischer | <input checked="" type="radio"/> Aye | Nay | Abstain | Absent |
| Art Goodtimes       | <input checked="" type="radio"/> Aye | Nay | Abstain | Absent |

| BLM<br>CODES | San Miguel Enhanced Ecological Areas (EEAs)<br>[overlaps some of existing San Miguel River ACEC and some of WSR but not all] |        | WSR San Miguel River Segment 1 Stipulations |         |         |         | San Miguel SMRA Stipulations San Miguel River Segment (Zone 1)<br>(includes BLM lands within existingSan Miguel ACEC and |          | San Miguel EXISTING ACEC Stipulations |          |          | San Miguel EXPANSION (big) ACEC Stipulations | San Miguel EXPANSION (river parts) ACEC Stipulation | San Miguel EXPANSION (3 sliver parts) ACEC Stipulation | Fluid Minerals |       |       |       |  |
|--------------|------------------------------------------------------------------------------------------------------------------------------|--------|---------------------------------------------|---------|---------|---------|--------------------------------------------------------------------------------------------------------------------------|----------|---------------------------------------|----------|----------|----------------------------------------------|-----------------------------------------------------|--------------------------------------------------------|----------------|-------|-------|-------|--|
|              | Alt B                                                                                                                        | Alt D  | Alt A                                       | Alt B   | Alt C   | Alt D   | Alt B                                                                                                                    | Alt D    | Alt A                                 | Alt C    | Alt D    | Alt B                                        | Alt B                                               | Alt B                                                  | Alt A          | Alt B | Alt C | Alt D |  |
| 7            |                                                                                                                              |        |                                             |         |         |         | 7                                                                                                                        | 7        | 14                                    |          | 7        | 7                                            | 7                                                   | 7                                                      |                |       |       |       |  |
| AVOID        |                                                                                                                              | AVOID  | AVOID                                       | AVOID   | AVOID   |         | AVOID                                                                                                                    |          |                                       |          |          |                                              | AVOID                                               |                                                        |                |       |       |       |  |
| BSC          |                                                                                                                              |        |                                             |         |         |         |                                                                                                                          |          |                                       |          |          |                                              |                                                     |                                                        |                |       |       |       |  |
| CAMPFIRE     |                                                                                                                              |        |                                             |         |         |         |                                                                                                                          |          |                                       | CAMPFIRE | CAMPFIRE | CAMPFIRE                                     | CAMPFIRE                                            | CAMPFIRE                                               | CAMPFIRE       |       |       |       |  |
| CAMPSITE     |                                                                                                                              |        |                                             |         |         |         | CAMPSITE                                                                                                                 | CAMPSITE | CAMPSITE                              | CAMPSITE | CAMPSITE | CAMPSITE                                     | CAMPSITE                                            | CAMPSITE                                               | CAMPSITE       |       |       |       |  |
| COAL         |                                                                                                                              |        |                                             |         |         | COAL    | COAL                                                                                                                     | COAL     |                                       |          | COAL     | COAL                                         | COAL                                                | COAL                                                   | COAL           |       |       |       |  |
| COMPETE1     |                                                                                                                              |        |                                             |         |         |         |                                                                                                                          |          |                                       |          |          |                                              |                                                     |                                                        |                |       |       |       |  |
| COMPETE2     |                                                                                                                              |        |                                             |         |         |         | COMPETE2                                                                                                                 |          |                                       |          |          |                                              |                                                     |                                                        |                |       |       |       |  |
| COMPETE3     |                                                                                                                              |        |                                             |         |         |         |                                                                                                                          | COMPETE3 |                                       |          |          |                                              |                                                     |                                                        |                |       |       |       |  |
| CSU          |                                                                                                                              | CSU    | CSU                                         | CSU     | CSU     | CSU     |                                                                                                                          |          |                                       | CSU      |          |                                              |                                                     |                                                        | CSU            |       | CSU   |       |  |
| CWOD         |                                                                                                                              |        |                                             |         |         |         |                                                                                                                          |          |                                       |          | CWOD     | CWOD                                         | CWOD                                                | CWOD                                                   |                |       |       |       |  |
| DAY          |                                                                                                                              |        |                                             |         |         |         |                                                                                                                          |          |                                       |          |          |                                              |                                                     |                                                        |                |       |       |       |  |
| DES          |                                                                                                                              |        |                                             |         |         |         | DES                                                                                                                      | DES      | DES                                   | DES      | DES      | DES                                          | DES                                                 | DES                                                    |                |       |       |       |  |
| DR_TIMING    | DR_TIMING                                                                                                                    |        |                                             |         |         |         |                                                                                                                          |          |                                       |          |          |                                              |                                                     |                                                        |                |       |       |       |  |
| EXCL         |                                                                                                                              |        |                                             |         |         |         |                                                                                                                          |          | EXCL                                  |          |          | EXCL                                         |                                                     |                                                        |                |       |       |       |  |
| FAC          |                                                                                                                              |        |                                             |         |         |         |                                                                                                                          |          |                                       |          |          |                                              |                                                     |                                                        |                |       |       |       |  |
| FORAGE       |                                                                                                                              |        |                                             |         |         |         |                                                                                                                          |          |                                       | FORAGE   |          |                                              |                                                     |                                                        |                |       |       |       |  |
| HYDROA       |                                                                                                                              | HYDROA |                                             |         |         |         |                                                                                                                          |          |                                       | HYDROA   |          |                                              |                                                     |                                                        |                |       |       |       |  |
| HYDROE       | HYDROE                                                                                                                       |        | HYDROE*                                     | HYDROE* | HYDROE* | HYDROE* |                                                                                                                          |          |                                       |          | HYDROE   | HYDROE                                       | HYDROE                                              | HYDROE                                                 |                |       |       |       |  |
| LOCATE       |                                                                                                                              |        |                                             |         |         |         | LOCATE                                                                                                                   |          |                                       |          | LOCATE   | LOCATE                                       | LOCATE                                              | LOCATE                                                 |                |       |       |       |  |
| MM           |                                                                                                                              |        |                                             |         |         |         |                                                                                                                          |          |                                       |          |          |                                              |                                                     |                                                        |                |       |       |       |  |
| MOT          |                                                                                                                              |        |                                             |         |         |         |                                                                                                                          |          |                                       |          |          |                                              |                                                     |                                                        |                |       |       |       |  |
| NGD          |                                                                                                                              |        |                                             |         |         |         |                                                                                                                          |          |                                       |          |          |                                              |                                                     |                                                        |                |       |       |       |  |
| NL           |                                                                                                                              |        |                                             |         |         |         | NL                                                                                                                       |          |                                       |          |          | NL                                           | NL                                                  | NL                                                     |                | NL    |       |       |  |
| NSO          | NSO                                                                                                                          | **     |                                             |         |         | **      |                                                                                                                          | NSO      |                                       |          | NSO      |                                              |                                                     |                                                        |                |       |       | NSO   |  |
| OPEN         |                                                                                                                              |        |                                             |         |         |         |                                                                                                                          |          |                                       |          |          |                                              |                                                     |                                                        |                |       |       |       |  |
| RANGE        |                                                                                                                              |        |                                             |         |         |         |                                                                                                                          |          |                                       |          |          | RANGE                                        | RANGE                                               | RANGE                                                  |                |       |       |       |  |
| RECMINE      |                                                                                                                              |        |                                             |         |         |         |                                                                                                                          |          |                                       |          |          | RECMINE                                      | RECMINE                                             | RECMINE                                                |                |       |       |       |  |
| RIVER        |                                                                                                                              |        |                                             |         |         |         |                                                                                                                          |          |                                       |          |          |                                              |                                                     |                                                        |                |       |       |       |  |
| ROCK         |                                                                                                                              |        |                                             |         |         |         |                                                                                                                          |          |                                       |          |          |                                              |                                                     |                                                        |                |       |       |       |  |
| SALABLE      |                                                                                                                              |        |                                             |         |         | SALABLE | SALABLE                                                                                                                  |          | SALABLE                               |          | SALABLE  | SALABLE                                      | SALABLE                                             | SALABLE                                                |                |       |       |       |  |
| SEED         |                                                                                                                              |        |                                             |         |         |         |                                                                                                                          |          |                                       |          | SEED     | SEED                                         | SEED                                                | SEED                                                   |                |       |       |       |  |
| SHEEP        |                                                                                                                              |        |                                             |         |         |         |                                                                                                                          |          |                                       |          |          |                                              |                                                     |                                                        |                |       |       |       |  |
| SOLARA       |                                                                                                                              | SOLARA |                                             |         |         |         |                                                                                                                          |          |                                       | SOLARA   |          |                                              |                                                     |                                                        |                |       |       |       |  |
| SOLARE       | SOLARE                                                                                                                       |        | SOLARE*                                     | SOLARE* | SOLARE* | SOLARE* |                                                                                                                          |          |                                       |          | SOLARE   | SOLARE                                       | SOLARE                                              | SOLARE                                                 |                |       |       |       |  |
| SOLID        |                                                                                                                              |        |                                             |         |         | SOLID   | SOLID                                                                                                                    | SOLID    |                                       |          | SOLID    | SOLID                                        | SOLID                                               | SOLID                                                  |                |       |       |       |  |
| SRPs         |                                                                                                                              |        |                                             |         |         |         |                                                                                                                          |          |                                       |          |          |                                              |                                                     |                                                        |                |       |       |       |  |
| SSR          | SSR                                                                                                                          | SSR    | SSR                                         | SSR     | SSR     | SSR     |                                                                                                                          |          |                                       |          |          | SSR                                          | SSR                                                 | SSR                                                    |                |       |       |       |  |
| TAR          |                                                                                                                              |        |                                             |         |         |         | TAR                                                                                                                      | TAR      |                                       |          | TAR      | TAR                                          | TAR                                                 | TAR                                                    |                |       |       |       |  |
| TL           |                                                                                                                              |        |                                             |         |         |         |                                                                                                                          |          |                                       |          |          |                                              |                                                     |                                                        |                |       |       |       |  |
| V-1          |                                                                                                                              |        |                                             |         |         |         |                                                                                                                          |          |                                       |          |          |                                              |                                                     |                                                        |                |       |       |       |  |
| V-2          |                                                                                                                              |        |                                             |         |         | V-2     |                                                                                                                          |          | V-2                                   |          |          |                                              |                                                     |                                                        |                |       |       |       |  |
| V-3          |                                                                                                                              |        | V-3                                         | V-3     | V-3     |         | V-3                                                                                                                      | V-3      |                                       | V-3      | V-3      | V-3                                          | V-3                                                 | V-3                                                    |                |       |       |       |  |
| V-4          |                                                                                                                              |        |                                             |         |         |         |                                                                                                                          |          |                                       |          |          |                                              |                                                     |                                                        |                |       |       |       |  |
| WINDA        |                                                                                                                              | WINDA  |                                             |         |         |         |                                                                                                                          |          |                                       | WINDA    |          |                                              |                                                     |                                                        |                |       |       |       |  |
| WINDE        | WINDE                                                                                                                        |        | WINDE*                                      | WINDE*  | WINDE*  | WINDE*  |                                                                                                                          |          |                                       |          | WINDE    | WINDE                                        | WINDE                                               | WINDE                                                  |                |       |       |       |  |
| WOOD         | WOOD                                                                                                                         |        |                                             |         |         |         | WOOD                                                                                                                     | WOOD     | WOOD                                  |          | WOOD     | WOOD                                         | WOOD                                                | WOOD                                                   |                |       |       |       |  |

\* occurs for BLM surface but not private/USFS surface

\*\* mapped as NSO in fluid minerals Alt D shapefile

| BLM<br>CODES | WSR Beaver Creek<br>Stipulations [BLM<br>surface portion<br>overlaps existing San<br>Miguel River ACEC] |         | San Miguel SMRA<br>Stipulations Beaver<br>Creek River Segment<br>(Zone 2) (includes BLM<br>lands within<br>existing San Miguel<br>River ACEC) |          | San Miguel Enhanced<br>Ecological Areas (EEAs)<br>[overlaps some of<br>existing San Miguel<br>River ACEC and some of<br>WSR but not all] |        | San Miguel SMRA<br>Stipulations San Miguel<br>River Segment (Zone 1)<br>(includes BLM lands<br>within existingSan<br>Miguel ACEC and<br>WSR) |          | San Miguel EXISTING ACEC<br>Stipulations |          |          | EXPANSION(big) A | San Miguel<br>EXPANSION<br>(river<br>parts) ACEC<br>Stipulation | San Miguel<br>EXPANSION<br>(3 sliver<br>parts) ACEC<br>Stipulation | Fluid Minerals |       |       |       |       |
|--------------|---------------------------------------------------------------------------------------------------------|---------|-----------------------------------------------------------------------------------------------------------------------------------------------|----------|------------------------------------------------------------------------------------------------------------------------------------------|--------|----------------------------------------------------------------------------------------------------------------------------------------------|----------|------------------------------------------|----------|----------|------------------|-----------------------------------------------------------------|--------------------------------------------------------------------|----------------|-------|-------|-------|-------|
|              | Alt B                                                                                                   | Alt D   | Alt B                                                                                                                                         | Alt D    | Alt B                                                                                                                                    | Alt D  | Alt B                                                                                                                                        | Alt D    | Alt A                                    | Alt C    | Alt D    |                  | Alt B                                                           | Alt B                                                              | Alt B          | Alt A | Alt B | Alt C | Alt D |
| 7            |                                                                                                         |         | 7                                                                                                                                             | 7        |                                                                                                                                          |        | 7                                                                                                                                            | 7        | 14                                       |          | 7        |                  | 7                                                               | 7                                                                  | 7              |       |       |       |       |
| AVOID        | AVOID                                                                                                   |         | AVOID                                                                                                                                         | AVOID    |                                                                                                                                          | AVOID  | AVOID                                                                                                                                        |          |                                          |          |          |                  | AVOID                                                           |                                                                    |                |       |       |       |       |
| BSC          |                                                                                                         |         |                                                                                                                                               |          |                                                                                                                                          |        |                                                                                                                                              |          |                                          |          |          |                  |                                                                 |                                                                    |                |       |       |       |       |
| CAMPFIRE     |                                                                                                         |         |                                                                                                                                               |          |                                                                                                                                          |        |                                                                                                                                              |          |                                          | CAMPFIRE | CAMPFIRE | CAMPFIRE         | CAMPFIRE                                                        | CAMPFIRE                                                           | CAMPFIRE       |       |       |       |       |
| CAMPSITE     |                                                                                                         |         | CAMPSITE                                                                                                                                      | CAMPSITE |                                                                                                                                          |        | CAMPSITE                                                                                                                                     | CAMPSITE | CAMPSITE                                 | CAMPSITE | CAMPSITE | CAMPSITE         | CAMPSITE                                                        | CAMPSITE                                                           | CAMPSITE       |       |       |       |       |
| COAL         |                                                                                                         | COAL    | COAL                                                                                                                                          | COAL     |                                                                                                                                          |        | COAL                                                                                                                                         | COAL     |                                          |          | COAL     | COAL             | COAL                                                            | COAL                                                               | COAL           |       |       |       |       |
| COMPETE1     |                                                                                                         |         |                                                                                                                                               |          |                                                                                                                                          |        |                                                                                                                                              |          |                                          |          |          |                  |                                                                 |                                                                    |                |       |       |       |       |
| COMPETE2     |                                                                                                         |         | COMPETE2                                                                                                                                      | COMPETE2 |                                                                                                                                          |        | COMPETE2                                                                                                                                     |          |                                          |          |          |                  |                                                                 |                                                                    |                |       |       |       |       |
| COMPETE3     |                                                                                                         |         |                                                                                                                                               |          |                                                                                                                                          |        |                                                                                                                                              | COMPETE3 |                                          |          |          |                  |                                                                 |                                                                    |                |       |       |       |       |
| CSU          | CSU                                                                                                     | CSU     |                                                                                                                                               |          |                                                                                                                                          | CSU    |                                                                                                                                              |          |                                          | CSU      |          |                  |                                                                 |                                                                    |                | CSU   |       | CSU   |       |
| CWOD         |                                                                                                         |         |                                                                                                                                               |          |                                                                                                                                          |        |                                                                                                                                              |          |                                          |          | CWOD     | CWOD             | CWOD                                                            | CWOD                                                               | CWOD           |       |       |       |       |
| DAY          |                                                                                                         |         |                                                                                                                                               |          |                                                                                                                                          |        |                                                                                                                                              |          |                                          |          |          |                  |                                                                 |                                                                    |                |       |       |       |       |
| DES          |                                                                                                         |         |                                                                                                                                               | DES      |                                                                                                                                          |        | DES                                                                                                                                          | DES      | DES                                      | DES      | DES      | DES              | DES                                                             | DES                                                                | DES            |       |       |       |       |
| DR_TIMING    |                                                                                                         |         |                                                                                                                                               |          | DR_TIMING                                                                                                                                |        |                                                                                                                                              |          |                                          |          |          |                  |                                                                 |                                                                    |                |       |       |       |       |
| EXCL         |                                                                                                         |         |                                                                                                                                               |          |                                                                                                                                          |        |                                                                                                                                              |          | EXCL                                     |          |          | EXCL             |                                                                 |                                                                    |                |       |       |       |       |
| FAC          |                                                                                                         |         |                                                                                                                                               |          |                                                                                                                                          |        |                                                                                                                                              |          |                                          |          |          |                  |                                                                 |                                                                    |                |       |       |       |       |
| FORAGE       |                                                                                                         |         |                                                                                                                                               |          |                                                                                                                                          |        |                                                                                                                                              |          |                                          | FORAGE   |          |                  |                                                                 |                                                                    |                |       |       |       |       |
| HYDROA       |                                                                                                         |         |                                                                                                                                               |          |                                                                                                                                          | HYDROA |                                                                                                                                              |          |                                          | HYDROA   |          |                  |                                                                 |                                                                    |                |       |       |       |       |
| HYDROE       |                                                                                                         | HYDROE* |                                                                                                                                               |          | HYDROE                                                                                                                                   |        |                                                                                                                                              |          |                                          |          | HYDROE   | HYDROE           | HYDROE                                                          | HYDROE                                                             | HYDROE         |       |       |       |       |
| LOCATE       |                                                                                                         |         | LOCATE                                                                                                                                        |          |                                                                                                                                          |        | LOCATE                                                                                                                                       |          |                                          |          | LOCATE   | LOCATE           | LOCATE                                                          | LOCATE                                                             | LOCATE         |       |       |       |       |
| MM           |                                                                                                         |         | MM                                                                                                                                            |          |                                                                                                                                          |        |                                                                                                                                              |          |                                          |          |          |                  |                                                                 |                                                                    |                |       |       |       |       |
| MOT          |                                                                                                         |         |                                                                                                                                               |          |                                                                                                                                          |        |                                                                                                                                              |          |                                          |          |          |                  |                                                                 |                                                                    |                |       |       |       |       |
| NGD          |                                                                                                         |         |                                                                                                                                               |          |                                                                                                                                          |        |                                                                                                                                              |          |                                          |          |          |                  |                                                                 |                                                                    |                |       |       |       |       |
| NL           |                                                                                                         |         | NL                                                                                                                                            |          |                                                                                                                                          |        | NL                                                                                                                                           |          |                                          |          |          | NL               | NL                                                              | NL                                                                 | NL             |       | NL    |       |       |
| NSO          |                                                                                                         | **      |                                                                                                                                               | NSO      | NSO                                                                                                                                      |        |                                                                                                                                              | NSO      |                                          |          | NSO      |                  |                                                                 |                                                                    |                |       |       |       | NSO   |
| OPEN         |                                                                                                         |         |                                                                                                                                               |          |                                                                                                                                          |        |                                                                                                                                              |          |                                          |          |          |                  |                                                                 |                                                                    |                |       |       |       |       |
| RANGE        |                                                                                                         |         |                                                                                                                                               |          |                                                                                                                                          |        |                                                                                                                                              |          |                                          |          |          | RANGE            | RANGE                                                           | RANGE                                                              | RANGE          |       |       |       |       |
| RECMINE      |                                                                                                         |         |                                                                                                                                               |          |                                                                                                                                          |        |                                                                                                                                              |          |                                          |          |          | RECMINE          | RECMINE                                                         | RECMINE                                                            | RECMINE        |       |       |       |       |
| RIVER        |                                                                                                         |         |                                                                                                                                               |          |                                                                                                                                          |        |                                                                                                                                              |          |                                          |          |          |                  |                                                                 |                                                                    |                |       |       |       |       |
| ROCK         |                                                                                                         |         |                                                                                                                                               |          |                                                                                                                                          |        |                                                                                                                                              |          |                                          |          |          |                  |                                                                 |                                                                    |                |       |       |       |       |
| SALABLE      |                                                                                                         | SALABLE | SALABLE                                                                                                                                       | SALABLE  |                                                                                                                                          |        | SALABLE                                                                                                                                      |          | SALABLE                                  |          | SALABLE  | SALABLE          | SALABLE                                                         | SALABLE                                                            | SALABLE        |       |       |       |       |
| SEED         |                                                                                                         |         |                                                                                                                                               |          |                                                                                                                                          |        |                                                                                                                                              |          |                                          |          | SEED     | SEED             | SEED                                                            | SEED                                                               | SEED           |       |       |       |       |
| SHEEP        |                                                                                                         |         |                                                                                                                                               |          |                                                                                                                                          |        |                                                                                                                                              |          |                                          |          |          |                  |                                                                 |                                                                    |                |       |       |       |       |
| SOLARA       |                                                                                                         |         |                                                                                                                                               |          |                                                                                                                                          | SOLARA |                                                                                                                                              |          |                                          | SOLARA   |          |                  |                                                                 |                                                                    |                |       |       |       |       |
| SOLARE       |                                                                                                         | SOLARE* |                                                                                                                                               |          | SOLARE                                                                                                                                   |        |                                                                                                                                              |          |                                          |          | SOLARE   | SOLARE           | SOLARE                                                          | SOLARE                                                             | SOLARE         |       |       |       |       |
| SOLID        |                                                                                                         | SOLID   | SOLID                                                                                                                                         |          |                                                                                                                                          |        | SOLID                                                                                                                                        | SOLID    |                                          |          | SOLID    | SOLID            | SOLID                                                           | SOLID                                                              | SOLID          |       |       |       |       |
| SRPs         |                                                                                                         |         |                                                                                                                                               |          |                                                                                                                                          |        |                                                                                                                                              |          |                                          |          |          |                  |                                                                 |                                                                    |                |       |       |       |       |
| SSR          | SSR                                                                                                     | SSR     |                                                                                                                                               |          | SSR                                                                                                                                      | SSR    |                                                                                                                                              |          |                                          |          |          | SSR              | SSR                                                             | SSR                                                                | SSR            |       |       |       |       |
| TAR          |                                                                                                         |         | TAR                                                                                                                                           | TAR      |                                                                                                                                          |        | TAR                                                                                                                                          | TAR      |                                          |          | TAR      | TAR              | TAR                                                             | TAR                                                                | TAR            |       |       |       |       |
| TL           |                                                                                                         |         |                                                                                                                                               |          |                                                                                                                                          |        |                                                                                                                                              |          |                                          |          |          |                  |                                                                 |                                                                    |                |       |       |       |       |
| V-1          |                                                                                                         |         |                                                                                                                                               |          |                                                                                                                                          |        |                                                                                                                                              |          |                                          |          |          |                  |                                                                 |                                                                    |                |       |       |       |       |
| V-2          | V-2                                                                                                     | ***     | V-2                                                                                                                                           |          |                                                                                                                                          |        |                                                                                                                                              |          | V-2                                      |          |          |                  |                                                                 |                                                                    |                |       |       |       |       |
| V-3          |                                                                                                         |         |                                                                                                                                               | V-3      |                                                                                                                                          |        | V-3                                                                                                                                          | V-3      |                                          | V-3      | V-3      | V-3              | V-3                                                             | V-3                                                                | V-3            |       |       |       |       |
| V-4          |                                                                                                         |         |                                                                                                                                               |          |                                                                                                                                          |        |                                                                                                                                              |          |                                          |          |          |                  |                                                                 |                                                                    |                |       |       |       |       |
| WINDA        |                                                                                                         |         |                                                                                                                                               |          |                                                                                                                                          | WINDA  |                                                                                                                                              |          |                                          | WINDA    |          |                  |                                                                 |                                                                    |                |       |       |       |       |
| WINDE        |                                                                                                         | WINDE*  |                                                                                                                                               |          | WINDE                                                                                                                                    |        |                                                                                                                                              |          |                                          |          | WINDE    | WINDE            | WINDE                                                           | WINDE                                                              | WINDE          |       |       |       |       |
| WOOD         |                                                                                                         |         | WOOD                                                                                                                                          | WOOD     | WOOD                                                                                                                                     |        | WOOD                                                                                                                                         | WOOD     | WOOD                                     |          | WOOD     | WOOD             | WOOD                                                            | WOOD                                                               | WOOD           |       |       |       |       |

\* occurs for BLM surface but not private/USFS surface

\*\* mapped as NSO in fluid minerals Alt D shapefile

| BLM CODES | WSR Saltado Creek Stipulations [BLM surface portion overlaps existing San Miguel River ACEC] |         |         |         | San Miguel Stipulations Saltado Creek River Segment (Zone 2) (includes BLM lands within existingSan Miguel ACEC and Expansion of |          | San Miguel Enhanced Ecological Areas (EEAs) [overlaps some of existing San Miguel River ACEC and some of WSR but not all] |        | San Miguel EXISTING ACEC Stipulations |          |          | EXPANSION(big) A | San Miguel EXPANSIO N (river parts) ACEC Stipulation | San Miguel EXPANSIO N (3 sliver parts) ACEC Stipulation | Fluid Minerals |       |       |       |
|-----------|----------------------------------------------------------------------------------------------|---------|---------|---------|----------------------------------------------------------------------------------------------------------------------------------|----------|---------------------------------------------------------------------------------------------------------------------------|--------|---------------------------------------|----------|----------|------------------|------------------------------------------------------|---------------------------------------------------------|----------------|-------|-------|-------|
|           | Alt A                                                                                        | Alt B   | Alt C   | Alt D   | Alt B                                                                                                                            | Alt D    | Alt B                                                                                                                     | Alt D  | Alt A                                 | Alt C    | Alt D    | Alt B            | Alt B                                                | Alt B                                                   | Alt A          | Alt B | Alt C | Alt D |
| 7         |                                                                                              |         |         |         | 7                                                                                                                                | 7        |                                                                                                                           |        | 14                                    |          | 7        | 7                | 7                                                    | 7                                                       |                |       |       |       |
| AVOID     |                                                                                              |         |         |         | AVOID                                                                                                                            | AVOID    |                                                                                                                           | AVOID  |                                       |          |          |                  | AVOID                                                |                                                         |                |       |       |       |
| BSC       |                                                                                              |         |         |         |                                                                                                                                  |          |                                                                                                                           |        |                                       |          |          |                  |                                                      |                                                         |                |       |       |       |
| CAMPFIRE  |                                                                                              |         |         |         |                                                                                                                                  |          |                                                                                                                           |        |                                       | CAMPFIRE | CAMPFIRE | CAMPFIRE         | CAMPFIRE                                             | CAMPFIRE                                                |                |       |       |       |
| CAMPSITE  |                                                                                              |         |         |         | CAMPSITE                                                                                                                         | CAMPSITE |                                                                                                                           |        | CAMPSITE                              | CAMPSITE | CAMPSITE | CAMPSITE         | CAMPSITE                                             | CAMPSITE                                                |                |       |       |       |
| COAL      | COAL                                                                                         | COAL    | COAL    | COAL    | COAL                                                                                                                             | COAL     |                                                                                                                           |        |                                       |          | COAL     | COAL             | COAL                                                 | COAL                                                    |                |       |       |       |
| COMPETE1  |                                                                                              |         |         |         |                                                                                                                                  |          |                                                                                                                           |        |                                       |          |          |                  |                                                      |                                                         |                |       |       |       |
| COMPETE2  |                                                                                              |         |         |         | COMPETE2                                                                                                                         | COMPETE2 |                                                                                                                           |        |                                       |          |          |                  |                                                      |                                                         |                |       |       |       |
| COMPETE3  |                                                                                              |         |         |         |                                                                                                                                  |          |                                                                                                                           |        |                                       |          |          |                  |                                                      |                                                         |                |       |       |       |
| CSU       |                                                                                              |         |         |         |                                                                                                                                  |          |                                                                                                                           | CSU    |                                       | CSU      |          |                  |                                                      |                                                         | CSU            |       | CSU   |       |
| CWOD      |                                                                                              |         |         |         |                                                                                                                                  |          |                                                                                                                           |        |                                       |          | CWOD     | CWOD             | CWOD                                                 | CWOD                                                    |                |       |       |       |
| DAY       |                                                                                              |         |         |         |                                                                                                                                  |          |                                                                                                                           |        |                                       |          |          |                  |                                                      |                                                         |                |       |       |       |
| DES       |                                                                                              |         |         |         |                                                                                                                                  |          |                                                                                                                           |        | DES                                   | DES      | DES      | DES              | DES                                                  | DES                                                     |                |       |       |       |
| DR_TIMING |                                                                                              |         |         |         |                                                                                                                                  |          | DR_TIMING                                                                                                                 |        |                                       |          |          |                  |                                                      |                                                         |                |       |       |       |
| EXCL      | EXCEL                                                                                        | EXCEL   | EXCEL   | EXCEL   |                                                                                                                                  |          |                                                                                                                           |        | EXCL                                  |          |          | EXCL             |                                                      |                                                         |                |       |       |       |
| FAC       |                                                                                              |         |         |         |                                                                                                                                  |          |                                                                                                                           |        |                                       |          |          |                  |                                                      |                                                         |                |       |       |       |
| FORAGE    |                                                                                              |         |         |         |                                                                                                                                  |          |                                                                                                                           |        |                                       | FORAGE   |          |                  |                                                      |                                                         |                |       |       |       |
| HYDROA    |                                                                                              |         |         |         |                                                                                                                                  |          |                                                                                                                           | HYDROA |                                       | HYDROA   |          |                  |                                                      |                                                         |                |       |       |       |
| HYDROE    | HYDROE*                                                                                      | HYDROE* | HYDROE* | HYDROE* |                                                                                                                                  |          | HYDROE                                                                                                                    |        |                                       |          | HYDROE   | HYDROE           | HYDROE                                               | HYDROE                                                  |                |       |       |       |
| LOCATE    | LOCATE                                                                                       | LOCATE  | LOCATE  | LOCATE* | LOCATE                                                                                                                           |          |                                                                                                                           |        |                                       |          | LOCATE   | LOCATE           | LOCATE                                               | LOCATE                                                  |                |       |       |       |
| MM        |                                                                                              |         |         |         | MM                                                                                                                               | MM       |                                                                                                                           |        |                                       |          |          |                  |                                                      |                                                         |                |       |       |       |
| MOT       |                                                                                              |         |         |         |                                                                                                                                  |          |                                                                                                                           |        |                                       |          |          |                  |                                                      |                                                         |                |       |       |       |
| NGD       | NGD                                                                                          | NGD     | NGD     |         |                                                                                                                                  |          |                                                                                                                           |        |                                       |          |          |                  |                                                      |                                                         |                |       |       |       |
| NL        |                                                                                              |         |         |         | NL                                                                                                                               |          |                                                                                                                           |        |                                       |          |          | NL               | NL                                                   | NL                                                      |                | NL    |       |       |
| NSO       | NSO                                                                                          | NSO     | NSO     | NSO     |                                                                                                                                  | NSO      | NSO                                                                                                                       |        |                                       |          | NSO      |                  |                                                      |                                                         |                |       |       | NSO   |
| OPEN      |                                                                                              |         |         |         |                                                                                                                                  |          |                                                                                                                           |        |                                       |          |          |                  |                                                      |                                                         |                |       |       |       |
| RANGE     |                                                                                              |         |         |         |                                                                                                                                  |          |                                                                                                                           |        |                                       |          |          | RANGE            | RANGE                                                | RANGE                                                   |                |       |       |       |
| RECMINE   |                                                                                              |         |         |         |                                                                                                                                  |          |                                                                                                                           |        |                                       |          |          | RECMINE          | RECMINE                                              | RECMINE                                                 |                |       |       |       |
| RIVER     |                                                                                              |         |         |         |                                                                                                                                  |          |                                                                                                                           |        |                                       |          |          |                  |                                                      |                                                         |                |       |       |       |
| ROCK      |                                                                                              |         |         |         |                                                                                                                                  |          |                                                                                                                           |        |                                       |          |          |                  |                                                      |                                                         |                |       |       |       |
| SALABLE   | SALABLE                                                                                      | SALABLE | SALABLE | SALABLE | SALABLE                                                                                                                          | SALABLE  |                                                                                                                           |        | SALABLE                               |          | SALABLE  | SALABLE          | SALABLE                                              | SALABLE                                                 |                |       |       |       |
| SEED      |                                                                                              |         |         |         |                                                                                                                                  |          |                                                                                                                           |        |                                       |          | SEED     | SEED             | SEED                                                 | SEED                                                    |                |       |       |       |
| SHEEP     |                                                                                              |         |         |         |                                                                                                                                  |          |                                                                                                                           |        |                                       |          |          |                  |                                                      |                                                         |                |       |       |       |
| SOLARA    |                                                                                              |         |         |         |                                                                                                                                  |          |                                                                                                                           | SOLARA |                                       | SOLARA   |          |                  |                                                      |                                                         |                |       |       |       |
| SOLARE    | SOLARE*                                                                                      | SOLARE* | SOLARE* | SOLARE* |                                                                                                                                  |          | SOLARE                                                                                                                    |        |                                       |          | SOLARE   | SOLARE           | SOLARE                                               | SOLARE                                                  |                |       |       |       |
| SOLID     | SOLID                                                                                        | SOLID   | SOLID   | SOLID   | SOLID                                                                                                                            | SOLID    |                                                                                                                           |        |                                       |          | SOLID    | SOLID            | SOLID                                                | SOLID                                                   |                |       |       |       |
| SRPs      |                                                                                              |         |         |         |                                                                                                                                  |          |                                                                                                                           |        |                                       |          |          |                  |                                                      |                                                         |                |       |       |       |
| SSR       |                                                                                              |         |         | SSR     |                                                                                                                                  |          | SSR                                                                                                                       | SSR    |                                       |          |          | SSR              | SSR                                                  | SSR                                                     |                |       |       |       |
| TAR       |                                                                                              |         |         |         | TAR                                                                                                                              | TAR      |                                                                                                                           |        |                                       |          | TAR      | TAR              | TAR                                                  | TAR                                                     |                |       |       |       |
| TL        |                                                                                              |         |         |         |                                                                                                                                  |          |                                                                                                                           |        |                                       |          |          |                  |                                                      |                                                         |                |       |       |       |
| V-1       | V-1                                                                                          | V-1     | V-1     |         |                                                                                                                                  |          |                                                                                                                           |        |                                       |          |          |                  |                                                      |                                                         |                |       |       |       |
| V-2       |                                                                                              |         |         | V-2     | V-2                                                                                                                              |          |                                                                                                                           |        | V-2                                   |          |          |                  |                                                      |                                                         |                |       |       |       |
| V-3       |                                                                                              |         |         |         |                                                                                                                                  | V-3      |                                                                                                                           |        |                                       | V-3      | V-3      | V-3              | V-3                                                  | V-3                                                     |                |       |       |       |
| V-4       |                                                                                              |         |         |         |                                                                                                                                  |          |                                                                                                                           |        |                                       |          |          |                  |                                                      |                                                         |                |       |       |       |
| WINDA     |                                                                                              |         |         |         |                                                                                                                                  |          |                                                                                                                           | WINDA  |                                       | WINDA    |          |                  |                                                      |                                                         |                |       |       |       |
| WINDE     | WINDE*                                                                                       | WINDE*  | WINDE*  | WINDE*  |                                                                                                                                  |          | WINDE                                                                                                                     |        |                                       |          | WINDE    | WINDE            | WINDE                                                | WINDE                                                   |                |       |       |       |
| WOOD      |                                                                                              |         |         |         | WOOD                                                                                                                             | WOOD     | WOOD                                                                                                                      |        | WOOD                                  |          | WOOD     | WOOD             | WOOD                                                 | WOOD                                                    |                |       |       |       |

\* occurs for BLM surf \* occurs for BLM surface but not private surface

\*\* mapped as NSO in fluid minerals Alt D shapefile

# SAN MIGUEL COUNTY

## BOARD OF COMMISSIONERS

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ART GOODTIMES

AMY LEVEK

JOAN MAY

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January 9, 2017

**VIA EMAIL:** gusg\_amend@blm.gov

Gunnison Sage-grouse EIS  
Colorado State Office  
BLM  
2850 Youngfield St.  
Lakewood, CO 80215

**Re: Comments by the San Miguel County, Colorado Board of County Commissioners regarding the Gunnison Sage-Grouse Rangewide Draft Resource Management Amendment/Draft EIS ("GuSG DRMPa"); 81 Fed. Reg. 53503 (August 12, 2016)**

Dear Responsible Officials,

The Board of County Commissioners (hereafter, "BOCC") of San Miguel County, Colorado (hereafter, "SMC") appreciates the opportunity to provide comments on the Gunnison Sage-Grouse Rangewide Draft Resource Management Plan Amendment/Draft EIS ("GuSG DRMPa")<sup>1</sup>, which is an important document that could amend 11 existing Resource Management Plans that guide management of lands and minerals by the Bureau of Land Management (BLM) within 10 Colorado counties and 2 Utah counties.

This comment document will utilize the common abbreviations and acronyms contained in the GuSG DRMPa<sup>2</sup> unless otherwise stated in this document. We have attached this portion of the GuSG DRMPa to this document as Attachment A.

San Miguel County has the responsibility of ensuring health, safety, and welfare, including environmental health within the County. Watershed health, soil health, and protection of wildlife habitat are very important to San Miguel County. SMC BOCC has collaborated, cooperated, and coordinated with federal land agencies on federal land planning and projects. Sixty percent of the land in San Miguel County is federal public land, with another 4% being owned by the State of Colorado. Only 36% of San Miguel County consists of private land. 70.6 % of San Miguel County is a federal mineral estate. Public lands administered by the Bureau of Land Management (BLM) in San Miguel County are administered by two different field offices: Tres Rios Field Office (TRFO) and Uncompahgre Field Office (UFO).

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<sup>1</sup>[https://eplanning.blm.gov/epl-front-office/projects/lup/39681/78597/89605/2016-0811\\_GUSG\\_Draft\\_RMP\\_Amendment\\_ePlanning.pdf](https://eplanning.blm.gov/epl-front-office/projects/lup/39681/78597/89605/2016-0811_GUSG_Draft_RMP_Amendment_ePlanning.pdf)

<sup>2</sup>[https://eplanning.blm.gov/epl-front-office/projects/lup/39681/78597/89605/2016-0811\\_GUSG\\_Draft\\_RMP\\_Amendment\\_ePlanning.pdf](https://eplanning.blm.gov/epl-front-office/projects/lup/39681/78597/89605/2016-0811_GUSG_Draft_RMP_Amendment_ePlanning.pdf) ; pages 31-33



In November 2014, the U.S. Fish and Wildlife Service (FWS) published in the Federal Register<sup>3</sup>, the final rule of the listing of the Gunnison Sage-grouse (GuSG) as a Threatened species. This final listing rule states that of the 7 Gunnison Sage-grouse populations, the San Miguel Basin and Pinon Mesa are the largest, with approximately 206 birds and 182 birds respectively, counted in 2014. It also states, "The Population estimates from 1996 to 2014 are less than 50 percent of the population target of 450 Gunnison sage-grouse (based on a 10-year average) for the San Miguel Basin, as set forth by the RCP (CPW 2013a, p. 12; GSRSC 2005, p. 296)." Six subpopulations within the San Miguel Basin are described along with their general habitat conditions.

| Federal Register / Vol. 79, No. 224 / Thursday, November 20, 2014 / Rules and Regulations 69195                                                                                           |          |         |                                                                |                  |                   |     |                     |             |         |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|---------|----------------------------------------------------------------|------------------|-------------------|-----|---------------------|-------------|---------|
| TABLE 1—PERCENT SURFACE OWNERSHIP OF GUNNISON SAGE-GROUSE OCCUPIED <sup>a</sup> HABITAT<br>[GSRSC <sup>b</sup> 2005, pp. D-3–D-6; CDOW <sup>c</sup> 2009a, p. 1; CPW 2013e, spatial data] |          |         |                                                                |                  |                   |     |                     |             |         |
| Population                                                                                                                                                                                | Hectares | Acres   | Gunnison sage-grouse occupied habitat management and ownership |                  |                   |     |                     |             |         |
|                                                                                                                                                                                           |          |         | BLM <sup>d</sup>                                               | NPS <sup>e</sup> | USFS <sup>f</sup> | CPW | CO SLB <sup>g</sup> | State of UT | Private |
|                                                                                                                                                                                           |          |         | %                                                              | %                | %                 | %   | %                   | %           | %       |
| Gunnison Basin .....                                                                                                                                                                      | 239,641  | 592,168 | 51                                                             | 2                | 14                | 2   | <1                  | 0           | i 30    |
| San Miguel Basin .....                                                                                                                                                                    | 41,177   | 101,750 | 35                                                             | 0                | 1                 | 11  | 3                   | 0           | h 49    |
| Monticello-Dove Creek (Combined) .....                                                                                                                                                    | 45,544   | 112,543 | 7                                                              | 0                | 0                 | 3   | 0                   | <1          | 90      |
| Dove Creek .....                                                                                                                                                                          | 16,949   | 41,881  | 13                                                             | 0                | 0                 | 6   | 0                   | 0           | 82      |
| Monticello .....                                                                                                                                                                          | 28,595   | 70,661  | 5                                                              | 0                | 0                 | 0   | 0                   | 1           | 94      |
| Piñon Mesa .....                                                                                                                                                                          | 18,080   | 44,678  | 28                                                             | 0                | 2                 | 0   | 0                   | 0           | 70      |
| Cerro Summit-Cimarron-Sims Mesa .....                                                                                                                                                     | 15,039   | 37,161  | 13                                                             | <1               | 0                 | 11  | 0                   | 0           | 76      |
| Crawford .....                                                                                                                                                                            | 14,170   | 35,015  | 63                                                             | 12               | 0                 | 0   | 0                   | 0           | 24      |
| Poncha Pass .....                                                                                                                                                                         | 11,229   | 27,747  | 48                                                             | 0                | 20                | 0   | 4                   | 0           | 28      |
| Rangewide .....                                                                                                                                                                           | 384,880  | 951,061 | 42                                                             | 2                | 10                | 3   | <1                  | <1          | 43      |

<sup>a</sup> Occupied Gunnison sage-grouse habitat is defined as areas of suitable habitat known to be used by Gunnison sage-grouse within the last 10 years from the date of mapping, and areas of suitable habitat contiguous with areas of known use, which have no barriers to grouse movement from known use areas (GSRSC 2005, p. 54; CPW 2013e, spatial data).

<sup>b</sup> Gunnison Sage-grouse Rangewide Steering Committee.

<sup>c</sup> Colorado Parks and Wildlife.

<sup>d</sup> Bureau of Land Management.

<sup>e</sup> National Park Service.

<sup>f</sup> United States Forest Service.

<sup>g</sup> State Land Board.

<sup>h</sup> Estimates reported in San Miguel Basin Gunnison Sage-grouse Conservation Plan (San Miguel Basin Gunnison Sage-grouse Working Group (SMBGSWG) 2009, p. 28) vary by 2 percent in these categories from those reported here. We consider these differences insignificant.

<sup>i</sup> Includes approximately 12,000 ac of land on Pinecrest Ranch, west of Gunnison, Colorado. This is restricted fee status land held in private ownership by the Ute Mountain Ute Tribe.

Figure 1: USFWS listing rule table, above, published in the Federal Register<sup>4</sup>, showing that 35% of the San Miguel Basin population occupied habitat is within surface estate managed by the BLM, 1% by the USFS, 11% by Colorado Parks and Wildlife (CPW), 3% by Colorado State Land Board (SLB) and 49% is private surface estate. Color added.

In comparison, the GuSG DRMPa states that the 2015 San Miguel Basin population was estimated at 289 birds.<sup>5</sup>

Approximately 92% of all of the occupied habitat for the San Miguel Basin population is within San Miguel County, along with all of the San Miguel Basin population leks. San Miguel County contains

<sup>3</sup>[https://www.fws.gov/mountain-prairie/species/birds/gunnisonsagegrouse/GUSGFinalListingRule\\_11202014.pdf](https://www.fws.gov/mountain-prairie/species/birds/gunnisonsagegrouse/GUSGFinalListingRule_11202014.pdf)

<sup>4</sup>[https://www.fws.gov/mountain-prairie/species/birds/gunnisonsagegrouse/GUSGFinalListingRule\\_11202014.pdf](https://www.fws.gov/mountain-prairie/species/birds/gunnisonsagegrouse/GUSGFinalListingRule_11202014.pdf)

<sup>5</sup>[https://eplanning.blm.gov/epl-front-office/projects/lup/39681/78597/89605/2016-0811\\_GUSG\\_Draft\\_RMP\\_Amendment\\_ePlanning.pdf](https://eplanning.blm.gov/epl-front-office/projects/lup/39681/78597/89605/2016-0811_GUSG_Draft_RMP_Amendment_ePlanning.pdf) ; page 3-29

approximately 1,250 acres of occupied habitat and 51,400 acres of unoccupied habitat for the Monticello-Dove Creek population and 94,000 acres of occupied habitat and 22,000 acres of unoccupied habitat for the San Miguel Basin population.

San Miguel County Land Heritage Program has helped procure conservation easements on over 12,000 acres of private land in San Miguel County, as referenced within the Gunnison Sage-grouse Permanent Conservation Easements on Private Lands report, attached to this document as Attachment B (pages 21-26). Over 6,900 of these conserved acres are in occupied GuSG habitat, which is approximately 25% of the GuSG occupied habitat occurring on private land within the San Miguel Basin. Nearly 1,500 acres of these conservation easements are on unoccupied habitat, which is approximately 7% of the private land having unoccupied habitat within the San Miguel Basin.

The BLM manages approximately 68 acres of occupied and 24,500 acres of the unoccupied habitat of the Monticello-Dove Creek population within San Miguel County. The BLM manages about 28,570 acres of occupied habitat and no unoccupied habitat of the San Miguel Basin population in San Miguel County. Of the occupied and unoccupied habitat for the Monticello-Dove Creek population within San Miguel County, 79% of the occupied habitat and 62% of the unoccupied habitat has federal mineral estate administered by the BLM. Of the occupied habitat and unoccupied habitat for the San Miguel Basin population within San Miguel County, 63% of the occupied habitat and 76% of the unoccupied habitat has federal mineral estate managed by the BLM.

The amount of critical habitat, which includes occupied habitat, unoccupied habitat, and lands providing lek-buffers, under BLM surface and/or subsurface management, illustrates that the BLM GuSG DRMPa is vital to achieving appropriate habitat protection. Improvements to habitat quality and connectivity by BLM and other partners is critical to the conservation and protection of this species within the San Miguel Basin subpopulation. While it may not be vital to amend all existing RMPs (perhaps, such as the Gunnison RMP which follows the Candidate Conservation Agreement (CCA)), San Miguel County strongly believes that the two RMPs that guide the management of the San Miguel Basin population and the northern portion of the Dove Creek-Monticello population habitat that extends into southwestern San Miguel County should be aligned. This is complicated by the fact that the Uncompahgre Field Office (UFO) draft Resource Management Plan may not be finalized prior to this GuSG DRMPa and thus would not be amended by the final version of this document. The BLM should ensure consistent goals, objectives, and actions affecting GuSG habitat and within San Miguel County regardless of the dates of RMP decisions.

San Miguel County is very concerned about the future health and protection of the Gunnison Sage-grouse and its habitat. San Miguel County has assisted in the protection of thousands of acres of private lands with important wildlife habitat values, especially Gunnison Sage-grouse (GuSG) critical habitat, during the last few decades by participating in the acquisition of conservation easements intended to preserve and protect GuSG habitat. San Miguel County has financially contributed between \$1.4 and \$1.6 million during this period for GuSG habitat conservation and improvements through the County's Land Heritage Program, co-funding of the San Miguel Basin Gunnison Sage-grouse Working Group and funding of other actions intended to provide direct benefits to GuSG recovery and resilience. SMC continues to actively participate with the stakeholder group that developed the Gunnison Sage-grouse Rangewide Conservation Plan.

San Miguel County commissioned "A Natural Heritage Assessment San Miguel and Western Montrose Counties, Colorado," prepared by the Colorado Natural Heritage Program in 2000, which

identified several areas having high biodiversity as Potential Conservation Areas (PCAs).<sup>6</sup> Citizens of San Miguel County have long recognized the need to plan for the conservation of plants and animals that are native to the San Miguel And Dolores River Basins and have demonstrated their desire to protect their significant natural heritage and natural resources by organizing the San Miguel Watershed Coalition, San Miguel Conservation Foundation, San Miguel County Open Space Commission, San Miguel County Land Heritage Program, and providing co-funding of collaborative groups such as prior mentioned Gunnison Sage-grouse Working Group, as well as Public Lands Partnership.

In addition, San Miguel County elected officials, staff, and liaisons regularly and vigorously participates in public lands planning processes, including the Spruce Beetle Epidemic and Aspen Decline Management Response (SBEADMR) project; BLM Gunnison Sage-grouse Resource Management Plan Amendment process; Uncompahgre Collaborative Forest Restoration project; Alpine Ranger coalition; and others.

San Miguel County also participated in the Tres Rios Field Office (TRFO) Resource Management Plan process, including the ACEC nominating process, and is awaiting the correction of the Tres Rios RMP oversight that failed to analyze 15 areas that met both relevance and importance criteria for designation as ACECs.<sup>7,8</sup> Similar to the Gunnison Sage-grouse Resource Management Plan Amendment process, the decision process on these potential ACECs within the Tres Rios Field Office area is on-going. San Miguel County has vigorously participated in the ongoing Uncompahgre Field Office (UFO) planning process.

On November 12, 2014, the U.S. Fish and Wildlife Service (USFWS) announced that it determined that the Gunnison Sage-grouse, a ground-dwelling bird found only in southwestern Colorado and southeastern Utah, required the protection of the Endangered Species Act (ESA) as a threatened species. The USFWS originally proposed to list the species as 'endangered' under the ESA in January 2013, but efforts by the two states, tribes, local communities, private landowners and other stakeholders to conserve the species and its habitat were found to have helped reduce the threats to the bird sufficiently to give it the more flexibly protected status of 'threatened.'<sup>9</sup>

The supporting EIS for the Threatened Status designation of the Gunnison Sage-grouse<sup>10</sup> and for the Designation of Critical Habitat for the Gunnison Sage-grouse<sup>11</sup> is dated November 9, 2014.

These designations prompted a process for the BLM to prepare a draft Gunnison Rangewide Plan Amendment that would potentially result in multiple resource plan amendments (GuSG DRMPa) and a companion draft environmental impact statement (GuSG DEIS) which more closely analyzes planning issues, including energy and minerals actions, in order "to analyze the addition of GuSG conservation measures to several existing RMPs", including the Tres Rios RMP and existing RMPs guiding the UFO. Because of the timing of the draft Uncompahgre RMP, it is unclear if this GuSG DRMPa would amend the much older RMPs that guide the UFO or the newer one. Both the UFO

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<sup>6</sup>[http://www.cnhp.colostate.edu/download/documents/2000/San\\_Miguel\\_and\\_Western\\_Montrose.pdf](http://www.cnhp.colostate.edu/download/documents/2000/San_Miguel_and_Western_Montrose.pdf)

<sup>7</sup>Pages U-3 & U-4;

[https://www.blm.gov/style/medialib/blm/co/field\\_offices/san\\_juan\\_public\\_land/land\\_use\\_planning/approved\\_lrmppar.83225.File.dat/App\\_U\\_ACEC.pdf](https://www.blm.gov/style/medialib/blm/co/field_offices/san_juan_public_land/land_use_planning/approved_lrmppar.83225.File.dat/App_U_ACEC.pdf)

<sup>8</sup>[https://www.blm.gov/co/st/en/BLM\\_Information/nepa/TRFO\\_NEPA/acecs.html](https://www.blm.gov/co/st/en/BLM_Information/nepa/TRFO_NEPA/acecs.html)

<sup>9</sup>[https://www.fws.gov/mountain-prairie/pressrel/2014/11122014\\_ServiceProtectsGunnisonSageGrouseAsThreatenedUnderESA.php](https://www.fws.gov/mountain-prairie/pressrel/2014/11122014_ServiceProtectsGunnisonSageGrouseAsThreatenedUnderESA.php)

<sup>10</sup>[https://www.fws.gov/mountain-prairie/species/birds/gunnisonsagegrouse/GUSGFinalListingRule\\_11202014.pdf](https://www.fws.gov/mountain-prairie/species/birds/gunnisonsagegrouse/GUSGFinalListingRule_11202014.pdf)

<sup>11</sup>[https://www.fws.gov/mountain-prairie/species/birds/gunnisonsagegrouse/GuSGCriticalHabitat\\_11202014.pdf](https://www.fws.gov/mountain-prairie/species/birds/gunnisonsagegrouse/GuSGCriticalHabitat_11202014.pdf)

DRMP and the GuSG DRMPa were released as drafts in August 2016. The BLM states, "The BLM manages approximately 40 percent of GUSG habitat across twelve counties in southwestern Colorado and southeastern Utah...The inadequacy of regulatory mechanisms in land use plans was identified as a major threat in the FWS listing decision."<sup>12</sup>

San Miguel County believes that amendments are needed for all of the existing and draft Resource Management Plans guiding the TRFO and UFO with respect to the San Miguel Basin subpopulations of Gunnison Sage-grouse to provide consistency in the management goals, objectives, actions and outcomes throughout San Miguel Basin. For example, the Dry Creek Basin subpopulation is within the territory of the TRFO while Hamilton Mesa and Miramonte Reservoir subpopulations are within the territory of the UFO.

Currently, the philosophy, data, vintage, and actions are very different between the TRFO and UFO existing and proposed RMPs. Actions and stipulations should be specific to the climate, topography, habitat conditions, threat management, and connectivity needs for each basin subpopulation, and where multiple RMPs affect a single basin population or subpopulation, they should be consistent. For example, if there is a No Surface Occupancy buffer around leks for the San Miguel Basin populations, they should be consistent for the lands within this basin population and subpopulations, with no difference whether they are managed by the TRFO or the UFO. While an RMP amendment may not be necessary for the successful Gunnison Basin population, we believe that RMP amendments are needed for the existing TRFO RMP and UFO RMPs, and the proposed UFO DRMP.

The Purpose section of the GuSG DRMPa states, *"This RMP amendment provides a framework for conserving and assisting with the recovery of the GuSG and for conserving and restoring habitat upon which the species depends on BLM-administered public lands across the range of the bird."* The Need section of this document states, *"The BLM conducted land use plan evaluations in accordance with its planning regulations, which require that RMPs 'shall be revised as necessary based on ..., new data, new or revised policy...(43 CFR 1610.5-6).'"*<sup>13</sup>

San Miguel County finds that the NEPA documents used for existing RMPs and the draft UFO RMP that intersect San Miguel County are of a vintage that pre-dates the listing and most recent information regarding the Gunnison Sage-grouse. Even the UFO DRMP/DEIS<sup>14</sup> was developed using information primarily dated from 2006 to 2013. We find that these ***existing analyses are not adequate in because of the new information or circumstances of the 2014 endangered species listing and that the BLM cannot reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed actions.***

In other words, San Miguel County believes that the listing of the GuSG and designation of critical habitat is a new circumstance that requires modification of the TRFO RMP/FEIS and the UFO DRMP/EIS, as well as the older RMPs the UFO is currently guided by. The fact that the BLM is conducting the GuSG DRMPa/DEIS process and recommending a preferred alternative that would amend existing RMPs seems to point to that need.

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<sup>12</sup>Page I; [https://eplanning.blm.gov/epl-front-office/projects/lup/39681/78597/89605/2016-0811\\_GUSG\\_Draft\\_RMP\\_Amendment\\_ePlanning.pdf](https://eplanning.blm.gov/epl-front-office/projects/lup/39681/78597/89605/2016-0811_GUSG_Draft_RMP_Amendment_ePlanning.pdf)

<sup>13</sup>Page iii; [https://eplanning.blm.gov/epl-front-office/projects/lup/39681/78597/89605/2016-0811\\_GUSG\\_Draft\\_RMP\\_Amendment\\_ePlanning.pdf](https://eplanning.blm.gov/epl-front-office/projects/lup/39681/78597/89605/2016-0811_GUSG_Draft_RMP_Amendment_ePlanning.pdf)

<sup>14</sup><https://eplanning.blm.gov/epl-front-office/eplanning/planAndProjectSite.do?methodName=dispatchToPatternPage&currentPageId=86004>

The range of alternatives considered in the GuSG DRMP/DEIS includes having the stipulation of No Surface Occupancy being applied to all BLM lands within 4-miles of a lek, which was not considered in the existing TRFO and UFO RMPs or proposed UFO RMPs. The GuSG DRMPa analyzes all BLM lands within occupied habitat, unoccupied habitat or a 4-mile buffer of a lek as its Decision Area, which is different from the TRFO RMP and the existing and draft UFO RMPs.

## General Comments:

**San Miguel County's comments are intended to be specific to the San Miguel Basin population and its 6 subpopulations, as they are concentrated within San Miguel County. They are also intended to be specific to the unoccupied and occupied Monticello-Dove Creek population habitat that occurs within western San Miguel County. Our comments are not intended to global and applicable to habitat or populations that do not occur within San Miguel County (SMC). SMC desires a hybrid alternative that is tailored to the conditions and needs of the San Miguel Basin Gunnison Sage-grouse population so that are viable opportunities to conserve and restore habitat and allow for increases in the satellite populations so that eventually targets contained in the 2005 Gunnison Sage-grouse Rangewide Conservation Plan (RCP)<sup>15</sup> are met.**

1. San Miguel County finds that overall, the preferred alternative for satellite (non-Gunnison Basin) populations, Alternative D<sub>2</sub>, would not protect GuSG at the same level as the Greater Sage-grouse (GrSG), which was not listed by the U.S. Fish and Wildlife Service (USFWS) as threatened or endangered. The final alternative should offer the San Miguel Basin population the same or greater protection as is provided for in the Bi-State Nevada-California Greater Sage-Grouse Distinct Population Segment Land Use Plan Amendment<sup>16</sup>, which adds goals, objectives, action, and best management practices specifically designed to conserve, enhance, and/or restore habitats to support BSSG population management objectives and to provide for the long -term viability of the Greater Sage Grouse Bi-State Distinct Population Segment (BSSG). As one example, this decision includes a 4-mile lek buffer for tall structures.

2. The final alternative for the San Miguel Basin populations absolutely should adhere to the BLM's IM 2014-100<sup>17</sup>, *Gunnison Sage-grouse Habitat Management Policy on BLM-Administered Lands in Colorado and Utah*, which states that "The BLM's policy is to manage GuSG seasonal habitats and maintain habitat connectivity to support sustainable GuSG populations and/or GuSG population objectives as determined in coordination with the FWS and State fish and wildlife agencies."

IM 2014-100<sup>18</sup> further states "Habitat protection is crucial for the conservation and protection of this species. The BLM will focus any type of development in non-habitat areas. A disturbance will be focused outside of a 4-mile buffer around leks. The BLM intends that little or no disturbance occurs within the 4-mile buffer, except for valid existing rights, and except where benefits to the GuSG are greater compared to other available alternatives." SMC does not find

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<sup>15</sup><http://cpw.state.co.us/learn/Pages/GunnisonSagegrouseConservationPlan.aspx>

<sup>16</sup>[https://eplanning.blm.gov/epl-front-office/projects/lup/60909/74562/82120/BSSG\\_ROD\\_Final.05272016.Final.pdf](https://eplanning.blm.gov/epl-front-office/projects/lup/60909/74562/82120/BSSG_ROD_Final.05272016.Final.pdf)

<sup>17</sup>[https://www.blm.gov/wo/st/en/info/regulations/Instruction\\_Memos\\_and\\_Bulletins/national\\_instruction/2014/IM\\_2014-100.html](https://www.blm.gov/wo/st/en/info/regulations/Instruction_Memos_and_Bulletins/national_instruction/2014/IM_2014-100.html)

<sup>18</sup>[https://www.blm.gov/wo/st/en/info/regulations/Instruction\\_Memos\\_and\\_Bulletins/national\\_instruction/2014/IM\\_2014-100.html](https://www.blm.gov/wo/st/en/info/regulations/Instruction_Memos_and_Bulletins/national_instruction/2014/IM_2014-100.html)



that any alternative proposed in the GuSG DRMPa provides “little or no disturbance” within the 4-mile lek buffer.

3. San Miguel County finds that occupied habitat extends more than 4-miles from leks and a 6.25-mile lek buffer should be accommodated for the San Miguel Basin, especially in the Nelson Creek and Miramonte leks area. The 2005 Gunnison Sage-grouse Rangewide Conservation Plan (RCP)<sup>19</sup> and the presence of occupied critical habitat more than 4 miles from leks within the San Miguel Basin show that GuSG is found occupying habitat and using seasonal habitat 6 or more miles away from leks.<sup>20</sup> Appendix J of the RCP contains GuSG habitat use data for the San Miguel Basin.

The GuSG DRMPa should allow for additional review of appropriate protections for Gunnison Sage-grouse habitat ***within the San Miguel Basin***, from oil and gas development, tall structures, and other human disturbances shown to be harmful to GuSG within at least a 6.25-mile buffer of leks within the San Miguel Basin and San Miguel County. Appropriate protections include buffers around leks where disturbances on non-habitat can cause impacts to lekking.

For example, in the Northwest Colorado Greater Sage-Grouse Approved Resource Management Plan Amendment (2015), there are lek buffers for linear features, energy infrastructure, tall structures, low structures, surface disturbance, and noise and disruptive activities that appear to exceed such buffers in this GuSG RMPa where they are contemplated. Protections for the San Miguel Basin GuSG should be similar or exceed those for the GrSG, which was not listed as Threatened.

*Note: San Miguel County is not suggesting that this is appropriate for all basin populations, just the San Miguel Basin populations. Alternatively, implementing the 6.25-mile buffer around the Nelson Creek and Miramonte leks, while retaining the 4-mile buffer around the other San Miguel Basin leks for limiting surface disturbance and disruptive activities per IM 2014-100 (see below) would increase the options for habitat improvements and connectivity between the Hamilton Mesa, Dry Creek Basin and Miramonte subpopulations. The Decision Area for the San Miguel Basin population should be increased to a 6.25-mile buffer in order to appropriately manage all potential habitat being used by the San Miguel Basin population.*

**4. The terminology "non-habitat" used in the GuSG DRMPa for the land within 4-miles of a lek that is not designated as occupied or unoccupied is misleading and should be altered.** They could simply be referred to lek-buffer areas. As described in the RCP, these areas do include non-lek breeding habitat and summer-fall habitat and non-habitat. Most importantly, human-caused disturbances within 4 to 6 miles of a lek have been shown to increase abandonment and have other negative consequences on Greater Sage-grouse.

According to the GuSG DRMPa introduction, the Planning Area consists of "2.1 million acres of federal, state, city, county, and private lands in Colorado and Utah (including just over 740,000

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<sup>19</sup><http://cpw.state.co.us/learn/Pages/GunnisonSagegrouseConservationPlan.aspx>

<sup>20</sup>Page J-5;

<http://cpw.state.co.us/Documents/WildlifeSpecies/SpeciesOfConcern/GunnisonSageGrouse/ConsPlan/AppendixJSGHabitatUse03.pdf>

acres of BLM-administered lands), along with an estimated 1.3 million acres of BLM-administered federal mineral estate."

The Decision Area described on pages ii and iii of the GuSG DRMPa, contains "approximately 620,000 acres of BLM-administered public land, as well as approximately 1,000,000 acres of subsurface federal mineral estate." On page ii, this document states, "The decision area is defined as BLM-administered lands and federal mineral estate within 3 categories of GuSG habitat:" (underline emphasis added).

The GuSG DRMPa goes on to describe the 3 categories of habitat as Occupied Habitat, Unoccupied Habitat, and "Non-Habitat Areas within 4 Miles of a Lek". This terminology is contradictory. In the USGS 2013 report, "Summary of Science, Activities, Programs, and Policies That Influence the Rangewide Conservation of Greater Sage-Grouse (*Centrocercus urophasianus*)" by Manier et al.<sup>21</sup> Tables A-1 and A-4 describe areas (buffers) of direct and indirect influences on GrSG and leks, some of which are solely distance based where the disturbance source can be in non-habitat but if close enough to a lek, has a measurable negative effect. There is no evidence these influences are different for GuSG.

5. San Miguel County appreciates that Occupied Habitat for the GuSG DRMPa included both the "Occupied critical habitat, as designated by the FWS under the ESA," plus supplemental Occupied Habitat including "...specific properties coinciding with BLM-administered federal minerals that the FWS excluded from the critical habitat designation." For example, FWS excluded certain private land encumbered by perpetual conservation easements within San Miguel County. These lands should absolutely be treated as occupied habitat for the purpose of fluid mineral leasing where they have split estate and federal minerals managed by the BLM. Private land conserved with the primary conservation easement value of GuSG habitat should have a No Surface Occupancy (NSO) stipulation for fluid minerals leasing and should be treated as GuSG occupied habitat with respect to other human disturbance activities.

6. IM 2014-100 instructs the BLM field offices to incorporate conservation measures as part of the GuSG DRMPa process:

#### ***"Land Use Planning***

*The BLM proposes to incorporate objectives and conservation measures for the protection of GUSG and its habitat into approved Resource Management Plans (RMP) through a GUSG range-wide plan amendment process.*

*As part of this GUSG range-wide planning process, the BLM will consider alternative(s) that:*

- *Close fluid mineral (oil and gas or geothermal) leasing, and consider land allocations following expiration of oil and gas and geothermal leases with a full range of alternatives, including a scenario where the lands will not be re-offered for lease in occupied GUSG areas;*
- *Exclude new energy development and rights-of-way (ROW);*

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<sup>21</sup><https://pubs.usgs.gov/of/2013/1098/OF13-1098.pdf>

- *Reduce or make lands unavailable to livestock grazing (consistent with WO-IM-2012-169) in GUSG occupied habitat;*
- *Include consideration of regional mitigation strategies and appropriate mitigation measures (avoid, minimize, and/or compensate) to reduce or eliminate impacts to GUSG populations;*
- *Address other factors that may pose a threat to GUSG populations, including recreation management, vegetation treatments, and invasive plant management; and*
- *Consider citizen-based alternatives, as appropriate.*

*Through this range-wide plan amendment process, BLM Colorado and Utah FOs should consider and evaluate GUSG habitat conservation measures related to timing restrictions, buffer distances, percentages of allowable surface-disturbing activities, noise and desired density levels or other development constraints consistent with the GUSG RCP (including subsequent updates), current peer reviewed sage-grouse research, conservation summaries based on research or as developed in conjunction with State fish and wildlife agencies and the FWS to meet local population objectives. At a minimum, FOs will analyze and implement conservation measures that prohibit or limit energy and discretionary mineral development within four miles of active leks, and minimize surface disturbance and disruptive activities in all occupied habitat, where appropriate. “*

IM 2014-100 also states that the BLM field offices will:

*“BLM FOs will:*

- *Work within multiple programs including recreation, hazardous fuels, fire management, Public Domain forestry, range management, and wildlife to accomplish GUSG habitat conservation. When permitting or authorizing activities, FOs will consider, analyze and incorporate appropriate GUSG management strategies, best management practices (BMPs), and mitigation actions (avoid, minimize, and compensate) through NEPA analysis or other regulatory processes. FOs will continue to implement appropriate BMPs through the permitting process in all program areas. BMPs could include those identified at the local, state or national level for oil and gas development in GUSG habitat (see also RCP (Appendix L), fire (WO-IM 2013-128), and grazing guidelines (RCP 2005)).*
- *Continue coordination with the FWS and State fish and wildlife agencies on appropriate site-specific habitat or population-level management strategies (RCP 2005). This will include but is not limited to, considering, prioritizing and implementing management prescriptions and strategies outlined in the RCP and local GUSG conservation plans, as well as all subsequent updates as appropriate. The BLM will work with FWS and State fish and wildlife agencies to determine the best available science for implementation of this IM and, if appropriate, will revise the IM accordingly.*

- *Implement a 0.6-mile no surface disturbance/no surface occupancy buffer radius (RCP 2005) around all active leks for project-level implementation such as fences or sagebrush habitat treatments. Any sagebrush removal or treatment should be prohibited within this buffer unless implemented to maintain or enhance the lek (RCP, Appendix I).*
- *Per the RCP (Appendix I), the BLM should manage all sagebrush habitat within a 4-mile radius of an active lek as GUSG breeding habitat (lekking, nesting, early brood rearing). To complement protections within the 0.6-mile buffer (described above), breeding habitat should be managed to minimize disturbance to GUSG during critical seasonal time periods and minimize the footprint of any project, habitat fragmentation across the landscape, and cumulative effects on the associated population (see RCP, Appendix L). The following specific disturbance guidelines (see RCP, Appendix I) should be analyzed and applied to all ongoing program authorizations where appropriate:*
  - *Prohibit surface disturbing activities and disruptive activities within four miles of active leks from March 1 through June 30 (RCP 2005), subject to valid existing rights and emergency repairs of ROWs.*
  - *Avoid surface disturbance within mapped winter habitat for GUSG (if not mapped, within four miles of active leks); if surface disturbance cannot be avoided, prohibit said activity from December 1 through March 15 (RCP 2005).*
- *Include requirements to new Special Recreation Permits (SRP) to avoid disturbing leks during the breeding season. SRPs for hunting (other wildlife species), bird watching, and other activities should include appropriate timing restrictions to minimize disturbance to GUSG during critical seasonal periods such as the breeding, late brood-rearing and winter-use periods.*
- *Evaluate the need, and implement where appropriate, seasonal or permanent road or trail closures in occupied habitat through travel management planning and associated NEPA analysis for BLM authorized routes. Avoid construction of new roads or ROWs within four miles of active leks."*
- *Analyze the impacts to GUSG when renewable energy (e.g., wind, solar, biomass) development and associated infrastructure (e.g., transmission lines) is proposed in or adjacent to sagebrush habitat, and avoid occupied habitat where warranted. Manage areas within four miles of active leks as ROW avoidance areas.*
- *Avoid routing above-ground transmission or distribution lines within the occupied habitat.*
- *In response to a Plan of Operations, evaluate the impacts of non-discretionary activities managed under 43 CFR 3809 (those actions authorized under the 1872 mining law) on local GUSG populations, and clearly describe those effects that cannot be mitigated through the regulatory process. Through the NEPA process, analyze potential impacts of discretionary mining activities and mitigation*

*approved under 43 CFR 3400 (such as coal management), 43 CFR 3500 (non-energy leasable materials), and exploration or extraction of other solid minerals wherever possible.*

- Incorporate adequate reclamation standards designed to re-establish suitable GUSG seasonal habitats (RCP 2005, Appendix H) for all surface-disturbing activities within occupied GUSG habitat. Incorporate native seed mixtures in restoration efforts. Wherever possible, native seed mixtures should include a minimum of three native grasses, two native forbs, and one native sagebrush species. Use desired non-persistent, non-native vegetation in rehabilitation only where other options have been proven unsuccessful.*
- Monitor all restoration activities for success in meeting short- and long-term vegetation objectives and reclamation standards, including potential weed infestations following the principles outlined in the BLM Assessment, Inventory, and Monitoring Strategy. Conduct follow-up treatments to eliminate weeds as identified through monitoring. If vegetation objectives are not being met, adjust restoration actions accordingly to improve the success of achieving desired GUSG habitat objectives.*

**SMC recommends final San Miguel Basin-specific alternative be developed and incorporated into the ROD, that accommodates the topography, climate, conditions, threats, and population goals of the San Miguel Basin subpopulations, and the Best Management Practices (BMPs) described in the GuSG DRMPa Appendix I.**

7. SMC recommends that there be an additional buffer for all occupied habitat within the San Miguel Basin, where planning decisions apply the same as if it were occupied habitat. Based on our recent experience with the TRFO February 2017 Oil and Gas Lease Sale, where lands intersecting occupied habitat were proposed for sale, if there were an approximately 0.3-mile buffer around all Occupied GuSG habitat, this would ensure that future sales are not actually offering Occupied Habitat. The issue may be based on the map scale at which screening of potential sale parcels occurs within the various BLM offices. Encroaching right up to the edge and cutting into Occupied Habitat is against the spirit and intent of this RMPa and IM 2014-100. Buffering Occupied Habitat so that an NSO that applies to Occupied Habitat is extended out to a 0.3-mile buffer of Occupied Habitat would remedy a human error that results in performing actions on the margins of Occupied Habitat, which would then cause additional habitat degradation and loss.

8. The GuSG DRMPa does not have a mechanism to limit cumulative habitat loss or surface disturbance to an acceptable level at a landscape scale. There is no net habitat loss standard or cumulative disturbance cap. The BLM RMPa for GrSG includes such cumulative surface disturbance caps. For example, there are stipulations that apply to a limit of 1 facility per 640 acres, and a cap of cumulative habitat loss of 3%.

9. Lek buffers for activities should be based on the class or type of activity and the level of disturbance, for example, the buffer for tall structures would be greater than for low structures.



See Manier et al.<sup>22</sup> Tables A-1 and A-4, and the Bi-State RMP<sup>23</sup> as finalized after protest resolution.

10. Lek buffers and corresponding planning decisions being applied to lek buffers should be applied to active and inactive leks in the San Miguel Basin populations, so that there remains an opportunity for reactivation or re-colonization of the lek in the future, as other actions have intended positive effects on GuSG subpopulations and habitat quality and quantity increases.

11. Timing limitations for the San Miguel Basin population should be consistent, and match recommendations from CPW, data for GrSG, and the Range-wide Conservation Plan incorporating best management practices and the best available information.

12. The GuSG DRMPa seems to have omitted land disposals from consideration and analysis in all of the alternatives. BLM lands having occupied, unoccupied, or land within 4 to 6.25-miles of San Miguel Basin leks should be retained by the BLM and not disposed of unless it can be proven that disposal is going to have direct positive benefits on GrSG population and habitat. On page 6-199 of the GuSG DRMPa, Chapter 6, Appendix I, GuSG Best Management Practices, lists “Do not approve withdrawal proposals not associated with mineral activity unless that land management is consistent with GUSG conservation measures.” SMC cautions that there needs to be a perpetual guarantee that a land withdrawal or disposal would improve habitat conditions for GuSG in order to occur. In general, disposal further complicates land management as it increases the complexity of land ownership and potential for habitat fragmentation.

13. Travel Management Plans (TMPs) should be completed by BLM Field Offices as soon as possible after the GuSG ROD is signed. TRFO is in progress with its TMP and ACEC RMPa. UFO is in progress with its RMP. With overlapping planning processes, BLM should ensure that no matter which documents affecting the San Miguel Basin population area are finalized first, that all incorporate the GuSG actions of this final GuSG DRMPa.

14. BLM should incorporate certain stipulations and restrictions that were incorporated in the Northwest Colorado (NWCO) GrSG RMPa<sup>24</sup> (Appendix G) for fluid and non-fluid leasable minerals within the San Miguel Basin population area. It does not make scientific sense that where the satellite populations may not have reached their population RCP population goals, and the Gunnison Basin population has, that there is a 1-mile lek buffer proposed for the Gunnison Basin population and a smaller 0.6-mile no surface disturbance buffer for the satellite populations.

- Where NWCO GrSG RMPa applies NSO to PHMA, this should apply to Occupied Habitat and a 0.3-mile buffer of Occupied Habitat in the San Miguel Basin population. There should be no leasing within 1 mile of a lek. The language that prohibits waivers or modifications to the NSO stipulation should also be incorporated into the GuSG DRMPa for San Miguel Basin.
- NWCO GrSG RMPa applies NSO within 2 miles of active leks in GHMA. Grand Junction RMP applies an NSO stipulation within 4-miles of a lek. There should be at least as much protection as occurs within the Grand Junction RMP for

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<sup>22</sup> <https://pubs.usgs.gov/of/2013/1098/OF13-1098.pdf>

<sup>23</sup> [https://eplanning.blm.gov/epl-front-office/projects/lup/60909/74562/82120/BSSG\\_ROD\\_Final.05272016.Final.pdf](https://eplanning.blm.gov/epl-front-office/projects/lup/60909/74562/82120/BSSG_ROD_Final.05272016.Final.pdf)

<sup>24</sup> [https://eplanning.blm.gov/epl-front-office/projects/lup/36511/63221/68470/Northwest\\_Colorado\\_ARMPA\\_508.pdf](https://eplanning.blm.gov/epl-front-office/projects/lup/36511/63221/68470/Northwest_Colorado_ARMPA_508.pdf)

providing an NSO for active and inactive leks within the San Miguel Basin. SMC believes a 6.25-mile buffer is justified in the Dry Creek Basin/Miramonte subpopulation areas.

- NWCO GrSG RMPa limits or caps surface disturbance to a certain percentage of habitat and also caps density of infrastructure to 1 per 640 acres. This should be done for the San Miguel Basin, at least for Occupied Habitat.
- NWCO GrSG RMPa uses the timing limitation of March 1 to July 15, for disallowing activity associated with construction, drilling, or completions within 4-miles of leks during lekking, nesting and early brood-rearing. Timing limitations of March 1 to July 15 should be applied within the San Miguel Basin.
- Incorporate NWCO GrSG RMPa Management Action #47, Condition of Approval into the final alternative for San Miguel Basin population.
- Manage Occupied and Unoccupied habitat as avoidance areas for ROWs.
- NWCO GrSG RMPa allows for evaluation of the proposed lease activities in relation to site-specific terrain and habitat features. This appears to allow for some site specificity where local topographical features like ridges or ravines that act as shields can be evaluated.

15. There should be adaptive considerations built into the RMPa for the San Miguel Basin population to adapt to changing landscapes, best management practices, habitat prioritization, and mapping, etc. If Colorado Parks and Wildlife (CPW) agrees, the adaptive management content of Appendix H of the NWCO GrSG RMPa should be incorporated into the GuSG DRMPa.

16. Hunting of GuSG should not be allowed on public lands managed by the BLM within the San Miguel Basin population. It appears that the GuSG DRMPa prohibits this.

17. Lek information obtained by SMC counts 10 active leks and 1 inactive lek within SMC, all within the San Miguel Basin population. The GuSG DRMPa states that there are 13 leks for the San Miguel Basin population with only 6 of these being active. The GuSG DRMPa appears to be using out of date lek data for the San Miguel Basin. According to the CPW (personal communication), the number of leks for 2015 and 2016 in the San Miguel Basin is 14 leks (7 active, 5 inactive, and 2 historical). Lek buffers should be applied to all leks, regardless of their status, to facilitate increasing distribution and abundance of the San Miguel Basin population. SMC is aware that there are historic/inactive GrSG leks that are now becoming reactivated after more than a decade of inactivity.

18. In Chapter 3, the Affected Environment description for the San Miguel Basin population (pages 3-29 to 3-30) notes that the Dry Creek Basin subpopulation has the majority of the GuSG San Miguel Basin population habitat (64%). It has the highest percentage of BLM land - 57% of the Dry Creek Basin subpopulation habitat is on BLM land. However, this area and subpopulation has the smallest individual numbers and has been characterized as having some of the poorest habitat conditions. Other subpopulations having better habitat conditions, such as Hamilton Mesa and Miramonte are mostly private land. Page 3-163 states that there are currently 25 gas wells within San Miguel Basin Occupied Habitat consisting of 4,994 acres of leases under production, with an additional 18 active wells "immediately adjacent to Occupied Habitat." "All of these wells are near the Dry Creek subpopulation."

San Miguel County is currently protesting the lease sale of additional oil/gas parcels in the Dry Creek Basin area. The leases intersected and were immediately adjacent to Dry Creek Basin occupied habitat, the 4-mile lek buffer, and private lands conserved for GuSG habitat. Many of the leases were within or adjacent to the Decision Area of this GuSG DRMPa. The GuSG DRMPa Alternative D<sub>2</sub> often offers less protection for GuSG than alternative D<sub>1</sub>, where the Gunnison Basin population is stable to increasing and well above target population size. The San Miguel Basin population, including the Dry Creek Basin subpopulation, should have the strongest protections and conservation measures, exceeding those of the Gunnison Basin.

19. Socioeconomic description of San Miguel County within Area 3: SMC wishes to express that much of the GuSG habitat area is reliant on agriculture, with some oil/gas and mineral development as well as outdoor recreational opportunities.

On page 3-220, the GuSG DRMPa reports that San Miguel County has had a 15% population growth, but later on, page 3-222 says that “Telluride is physically separate from the decision area and will not be affected by the proposed habitat conservation measures.” While it is true that the Telluride, Mountain Village and down valley areas might be physically separate, they are not separate when it comes to outdoor recreational opportunities or guiding/outfitting. The population analysis should be broken out to reflect the population centers of Telluride/Mountain Village and the San Miguel River corridor vs. the unincorporated portion of the county where GuSG habitat and lek buffers occur. There has been little significant residential development near GuSG habitat, except for possibly where the 2005 RCP indicated that there was development in the vicinity of the Gurley Reservoir and Iron Springs Mesa areas at that time.

20. On page 4-19, the GuSG DRMPa states that the TRFO identifies all “winter concentration areas” as NSO. CPW in 2016 updated GIS files and has published them online.<sup>25</sup> CPW maps “severe winter range” and “winter range” for GuSG. All winter range should be NSO.

21. Non-motorized Recreation: Outdoor recreation is very important to the county’s economy and resident’s quality of life. SMC does not want to outright prohibit recreational opportunities and desires that they continue unless there is demonstrable evidence that the activity is detrimental to GuSG. Therefore, Alternative A should be implemented where recreation uses and activities are generally not adverse to GuSG or GuSG habitat.

22. Fluid minerals should only be open to leasing where there is Occupied or Unoccupied habitat, or within 6.25 miles of a lek, where there is a “high” mineral potential.

23. Motorized Recreation: San Miguel County requests that the final GuSG RMP incorporate a hybrid of alternatives from this document and GrSG RMPs –

- Complete activity level Travel Management Plans (TMPs) as soon as possible, subject to funding. Where appropriate, designate routes with current administrative/agency purpose or need to administrative access only. L
- Limit route construction to routes that will not adversely affect GuSG populations due to habitat loss or disruptive activities.
- In the Decision Area, evaluate for potential reductions in route density where they are demonstrated to improve habitat conditions or outcomes for GuSG.

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<sup>25</sup> <http://www.arcgis.com/home/item.html?id=1bab23cd9f274742ae1e38afa6e6c44f>

- Areas in Occupied and Unoccupied Habitat designated as closed to motorized travel will remain so and not be changed by the GuSG DRMPa.
- Designate GuSG habitat as OHV Limited Area, prohibiting new surface disturbance unless authorized through a separate implementation-level decision.
- Allow for upgrades to existing routes after documenting that the action would not adversely affect GuSG through disruptive activities or habitat degradation/loss.
- Require mitigation as provided for in GuSG DRMPa Appendix J.
- Adhere to an overall habitat disturbance cap, such as 3%, unless there is an immediate health and safety need or to support valid existing rights which cannot be avoided. Evaluate and implement additional, effective mitigation necessary to offset the resulting loss of the GuSG habitat.

24. Fuels Treatments: Some fuels treatments have the potential to benefit GuSG and/or habitat or create habitat. Fuels treatments and fire should occur when they are shown to be beneficial to GuSG.

25. The GuSG DRMPa statement on page 4-25, contending that extending management actions beyond Occupied and Unoccupied Habitat is contradictory to this document, the GrSG RMPs, and an overwhelming number of citations contained in this RMPa. The statement on page 4-44 that 96% of all surface disturbances are on private land is completely unsubstantiated. This is an impossible statement, as each basin population and subpopulation has different conditions. It should be deleted.

26. SRPs should be allowed where no adverse impacts or potential adverse impacts to GuSG exists.

27. Grazing allotments should not be automatically closed within the GuSG Decision Area or habitat. SMC does not agree that the provisions in the current GuSG DRMPa Alternative B are in the best interest of the GuSG. For example, outright prohibiting new water developments (row 46, Table 2.7) might disallow improvements that would actually benefit GuSG brood rearing.

Within the Occupied and Unoccupied Habitat, as new and renewed grazing permits are implemented, include best management practices, and address potential disruptive activities such as structures, fences, roads, etc. Terms and conditions of permits and leases could specify requirements for residual forage cover, and should also take into consideration that wildlife may reduce such cover through no fault of the permittee. As necessary, permits could specify:

- Season/timing of use
- Livestock numbers
- Livestock distribution
- Use intensity
- Livestock species
- Livestock class
- Location of routes, bed grounds, etc.
- Structure limitations

Incorporating the objective of maintaining the cover of herbaceous vegetation to reduce predation during the breeding/nesting season from March 1 to July 15 would also be beneficial, in collaboration with other state and federal agencies.

Alternative B would have a negative effect on the San Miguel County economy, without ensuring any positive benefits for GuSG.

28. Appendix J of the GuSG DRMPa, which is the Mitigation Strategy section, simply states that there will be a strategy developed and is inadequate for providing specific comments other than elements from the Northwest Colorado Greater Sage-Grouse Approved Resource Management Plan Amendment (NWCO GrSG FRMP) should be incorporated into this GuSG RMPa include Appendices F, G, and H of the NWCO GrSG FRMP, which include a robust Mitigation Strategy (Appendix F), Stipulations Applicable to Fluid Mineral Leasing and Land Use Authorizations (Appendix G), and Guidelines for Implementation and Adaptive Management (Appendix H).

Where the NWCO GrSG FRMP defines buffers, NSO, CSU, and TL stipulations for Priority Habitat (PHMA) or General Habitat (GHMA), these same buffers, NSO, CSU, and TL stipulations should be given to the San Miguel Basin area at a minimum where Occupied Habitat could correspond to PHMA and Unoccupied Habitat to GHMA considerations.

The NWCO active lekking, nesting and early brood-rearing TL is from March 1-July 15, and no activity is allowed with 4-miles of leks during this period. This should be the TL for the San Miguel Basin.

There should be no waivers allowed for NSO, CSU, and TL stipulations. Any exemptions should require authorization not just from the FO but also from the State Director.

29. The GuSG RMPa considers an ACEC for all occupied and unoccupied GuSG habitat in either or both the Gunnison Basin population and satellite populations in Alternative B. No details of what the stipulations or management would be if this were to be approved as part of the final decision seem to have been provided. SMC desires for the TRFO ACEC RMP amendment process (DOI-BLM-CO-S010-2016-0018-EA) to be completed and fully consider the Northdale and Dry Creek Basin ACECs. This document does not give an adequate explanation as to why BLM feels that the possible ACECs for occupied and unoccupied habitat do not meet ACEC relevance and importance criteria, but yet the proposed Dry Creek Basin and Northdale ACECs do for GuSG conservation.

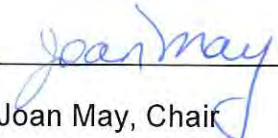
30. It appears that the BLM is trying to minimize the importance of its planning and management decisions on the GuSG. Tables 1.1, 1.2, 3.13, 3.14, and 3.64 should include both totals and percentages of occupied habitat, unoccupied habitat, and acreages within the decision area that intersect BLM surface or BLM-managed mineral estate.

San Miguel County appreciates the opportunity to comment on this important document and is committed to working collaboratively with the BLM, and our other state, federal and local partners to ensure that the Gunnison Sage-grouse within San Miguel County can be conserved and to increase viable habitat for recovery efforts to be effective. The GuSG will not be successful within the San Miguel Basin and San Miguel County without appropriate planning decisions from the BLM.



Sincerely,

SAN MIGUEL COUNTY, COLORADO  
BOARD OF COUNTY COMMISSIONERS

  
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Joan May, Chair

## ABBREVIATIONS AND ACRONYMS

## ABBREVIATIONS AND ACRONYMS

The following abbreviations and acronyms are used throughout this document.

| <b>COMMON<br/>ABBREVIATIONS/<br/>ACRONYMS</b> | <b>COMPLETE PHRASE</b>                                                            |
|-----------------------------------------------|-----------------------------------------------------------------------------------|
| ACEC                                          | Area of Critical Environmental Concern                                            |
| AMP                                           | Allotment Management Plan                                                         |
| APD                                           | Application for Permit to Drill                                                   |
| ATV                                           | all-terrain vehicle                                                               |
| AUM                                           | animal unit month                                                                 |
| BA                                            | Biological Assessment                                                             |
| BLM                                           | Bureau of Land Management                                                         |
| BMP                                           | best management practice                                                          |
| BO                                            | Biological Opinion                                                                |
| BOR                                           | Bureau of Reclamation                                                             |
| BRCW                                          | Black Ridge Canyons Wilderness (designated Wilderness within McInnis Canyons NCA) |
| CCA                                           | Candidate Conservation Agreement                                                  |
| CCAA                                          | Candidate Conservation Agreement with Assurances                                  |
| CCNCA                                         | Colorado Canyons NCA (former title for McInnis Canyons NCA)                       |
| CCR                                           | Colorado Code of Regulations                                                      |
| CEQ                                           | Council on Environmental Quality                                                  |
| CFR                                           | Code of Federal Regulations                                                       |
| COA                                           | Conditions of Approval                                                            |
| CPW                                           | Colorado Parks and Wildlife (previously Colorado Division of Wildlife)            |
| CSU                                           | Controlled Surface Use                                                            |
| dBA                                           | A-Weighted Decibel                                                                |
| DEIS                                          | Draft Environmental Impact Statement                                              |
| DOE                                           | U.S. Department of Energy                                                         |
| DOI                                           | U.S. Department of the Interior                                                   |
| DRMP Amendment                                | Draft Resource Management Plan Amendment                                          |

## ABBREVIATIONS AND ACRONYMS

| <b>COMMON<br/>ABBREVIATIONS/<br/>ACRONYMS</b> | <b>COMPLETE PHRASE</b>                         |
|-----------------------------------------------|------------------------------------------------|
| EA                                            | Environmental Assessment                       |
| EIS                                           | Environmental Impact Statement                 |
| EPA                                           | U.S. Environmental Protection Agency           |
| ERMA                                          | Extensive Recreation Management Area           |
| ESA                                           | Endangered Species Act of 1973                 |
| FAR                                           | Functional at Risk                             |
| FLPMA                                         | Federal Land Policy and Management Act of 1976 |
| FO                                            | Field Office                                   |
| FRCC                                          | Fire Regime Condition Class                    |
| FRN                                           | Federal Register Notice                        |
| FWS                                           | U.S. Fish and Wildlife Service                 |
| GIS                                           | Geographic Information Systems                 |
| GUSG                                          | Gunnison Sage-Grouse                           |
| IM                                            | Instruction Memorandum                         |
| LN                                            | Lease Notice                                   |
| LUP                                           | land use plan                                  |
| MOU                                           | Memorandum of Understanding                    |
| MS                                            | BLM Manual Section                             |
| NCA                                           | National Conservation Area                     |
| NEPA                                          | National Environmental Policy Act of 1969      |
| NF                                            | Non Functional                                 |
| NM                                            | National Monument                              |
| NPS                                           | U.S. National Park Service                     |
| NRCS                                          | National Resources Conservation Service        |
| NSO                                           | No Surface Occupancy                           |
| OHV                                           | Off-Highway Vehicle                            |
| PCE                                           | Primary Constituent Element                    |
| PFC                                           | proper functioning condition                   |
| RAC                                           | Resource Advisory Council                      |
| RCP                                           | Rangewide Conservation Plan                    |

## ABBREVIATIONS AND ACRONYMS

| <b>COMMON<br/>ABBREVIATIONS/<br/>ACRONYMS</b> | <b>COMPLETE PHRASE</b>              |
|-----------------------------------------------|-------------------------------------|
| RMP                                           | Resource Management Plan            |
| RMP Amendment                                 | Resource Management Plan Amendment  |
| ROD                                           | Record of Decision                  |
| ROW                                           | right-of-way                        |
| SRMA                                          | Special Recreation Management Area  |
| SRP                                           | Special Recreation Permit           |
| SSR                                           | Site-Specific Relocation            |
| SSS                                           | Special Status Species              |
| TL                                            | timing limitation                   |
| TMP                                           | travel management plan              |
| UDWR                                          | Utah Division of Wildlife Resources |
| U.S.                                          | United States                       |
| USC                                           | United States Code                  |
| USFS                                          | U.S. Forest Service                 |
| VCC                                           | vegetation condition class          |
| WEM                                           | waiver, exception, or modification  |
| WO                                            | Washington Office                   |
| WSA                                           | Wilderness Study Area               |
| WSR                                           | Wild and Scenic Rivers              |



Gunnison Sage-grouse:  
Permanent Conservation Easements  
on Private Lands

*-by Susan Lohr and Nomi Gray*

28 August 2013

*Gunnison Ranchland Conservation Legacy*  
*and*  
*Conservation Assistance Program*



Gunnison Sage-grouse:  
Permanent Conservation Easements on Private Lands

-by Susan Lohr and Nomi Gray  
31 August 2013

*Executive Summary*

Evaluation of the protection status of the Gunnison Sage-grouse (GUSG) by the United States Fish and Wildlife Service (USFWS) is not possible without accurate information about the percentage of private land within critical habitat that is permanently protected by conservation easements. This report provides charts and maps of conservation easements within the USFWS designated critical habitat areas. Previous USFWS statements have underestimated the extent of permanently conserved private lands. Private lands with permanent conservation easements cannot ever be fragmented or subdivided, and are not available for future population growth.

The authors have been assisting landowners to place conservation easements for more than 20 years. The conservation easements listed in this report are public documents, available at the records office of the appropriate county. Charts in this report cite the recorded document numbers and county parcel numbers. Maps depict the general location of easement parcels and are intended to give an overall visual impression of the extent of habitat protection on private lands.

Please use this information freely and distribute it widely.

*This effort was funded jointly by the Gunnison Ranchland Conservation Legacy and the Conservation Assistance Program of the North Fork Valley. Contact Susan Lohr (970/ 314-7280, susan@paonia.com) for more information, or for pdf files of the recorded conservation easement documents.*

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***Contents:***

|                                                                   |    |
|-------------------------------------------------------------------|----|
| Conservation Easements: A Summary                                 | 2  |
| Overall GUSG Habitat Map from USFWS                               | 3  |
| Conservation Easements in Unit 1: Monticello-Dove Creek           | 4  |
| Conservation Easements in Unit 2: Piñon Mesa                      | 10 |
| Conservation Easements in Unit 3: San Miguel Basin                | 21 |
| Conservation Easements in Unit 4: Cerro Summit-Cimarron-Sims Mesa | 27 |
| Conservation Easements in Unit 5: Crawford                        | 34 |
| Conservation Easements in Unit 6: Gunnison Basin                  | 42 |
| Conservation Easements in Unit 7: Poncha Pass                     | 57 |

## **Conservation Easements: A Summary**

A "**conservation easement**" is a voluntary legal agreement between a landowner and a land trust or government agency that permanently limits uses of the land in order to protect its conservation purposes.

"**Conservation purposes**" are defined by federal statute. Pursuant to I.R.C. § 170(h)(4)(A) and Treasury Regulation § 1.170A-14(d), the conservation purposes of a qualified conservation contribution must include one or more of the following: (1) to preserve land for outdoor recreation by or education of the general public; (2) to protect relatively natural habitat of fish, wildlife or plants; (3) to preserve open space; and (4) to preserve historically important land or structures.

### **Colorado statutes support conservation easements:**

- Colorado C.R.S. § 38-30.5-102 provides for the creation of conservation easements to maintain land "in a natural, scenic, or open condition, or for wildlife habitat, or for agricultural, horticultural, wetlands, recreational, forest or other use or condition consistent with the protection of open land . . ."
- C.R.S. § 33-1-101, provides in relevant part that "it is the policy of the state of Colorado that the wildlife and their environment are to be protected, preserved, enhanced, and managed for the use, benefit, and enjoyment of the people of this state and its visitors."
- C.R.S. § 35-3.5-101 states in part "it is the declared policy of the state of Colorado to conserve, protect, and encourage the development and improvement of its agricultural land for the production of food and other agricultural products."

**Conservation easements are recorded in the public records** of the county of the conserved property. They are attached in perpetuity to that land. Each conservation easement cites the conservation purposes (also called "**conservation values**") for that particular property.

**Conservation easements place permanent restrictions on division of land** in order to perpetuate the conservation values. This means the land covered by the easement will forever be a single parcel, with very few exceptions. If the conservation easement includes more than one legal parcel of land, those parcels must be owned and conveyed as a single unit in perpetuity. Easements define specific areas for residential or agricultural structures. Roads and driveways are restricted.

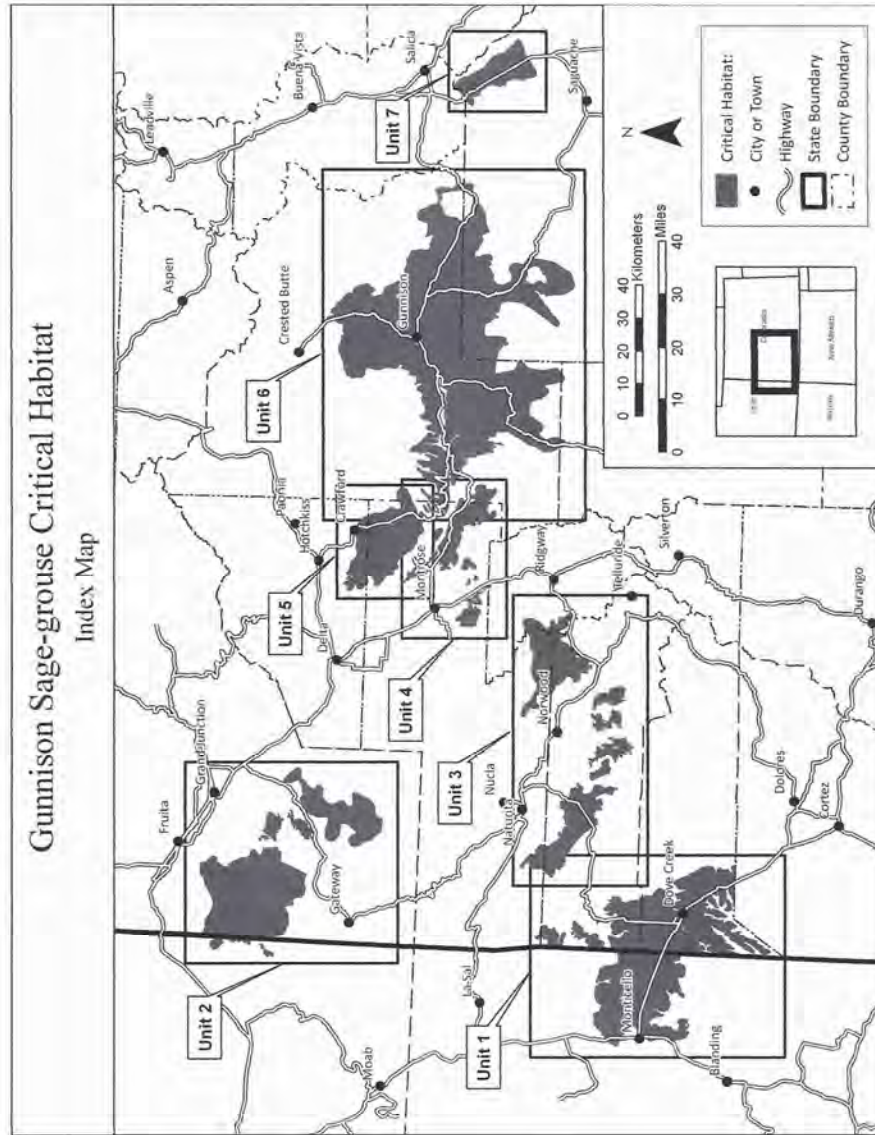
**Conservation easements contain language that defines acceptable land management practices** for sustaining the conservation values in perpetuity. Although landowners donate many conservation easements, some are funded by state or federal agencies for specific purposes. These funded easements usually contain additional management goals or restrictions.

**Conservation easements have been in use for more than 100 years**, but the past 50 years have seen exponential growth in this form of voluntary private land preservation. Many court cases have upheld the validity of conservation easements and the restrictions they place on landowners in perpetuity.

**The preservation of intact landscapes** that results from conservation easements provides significant and wide-ranging benefits, among which are:

- wildlife habitat is protected from fragmentation and degradation,
- water rights as historically used are attached to the land,
- agricultural lands are available in perpetuity for producing the nation's food supply, and
- local governments have certainty regarding the location of population growth and the need to deliver public services.

## Map of Overall Critical Habitat for Gunnison Sage-grouse



(6) Unit 1: Monticello—Dove Creek: San Juan County, Utah, and Montrose, San Miguel, and Dolores Counties, Colorado.

(i) *General Description*: 140,973 ha (348,353 ac); 20.4 percent of all critical habitat.

(ii) *Map of Unit 1, Monticello—Dove Creek*: San Juan County, Utah, and

Montrose, San Miguel, and Dolores Counties, Colorado, follows:

**Unit 1:**  
**Monticello -**  
**Dove Creek**



Gunnison Sage-grouse USFWS Critical Habitat  
Conservation Easements in Unit 1: Monticello - Dove Creek

| Current Owner | Total CE Acres | Acres in Occupied Habitat | Acres in Unocc. Habitat | County       | CE Date             | Reception Number   | Holds the CE      | Parcel Number                                                                                                                                        | Mgmt. Codes | Easement Terms in Perpetuity<br>(HQ = headquarters)                                                                                |
|---------------|----------------|---------------------------|-------------------------|--------------|---------------------|--------------------|-------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|------------------------------------------------------------------------------------------------------------------------------------|
| Adams         | 642            | 642                       | 0                       | San Juan, UT | 11/9/01             | #064951            | UDWR              | 33S25E030000                                                                                                                                         | 1, 2, 3     | One 642-ac parcel with no building areas.                                                                                          |
| Adams         | 1602           | 1602                      | 0                       | San Juan, UT | 11/9/01             | #064953            | UDWR              | 32S25E335400<br>32S25E345400<br>32S25E355400<br>33S25E040000                                                                                         | 1, 2, 3     | This 1620-ac parcel may be divided into five parcels of at least 300 acres each. No building areas. No residences.                 |
| Dicken        | 320            | 320                       | 0                       | Dolores      | 12/20/01<br>9/1/04  | #144346<br>#158384 | LPC<br>MLC        | 5063-194-00-050<br>5063-301-00-072                                                                                                                   | 1, 3        | One 320-ac parcel with a 3-ac HQ area that includes one residence and ag structures.                                               |
| Fernandez     | 1180           | 1180                      | 0                       | Dolores      | 12/14/12            | #162504            | MLC               | 4805-173-00-047<br>4805-174-00-048<br>4805-202-00-258<br>4803-134-00-055                                                                             | 1, 2, 3     | This 1180-ac property may be divided once into two parcels. One building area includes two residences and ag structures.           |
| Pehrson       | 320            | 320                       | 0                       | San Juan, UT | 11/18/03            | #070766            | BLM               | 32S24E346600<br>32S24E355400                                                                                                                         | 1, 2, 3     | One 320-ac parcel with no building areas. No residences. Ag structures only.                                                       |
| Reed          | 240            | 240                       | 0                       | Dolores      | 12/28/01<br>7/20/10 | #144345<br>#159766 | LPC<br>MLC        | 5063-191-00-124                                                                                                                                      | 1, 3        | One 240-ac parcel with a 5-ac HQ area that includes one residence and ag structures.                                               |
| RM & ML, LLC  | 733            | 733                       | 0                       | Dolores      | 1/16/13             | #162626            | MLC<br>and<br>CPW | 4807-054-00-008<br>4807-054-00-009<br>4807-043-00-010<br>4807-033-00-026<br>4807-033-00-027<br>4807-091-00-049<br>4807-094-00-053<br>4807-094-00-054 | 1, 2, 3     | Four parcels of 176, 71, 245 and 121 acres, each with a 1.5-ac building area that includes one residence and accessory structures. |



|                                              |             |                |                |              |          |         |     |                                                                                                                                   |         |                                                                                                                                                                               |
|----------------------------------------------|-------------|----------------|----------------|--------------|----------|---------|-----|-----------------------------------------------------------------------------------------------------------------------------------|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                              |             |                |                |              |          |         |     | 4807-091-00-055<br>4807-091-00-056<br>4807-091-00-057<br>4807-163-00-067<br>4807-164-00-068<br>4807-164-00-069<br>4807-213-00-070 |         |                                                                                                                                                                               |
| The Nature Conservancy                       | 1080        | 1080           | 0              | San Juan, UT | 10/12/12 | #116959 | TNC | 33S24E222400<br>33S24E162400<br>33S24E153600<br>33S24E154200<br>33S24E156600<br>33S24E151200                                      | 1, 2, 3 | One 1080-ac parcel owned by TNC and managed solely for habitat improvement for Gunnison Sage-grouse. Not a conservation easement but protected by TNC exclusively for grouse. |
| <b>Total CE Acres:</b>                       | <b>6117</b> | <b>6117</b>    | <b>0</b>       |              |          |         |     |                                                                                                                                   |         |                                                                                                                                                                               |
| <b>Total Private Land Acres (per USFWS):</b> |             | <b>100,702</b> | <b>200,318</b> |              |          |         |     |                                                                                                                                   |         |                                                                                                                                                                               |
| <b>CE Percent:</b>                           |             | <b>5%</b>      | <b>0%</b>      |              |          |         |     |                                                                                                                                   |         |                                                                                                                                                                               |

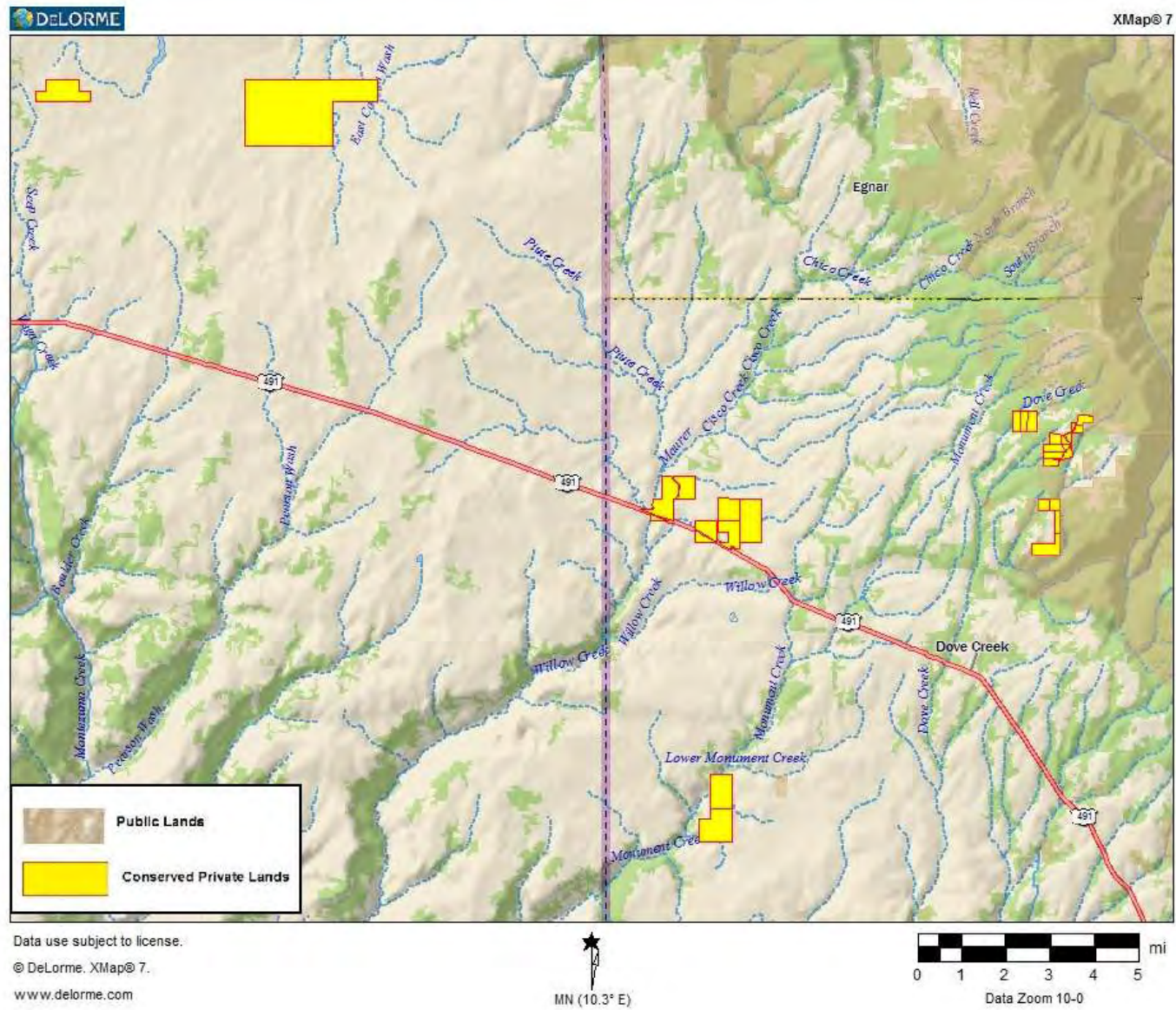
Management Requirements:

1. Standard management requirements for conservation easements: The conservation values must be sustained in perpetuity. Agriculture must be conducted using stewardship and management methods that preserve soil productivity, maintain natural stream channels, prevent soil erosion, minimize invasive species, avoid unsustainable livestock grazing practices, and minimize loss of vegetative cover. Trees may be cut to control insects and disease, to maintain the character and nature of wildlife habitat, to control invasive species, to prevent personal injury and property damage, and for domestic uses on the property. Surface mining is prohibited. Low-impact recreational uses such as wildlife watching, hiking, cross-country skiing, hunting and fishing are permitted. Noxious weeds and invasive plant species must be controlled. Water rights are permanently attached to the property. Surface disturbance is prohibited. Industrial uses are prohibited. Commercial uses must be consistent with the conservation values. Trash accumulation is prohibited. Motor vehicle use is restricted. Roads and driveways are restricted and cannot be paved.
2. This easement received funding from (or was donated to) one or more state or federal agencies. A five-year management plan is required by either the State of Colorado or the NRCS.
3. Habitat for Gunnison Sage-grouse is specifically mentioned in the easement as one of the conservation values that must be sustained in perpetuity.

Holders of Conservation Easements:

|      |   |                                                                                    |
|------|---|------------------------------------------------------------------------------------|
| BLM  | = | U.S. Department of the Interior, Bureau of Land Management                         |
| CPW  | = | State of Colorado, Department of Natural Resources, Division of Parks and Wildlife |
| LPC  | = | La Plata Open Space Conservancy                                                    |
| MLC  | = | Montezuma Land Conservancy                                                         |
| UDWR | = | Utah Department of Natural Resources, Division of Wildlife Resources               |
| TNC  | = | The Nature Conservancy                                                             |

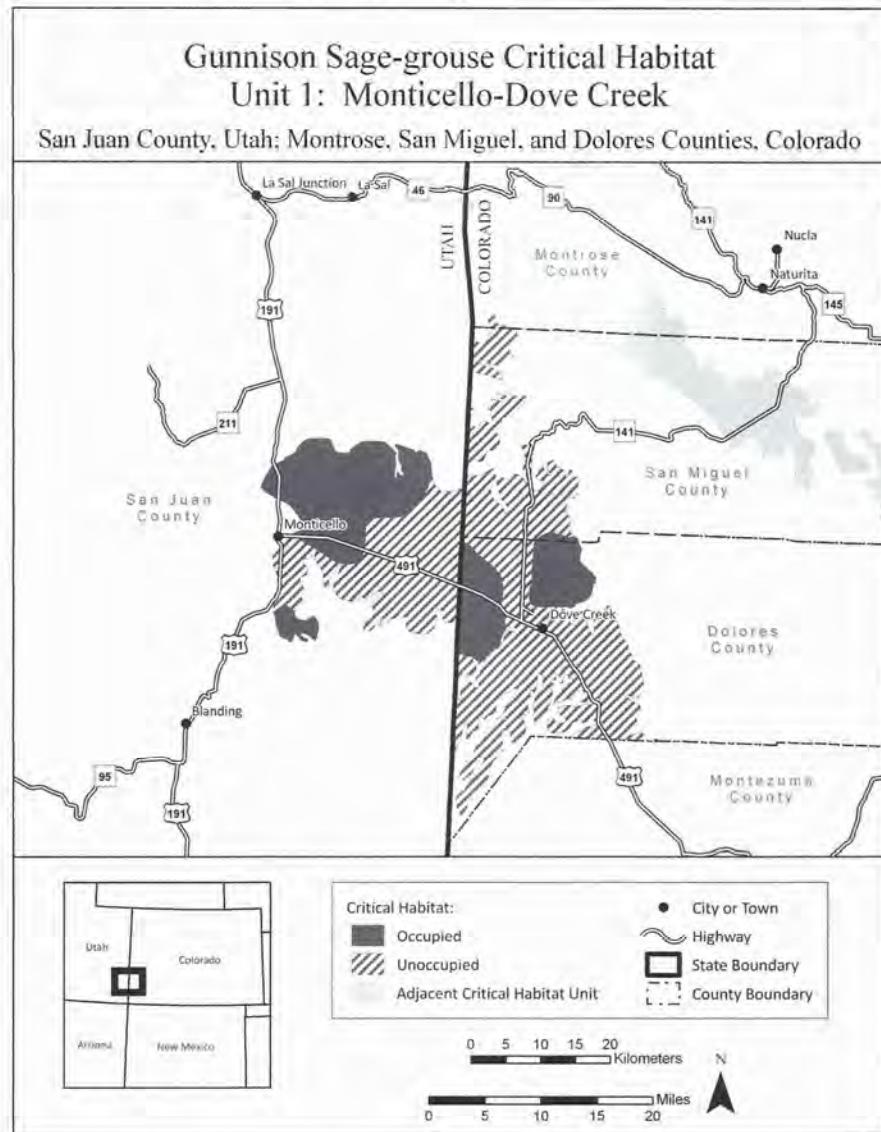
## Conservation Easements on Private Land in the Dove Creek Area



## Critical Habitat in Unit 1, Monticello-Dove Creek

2564

Federal Register / Vol. 78, No. 8 / Friday, January 11, 2013 / Proposed Rules



(7) Unit 2: Piñon Mesa: Grand County, Utah, and Mesa County, Colorado.

(i) *General Description:* 99,220 ha (245,179 ac); 14.4 percent of all critical habitat.

(ii) Map of Unit 2, Piñon Mesa: Grand County, Utah, and Mesa County, Colorado, follows:

**Unit 2:**  
**Piñon Mesa**





Gunnison Sage-grouse USFWS Critical Habitat  
Conservation Easements in Unit 2: Piñon Mesa

| Current Owner  | Total<br>CE<br>Acres | Acres in<br>Occupied<br>Habitat | Acres in<br>Unocc.<br>Habitat | County | CE Date                         | Reception<br>Number              | Holds<br>the CE   | Parcel Number                                                                               | Mgmt.<br>Codes | Easement Terms<br>in Perpetuity<br>(HQ = headquarters)                                              |
|----------------|----------------------|---------------------------------|-------------------------------|--------|---------------------------------|----------------------------------|-------------------|---------------------------------------------------------------------------------------------|----------------|-----------------------------------------------------------------------------------------------------|
| Bagg           | 829                  | 0                               | 829                           | Mesa   | 12/24/96<br>12/30/03<br>6/28/04 | #1783031<br>#2169931<br>#2199262 | MLT<br>MLT<br>MLT | 2959-173-00-152                                                                             | 1              | One 829-ac parcel with a 5-ac HQ area that includes one residence and ag structures.                |
| Bagg           | 226                  | 0                               | 226                           | Mesa   | 12/24/96<br>12/30/03<br>6/28/04 | #1783031<br>#2169931<br>#2199262 | MLT<br>MLT<br>MLT | 2959-083-00-273                                                                             | 1              | One 226-ac parcel with no building areas.                                                           |
| Beach          | 184                  | 184                             | 0                             | Mesa   | 8/20/12                         | #2622282                         | MLT               | 3221-182-00-099<br>3221-182-00-096<br>3221-181-00-094<br>3221-181-00-095<br>3221-182-00-097 | 1, 2, 3        | One 184-ac parcel with one 5-ac building area that includes one residence and ag structures.        |
| Bear Run       | 408                  | 0                               | 408                           | Mesa   | 12/31/01                        | #2033408                         | MLT               | 3209-164-00-105<br>3209-162-00-140<br>3209-162-00-139                                       | 1, 2           | One 408-ac parcel with three 5-ac building areas that each include one residence and ag structures. |
| Bedford        | 1280                 | 1280                            | 0                             | Mesa   | 12/30/11                        | #2595859                         | CDOW              | 3221-192-00-056<br>3219-243-00-062                                                          | 1, 2, 3        | One 1280-ac parcel with a building area for ag structures. No residences.                           |
| Branham        | 80                   | 0                               | 80                            | Mesa   | 12/6/07                         | #2415104                         | MLT               | 2957-332-00-069                                                                             | 1              | One 80-ac parcel with a 5-ac building area that includes one residence and ag structures.           |
| Carns          | 334                  | 0                               | 334                           | Mesa   | 12/18/09                        | #2516935                         | MLT               | 3215-023-00-043<br>3215-112-00-055<br>3215-112-00-056<br>3215-113-00-025<br>3215-114-00-022 | 1              | One 334-ac parcel with a 5-ac HQ area that includes one residence and ag structures.                |
| Carns, Reigles | 200                  | 200                             | 0                             | Mesa   | 12/22/10                        | #2557738                         | MLT               | 3211-193-00-009<br>3213-251-00-027                                                          | 1              | One 200-ac parcel with a 20-ac building area that                                                   |

|          |      |      |      |      |                                                                |                                                                      |                                        |                                    |         |                                                                                                                                                                                                           |
|----------|------|------|------|------|----------------------------------------------------------------|----------------------------------------------------------------------|----------------------------------------|------------------------------------|---------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          |      |      |      |      |                                                                |                                                                      |                                        |                                    |         | includes one residence and ag structures. One cabin may be built elsewhere on the parcel.                                                                                                                 |
| Chesnick | 1185 | 0    | 1185 | Mesa | 12/19/97<br>12/23/03                                           | #1825980<br>#2169932                                                 | MLT<br>MLT                             | 2959-194-00-151                    | 1       | This 1185-ac parcel may be divided into three parcels, each not less than 200 acres. Two may have a 5-ac building area that includes one residence and ag structures.                                     |
| Gleason  | 920  | 920  | 0    | Mesa | 12/29/10<br>10/28/11<br>12/19/12                               | #2557819<br>#2589643<br>#2637627                                     | CCALT<br>CCALT<br>CCALT                | 3221-292-00-078<br>3221-281-00-009 | 1       | This 920-ac parcel may be divided into two parcels, each larger than 280 acres. One may have a 5-ac building area for ag structures only. Each parcel may have one cabin for seasonal use. No residences. |
| Gleason  | 1500 | 750  | 750  | Mesa | 12/31/09<br>7/31/12                                            | #2517722<br>#2619883                                                 | CCALT<br>CCALT                         | 3213-131-00-139<br>3213-224-00-036 | 1, 3    | One 1500-ac parcel with two 10-ac building areas that include ag structures only. Two cabins for seasonal use are allowed on the property. No residences.                                                 |
| Gore     | 4443 | 3000 | 1443 | Mesa | 4/18/05                                                        | #2249429                                                             | CDOW                                   | 3211-171-00-172                    | 1, 2, 3 | One 4443-ac parcel with no building areas. No residences.                                                                                                                                                 |
| Gore     | 1600 | 0    | 1600 | Mesa | 12/20/07<br>12/20/07<br>12/30/10<br>2/7/11<br>7/7/11<br>7/7/11 | #2417044<br>#2417045<br>#2557901<br>#2562327<br>#2577742<br>#2577743 | MLT<br>MLT<br>MLT<br>MLT<br>MLT<br>MLT | 3211-233-00-033<br>3211-223-00-012 | 1, 3    | One 900-ac parcel and one 700-ac parcel, each with a 5-ac building area that includes one residence and ag structures.                                                                                    |
| Gore     | 1213 | 0    | 1213 | Mesa | 12/24/96<br>12/30/03                                           | #1783031<br>#2169931                                                 | MLT<br>MLT                             | 2959-181-00-537                    | 1       | One 1213-ac parcel that may be divided into two                                                                                                                                                           |

|                 |      |   |      |      |                      |                      |            |                                                                                                                                   |         |                                                                                                                                                                                                                                     |
|-----------------|------|---|------|------|----------------------|----------------------|------------|-----------------------------------------------------------------------------------------------------------------------------------|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                 |      |   |      |      | 6/28/04              | #2199262             | MLT        |                                                                                                                                   |         | parcels of no less than 35 acres, each with a 5-ac building area that includes one residence and ag structures.                                                                                                                     |
| Granite Springs | 1630 | 0 | 1630 | Mesa | 6/28/02              | #2064135             | MLT        | 3213-173-00-023<br>3213-173-00-026<br>3213-161-00-019<br>3213-211-00-025<br>3213-083-00-021<br>3213-084-00-018<br>3213-084-00-016 | 1, 2, 3 | This 1630-ac parcel may be divided once by separating a parcel of from five to 40 acres. Each resulting parcel may have a 2-ac HQ area that includes one residence and ag structures.                                               |
| Harris          | 320  | 0 | 320  | Mesa | 12/28/06<br>12/29/09 | #2356207<br>#2517407 | MLT<br>MLT | 2961-304-00-024<br>2961-301-00-021                                                                                                | 1       | This 320-ac parcel may be divided once into two parcels of 160 acres, each with a 5-ac building area that includes one residence and ag structures. An additional 5-ac farm operations center may be located on one of the parcels. |
| JDT             | 219  | 0 | 219  | Mesa | 4/22/99              | #1899190             | MLT        | 2957-272-00-071                                                                                                                   | 1, 2    | One 353-ac parcel with a 12-ac HQ area that includes one residence and ag structures.                                                                                                                                               |

|          |      |      |     |      |                                |                                  |                   |                                                                                                                                                                                                                                                                        |         |                                                                                                                                                                                  |
|----------|------|------|-----|------|--------------------------------|----------------------------------|-------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| JDT      | 1841 | 1841 | 0   | Mesa | 8/1/06                         | #2331034                         | MLT               | 3215-333-00-032<br>3215-342-00-031<br>3215-043-00-053<br>3215-092-00-054<br>3215-092-00-066<br>3215-093-00-067<br>3215-051-00-060<br>3215-051-00-057<br>3215-052-00-058<br>3215-052-00-059<br>3215-064-00-153<br>3215-082-00-070<br>3215-071-00-151<br>3215-082-00-070 | 1, 2, 3 | This 1841-ac parcel may be divided into five parcels of 740 acres, 560 acres, 160 acres, 238 acres and 143 acres, each with a 5-ac HQ area with one residence and ag structures. |
| Lawson   | 320  | 320  | 0   | Mesa | 12/18/09                       | #2516530                         | MLT               | 3219-051-00-008                                                                                                                                                                                                                                                        | 1, 3    | One 320-ac parcel with a 5-ac HQ area that includes a seasonal cabin and ag structures. No residences.                                                                           |
| Lawson   | 337  | 0    | 337 | Mesa | 12/28/10                       | #2557900                         | MLT               | 2957-323-00-009<br>3213-052-00-001<br>3213-052-00-046<br>3213-052-01-001<br>3213-061-00-138<br>3213-064-00-125                                                                                                                                                         | 1       | One 337-ac parcel with a 10-ac HQ area that includes five residences and ag structures.                                                                                          |
| Lawson   | 160  | 0    | 160 | Mesa | 12/22/05                       | #2293572                         | MLT               | 3213-113-00-121                                                                                                                                                                                                                                                        | 1       | One 160-ac parcel with a 5-ac HQ area that includes one residence and ag structures.                                                                                             |
| Mayo     | 138  | 0    | 138 | Mesa | 8/15/12                        | #2621964                         | MLT               | 3211-182-00-171                                                                                                                                                                                                                                                        | 1       | One 138-ac parcel with a 3-ac building area that includes one residence and a 2-ac building area that includes ag structures only.                                               |
| Miller   | 308  | 0    | 308 | Mesa | 12/20/07<br>4/7/08<br>12/23/08 | #2417046<br>#2439282<br>#2469714 | MLT<br>MLT<br>MLT | 3223-141-00-185                                                                                                                                                                                                                                                        | 1       | One 308-ac parcel with one residence and ag structures.                                                                                                                          |
| Monument | 160  | 0    | 160 | Mesa | 10/29/0                        | #2222492                         | MLT               | 3209-171-00-252                                                                                                                                                                                                                                                        | 1       | One 280-ac parcel with                                                                                                                                                           |

|                 |      |      |      |      |                                                                                             |                                                                                              |                                                          |                                                                                                                                                                                                               |      |                                                                                                                                   |
|-----------------|------|------|------|------|---------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|----------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|-----------------------------------------------------------------------------------------------------------------------------------|
| Springs         |      |      |      |      | 12/1/05                                                                                     | #2290301                                                                                     | MLT                                                      | 3209-171-00-253<br>3209-172-00-312                                                                                                                                                                            |      | one 5-ac HQ area that includes one residence and ag structures.                                                                   |
| Mountain Island | 9792 | 6500 | 0    | Mesa | 12/29/78<br>12/31/79<br>12/24/80<br>7/31/86<br>10/17/86<br>10/17/86<br>12/31/02<br>11/21/08 | #1180100<br>#1211941<br>#1244390<br>#1430331<br>#1434948<br>#1434949<br>#2096065<br>#2466160 | TPL<br>COLF<br>TPL<br>TPL<br>CDOW<br>CDOW<br>MLT<br>CDOW | 3215-354-00-035<br>3217-013-00-007<br>3217-014-00-008<br>3217-131-00-009<br>3217-133-00-010<br>3219-171-00-053                                                                                                | 1    | One 9792-ac parcel with one 5-ac building area that includes one residence and ag structures.                                     |
| Mountain Island | 1660 | 1000 | 0    | Mesa | 12/31/81<br>2/24/82<br>10/17/86<br>10/17/86<br>12/31/02<br>4/25/11                          | #1279008<br>#1283706<br>#1434948<br>#1434949<br>#2096064<br>#2570156                         | TPL<br>TPL<br>CDOW<br>CDOW<br>MLT<br>MLT                 | 3219-171-00-053                                                                                                                                                                                               | 1    | One 1660-ac parcel with a 5-ac building area that includes one residence and ag structures.                                       |
| Mountain Island | 1130 | 0    | 1130 | Mesa | 12/23/99<br>6/3/02<br>12/30/03                                                              | #1933576<br>#2062444<br>#2169930                                                             | MLT<br>MLT<br>MLT                                        | 2957-282-00-078                                                                                                                                                                                               | 1    | This 1130-ac parcel may be divided into two parcels, one with a 5-ac building area that includes one residence and ag structures. |
| Mountain Island | 574  | 0    | 574  | Mesa | 12/28/99<br>1/15/13                                                                         | #1933575<br>#2662786                                                                         | MLT<br>MLT                                               | 2957-072-00-037<br>2957-072-00-002                                                                                                                                                                            | 1    | One 585-ac parcel with a two building areas that each include one residence and ag structures.                                    |
| Mountain Island | 2061 | 2061 | 0    | Mesa | 12/26/95                                                                                    | #1741026                                                                                     | TNC                                                      | 3219-054-00-039<br>3219-061-00-006<br>3219-052-00-007<br>3219-063-00-009<br>3213-313-00-033<br>3219-062-00-038<br>3213-314-00-034<br>3213-311-00-031<br>3213-311-00-032<br>3215-364-00-034<br>3217-011-00-006 | 1, 2 | One 2061-ac parcel with one residence and ag structures.                                                                          |



|                 |      |     |      |           |                                 |                                  |                   |                                                                                                                                                               |      |                                                                                                                                   |
|-----------------|------|-----|------|-----------|---------------------------------|----------------------------------|-------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|------|-----------------------------------------------------------------------------------------------------------------------------------|
|                 |      |     |      |           |                                 |                                  |                   | 3219-071-00-040                                                                                                                                               |      |                                                                                                                                   |
| Mountain Island | 1775 | 0   | 1775 | Mesa      | 12/26/95                        | #1741026                         | TNC               | 3215-241-00-028<br>3215-243-00-029<br>3215-252-00-030<br>3213-183-00-029<br>3213-184-00-024<br>3213-183-00-013                                                | 1, 2 | One 1775-ac parcel with a 5-ac HQ area that includes one residence and ag structures.                                             |
| Mountain Island | 790  | 0   | 790  | Mesa      | 12/24/96<br>12/30/03<br>6/28/04 | #1783031<br>#2169931<br>#2199262 | MLT<br>MLT<br>MLT | 2957-243-00-081                                                                                                                                               | 1    | One 790-ac parcel with a 5-ac HQ area that includes one residence and ag structures.                                              |
| Mountain Island | 888  | 200 | 688  | Mesa      | 12/23/99                        | #1933574                         | MLT               | 2955-173-00-003<br>2955-152-00-002                                                                                                                            | 1    | One 888-ac parcel with no building areas. One airstrip and adjacent hanger allowed.                                               |
| Mountain Island | 361  | 0   | 361  | Mesa      | 12/6/07                         | #2415104                         | MLT               | 2957-321-00-070<br>2957-321-00-033<br>2957-324-00-026                                                                                                         | 1    | One 223-ac parcel and one 58-ac parcel, each with a 5-ac building area that includes one residence and ag structures.             |
| Mountain Island | 314  | 0   | 150  | Grand, UT | 12/11/98                        | #446562                          | MLT               | T20S R26E SLM,<br>S32: Lots 2, 3,<br>SW4NW4,<br>N2SW4, NW4SE4,<br>SE4NW4,SW4NE4                                                                               | 1    | One 314-ac parcel with two 3-ac building areas that each include two residences and ag structures.                                |
| Mountain Island | 848  | 0   | 848  | Grand, UT | 12/11/98                        | #446568                          | MLT               | T21S, R26E, SLM,<br>S17: E2SW4,<br>SW4SE4; S20:<br>NE4NW4,<br>W2NE4, S2SE4,<br>Lots 3,4; S29:<br>NW4NE4,<br>NE4NW4,<br>NW4SW4, Lot 1;<br>S30:E2SE4,<br>SW4SE4 | 1    | One 848-ac parcel with a 5-ac HQ area that includes one residence and ag structures; one cabin allowed elsewhere on the property. |
| Smith           | 560  | 200 | 360  | Mesa      | 12/19/97                        | #1825979                         | MLT               | 3215-053-00-012                                                                                                                                               | 1    | This 560-ac parcel may be divided into a 200-ac                                                                                   |

|                           |      |      |     |      |                                            |                                              |                          |                                                                                                                                                                                                               |         |                                                                                                                                                |
|---------------------------|------|------|-----|------|--------------------------------------------|----------------------------------------------|--------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|------------------------------------------------------------------------------------------------------------------------------------------------|
|                           |      |      |     |      |                                            |                                              |                          |                                                                                                                                                                                                               |         | parcel and a 360-ac parcel, each with a 5-ac HQ area with one residence and ag structures. An airstrip is allowed.                             |
| Snyder Hole               | 300  | 0    | 300 | Mesa | 12/23/08                                   | #2469716                                     | MLT                      | 3223-151-00-207<br>3223-152-00-208                                                                                                                                                                            | 1       | One 200-ac parcel and one 100-ac parcel. No building areas.                                                                                    |
| Tipping, Power, Patterson | 680  | 0    | 680 | Mesa | 12/7/10                                    | #2555647                                     | CDOW                     | 3225-172-00-003                                                                                                                                                                                               | 1, 2, 3 | One 675-ac parcel with no building areas and one 5-ac parcel with one residence and ag structures.                                             |
| Tipping, Power, Patterson | 1620 | 1620 | 0   | Mesa | 10/15/08                                   | #2461806                                     | CDOW                     | 3219-241-00-024<br>3219-134-00-056<br>3219-133-00-021<br>3219-132-00-055<br>3219-132-00-019<br>3219-131-00-057<br>3219-123-00-016<br>3219-114-00-058<br>3219-154-00-061<br>3221-191-00-089<br>3221-183-00-052 | 1, 2, 3 | This 1620-ac parcel may be divided into three parcels, none smaller than 320 acres. No building areas.                                         |
| Van Loan                  | 109  | 0    | 109 | Mesa | 4/22/99                                    | #1899190                                     | MLT                      | 2957-233-00-062                                                                                                                                                                                               | 1, 2    | One 109-ac parcel with a 5-ac HQ area that includes one residence and ag structures.                                                           |
| Wise, Treece              | 381  | 0    | 381 | Mesa | 9/10/99<br>12/15/00<br>8/16/05<br>12/15/06 | #1919841<br>#1977028<br>#2292694<br>#2354334 | MLT<br>MLT<br>MLT<br>MLT | 2957-273-00-079                                                                                                                                                                                               | 1       | One 381-ac parcel with a 12-ac HQ area that includes one residence and ag structures.                                                          |
| Wise & Treece Petroleum   | 760  | 0    | 760 | Mesa | 12/18/01<br>8/16/05                        | #2033406<br>#2292694                         | MLT<br>MLT               | 2957-341-00-080                                                                                                                                                                                               | 1       | One 760-ac parcel with a 5-ac building area that includes one residence and ag structures. An 80-ac parcel may be divided from this parcel and |

|                                              |               |               |               |  |  |  |  |  |  |                                                                           |
|----------------------------------------------|---------------|---------------|---------------|--|--|--|--|--|--|---------------------------------------------------------------------------|
|                                              |               |               |               |  |  |  |  |  |  | added to the adjacent north property. The easement would remain in place. |
| <b>Total CE Acres:</b>                       | <b>44,438</b> | <b>20,076</b> | <b>20,246</b> |  |  |  |  |  |  |                                                                           |
| <b>Total Private Land Acres (per USFWS):</b> |               | <b>27,283</b> | <b>64,275</b> |  |  |  |  |  |  |                                                                           |
| <b>CE Percent:</b>                           |               | <b>74%</b>    | <b>31%</b>    |  |  |  |  |  |  |                                                                           |

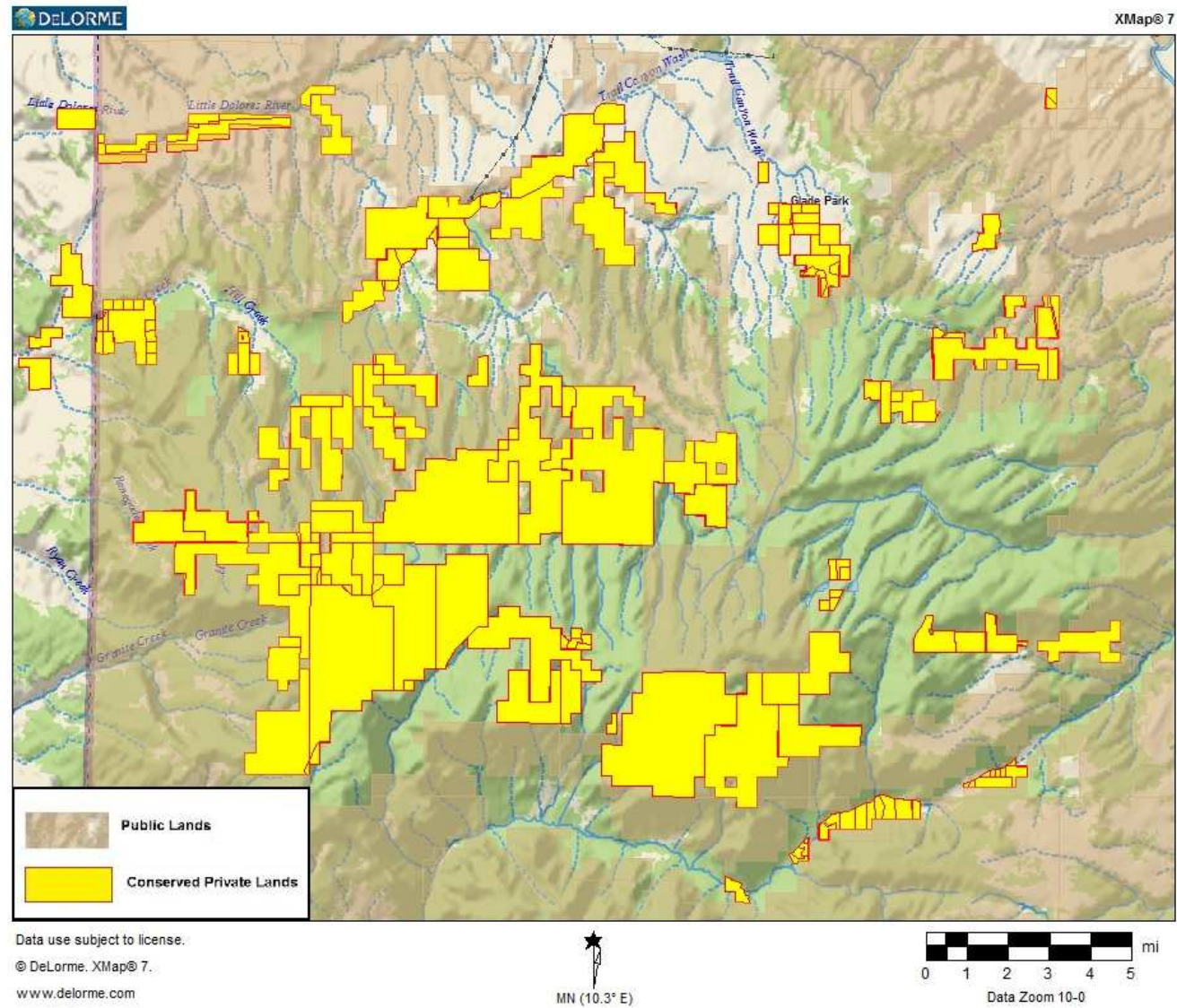
#### Management Requirements:

1. Standard management requirements for conservation easements: The conservation values must be sustained in perpetuity. Agriculture must be conducted using stewardship and management methods that preserve soil productivity, maintain natural stream channels, prevent soil erosion, minimize invasive species, avoid unsustainable livestock grazing practices, and minimize loss of vegetative cover. Trees may be cut to control insects and disease, to maintain the character and nature of wildlife habitat, to control invasive species, to prevent personal injury and property damage, and for domestic uses on the property. Surface mining is prohibited. Low-impact recreational uses such as wildlife watching, hiking, cross-country skiing, hunting and fishing are permitted. Noxious weeds and invasive plant species must be controlled. Water rights are permanently attached to the property. Surface disturbance is prohibited. Industrial uses are prohibited. Commercial uses must be consistent with the conservation values. Trash accumulation is prohibited. Motor vehicle use is restricted. Roads and driveways are restricted and cannot be paved.
2. This easement received funding from (or was donated to) one or more state or federal agencies. A five-year management plan is required by either the State of Colorado or the NRCS.
3. Habitat for Gunnison Sage-grouse is specifically mentioned in the easement as one of the conservation values that must be sustained in perpetuity.

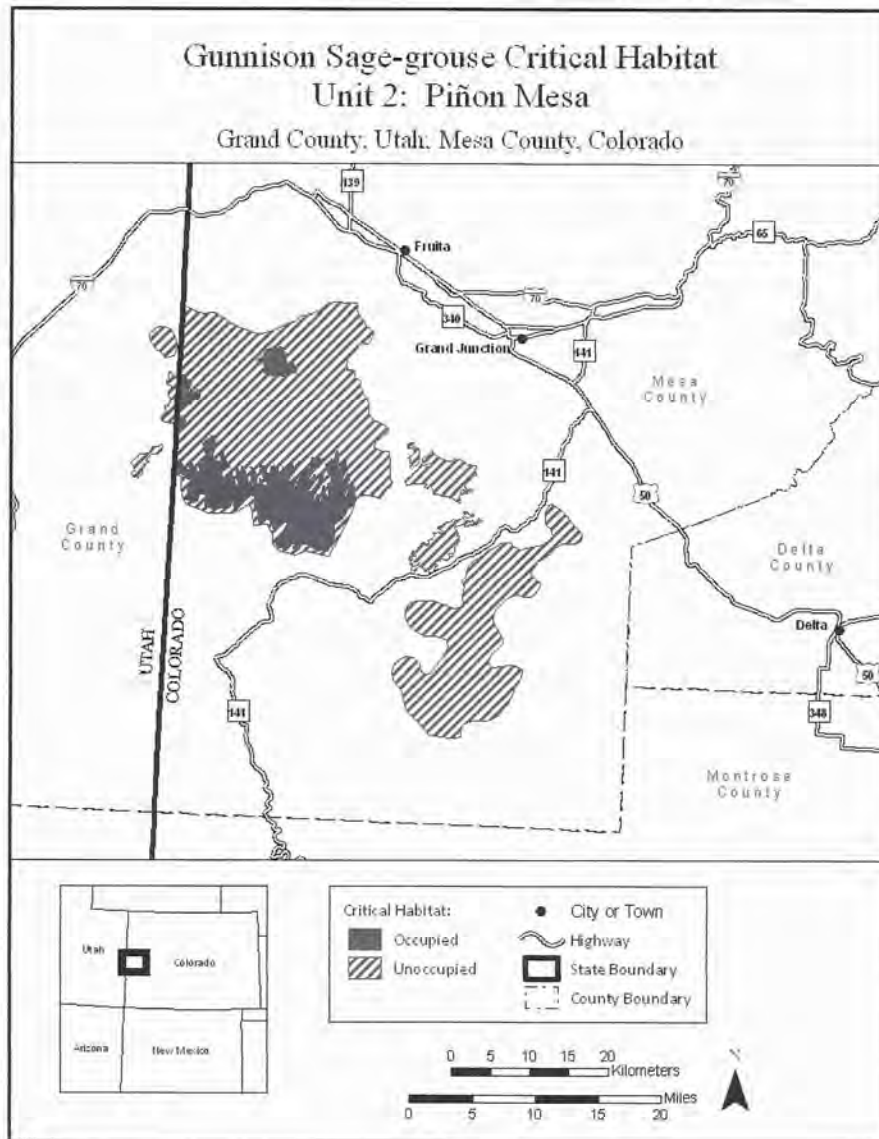
#### Holders of Conservation Easements:

CCALT = Colorado Cattlemen's Agricultural Land Trust  
CDOW = State of Colorado, Department of Natural Resources, *formerly* Colorado Division of Wildlife, *now* Colorado Parks and Wildlife  
COLF = Colorado Open Land Foundation  
MLT = Mesa County Land Conservancy *dba* Mesa Land Trust  
TNC = The Nature Conservancy  
TPL = Trust for Public Lands

## Conservation Easements on Private Land in the Piñon Mesa Area



## Critical Habitat in Unit 2, Piñon Mesa



(8) Unit 3: San Miguel Basin: Montrose, San Miguel, and Ouray Counties, Colorado.

(i) *General Description:* 67,084 ha (165,769 ac); 9.7 percent of all critical habitat.

(ii) Map of Unit 3, San Miguel Basin: Montrose, San Miguel, and Ouray Counties, Colorado, follows:



**Unit 3:**  
**San Miguel Basin**



Gunnison Sage-grouse USFWS Critical Habitat  
Conservation Easements in Unit 3: San Miguel Basin

| Current Owner   | Total CE Acres | Acres in Occupied Habitat | Acres in Unocc. Habitat | County              | CE Date                                                  | Reception Number                                    | Holds the CE                              | Parcel Number                                                                  | Mgmt. Codes | Easement Terms in Perpetuity<br>(HQ = headquarters)                                                               |
|-----------------|----------------|---------------------------|-------------------------|---------------------|----------------------------------------------------------|-----------------------------------------------------|-------------------------------------------|--------------------------------------------------------------------------------|-------------|-------------------------------------------------------------------------------------------------------------------|
| ALC             | 459            | 421                       | 0                       | San Miguel          | 6/10/11                                                  | #418468                                             | CDOW                                      | 4557-071-00-070<br>4557-073-00-001                                             | 1, 2, 3     | One 459-ac parcel with a 1-ac building area that includes one residence and ag structures.                        |
| Barrett         | 1200           | 619                       | 0                       | San Miguel          | 9/11/03<br>5/18/05                                       | #360135<br>#374901                                  | CCALT<br>CCALT                            | 4555-101-00-005<br>4555-112-00-006                                             | 1, 2, 3     | One 1200-ac parcel with two 5-ac building areas that each include one residence and ag structures.                |
| Bray            | 1928           | 862                       | 0                       | San Miguel          | 11/20/06<br>11/29/06<br>11/26/07<br>12/24/08<br>12/31/09 | #388559<br>#388660<br>#399059<br>#405178<br>#410566 | CCALT<br>CCALT<br>CCALT<br>CCALT<br>CCALT | 4555-212-00-014<br>4555-212-00-015<br>4555-212-00-016<br>4555-152-00-017       | 1, 2, 3     | One 1928-ac parcel with ag structures and one hunting cabin. No residences.                                       |
| Cabrera         | 321            | 280                       | 0                       |                     | 5/26/00                                                  | #334479                                             | SMCF                                      | 4523-024-06-001                                                                | 1, 3        | One 321-ac parcel with a 5-ac building area that includes one residence and ag structures.                        |
| CD Conservation | 1249           | 1167                      | 0                       |                     | 12/31/03<br>12/30/05<br>12/28/06<br>12/21/07<br>12/21/07 | #363144<br>#380645<br>#389248<br>#398986<br>#398987 | TLR and<br>CDOW                           | 4523-221-07-002<br>4523-154-07-001<br>4523-153-00-080<br>4523-152-06-001       | 1, 2, 3     | One 760-ac parcel and one 486-ac parcel. No building areas. No residences.                                        |
| Dallas Divide   | 520            | 0                         | 520                     | San Miguel<br>Ouray | 10/10/06<br>10/10/06                                     | #387558<br>#193134                                  | TNC<br>TNC                                | San Miguel:<br>4303-311-00-007<br>Ouray:<br>4303-321-00-148<br>4303-291-00-149 | 1, 3        | One 520-ac parcel with a 6-ac HQ area and a 3-ac building area that each include one residence and ag structures. |
| Dallas Divide   | 549            | 0                         | 549                     | San Miguel<br>Ouray | 12/20/07<br>12/20/07                                     | #398969<br>#196793                                  | TNC<br>TNC                                | San Miguel:<br>4303-312-04-004<br>Ouray:<br>4303-303-16-001                    | 1, 3        | One 549-ac parcel with a 5-ac HQ area that includes one residence and ag structures.                              |

|                                              |               |               |               |                     |                                              |                                          |                                  |                                                                          |         |                                                                                                                                                            |
|----------------------------------------------|---------------|---------------|---------------|---------------------|----------------------------------------------|------------------------------------------|----------------------------------|--------------------------------------------------------------------------|---------|------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Dallas Divide                                | 409           | 0             | 300           | San Miguel<br>Ouray | 12/21/07<br>12/21/07                         | #398968<br>#196794                       | TNC<br>TNC                       | San Miguel:<br>4519-062-00-006<br>Ouray:<br>4303-323-00-001              | 1, 3    | This 409-ac parcel may be divided into two parcels of at least 35 acres. Each may have a 5-ac building area that includes one residence and ag structures. |
| Double E Bar                                 | 35            | 0             | 35            | San Miguel          | 12/21/07                                     | #398968                                  | TNC                              | 4519-062-00-007                                                          | 1, 3    | One 35-ac parcel with a 5-ac building area that includes one residence.                                                                                    |
| Herndon                                      | 1240          | 369           | 0             | San Miguel          | 12/28/00<br>12/28/00                         | #338869<br>#338871                       | SMCF<br>SMCF                     | 4559-302-00-021                                                          | 1, 2, 3 | One 1240-ac parcel with a 10-ac HQ area that includes one residence and ag structures.                                                                     |
| Hughes, Beaver Mesa                          | 2082          | 2060          | 0             | San Miguel          | 12/27/07<br>12/4/08<br>8/14/09<br>11/17/11   | #399060<br>#404920<br>#408346<br>#420621 | CCALT<br>CCALT<br>CCALT<br>CCALT | 4559-233-00-152<br>4559-144-00-054<br>4559-224-00-055<br>4559-141-01-007 | 1, 3    | This 2082-ac parcel may be divided into two parcels of at least 500 acres. Four building areas each include one residence and ag structures.               |
| Kelly                                        | 1034          | 940           | 0             | San Miguel          | 12/19/06<br>12/20/06<br>11/25/08<br>12/10/08 | #389097<br>#389116<br>#404810<br>#404998 | SMCF<br>SMCF<br>SMCF<br>SMCF     | 4529-311-00-017<br>4529-311-00-018                                       | 1, 2, 3 | One 1034-ac parcel with a 5-ac building area that includes one residence and ag structures.                                                                |
| O2B29                                        | 770           | 220           | 0             | San Miguel          | 6/25/01<br>6/27/03<br>7/29/04                | #342219<br>#358323<br>#368117            | CCALT<br>CCALT<br>CCALT          | 4555-262-00-018                                                          | 1, 2, 3 | One 770-ac parcel from which a 35 acre parcel may be divided that includes one residence.                                                                  |
| PEMF                                         | 82            | 0             | 82            |                     | 5/26/00                                      | #334479                                  | SMCF                             | 4523-012-06-006                                                          | 1, 3    | One 82-ac parcel that includes one residence and ag structures.                                                                                            |
| Young*                                       | 365           | 0             | 0             | San Miguel          | 6/23/03<br>7/12/01<br>7/12/01                | #358375<br>#342692<br>#342693            | CCALT<br>CCALT<br>CCALT          | 4525-183-00-091                                                          | 1, 2, 3 | One 365-ac parcel with no building areas. No residences.                                                                                                   |
| <b>Total CE Acres:</b>                       | <b>12,243</b> | <b>6,938</b>  | <b>1,486</b>  |                     |                                              |                                          |                                  |                                                                          |         |                                                                                                                                                            |
| <b>Total Private Land Acres (per USFWS):</b> |               | <b>28,218</b> | <b>20,117</b> |                     |                                              |                                          |                                  |                                                                          |         |                                                                                                                                                            |
| <b>CE Percent:</b>                           |               | <b>25%</b>    | <b>7%</b>     |                     |                                              |                                          |                                  |                                                                          |         |                                                                                                                                                            |

\*Young: Not within USFWS mapped habitat, but the conservation easement states that Gunnison sage-grouse are on the property.

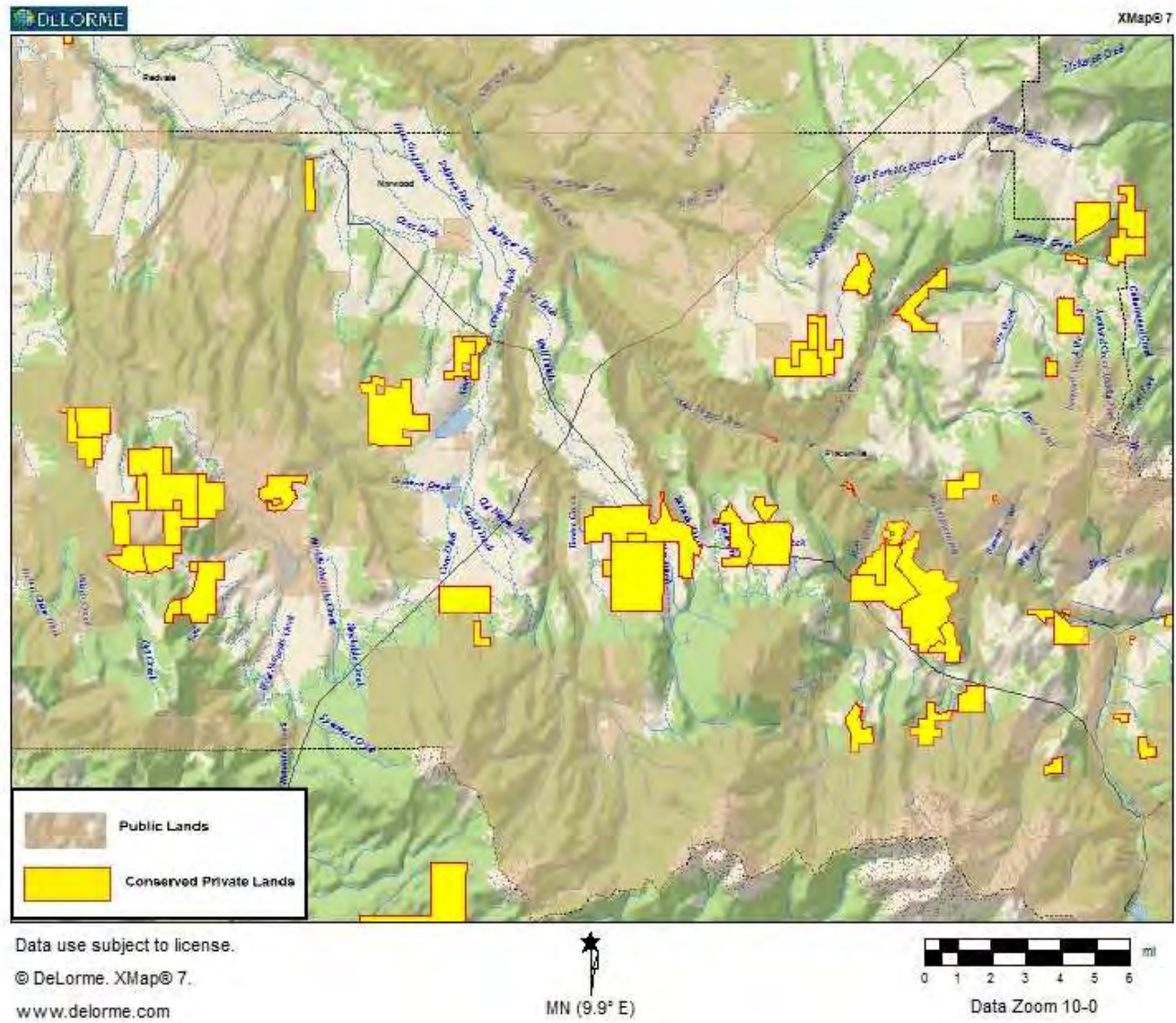
#### Management Requirements:

1. Standard management requirements for conservation easements: The conservation values must be sustained in perpetuity. Agriculture must be conducted using stewardship and management methods that preserve soil productivity, maintain natural stream channels, prevent soil erosion, minimize invasive species, avoid unsustainable livestock grazing practices, and minimize loss of vegetative cover. Trees may be cut to control insects and disease, to maintain the character and nature of wildlife habitat, to control invasive species, to prevent personal injury and property damage, and for domestic uses on the property. Surface mining is prohibited. Low-impact recreational uses such as wildlife watching, hiking, cross-country skiing, hunting and fishing are permitted. Noxious weeds and invasive plant species must be controlled. Water rights are permanently attached to the property. Surface disturbance is prohibited. Industrial uses are prohibited. Commercial uses must be consistent with the conservation values. Trash accumulation is prohibited. Motor vehicle use is restricted. Roads and driveways are restricted and cannot be paved.
2. This easement received funding from (or was donated to) one or more state or federal agencies. A five-year management plan is required by either the State of Colorado or the NRCS.
3. Habitat for Gunnison Sage-grouse is specifically mentioned in the easement as one of the conservation values that must be sustained in perpetuity.

#### Holders of Conservation Easements:

|       |   |                                                                                                                                           |
|-------|---|-------------------------------------------------------------------------------------------------------------------------------------------|
| CCALT | = | Colorado Cattlemen's Agricultural Land Trust                                                                                              |
| CDOW  | = | State of Colorado, Department of Natural Resources, <i>formerly</i> Colorado Division of Wildlife, <i>now</i> Colorado Parks and Wildlife |
| COL   | = | Colorado Open Lands                                                                                                                       |
| SMCF  | = | San Miguel Conservation Foundation                                                                                                        |
| TLR   | = | Trust for Land Restoration                                                                                                                |

## Conservation Easements on Private Land in the San Miguel Basin

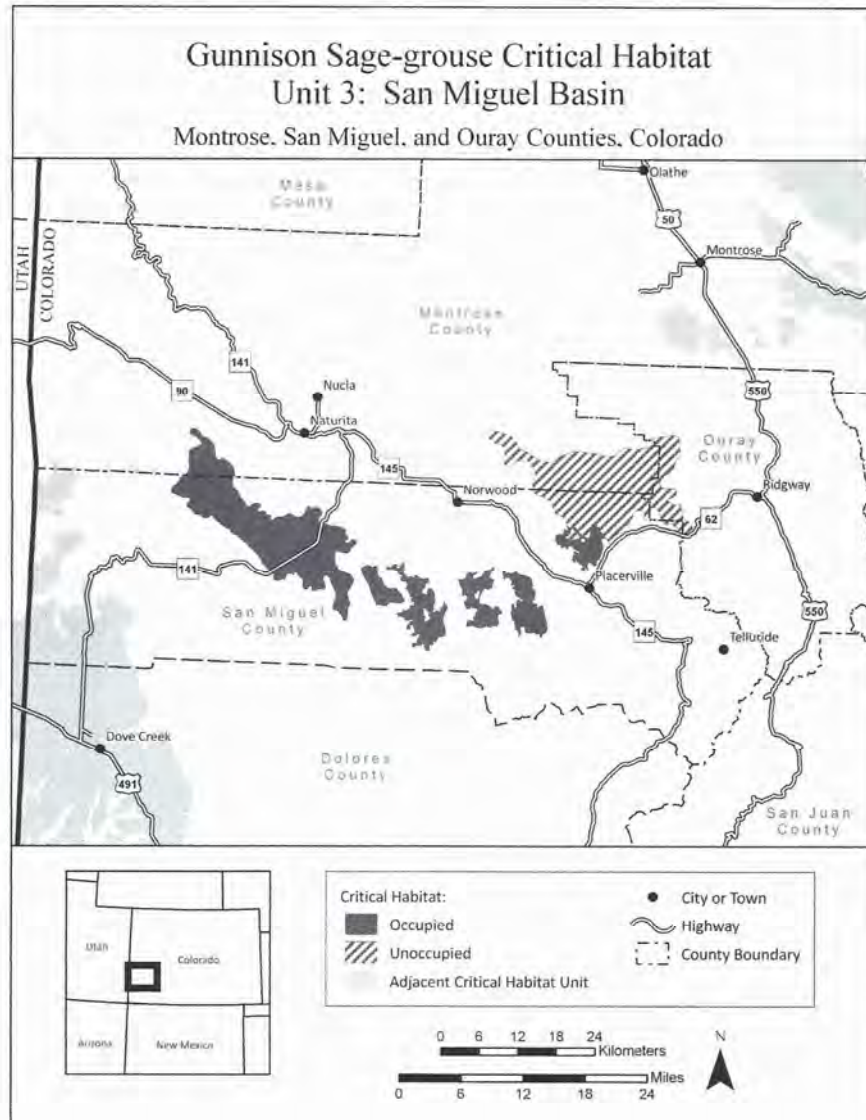




## Critical Habitat in Unit 3, San Miguel Basin

2566

Federal Register / Vol. 78, No. 8 / Friday, January 11, 2013 / Proposed Rules



(9) Unit 4: Cerro Summit-Cimarron-Sims Mesa: Montrose, Ouray, and Gunnison Counties, Colorado.

(i) *General Description:* 25,377 ha (62,708 ac); 3.7 percent of all critical habitat.

(ii) Map of Unit 4, Cerro Summit-Cimarron-Sims Mesa: Montrose, Ouray, and Gunnison Counties, Colorado, follows:

**Unit 4:**  
**Cerro Summit -**  
**Cimarron - Sims Mesa**



Gunnison Sage-grouse USFWS Critical Habitat  
Conservation Easements in Unit 4: Cerro Summit-Cimarron-Sims Mesa

| Current Owner  | Total CE Acres | Acres in Occupied Habitat | Acres in Unocc. Habitat | County   | CE Date  | Reception Number | Holds the CE | Parcel Number   | Mgmt. Codes | Easement Terms in Perpetuity<br>(HQ = headquarters)                                                                                               |
|----------------|----------------|---------------------------|-------------------------|----------|----------|------------------|--------------|-----------------|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------|
| Allison        | 80             | 0                         | 80                      | Montrose | 12/31/02 | #682438          | BCRLT        | 3771-074-00-012 | 1           | One 80-ac parcel with no building areas. No structures.                                                                                           |
| Collins        | 324            | 0                         | 325                     | Gunnison | 9/12/07  | #578716          | BCRLT        | 3987-000-00-006 | 1           | One 324-ac parcel with a 3-ac HQ area that includes three residences and ag structures.                                                           |
| Collins        | 155            | 155                       | 0                       | Gunnison | 12/21/06 | #571843          | BCRLT        | 3987-000-00-018 | 1, 3        | One 155-ac parcel with a 3-ac building area that includes two residences and ag structures, and a 5-ac building area that includes one residence. |
| Deming Kinikin | 140            | 0                         | 140                     | Montrose | 12/13/04 | #729991          | BCRLT        | 3991-123-00-001 | 1           | One 70-ac parcel with a 3-ac HQ area that includes one residence and ag structures.                                                               |
| Denham Kinikin | 149            | 0                         | 149                     | Montrose | 12/13/07 | #784420          | BCRLT        | 3991-104-00-023 | 1           | One 149-ac parcel with two 3-ac building areas that each include one residence and ag structures.                                                 |
| EGR            | 1394           | 1394                      | 0                       | Montrose | 12/26/03 | #714148          | RMEF         | 3987-071-00-003 | 1           | One 1394-ac parcel with ag structures only. No residences.                                                                                        |
| Farnsworth     | 41             | 41                        | 0                       | Montrose | 9/13/06  | #761261          | BCRLT        | 3987-262-00-003 | 1           | One 41-ac parcel with a 3-ac HQ area that includes one residence and ag                                                                           |

|        |      |      |     |          |                                          |                                          |                                |                                    |      |                                                                                                                                                                                                  |
|--------|------|------|-----|----------|------------------------------------------|------------------------------------------|--------------------------------|------------------------------------|------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |      |      |     |          |                                          |                                          |                                |                                    |      | structures, and one 0.5-ac historic homestead area that includes a seasonal use only residence.                                                                                                  |
| Hale   | 110  | 0    | 110 | Montrose | 11/28/05<br>12/29/06                     | #747350<br>#765676                       | BCRLT<br>BCRLT                 | 3771-292-00-042                    | 1    | One 110-ac parcel with a 3-ac building area that includes one residence and ag structures.                                                                                                       |
| Hale   | 170  | 0    | 170 | Montrose | 10/14/10                                 | #818545                                  | BCRLT                          | 3769-244-00-064                    | 1    | One 170-ac parcel with no building areas. No structures.                                                                                                                                         |
| Howell | 1164 | 1164 | 0   | Montrose | 6/11/99                                  | #652864                                  | BCRLT                          | 3989-111-00-020<br>3989-111-00-023 | 1    | One 1124-ac parcel with two 5-ac building areas that each include one residence. One area may include ag structures. Also one 40-ac parcel with a 5-ac building area that includes on residence. |
| Mazzia | 333  | 0    | 333 | Montrose | 12/30/96                                 | #624155                                  | BCRLT                          | 3771-204-00-017<br>3771-291-00-039 | 1    | One 333-ac parcel that may be divided into two parcels, each with a 4-ac building area that includes one residence and ag structures.                                                            |
| Mazzia | 200  | 0    | 200 | Montrose | 7/2/01                                   | #675709                                  | BCRLT                          | 3771-201-00-011                    | 1    | One 200-ac parcel with a 2-ac building area that includes one residence and ag structures.                                                                                                       |
| Muhr   | 75   | 0    | 75  | Montrose | 8/23/99<br>9/16/99<br>8/15/00<br>12/4/01 | #655357<br>#656119<br>#665785<br>#681562 | TCF<br>to NPS<br>to NPS<br>NPS | 3771-092-00-009<br>3771-093-00-012 | 1, 2 | One 37-ac parcel and one 38-ac parcel, each with a building area that includes one                                                                                                               |

|                          |      |     |      |          |                                                                            |                                                                           |                                                     |                                                       |      |                                                                                                                                                                        |
|--------------------------|------|-----|------|----------|----------------------------------------------------------------------------|---------------------------------------------------------------------------|-----------------------------------------------------|-------------------------------------------------------|------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                          |      |     |      |          | 9/15/06<br>6/21/07<br>12/13/11                                             | #763494<br>#776025<br>#830514                                             | TCF<br>TCF<br>TCF                                   |                                                       |      | residence.                                                                                                                                                             |
| Perrin                   | 120  | 120 | 0    | Montrose | 12/26/07                                                                   | #784949                                                                   | BCRLT                                               | 3987-224-00-025                                       | 1    | One 120-ac parcel with a 3-ac building area that includes two residences and ag structures, and a 1-ac building area that includes one residence.                      |
| Sanburg                  | 46   | 0   | 46   | Montrose | 12/4/01                                                                    | #681562                                                                   | NPS                                                 | 3719-294-00-001                                       | 1    | One 46-ac parcel with no building areas. No structures.                                                                                                                |
| Sanburg                  | 2146 | 0   | 2146 | Montrose | 8/23/99<br>9/16/99<br>8/15/00<br>12/4/01<br>9/15/06<br>6/21/07<br>12/13/11 | #655357<br>#656119<br>#665785<br>#681562<br>#763494<br>#776025<br>#830514 | TCF<br>to NPS<br>to NPS<br>NPS<br>TCF<br>TCF<br>TCF | 3771-081-00-008<br>3719-251-00-006<br>3719-264-00-001 | 1, 2 | One 2119-ac parcel with no building areas, no structures and one gravel pit. Also one 27-ac parcel with a building area that includes one residence and ag structures. |
| Simmons                  | 400  | 400 | 0    | Gunnison | 12/16/02<br>11/17/03                                                       | #526476<br>#536743                                                        | CCALT<br>CCALT                                      | 3987-000-00-023<br>3985-000-00-042                    | 1    | One 400-ac parcel with a HQ area that includes residences and ag structures.                                                                                           |
| Sitts, King,<br>Woodland | 39   | 39  | 0    | Montrose | 11/15/04                                                                   | #728470                                                                   | BCRLT                                               | 3993-181-00-025<br>3993-181-00-026<br>3993-181-00-027 | 1    | Three parcels of 16, 11 and 11 acres, separately owned, each with a 1-ac building area that includes one residence and ag structures.                                  |
| Stoney Point             | 680  | 682 | 0    | Montrose | 12/24/03                                                                   | #714198                                                                   | BCRLT                                               | 3989-084-00-011<br>3989-053-00-007                    | 1, 3 | One 680-ac parcel with two 3-ac building areas that each include one residence                                                                                         |



|                                              |             |               |               |  |  |  |  |  |  |                    |
|----------------------------------------------|-------------|---------------|---------------|--|--|--|--|--|--|--------------------|
|                                              |             |               |               |  |  |  |  |  |  | and ag structures. |
| <b>Total CE Acres:</b>                       | <b>7766</b> | <b>3995</b>   | <b>3774</b>   |  |  |  |  |  |  |                    |
| <b>Total Private Land Acres (per USFWS):</b> |             | <b>28,218</b> | <b>20,117</b> |  |  |  |  |  |  |                    |
| <b>CE Percent:</b>                           |             | <b>14%</b>    | <b>19%</b>    |  |  |  |  |  |  |                    |

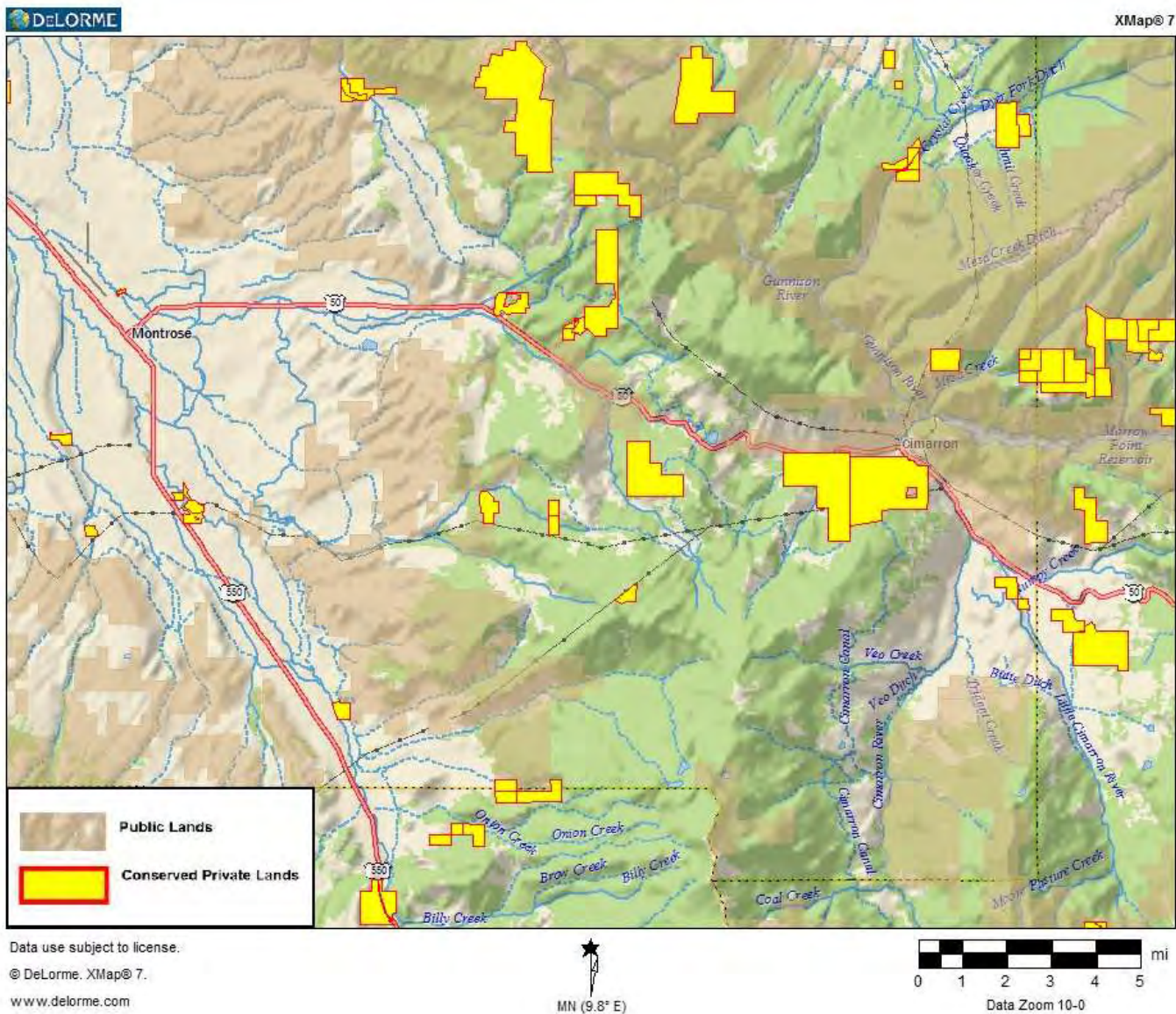
Management Requirements:

1. Standard management requirements for conservation easements: The conservation values must be sustained in perpetuity. Agriculture must be conducted using stewardship and management methods that preserve soil productivity, maintain natural stream channels, prevent soil erosion, minimize invasive species, avoid unsustainable livestock grazing practices, and minimize loss of vegetative cover. Trees may be cut to control insects and disease, to maintain the character and nature of wildlife habitat, to control invasive species, to prevent personal injury and property damage, and for domestic uses on the property. Surface mining is prohibited. Low-impact recreational uses such as wildlife watching, hiking, cross-country skiing, hunting and fishing are permitted. Noxious weeds and invasive plant species must be controlled. Water rights are permanently attached to the property. Surface disturbance is prohibited. Industrial uses are prohibited. Commercial uses must be consistent with the conservation values. Trash accumulation is prohibited. Motor vehicle use is restricted. Roads and driveways are restricted and cannot be paved.
2. This easement received funding from (or was donated to) one or more state or federal agencies. A five-year management plan is required by either the State of Colorado or the NRCS.
3. Habitat for Gunnison Sage-grouse is specifically mentioned in the easement as one of the conservation values that must be sustained in perpetuity.

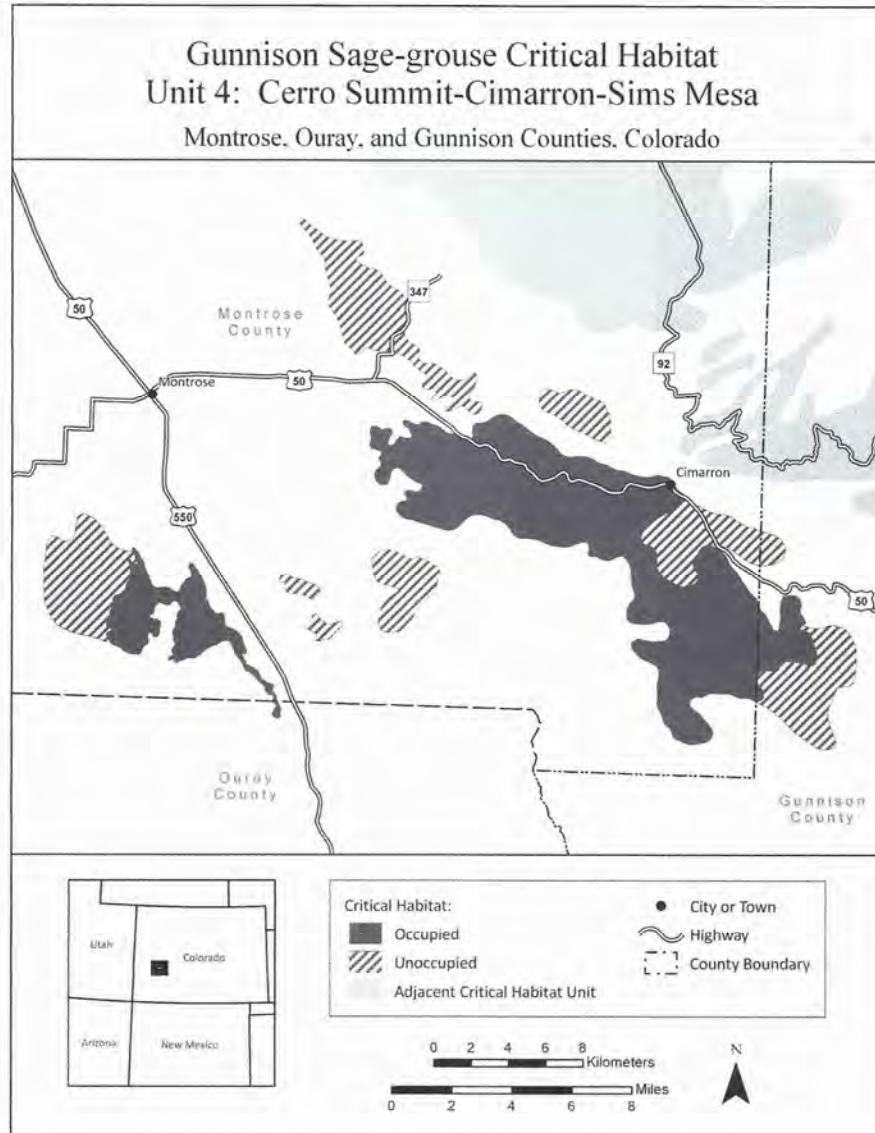
Holders of Conservation Easements:

BCRLT = Valley Land Conservancy *dba* Black Canyon Regional Land Trust  
CCALT = Colorado Cattlemen's Agricultural Land Trust  
NPS = National Park Service  
RMEF = Rocky Mountain Elk Foundation  
TCF = The Conservation Fund

## Conservation Easements on Private Land in the Cerro Summit-Cimarron-Sims Mesa Area



## Critical Habitat in Unit 4, Cerro Summit-Cimarron-Sims Mesa



(10) Unit 5: Crawford: Delta, Montrose, and Gunnison Counties, Colorado.

(i) *General Description:* 39,304 ha (97,123 ac); 5.7 percent of all critical habitat.

(ii) Map of Unit 5, Crawford: Delta, Montrose, and Gunnison Counties, Colorado, follows:

**Unit 5:**  
**Crawford**



Gunnison Sage-grouse USFWS Critical Habitat  
Conservation Easements in Unit 5: Crawford

| Current Owner | Total CE Acres | Acres in Occupied Habitat | Acres in Unocc. Habitat | County   | CE Date                         | Reception Number              | Holds the CE            | Parcel Number                                                                                                  | Mgmt. Codes | Easement Terms in Perpetuity<br>(HQ = headquarters)                                                                                      |
|---------------|----------------|---------------------------|-------------------------|----------|---------------------------------|-------------------------------|-------------------------|----------------------------------------------------------------------------------------------------------------|-------------|------------------------------------------------------------------------------------------------------------------------------------------|
| Adam          | 313            | 0                         | 313                     | Delta    | 9/20/05<br>12/28/06<br>12/17/07 | #595715<br>#610883<br>#621565 | BCRLT<br>BCRLT<br>BCRLT | 3501-173-00-006<br>3501-173-00-006<br>3501-173-00-006                                                          | 1           | One 313-ac parcel with a 3-ac HQ area that includes two residences and ag structures.                                                    |
| Ayer          | 525            | 0                         | 525                     | Montrose | 12/24/08                        | #797911                       | COL                     | 3717-013-00-012                                                                                                | 1, 3        | One 525-ac parcel with no building areas. Three hunting cabins allowed.                                                                  |
| Ayer          | 640            | 640                       | 0                       | Montrose | 12/27/10                        | #820821                       | COL                     | 3717-132-00-005                                                                                                | 1, 3        | One 640-ac parcel with two 7-ac building areas that each include one residence and ag structures.                                        |
| Bendele       | 65             | 0                         | 65                      | Montrose | 11/10/04                        | #728496                       | BCRLT                   | 3503-302-00-012                                                                                                | 1           | One 65-ac parcel with a 2-ac HQ area that includes two residences and ag structures.                                                     |
| Burke         | 50             | 0                         | 50                      | Delta    | 7/25/08                         | #627555                       | COL                     | 3503-202-01-001<br>3503-202-01-003<br>3503-202-01-002<br>3503-201-00-010                                       | 1           | One 50-ac parcel with a 3-ac HQ area that includes one residence and ag structures.                                                      |
| Canyon Ranch  | 694            | 0                         | 694                     | Delta    | 12/31/96                        | #501409                       | BCRLT                   | 3451-253-00-004<br>3451-252-00-003<br>3451-252-00-002<br>3449-303-00-004<br>3449-301-00-008<br>3449-311-00-008 | 1           | One 659-ac parcel with a 10-ac HQ area that includes two residences and ag structures, and one 35-ac parcel that includes one residence. |
| Canyon Ranch  | 1032           | 0                         | 1032                    | Delta    | 12/28/01                        | #550675                       | COL                     | 3451-261-00-002<br>3451-202-00-003<br>3451-201-00-001                                                          | 1           | One 1032-ac parcel with a HQ area and a second building area that each include one residence and ag structures.                          |
| Clagett       | 155            | 0                         | 155                     | Delta    | 8/16/04<br>11/17/06             | #582665<br>#609837            | BCRLT<br>BCRLT          | 3501-154-00-020<br>3501-154-00-029                                                                             | 1           | One 115-ac parcel and one 40-ac parcel, each                                                                                             |



|            |      |    |      |          |                                                                 |                                                                |                                                    |                                                                          |   |                                                                                                                                      |
|------------|------|----|------|----------|-----------------------------------------------------------------|----------------------------------------------------------------|----------------------------------------------------|--------------------------------------------------------------------------|---|--------------------------------------------------------------------------------------------------------------------------------------|
|            |      |    |      |          |                                                                 |                                                                |                                                    | 3501-154-00-028<br>3501-154-00-006                                       |   | with a 2-ac HQ area that includes one residence and ag structures.                                                                   |
| Gallob     | 142  | 0  | 142  | Delta    | 12/16/05                                                        | #598756                                                        | BCRLT                                              | 3503-201-01-003<br>3503-201-01-002<br>3503-212-01-006<br>3503-212-01-007 | 1 | Four 35-ac parcels, each with a 2-ac HQ area that includes one residence and ag structures.                                          |
| Gates Camp | 324  | 0  | 324  | Montrose | 10/19/10                                                        | #818657                                                        | BCRLT                                              | 3715-353-00-019<br>3773-022-00-003                                       | 1 | One 324-ac parcel with a 3-ac HQ area that includes two seasonal residences and ag structures.                                       |
| Groome     | 100  | 0  | 100  | Delta    | 12/20/05                                                        | #598878                                                        | BCRLT                                              | 3501-174-00-004                                                          | 1 | This 100-ac parcel may be split into two parcels. Each parcel may have a 3-ac HQ area that includes one residence and ag structures. |
| Groome     | 159  | 0  | 159  | Delta    | 12/21/06<br>12/20/07                                            | #610721<br>#621605                                             | BCRLT<br>BCRLT                                     | 3501-171-00-001                                                          | 1 | One 159-ac parcel with a 5-ac HQ area that includes one residence and ag structures.                                                 |
| Hart       | 1912 | 0  | 1912 | Montrose | 12/17/07<br>12/19/08<br>12/09/09<br>4/7/10<br>3/2/11<br>6/11/12 | #784506<br>#797807<br>#809144<br>#812702<br>#822640<br>#835906 | CCALT<br>CCALT<br>CCALT<br>CCALT<br>CCALT<br>CCALT | 3503-301-00-031                                                          | 1 | One 1912-ac parcel with a 1-ac area and a 3.5-ac area for ag structures only. No residences.                                         |
| Hart       | 66   | 66 | 0    | Montrose | 11/24/04<br>12/2/04                                             | #729250<br>#729550                                             | BCRLT<br>BCRLT                                     | 3715-332-00-010<br>3715-283-00-019                                       | 1 | One 66-ac parcel with a 2-ac HQ area that includes one residence and ag structures.                                                  |
| Jackson    | 109  | 0  | 109  | Montrose | 12/30/09                                                        | #809786                                                        | BCRLT                                              | 3501-291-00-033                                                          | 1 | One 109-ac parcel with a 5-ac HQ area that includes one residence and ag structures.                                                 |
| Klaseen    | 400  | 0  | 400  | Delta    | 12/3/09<br>10/15/10                                             | #639460<br>#646084                                             | COL<br>COL                                         | 3449-314-00-011<br>3499-124-00-002<br>3499-122-00-001                    | 1 | One 400-ac parcel with a 3-ac HQ area and a 3-ac building area that each                                                             |

|            |     |     |     |                      |                                |                               |                   |                                    |         |                                                                                                                                             |
|------------|-----|-----|-----|----------------------|--------------------------------|-------------------------------|-------------------|------------------------------------|---------|---------------------------------------------------------------------------------------------------------------------------------------------|
|            |     |     |     |                      |                                |                               |                   |                                    |         | include one residence and ag structures.                                                                                                    |
| Klaseen    | 970 | 430 | 540 | Montrose             | 12/30/09<br>12/27/10<br>6/6/11 | #809822<br>#820797<br>#825405 | COL<br>COL<br>COL | 3717-023-00-002                    | 1, 3    | One 970-ac parcel with a 10-ac HQ area that includes one residence and ag structures.                                                       |
| LeValley   | 420 | 420 | 0   | Montrose             | 3/21/13                        | #844656                       | BCRLT             | 3717-221-01-005                    | 1, 3    | One 420-ac parcel with a 5-ac HQ area that includes one residence and ag structures.                                                        |
| LeValley   | 310 | 310 | 0   | Montrose             | 9/29/06                        | #762028                       | CDOW              | 3717-221-01-005                    | 1, 2, 3 | One 310-ac parcel with no building areas.                                                                                                   |
| LeValley   | 583 | 583 | 0   | Montrose             | 5/11/04                        | #719731                       | CDOW              | 3717-073-00-002                    | 1, 2, 3 | One 583-ac parcel with no building areas.                                                                                                   |
| McLaughlin | 180 | 0   | 180 | Montrose<br>Gunnison | 3/28/12                        | #833685<br>#612071            | CCALT<br>CCALT    | 3715-000-00-012<br>3715-351-10-002 | 1       | One 180-ac parcel with a 5-ac HQ area that includes two residences and ag structures, and a 2-ac building area that includes one residence. |
| McLaughlin | 80  | 0   | 80  | Montrose             | 12/31/07                       | #784948                       | BCRLT             | 3773-021-00-010<br>3715-354-00-001 | 1       | One 80-ac parcel with a 3-ac HQ area that includes one residence and ag structures.                                                         |
| Mesa Ranch | 739 | 739 | 0   | Delta                | 12/31/96                       | #501406<br>#630079            | BCRLT<br>BCRLT    | 3451-362-00-003<br>3499-101-00-001 | 1       | One 739-ac parcel with existing ag structures. Residences not specified.                                                                    |
| Mugford    | 123 | 0   | 123 | Delta                | 11/16/04<br>9/30/05            | #585498<br>#596117            | BCRLT<br>BCRLT    | 3501-143-00-019<br>3501-232-00-015 | 1       | One 123-ac parcel with two 2-ac areas that each include one residence and ag structures.                                                    |
| Murray     | 67  | 0   | 67  | Montrose             | 12/26/06                       | #765541                       | BCRLT             | 3501-223-00-031                    | 1       | One 67-ac parcel with a 2-ac HQ area that includes two residences and ag structures.                                                        |
| Nelson     | 130 | 0   | 130 | Delta<br>Montrose    | Fall 2013                      | Pending                       | COL               | 3503-203-00-006                    | 1       | One 130-ac parcel with a 5-ac HQ area that includes one residence and ag structures.                                                        |

|            |     |   |     |          |                                 |                               |                         |                                    |   |                                                                                                                                                                                   |
|------------|-----|---|-----|----------|---------------------------------|-------------------------------|-------------------------|------------------------------------|---|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Pipher     | 81  | 0 | 81  | Montrose | 12/27/05                        | #748704                       | BCRLT                   | 3715-211-01-002                    | 1 | One 81-ac parcel with a 3-ac HQ area that includes one residence and ag structures.                                                                                               |
| Pipher     | 142 | 0 | 142 | Montrose | 12/18/06<br>12/18/06<br>9/21/04 | #765299<br>#765298<br>#583599 | BCRLT<br>BCRLT<br>BCRLT | 3773-043-00-012<br>3773-081-00-015 | 1 | One 142-ac parcel with a 5-ac HQ area that includes one residence, two seasonal cabins and ag structures, and a 3-ac building area that includes one residence and ag structures. |
| Pipher     | 133 | 0 | 133 | Montrose | 12/27/07                        | #784836                       | BCRLT                   | 3715-201-00-028                    | 1 | One 133-ac parcel with a 3-ac HQ area that includes one residence and ag structures.                                                                                              |
| Ritschard  | 85  | 0 | 85  | Montrose | 12/27/07                        | #784835                       | BCRLT                   | 3773-042-00-014                    | 1 | One 85-ac parcel with a 1-ac HQ area that includes one residence and ag structures.                                                                                               |
| Smith      | 85  | 0 | 85  | Montrose | 12/27/06                        | #765548                       | COL                     | 3501-282-00-030                    | 1 | One 85-ac parcel with a 5-ac HQ area that includes one residence and ag structures.                                                                                               |
| Smith Fork | 159 | 0 | 159 | Delta    | 12/29/08                        | #631062                       | BCRLT                   | 3447-313-00-003                    | 1 | One 159-ac parcel with a 5-ac HQ area that includes one residence and ag structures and a 3-ac area that includes two residences.                                                 |
| Stahl      | 41  | 0 | 41  | Delta    | 11/17/06                        | #609836                       | BCRLT                   | 3501-153-00-005                    | 1 | One 40-ac parcel with a 2-ac HQ area that includes one residence and ag structures.                                                                                               |
| Tabuteau   | 232 | 0 | 232 | Montrose | 12/19/07                        | #784625                       | COL                     | 3501-272-00-002                    | 1 | One 232-ac parcel with a 5-ac HQ area and a 3-ac area that each include one residence and ag structures.                                                                          |

|                                              |               |              |               |                                                 |                                                          |                                                     |                                 |                                                                                                                                   |   |                                                                                                                                                              |
|----------------------------------------------|---------------|--------------|---------------|-------------------------------------------------|----------------------------------------------------------|-----------------------------------------------------|---------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|---|--------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Todd                                         | 809           | 282          | 527           | Delta<br>Montrose<br>Delta<br>Montrose<br>Delta | 12/23/08<br>12/29/08<br>12/30/09<br>12/30/09<br>12/29/10 | #630996<br>#797977<br>#639994<br>#809814<br>#647861 | COL<br>COL<br>COL<br>COL<br>COL | 3499-244-00-005<br>3501-193-00-011<br>3501-193-00-010<br>3501-192-00-005<br>3499-244-00-008<br>3499-241-00-007<br>3501-182-00-014 | 1 | One 809-ac parcel with a 7-ac HQ area that includes two residences and ag structures. This parcel may be divided into two parcels no smaller than 150 acres. |
| Zeldenthuis                                  | 80            | 0            | 80            | Delta                                           | 12/29/05                                                 | #599098                                             | BCRLT                           | 3501-202-00-010                                                                                                                   | 1 | One 80-ac parcel with no building areas and no structures.                                                                                                   |
| <b>Total CE Acres:</b>                       | <b>12,135</b> | <b>3,470</b> | <b>8,665</b>  |                                                 |                                                          |                                                     |                                 |                                                                                                                                   |   |                                                                                                                                                              |
| <b>Total Private Land Acres (per USFWS):</b> |               | <b>8,481</b> | <b>44,552</b> |                                                 |                                                          |                                                     |                                 |                                                                                                                                   |   |                                                                                                                                                              |
| <b>CE Percent:</b>                           |               | <b>41%</b>   | <b>20%</b>    |                                                 |                                                          |                                                     |                                 |                                                                                                                                   |   |                                                                                                                                                              |

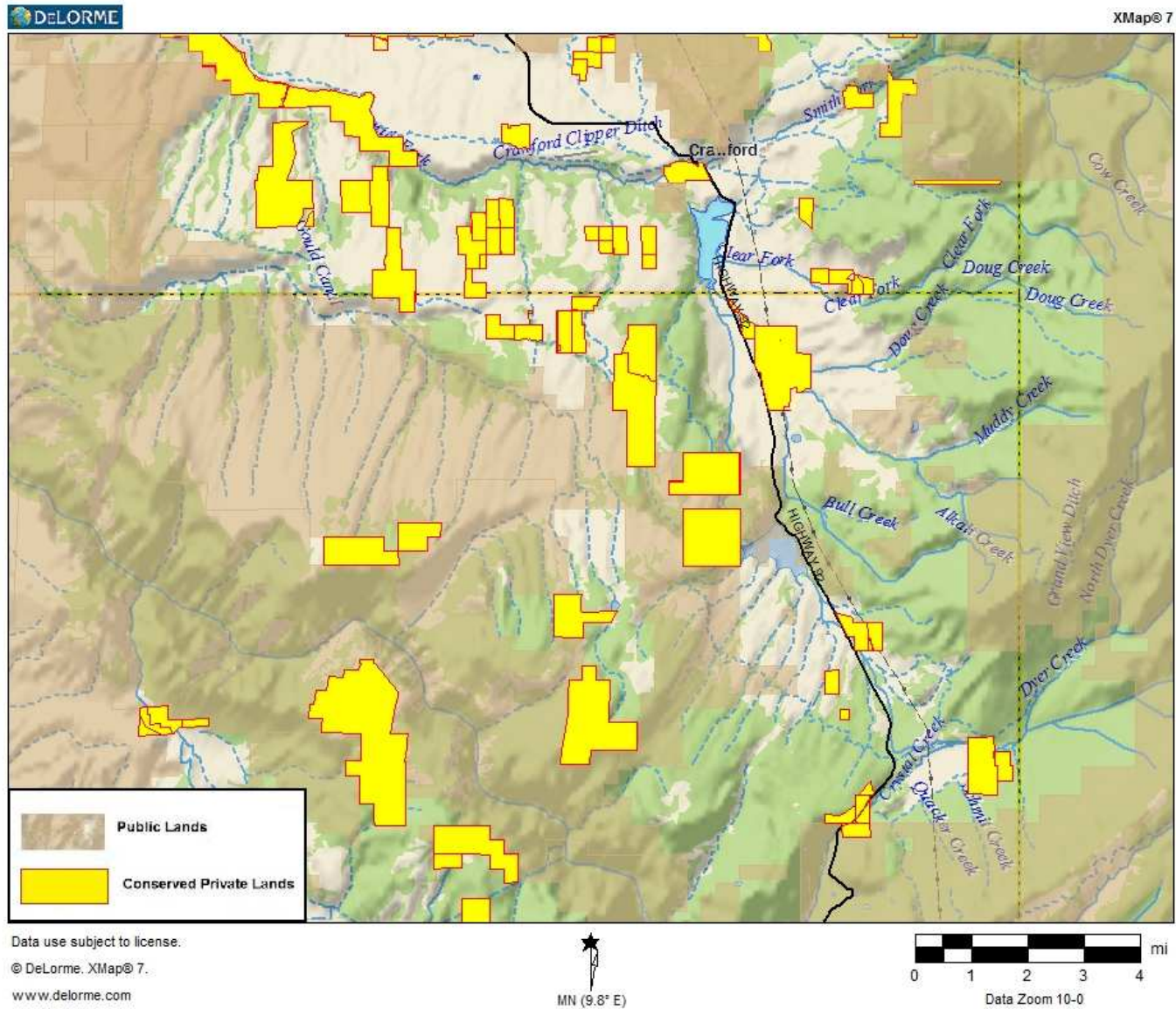
#### Management Requirements:

1. Standard management requirements for conservation easements: The conservation values must be sustained in perpetuity. Agriculture must be conducted using stewardship and management methods that preserve soil productivity, maintain natural stream channels, prevent soil erosion, minimize invasive species, avoid unsustainable livestock grazing practices, and minimize loss of vegetative cover. Trees may be cut to control insects and disease, to maintain the character and nature of wildlife habitat, to control invasive species, to prevent personal injury and property damage, and for domestic uses on the property. Surface mining is prohibited. Low-impact recreational uses such as wildlife watching, hiking, cross-country skiing, hunting and fishing are permitted. Noxious weeds and invasive plant species must be controlled. Water rights are permanently attached to the property. Surface disturbance is prohibited. Industrial uses are prohibited. Commercial uses must be consistent with the conservation values. Trash accumulation is prohibited. Motor vehicle use is restricted. Roads and driveways are restricted and cannot be paved.
2. This easement received funding from (or was donated to) one or more state or federal agencies. A five-year management plan is required by either the State of Colorado or the NRCS.
3. Habitat for Gunnison Sage-grouse is specifically mentioned in the easement as one of the conservation values that must be sustained in perpetuity.

#### Holders of Conservation Easements:

BCRLT = Valley Land Conservancy *dba* Black Canyon Regional Land Trust  
CCALT = Colorado Cattlemen's Agricultural Land Trust  
CDOW = State of Colorado, Department of Natural Resources, *formerly* Colorado Division of Wildlife, *now* Colorado Parks and Wildlife  
COL = Colorado Open Lands

## Conservation Easements on Private Land in the Crawford Area

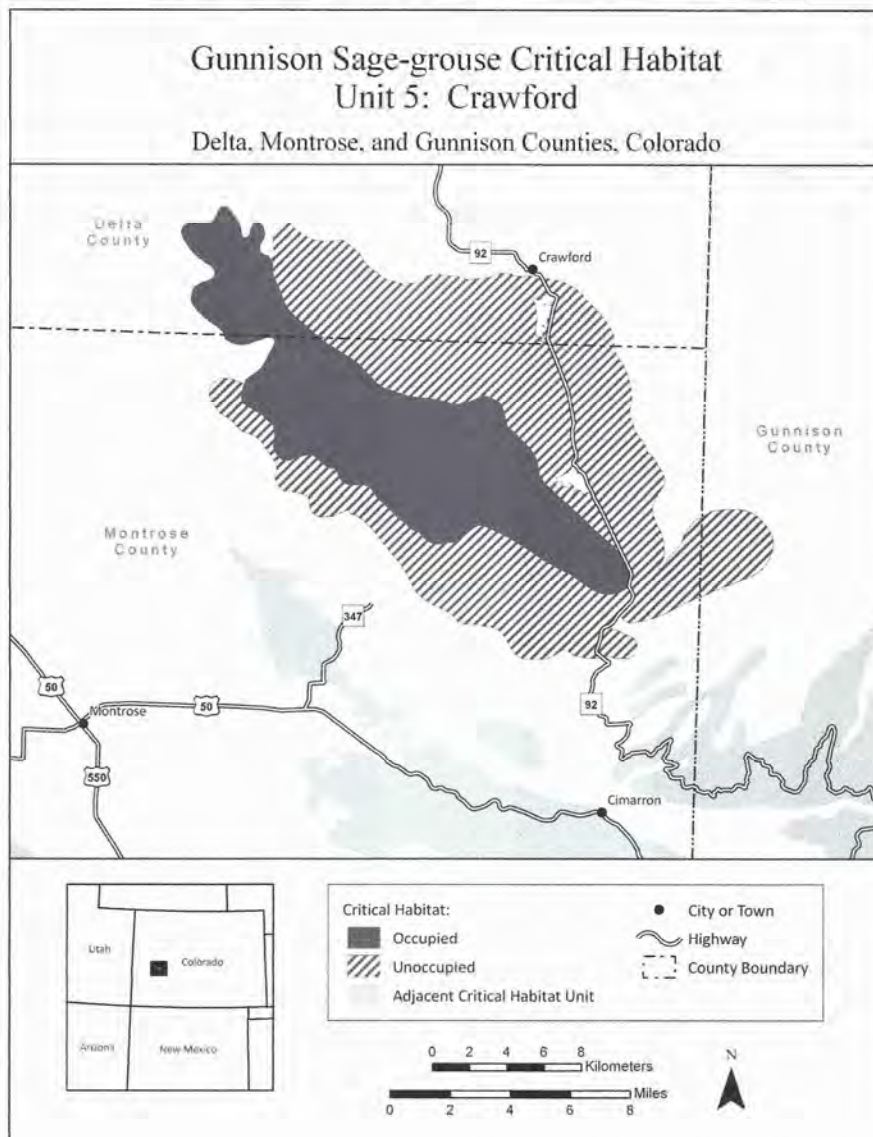




## Critical Habitat in Unit 5, Crawford

2568

Federal Register / Vol. 78, No. 8 / Friday, January 11, 2013 / Proposed Rules



(11) Unit 6: Gunnison Basin: Gunnison, Saguache, Montrose, and Hinsdale Counties, Colorado.

(i) *General Description:* 298,173 ha (736,802 ac); 43.2 percent of all critical habitat.

(ii) Map of Unit 6, Gunnison Basin: Gunnison, Saguache, Montrose, and Hinsdale Counties, Colorado, follows:

**Unit 6:**  
**Gunnison Basin**



Gunnison Sage-grouse USFWS Critical Habitat  
Conservation Easements in Unit 6: Gunnison Basin

| Current Owner   | Total<br>CE<br>Acres | Acres in<br>Occupied<br>Habitat | Acres in<br>Unocc.<br>Habitat | County                                               | CE Date                                                                                               | Reception<br>Number                                                                             | Holds<br>the CE                                                               | Parcel Number                                                                               | Mgmt.<br>Codes | Easement Terms<br>in Perpetuity<br>(HQ = headquarters)                                                                                                                       |
|-----------------|----------------------|---------------------------------|-------------------------------|------------------------------------------------------|-------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Alexander       | 590                  | 590                             | 0                             | Gunnison                                             | 12/19/03<br>12/30/09<br>12/30/09                                                                      | #537905<br>#596113<br>#596114                                                                   | RMEF<br>RMEF<br>RMEF                                                          | 3983-000-00-086                                                                             | 1              | One 590-ac parcel with no building areas.                                                                                                                                    |
| Allen           | 1190                 | 1190                            | 0                             | Gunnison                                             | 11/14/03<br>11/14/03<br>11/14/03                                                                      | #536700<br>#536701<br>#546702                                                                   | COL<br>COL<br>COL                                                             | 3515-000-00-040<br>3517-000-00-016<br>3517-000-00-018<br>3701-000-00-202<br>3699-000-00-123 | 1, 2, 3        | One 1070-ac parcel, one 40-ac parcel, one 40-ac parcel added to an adjacent parcel, and one 80-ac parcel added to another adjacent parcel. No building areas. No residences. |
| Altman          | 36                   | 0                               | 36                            | Gunnison                                             | 12/29/06                                                                                              | #571973                                                                                         | BCRLT                                                                         | 3779-000-01-003                                                                             | 1              | One 36-ac parcel with no building areas.                                                                                                                                     |
| Anders          | 874                  | 874                             | 0                             | Gunnison                                             | 10/24/00                                                                                              | #507021                                                                                         | CBLT                                                                          | 3435-000-00-027                                                                             | 1              | One 874-ac parcel with a HQ area that includes two residences and ag structures.                                                                                             |
| Ballantyne      | 560                  | 560                             | 0                             | Gunnison                                             | 6/30/06                                                                                               | #566574                                                                                         | CDOW                                                                          | 3789-000-00-035<br>3973-000-00-004                                                          | 1, 2, 3        | One 560-ac parcel with a 5-ac HQ area that includes one residence and ag structures.                                                                                         |
| Bear Ranch      | 910                  | 910                             | 0                             | Gunnison                                             | 12/21/07<br>12/21/07<br>12/21/07<br>12/21/07<br>12/21/07                                              | #581193<br>#581194<br>#581195<br>#581196<br>#581197                                             | TNC<br>TNC<br>TNC<br>TNC<br>TNC                                               | 3781-000-00-022                                                                             | 1, 3           | Five 182-ac parcels, each with a 5-ac HQ area that includes one residence and ag structures.                                                                                 |
| Black Mesa Land | 1687                 | 0                               | 1687                          | Montrose<br><br><br><br><br><br><br><br><br>Gunnison | 11/11/03<br>8/11/04<br>11/9/05<br>12/14/07<br>12/31/08<br>12/13/10<br>11/9/05<br>11/22/06<br>12/14/07 | #712528<br>#725499<br>#746491<br>#784493<br>#798038<br>#820354<br>#560557<br>#571155<br>#581049 | BCRLT<br>BCRLT<br>BCRLT<br>BCRLT<br>BCRLT<br>BCRLT<br>BCRLT<br>BCRLT<br>BCRLT | 3773-351-00-025<br><br><br><br><br><br><br><br>3777-000-00-008                              | 1              | One 1687-ac parcel with no building areas.                                                                                                                                   |

|                 |      |      |      |                      |                                             |                                          |                                  |                                    |         |                                                                                                                                                                                                                                                                                                |
|-----------------|------|------|------|----------------------|---------------------------------------------|------------------------------------------|----------------------------------|------------------------------------|---------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                 |      |      |      |                      | 12/30/08<br>12/14/09<br>12/14/10<br>11/4/11 | #588351<br>#595993<br>#602553<br>#609307 | BCRLT<br>BCRLT<br>BCRLT<br>BCRLT |                                    |         |                                                                                                                                                                                                                                                                                                |
| Callihan        | 254  | 254  | 0    | Saguache             | 4/8/11                                      | #369176                                  | CCALT                            | 3969-201-00-040                    | 1, 2, 3 | One 254-ac parcel with a 10-ac HQ area that includes one residence and ag structures.                                                                                                                                                                                                          |
| Cochetopa Creek | 1100 | 1100 | 0    | Saguache             | 12/14/07<br>12/27/10                        | #360693<br>#368381                       | CCALT<br>CCALT                   | 4325-153-00-009                    | 1       | One 1100-ac parcel with a 20-ac HQ area that includes up to five residences, four cabins and ag structures, and a 15-ac HQ that includes three residences and ag structures. This parcel may be divided into either a 940-ac parcel and a 160-ac parcel, or two parcels of at least 500 acres. |
| Cole            | 307  | 307  | 0    | Gunnison<br>Saguache | 12/21/99<br>12/21/99                        | #498780<br>#328878                       | CCALT<br>CCALT                   | 3969-000-00-022<br>3969-161-00-016 | 1, 2, 3 | One 307-ac parcel with a HQ area that includes one residence and ag structures.                                                                                                                                                                                                                |
| Cross Bar       | 643  | 0    | 643  | Saguache             | 12/20/10                                    | #368328                                  | COL                              | 3963-154-00-008<br>3963-224-00-018 | 1, 2    | One 643-ac parcel with a 2-ac area and a 5-ac area, each with one residence and ag structures.                                                                                                                                                                                                 |
| Curecanti       | 8884 | 0    | 8884 | Gunnison             | 3/10/98<br>12/14/00                         | #482312<br>#507686                       | RMEF<br>RMEF                     | 3779-000-00-026                    | 1       | One 8884-ac parcel with a HQ area that includes one residence and ag structures, a 10-ac area with one residence and ag structures, and a defined development area for up to four residences or three residences and a lodge. Also one remote                                                  |

|              |      |      |   |                      |                               |                               |              |                                                                                             |         |                                                                                                                                                                                                |
|--------------|------|------|---|----------------------|-------------------------------|-------------------------------|--------------|---------------------------------------------------------------------------------------------|---------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|              |      |      |   |                      |                               |                               |              |                                                                                             |         | seasonal cabin.                                                                                                                                                                                |
| Double Heart | 872  | 872  | 0 | Gunnison             | 6/23/98                       | #484625                       | TNC          | 3969-000-00-009<br>3793-000-00-028<br>3793-000-00-042                                       | 1, 2, 3 | One 872-ac parcel with a HQ area that includes one residence and ag structures.                                                                                                                |
| Double Heart | 360  | 360  | 0 | Gunnison<br>Saguache | 12/18/03<br>12/18/03          | #537679<br>#343697            | RMEF<br>RMEF | 3967-000-00-011<br>3967-171-00-006                                                          | 1       | One 360-ac parcel with a 5-ac HQ area that includes three residences and ag structures.                                                                                                        |
| Eagle Ridge  | 4351 | 4351 | 0 | Gunnison             | 3/16/94<br>1/27/00<br>1/27/00 | #450091<br>#499356<br>#499359 | (none)       | 3513-000-00-002<br>3515-000-00-024<br>3515-000-02-001<br>3515-000-03-001<br>3515-000-01-001 | 1       | One 4351-ac parcel with two residences, two cabins and ag structures. Although not a traditional CE, the recorded "Conservation Covenants" restrict subdivision and development in perpetuity. |
| Elze         | 184  | 184  | 0 | Gunnison             | 11/14/03                      | #536700                       | COL          | 3515-000-00-034                                                                             | 1, 2, 3 | One 184-ac parcel with a 5-ac HQ area that includes one residence and ag structures, and a 6-ac area for ag structures only. The 5-ac area may be separated.                                   |
| Elze         | 113  | 113  | 0 | Gunnison             | 11/14/03                      | #536700                       | COL          | 3701-000-00-162                                                                             | 1, 2, 3 | One 113-ac parcel with a 10-ac HQ area and a 5-building area that each include one residence and ag structures. The 5-ac area may be separated.                                                |
| Field        | 594  | 594  | 0 | Gunnison             | 10/20/98                      | #489010                       | CCALT        | 3791-000-00-049                                                                             | 1, 2, 3 | One 594-ac parcel with a HQ area that includes two residences and ag structures.                                                                                                               |
| Field        | 160  | 160  | 0 | Gunnison             | 3/28/00                       | #500587                       | CCALT        | 3791-000-00-006                                                                             | 1, 2, 3 | One 160-ac parcel with a HQ area that includes one residence and ag structures.                                                                                                                |



|                           |      |      |     |          |                    |                    |                |                                                       |         |                                                                                                                      |
|---------------------------|------|------|-----|----------|--------------------|--------------------|----------------|-------------------------------------------------------|---------|----------------------------------------------------------------------------------------------------------------------|
| Flying W                  | 2433 | 2433 | 0   | Gunnison | 12/20/02           | #526681            | TNC            | 4053-000-00-109                                       | 1, 3    | One 2433-ac parcel with a 10-ac HQ area and two 5-ac building areas, each including one residence and ag structures. |
| Fulton                    | 397  | 0    | 397 | Gunnison | 5/15/07<br>8/21/08 | #575310<br>#585961 | CCALT<br>CCALT | 3781-000-00-015<br>3781-000-00-012                    | 1, 2    | One 397-ac parcel with a HQ area that includes one residence, ag structures and one small seasonal cabin.            |
| Fuyu Farms                | 97   | 97   | 0   | Gunnison | 12/22/00           | #489010            | CCALT          | 3791-000-00-006                                       | 1       | Two parcels of 36 ac and 61 ac, each with a building area that includes one residence and ag structures.             |
| Fuyu Farms                | 759  | 759  | 0   | Gunnison | 12/29/97           | #480732            | CCALT          | 3791-000-00-055                                       | 1       | One 759-ac parcel with a HQ area that includes one residence and ag structures; up to three residences elsewhere.    |
| Gateview                  | 265  | 0    | 265 | Gunnison | 12/17/97           | #480577            | BLM            | 4245-000-00-037<br>4245-000-00-033<br>4245-000-00-011 | 1, 2    | One 265-ac parcel with a HQ area that includes three residences and ag structures.                                   |
| Graham                    | 184  | 184  | 0   | Gunnison | 12/4/12            | #617208            | CBLT           | 3787-000-00-104                                       | 1, 3    | One 184-ac parcel with a 3-ac HQ area that includes one residence and ag structures.                                 |
| Guerrieri                 | 160  | 160  | 0   | Gunnison | 10/25/99           | #497480            | CCALT          | 3439-000-00-012                                       | 1, 2    | One 160-ac parcel with a 5-ac HQ area that includes one residence and ag structures.                                 |
| Guerrieri Land and Cattle | 115  | 115  | 0   | Gunnison | 12/13/05           | #559345            | COL            | 3701-000-00-149                                       | 1, 2    | One 115-ac parcel with a HQ area that includes ag structures. No residences.                                         |
| Guerrieri Land and Cattle | 112  | 112  | 0   | Gunnison | 11/14/03           | #536700            | COL            | 3701-000-00-193                                       | 1, 2, 3 | One 112-ac parcel with two areas for ag structures only. No residences.                                              |
| Guerrieri                 | 320  | 320  | 0   | Gunnison | 11/14/03           | #536700            | COL            | 3701-000-00-012                                       | 1, 2, 3 | One 320-ac parcel with                                                                                               |

|                     |     |     |     |          |                      |                    |                |                                    |         |                                                                                                                                           |
|---------------------|-----|-----|-----|----------|----------------------|--------------------|----------------|------------------------------------|---------|-------------------------------------------------------------------------------------------------------------------------------------------|
| Ranches             |     |     |     |          | 11/13/03             | #536707            | COL            |                                    |         | no building areas.                                                                                                                        |
| Guerrieri Ranches   | 293 | 293 | 0   | Gunnison | 11/14/03<br>11/14/03 | #536700<br>#536708 | COL<br>COL     | 3701-000-00-041<br>3701-000-00-192 | 1, 2, 3 | One 293-ac parcel with a 27-ac HQ area that includes two residences and ag structures.                                                    |
| Gunnison Riverbanks | 384 | 384 | 0   | Gunnison | 12/22/03<br>3/26/04  | #537873<br>#540185 | CBLT<br>CBLT   | 3699-040-01-001                    | 1       | One 384-ac parcel with no building areas.                                                                                                 |
| Gunnison Valley     | 160 | 160 | 0   | Gunnison | 6/10/13              | #620623            | CPW            | 3699-000-00-127                    | 1, 2, 3 | One 160-ac parcel with no building areas.                                                                                                 |
| Hinkle              | 300 | 300 | 0   | Gunnison | 11/14/03<br>11/14/03 | #536705<br>#536706 | COL<br>COL     | 3437-000-00-017                    | 1       | One 300-ac parcel with no building areas.                                                                                                 |
| Hollenbeck          | 282 | 282 | 0   | Gunnison | 4/23/04              | #541247            | CCALT          | 3789-000-00-026                    | 1, 2    | One 282-ac parcel with no building areas.                                                                                                 |
| Howell              | 623 | 623 | 0   | Gunnison | 6/11/99              | #493735            | BCRLT          | 4047-000-00-009                    | 1       | One 623-ac parcel with three 5-ac building areas that each include one residence and ag structures.                                       |
| Irby                | 197 | 197 | 0   | Gunnison | 12/10/03             | #537437            | COL            | 3969-000-00-045                    | 1, 2    | One 197-ac parcel with a 7-ac HQ area that includes one residence and ag structures.                                                      |
| Irby                | 456 | 456 | 0   | Gunnison | 6/14/04<br>9/14/06   | #543071<br>#569021 | COL<br>COL     | 3967-000-00-012                    | 1, 2    | One 456-ac parcel with an 8-ac HQ area that includes one residence and ag structures, and a 7-ac area for ag structures only.             |
| Irby                | 321 | 321 | 0   | Saguache | 6/16/09              | #364476            | COL            | 3967-232-00-016                    | 1, 2    | One 321-ac parcel with a 5-ac HQ area that includes one residence and ag structures.                                                      |
| Kaichen             | 243 | 243 | 0   | Gunnison | 5/13/05<br>9/5/06    | #561376<br>#569518 | CDOW<br>CDOW   | 3979-000-00-003                    | 1, 3    | This 243-ac parcel may be divided into two parcels, each with a building area that includes one residence; one also includes four cabins. |
| Knott               | 420 | 0   | 420 | Gunnison | 10/29/03<br>7/21/04  | #536206<br>#544288 | BCRLT<br>BCRLT | 3777-000-00-004<br>3779-000-00-009 | 1       | One 420-ac parcel with a 2-ac HQ area that                                                                                                |

|                    |      |      |     |          |                     |                    |                |                                                       |         |                                                                                                                                                                                                                        |
|--------------------|------|------|-----|----------|---------------------|--------------------|----------------|-------------------------------------------------------|---------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                    |      |      |     |          | 8/18/05<br>10/10/06 | #557054<br>#570291 | BCRLT<br>BCRLT |                                                       |         | includes one residence and ag structures.                                                                                                                                                                              |
| Knott              | 120  | 0    | 120 | Gunnison | 10/23/09            | #594746            | BCRLT          | 3779-000-00-009                                       | 1       | One 120-ac parcel with a 1-ac HQ area that includes one seasonal cabin and ag structures.                                                                                                                              |
| Kruthaupt          | 470  | 470  | 0   | Gunnison | 9/19/99             | #496498            | CCALT          | 3793-000-00-025<br>3793-000-00-068<br>3969-000-00-012 | 1, 2, 3 | One 470-ac parcel with a 5-ac HQ area that includes two residences and ag structures.                                                                                                                                  |
| Lone Oak, 5 Lazy K | 358  | 358  | 0   | Gunnison | 9/15/00             | #505162            | CCALT          | 3789-000-00-069<br>3789-000-00-068                    | 1, 2, 3 | One 200-ac parcel and one 158-ac parcel, each with a HQ area that includes a residence and ag structures.                                                                                                              |
| Lypps              | 1584 | 1584 | 0   | Gunnison | 6/30/06             | #566576            | CDOW           | 3789-000-00-043<br>3973-000-00-002                    | 1, 2, 3 | This 1584-ac parcel may be divided into one 1374-ac parcel and six 35-ac parcels. Each 35-ac parcel may have one 5-ac building area with one residence and ag structures; one of these building areas may be 12 acres. |
| Maldarella         | 199  | 199  | 0   | Gunnison | 9/29/98<br>4/14/06  | #487412<br>#564389 | TNC<br>TNC     | 3791-230-00-010                                       | 1, 2, 3 | One 199-ac parcel with a 5-ac HQ area that includes one residence and ag structures; this 5-ac area may be owned separately.                                                                                           |
| Mathews            | 53   | 0    | 53  | Gunnison | 12/26/06            | #571971            | BCRLT          | 3779-000-00-012                                       | 1       | One 53-ac parcel with a 3-ac HQ area that includes one residence and ag structures.                                                                                                                                    |
| Mesa Creek         | 400  | 0    | 400 | Montrose | 12/8/10             | #820254            | BCRLT          | 3773-331-00-020                                       | 1       | One 400-ac parcel with no building areas.                                                                                                                                                                              |
| Mesa Valley        | 470  | 470  | 0   | Gunnison | 12/7/99             | #498583            | TNC            | 3981-000-00-058<br>3981-000-00-060                    | 1, 3    | One 470-ac parcel with a 2-ac HQ area that includes one residence and ag structures.                                                                                                                                   |

|            |     |     |   |          |                                                                    |                                                                |                                        |                                                                                                                                   |         |                                                                                                                                                                                                                  |
|------------|-----|-----|---|----------|--------------------------------------------------------------------|----------------------------------------------------------------|----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|---------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Mill Creek | 320 | 320 | 0 | Gunnison | 11/14/03<br>11/14/03                                               | #536710<br>#536711                                             | COL<br>COL                             | 3437-000-00-088                                                                                                                   | 1, 2, 3 | One 320-ac parcel with a 5-ac HQ area that includes one residence and ag structures. This parcel may be divided into two 160-ac parcels, as long as one is adjacent to other ranchland under the same ownership. |
| Miller     | 280 | 280 | 0 | Gunnison | 11/14/03                                                           | #536700                                                        | COL                                    | 3515-000-00-046                                                                                                                   | 1, 2, 3 | One 280-ac parcel with a 35-ac HQ area that includes two residences and ag structures.                                                                                                                           |
| Nelson     | 150 | 150 | 0 | Gunnison | 3/21/00                                                            | #500432                                                        | CCALT                                  | 3969-000-00-031<br>3967-000-00-014<br>3969-000-00-036                                                                             | 1, 2, 3 | One 150-ac parcel with a HQ area that includes two residences and ag structures.                                                                                                                                 |
| Pesnell    | 465 | 465 | 0 | Gunnison | 9/26/02<br>4/24/08                                                 | #524120<br>#583502                                             | COL<br>COL                             | 3969-000-00-043                                                                                                                   | 1, 2, 3 | One 465-ac parcel with a HQ area that includes two cabins and ag structures, and a second area that includes one residence.                                                                                      |
| Peterson   | 520 | 520 | 0 | Gunnison | 1/6/99                                                             | #490030                                                        | CCALT                                  | 3791-000-00-028<br>3793-000-00-020<br>3793-000-00-044<br>3793-000-00-019<br>3791-000-00-025                                       | 1, 2    | One 520-ac parcel with a HQ area that includes ag structures. No residences.                                                                                                                                     |
| Phelps     | 248 | 248 | 0 | Gunnison | 9/18/00<br>10/29/07                                                | #505161<br>#579926                                             | CCALT<br>CCALT                         | 3791-000-00-065<br>3791-000-00-067                                                                                                | 1, 2, 3 | One 147-ac parcel with no building areas, and one 101-ac parcel with a 9-ac HQ area that includes one residence and ag structures.                                                                               |
| Pinnacles  | 705 | 705 | 0 | Gunnison | 12/12/00<br>12/11/03<br>12/12/03<br>11/22/04<br>5/19/11<br>5/19/11 | #507594<br>#537449<br>#537765<br>#548599<br>#605689<br>#605694 | TNC<br>TNC<br>TNC<br>TNC<br>TNC<br>TNC | 3981-000-01-001<br>3981-000-01-002<br>3981-000-01-003<br>3981-000-01-004<br>3981-000-01-005<br>3981-000-01-006<br>3981-000-01-009 | 1, 3    | One 705-ac wildlife habitat parcel aggregated from 20 separate ownerships. Eleven 2-ac building envelopes are clustered within a small area.                                                                     |

|                  |      |      |   |                                  |                                |                               |                      |                                                                                                                                                                                                                                                                        |         |                                                                                                                                                                                       |
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|                  |      |      |   |                                  |                                |                               |                      | 3981-000-01-010<br>3981-000-01-011<br>3981-000-01-012<br>3981-000-01-013<br>3981-000-01-014<br>3981-000-01-015<br>3981-000-01-016<br>3981-000-01-017<br>3981-000-01-018<br>3981-000-01-020<br>3981-000-01-021<br>3981-000-02-001<br>3981-000-02-002<br>3981-000-02-003 |         |                                                                                                                                                                                       |
| Ranch Properties | 3590 | 3590 | 0 | Gunnison                         | 12/28/09                       | #596062                       | TNC                  | 3437-000-00-089                                                                                                                                                                                                                                                        | 1, 3    | One 3590-ac parcel with a 15-ac HQ area that includes two residences and ag structures, a shooting-structures area for target sports, and two 1-ac areas that include one cabin each. |
| Razor Creek      | 117  | 117  | 0 | Gunnison                         | 12/11/98<br>12/11/98           | #489414<br>#489591            | CCALT<br>CCALT       | 3793-000-00-022                                                                                                                                                                                                                                                        | 1, 2, 3 | One 117-ac parcel with a HQ area that includes one residence.                                                                                                                         |
| Razor Creek      | 680  | 680  | 0 | Gunnison                         | 2/16/89<br>12/6/89<br>10/30/90 | #412579<br>#417641<br>#423522 | CDOW<br>CDOW<br>CDOW | 3969-000-00-039                                                                                                                                                                                                                                                        | 1, 2, 3 | One 680-ac parcel with no building areas.                                                                                                                                             |
| Razor Creek      | 150  | 150  | 0 | Saguache                         | 1/9/01                         | #333650                       | CCALT                | 3969-163-00-012<br>3969-171-00-007                                                                                                                                                                                                                                     | 1, 2    | One 150-ac parcel with no building areas.                                                                                                                                             |
| Razor Creek      | 300  | 300  | 0 | Gunnison                         | 11/10/05                       | #560509                       | COL                  | 3969-000-00-049                                                                                                                                                                                                                                                        | 1, 2, 3 | One 300-ac parcel with a HQ area that includes ag structures only. No residences.                                                                                                     |
| Razor Creek      | 430  | 430  | 0 | Gunnison<br>Saguache             | 6/13/06<br>6/13/06             | #565966<br>#355484            | COL<br>COL           | 3969-000-00-049                                                                                                                                                                                                                                                        | 1, 2, 3 | One 430-ac parcel with a 5-ac HQ area that includes one residence and ag structures.                                                                                                  |
| Razor Creek      | 760  | 760  | 0 | Saguache<br>Gunnison<br>Saguache | 12/16/08<br>1/24/12<br>1/24/12 | #363293<br>#610907<br>#370969 | COL<br>COL<br>COL    | 3969-201-00-040<br>3969-000-00-049<br>3969-201-00-040                                                                                                                                                                                                                  | 1, 2, 3 | One 600-ac parcel with a 5-ac and a 7-ac area for ag structures only; no                                                                                                              |

|                           |      |      |      |          |                                                                  |                                                                |                                          |                                                                                                                                                                                                                                                     |         |                                                                                                                                                                                                                                                                                                                                                                                              |
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|                           |      |      |      |          |                                                                  |                                                                |                                          |                                                                                                                                                                                                                                                     |         | residences. Also one 160-ac parcel with a 10-ac HQ area that includes two residences and ag structures.                                                                                                                                                                                                                                                                                      |
| Redden                    | 1273 | 1273 | 0    | Gunnison | 7/21/98<br>11/14/03<br>11/14/03<br>11/14/03<br>1/23/07<br>1/1/07 | #485799<br>#536700<br>#536703<br>#536704<br>#572457<br>#572691 | CCALT<br>COL<br>COL<br>COL<br>COL<br>COL | 3515-000-00-008<br>3515-000-00-039                                                                                                                                                                                                                  | 1, 2, 3 | One 1273-ac parcel with a HQ area that includes two residences and ag structures, two 5-ac areas each with one residence, and a 20-ac area that includes only ag structures.                                                                                                                                                                                                                 |
| Reserve on the East River | 643  | 643  | 0    | Gunnison | 12/29/06                                                         | #571977                                                        | CBLT                                     | 3435-000-00-068<br>3435-000-00-050                                                                                                                                                                                                                  | 1       | One 640-ac parcel with a 2-ac HQ area that includes ag structures only. No residences.                                                                                                                                                                                                                                                                                                       |
| Rivergate, Gorsuch        | 1170 | 0    | 1170 | Gunnison | 12/23/97                                                         | #480780                                                        | CF to<br>CCALT                           | 4051-000-00-079<br>4051-000-02-004<br>4051-000-02-011<br>4051-000-02-012<br>4051-000-02-013<br>4051-000-02-014<br>4051-000-02-015<br>4051-000-02-016<br>4245-000-00-036<br>4245-000-01-001<br>4245-000-01-002<br>4245-000-01-003<br>4245-000-01-004 | 1, 2    | This 1170-ac parcel may be divided into four parcels, each with a building area: a 7-ac area with four residences, two cabins and ag structures; a 7-ac area with 3 residences and ag structures; and two 5-ac areas, each with two residences and ag structures. Also 40 acres may be separated from the larger parcel to be acquired by the adjoining landowner. The CE would still apply. |
| Robbins                   | 500  | 500  | 0    | Gunnison | 3/31/05                                                          | #552252                                                        | COL                                      | 3785-000-00-004                                                                                                                                                                                                                                     | 1, 2, 3 | One 500-ac parcel with a 5-ac HQ area that includes one residence and ag structures.                                                                                                                                                                                                                                                                                                         |
| Robbins                   | 487  | 487  | 0    | Gunnison | 11/8/06                                                          | #570730                                                        | COL                                      | 3785-000-00-004                                                                                                                                                                                                                                     | 1, 2, 3 | One 487-ac parcel with a 5-ac HQ area that includes one residence and ag structures.                                                                                                                                                                                                                                                                                                         |



|                        |      |      |     |          |                                          |                                          |                          |                                                                                             |         |                                                                                                                                                                        |
|------------------------|------|------|-----|----------|------------------------------------------|------------------------------------------|--------------------------|---------------------------------------------------------------------------------------------|---------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Smith                  | 105  | 0    | 105 | Gunnison | 12/26/06                                 | #571970                                  | BCRLT                    | 3779-000-00-025                                                                             | 1       | One 105-ac parcel with two 2-ac areas that each include one residence and ag structures.                                                                               |
| Snyder                 | 6698 | 6698 | 0   | Saguache | 12/19/08                                 | #363242                                  | CDOW                     | 4235-116-10-015                                                                             | 1, 2, 3 | One 6698-ac parcel with no building areas.                                                                                                                             |
| Soap Creek             | 800  | 0    | 800 | Gunnison | 12/29/98<br>3/1/00<br>3/1/00<br>12/31/08 | #489932<br>#499974<br>#499975<br>#588365 | COL<br>COL<br>COL<br>COL | 3781-000-00-026<br>3781-000-01-001<br>3781-000-01-002<br>3781-000-02-001<br>3781-000-03-001 | 1       | One 640-ac parcel and four 40-ac parcels, each with a HQ area that includes one residence and ag structures.                                                           |
| Tamarcaz               | 650  | 650  | 0   | Gunnison | 3/30/00                                  | #500970                                  | CCALT                    | 3793-000-00-049                                                                             | 1, 2    | One 650-ac parcel with no building areas. This parcel may be divided into thirds within the immediate family. This right retires with the passing of the senior owner. |
| TEM                    | 339  | 339  | 0   | Gunnison | 9/24/02<br>7/17/09<br>7/17/09            | #524119<br>#592257<br>#592258            | COL<br>COL<br>COL        | 3969-000-00-054                                                                             | 1, 2    | One 339-ac parcel with a HQ area that includes one residence and ag structures.                                                                                        |
| Templeton              | 99   | 99   | 0   | Saguache | 9/19/05                                  | #352214                                  | COL                      | 3963-193-00-024                                                                             | 1, 2    | One 99-ac parcel with a 5-ac HQ area that includes one residence and ag structures.                                                                                    |
| Tomichi Creek Wetlands | 80   | 0    | 80  | Gunnison | 12/18/03                                 | #537841                                  | NRCS                     | 3787-110-01-005                                                                             | 1, 2    | One 80-ac parcel with no building areas.                                                                                                                               |
| Trampe                 | 978  | 978  | 0   | Gunnison | 12/19/03                                 | #537704                                  | COL                      | 3517-000-00-037<br>3435-000-00-041<br>3435-000-00-058                                       | 1       | One 978-ac parcel with a 6-ac HQ area that includes one residence and ag structures.                                                                                   |
| Vader                  | 299  | 299  | 0   | Gunnison | 12/15/03                                 | #537593                                  | COL                      | 3793-000-00-054                                                                             | 1, 2, 3 | One 299-ac parcel with an 8-ac HQ area that includes two residences and ag structures.                                                                                 |
| Van Dyke               | 88   | 0    | 88  | Gunnison | 12/27/02                                 | #526804                                  | CNLT                     | 4053-000-00-118                                                                             | 1       | One 88-ac parcel. No specified building area. Existing residences may be enlarged. Ag                                                                                  |

|                   |     |     |     |          |                      |                    |            |                                    |         |                                                                                      |
|-------------------|-----|-----|-----|----------|----------------------|--------------------|------------|------------------------------------|---------|--------------------------------------------------------------------------------------|
|                   |     |     |     |          |                      |                    |            |                                    |         | structures allowed.                                                                  |
| Whinnery, Helen   | 280 | 280 | 0   | Gunnison | 12/16/02             | #516561            | COL        | 3981-000-00-050                    | 1, 3    | One 280-ac parcel with no building areas.                                            |
| Whinnery, Helen   | 200 | 200 | 0   | Gunnison | 12/28/04             | #549647            | COL        | 4049-000-00-146                    | 1, 3    | One 200-ac parcel with no building areas.                                            |
| Whinnery, Helen   | 150 | 150 | 0   | Gunnison | 12/23/05             | #561721            | COL        | 3983-000-00-091                    | 1, 3    | One 150-ac parcel with no building areas.                                            |
| Whinnery, Helen   | 120 | 120 | 0   | Gunnison | 12/28/06<br>2/27/07  | #571990<br>#573230 | COL<br>COL | 4051-000-00-088                    | 1, 3    | One 120-ac parcel with no building areas.                                            |
| Whinnery, Helen   | 160 | 0   | 160 | Gunnison | 4/10/13              | #619481            | COL        | 4313-000-00-005                    | 1       | One 160-ac parcel with a 5-ac HQ area that includes one residence and ag structures. |
| Whinnery, Helen   | 680 | 0   | 680 | Gunnison | 12/27/07<br>12/23/08 | #581261<br>#588265 | COL<br>COL | 4245-000-00-025<br>4245-000-00-025 | 1       | One 680-ac parcel with no building areas and minor ag structures.                    |
| Whinnery, Helen   | 160 | 0   | 160 | Gunnison | 6/27/12              | #613807            | COL        | 4313-000-00-003                    | 1       | One 160-ac parcel with a 5-ac HQ area that includes one residence and ag structures. |
| Whinnery, Stanley | 200 | 200 | 0   | Gunnison | 12/22/03             | #535805            | COL        | 3983-000-00-089                    | 1, 3    | One 200-ac parcel with no building areas.                                            |
| Whinnery, Stanley | 200 | 200 | 0   | Gunnison | 12/27/04             | #549630            | COL        | 3983-000-00-095                    | 1, 3    | One 200-ac parcel with no building areas.                                            |
| Whinnery, Stanley | 150 | 150 | 0   | Gunnison | 12/23/05             | #561722            | COL        | 4051-000-00-084                    | 1, 3    | One 150-ac parcel with no building areas.                                            |
| Whinnery, Stanley | 101 | 101 | 0   | Gunnison | 12/28/06<br>2/27/07  | #571989<br>#573231 | COL<br>COL | 4051-000-00-089                    | 1, 3    | One 101-ac parcel with no building areas.                                            |
| Whinnery, Steven  | 200 | 200 | 0   | Gunnison | 12/22/03             | #537748            | COL        | 3983-000-00-090                    | 1, 3    | One 200-ac parcel with no building areas.                                            |
| Whinnery, Steven  | 200 | 200 | 0   | Gunnison | 12/27/04             | #549629            | COL        | 3983-000-00-096<br>4049-000-00-156 | 1, 3    | One 200-ac parcel with no building areas.                                            |
| Whinnery, Steven  | 154 | 154 | 0   | Gunnison | 12/23/05             | #561723            | COL        | 4049-000-00-156                    | 1, 3    | One 154-ac parcel with no building areas.                                            |
| Whinnery, Steven  | 149 | 149 | 0   | Gunnison | 12/28/06<br>2/27/07  | #571988<br>#573232 | COL<br>COL | 4049-000-00-156                    | 1, 3    | One 149-ac parcel with no building areas.                                            |
| Whinnery, Steven  | 88  | 88  | 0   | Gunnison | 12/27/07             | #581259            | COL        | 4051-000-00-087                    | 1, 3    | One 88-ac parcel with no building areas.                                             |
| Whinnery, Steven  | 200 | 0   | 200 | Gunnison | Fall 2013            | pending            | COL        | 4245-000-00-044                    | 1, 3    | One 200-ac parcel with no building areas.                                            |
| Wilderson         | 560 | 560 | 0   | Gunnison | 6/26/02              | #521506            | CDOW       | 3979-000-00-042                    | 1, 2, 3 | One 560-ac parcel with                                                               |

|                                              |               |                |               |  |                     |                    |              |                 |  |                                                                                                                                                                           |
|----------------------------------------------|---------------|----------------|---------------|--|---------------------|--------------------|--------------|-----------------|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                              |               |                |               |  | 10/14/03<br>1/22/13 | #535719<br>#618078 | CDOW<br>CDOW | 4053-000-00-006 |  | two 18-ac building areas that each include one residence and ag structures. Two 35-ac parcels may be divided from the larger parcel, each with one of the building areas. |
| <b>Total CE Acres:</b>                       | <b>62,720</b> | <b>46,372</b>  | <b>16,348</b> |  |                     |                    |              |                 |  |                                                                                                                                                                           |
| <b>Total Private Land Acres (per USFWS):</b> |               | <b>178,531</b> | <b>56,614</b> |  |                     |                    |              |                 |  |                                                                                                                                                                           |
| <b>CE Percent:</b>                           |               | <b>26%</b>     | <b>29%</b>    |  |                     |                    |              |                 |  |                                                                                                                                                                           |

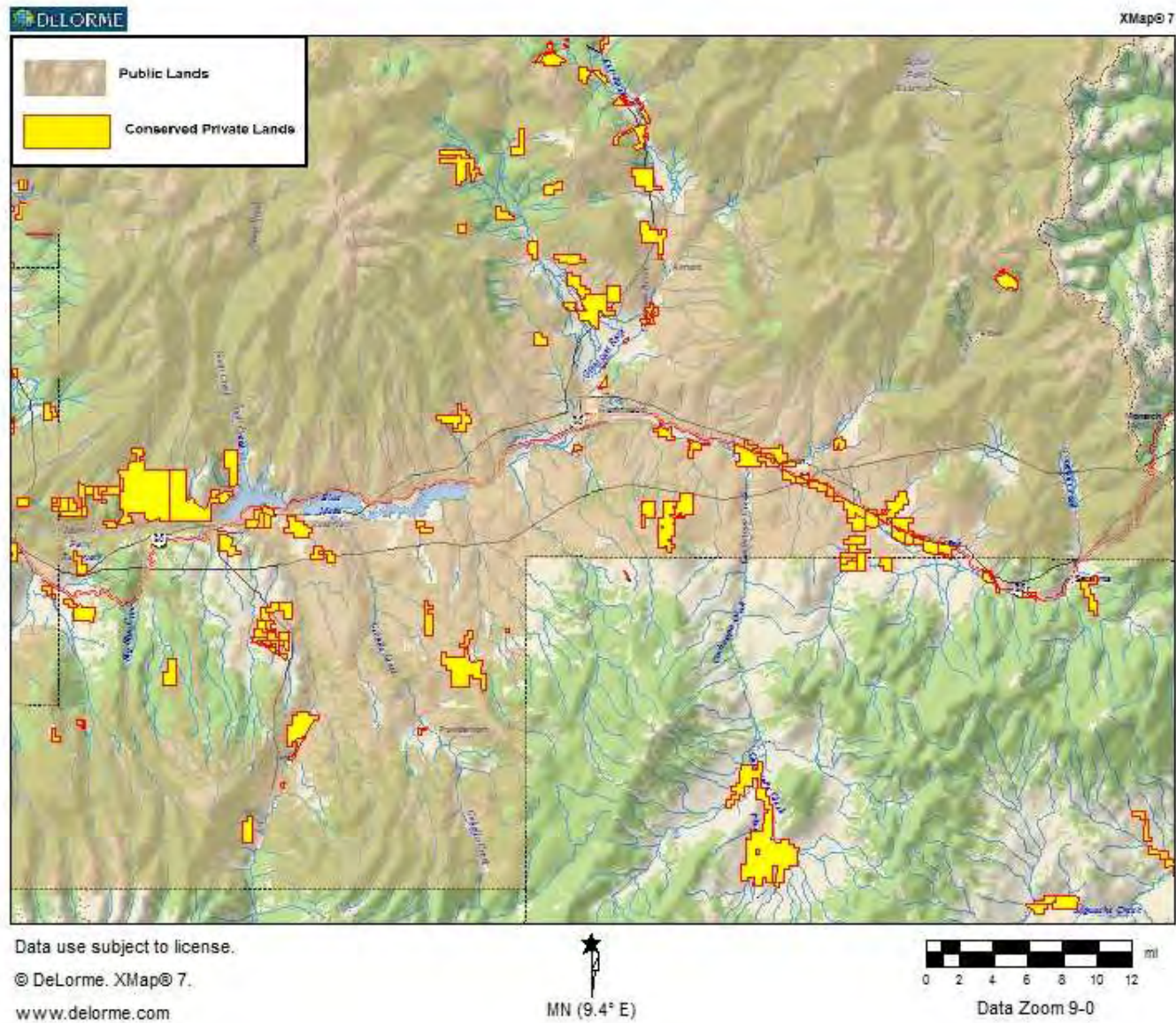
Management Requirements:

1. Standard management requirements for conservation easements: The conservation values must be sustained in perpetuity. Agriculture must be conducted using stewardship and management methods that preserve soil productivity, maintain natural stream channels, prevent soil erosion, minimize invasive species, avoid unsustainable livestock grazing practices, and minimize loss of vegetative cover. Trees may be cut to control insects and disease, to maintain the character and nature of wildlife habitat, to control invasive species, to prevent personal injury and property damage, and for domestic uses on the property. Surface mining is prohibited. Low-impact recreational uses such as wildlife watching, hiking, cross-country skiing, hunting and fishing are permitted. Noxious weeds and invasive plant species must be controlled. Water rights are permanently attached to the property. Surface disturbance is prohibited. Industrial uses are prohibited. Commercial uses must be consistent with the conservation values. Trash accumulation is prohibited. Motor vehicle use is restricted. Roads and driveways are restricted and cannot be paved.
2. This easement received funding from (or was donated to) one or more state or federal agencies. A five-year management plan is required by either the State of Colorado or the NRCS.
3. Habitat for Gunnison Sage-grouse is specifically mentioned in the easement as one of the conservation values that must be sustained in perpetuity.

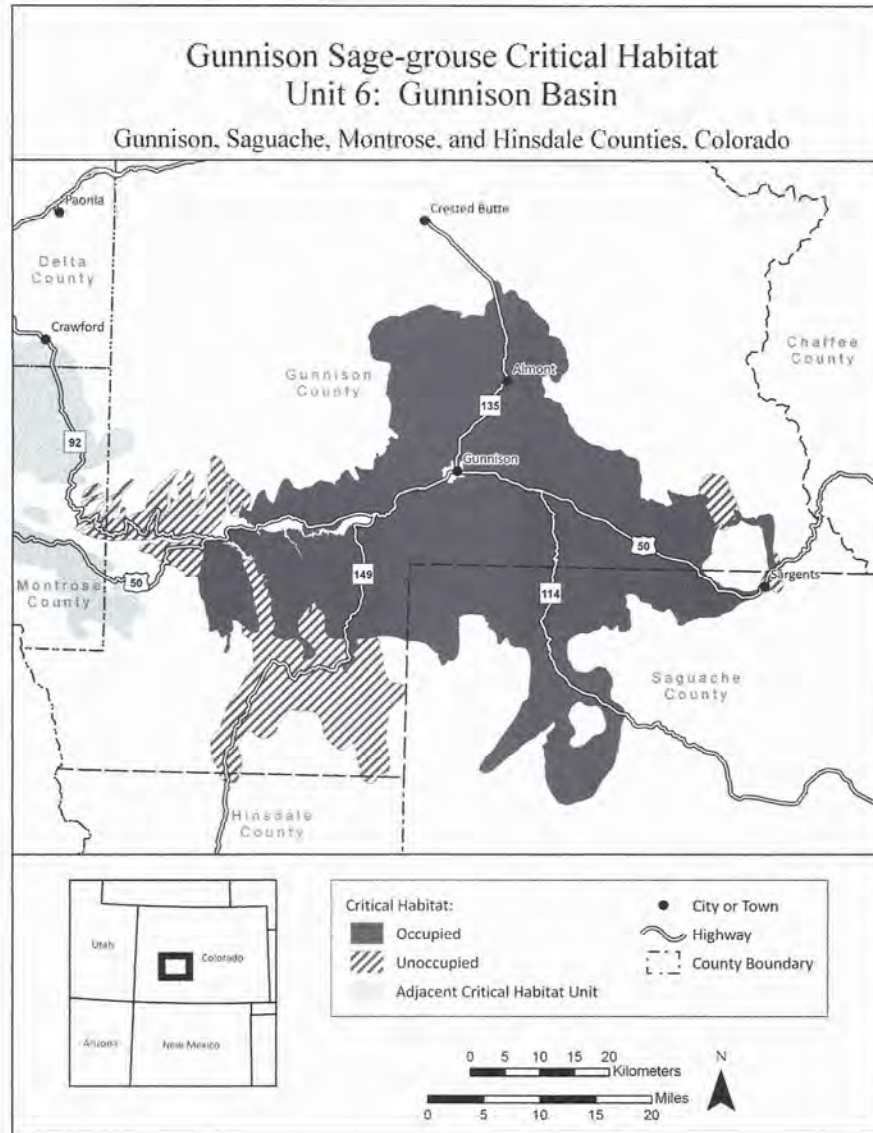
Holders of Conservation Easements:

BCRLT = Valley Land Conservancy *dba* Black Canyon Regional Land Trust  
BLM = U.S. Dept. of the Interior, Bureau of Land Management  
CBLT = Crested Butte Land Trust  
CCALT = Colorado Cattlemen's Agricultural Land Trust  
CDOW = State of Colorado, Department of Natural Resources, *formerly* Colorado Division of Wildlife, *now* Colorado Parks and Wildlife  
CF = Conservation Fund  
CNLT = Colorado Natural Land Trust  
COL = Colorado Open Lands  
NRCS = U.S. Dept. of Agriculture, Natural Resources Conservation Service  
RMEF = Rocky Mountain Elk Foundation  
TNC = The Nature Conservancy

## Conservation Easements on Private Land in the Gunnison Basin



## Critical Habitat in Unit 6, Gunnison Basin



(12) Unit 7: Poncha Pass: Saguache and Chaffee Counties, Colorado.

(i) *General Description:* 19,543 ha (48,292 ac); 2.8 percent of all critical habitat.

(ii) Map of Unit 7, Poncha Pass: Saguache and Chaffee Counties, Colorado, follows:

**Unit 7:**  
**Poncha Pass**





Gunnison Sage-grouse USFWS Critical Habitat  
Conservation Easements in Unit 7: Poncha Pass

| Current Owner                                | Total CE Acres | Acres in Occupied Habitat | Acres in Unocc. Habitat | County   | CE Date              | Reception Number   | Holds the CE | Parcel Number   | Mgmt. Codes | Easement Terms in Perpetuity<br>(HQ = headquarters)                                                                                                                                          |
|----------------------------------------------|----------------|---------------------------|-------------------------|----------|----------------------|--------------------|--------------|-----------------|-------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Dragos                                       | 521            | 0                         | 521                     | Saguache | 12/23/00<br>12/11/01 | #332238<br>#336197 | COL<br>RiGHT | 4221-171-00-108 | 1           | One 654-ac parcel with a 15-ac building area that includes two residences and ag structures, and a 5-ac building area that includes one residence and ag structures. May be divided in half. |
| <b>Total CE Acres:</b>                       | <b>521</b>     | <b>0</b>                  | <b>521</b>              |          |                      |                    |              |                 |             |                                                                                                                                                                                              |
| <b>Total Private Land Acres (per USFWS):</b> |                | <b>4,792</b>              | <b>11,128</b>           |          |                      |                    |              |                 |             |                                                                                                                                                                                              |
| <b>CE Percent:</b>                           |                | <b>0%</b>                 | <b>5%</b>               |          |                      |                    |              |                 |             |                                                                                                                                                                                              |

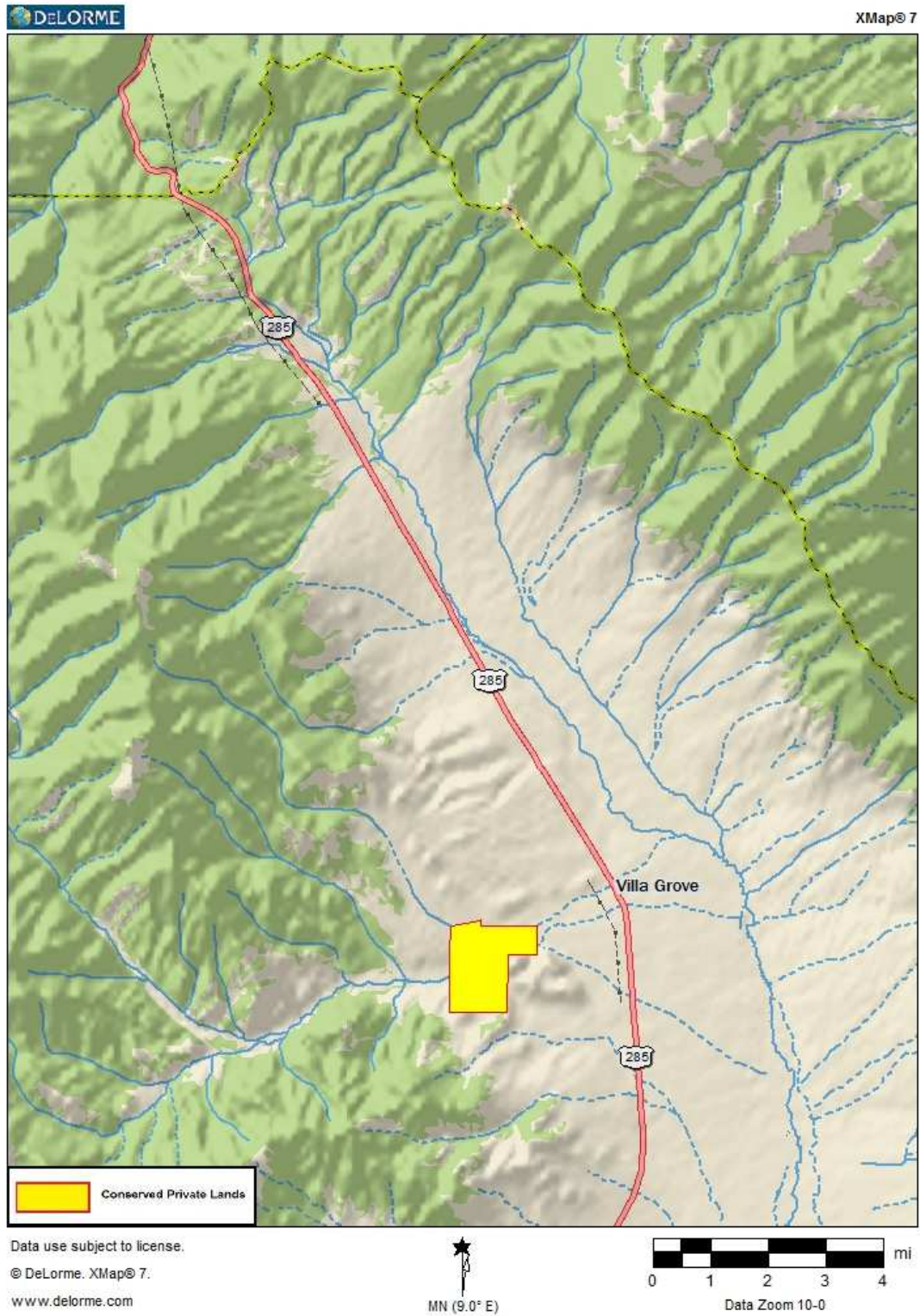
Management Requirements:

1. Standard management requirements for conservation easements: The conservation values must be sustained in perpetuity. Agriculture must be conducted using stewardship and management methods that preserve soil productivity, maintain natural stream channels, prevent soil erosion, minimize invasive species, avoid unsustainable livestock grazing practices, and minimize loss of vegetative cover. Trees may be cut to control insects and disease, to maintain the character and nature of wildlife habitat, to control invasive species, to prevent personal injury and property damage, and for domestic uses on the property. Surface mining is prohibited. Low-impact recreational uses such as wildlife watching, hiking, cross-country skiing, hunting and fishing are permitted. Noxious weeds and invasive plant species must be controlled. Water rights are permanently attached to the property. Surface disturbance is prohibited. Industrial uses are prohibited. Commercial uses must be consistent with the conservation values. Trash accumulation is prohibited. Motor vehicle use is restricted. Roads and driveways are restricted and cannot be paved.
2. This easement received funding from (or was donated to) one or more state or federal agencies. A five-year management plan is required by either the State of Colorado or the NRCS.
3. Habitat for Gunnison Sage-grouse is specifically mentioned in the easement as one of the conservation values that must be sustained in perpetuity.

Holders of Conservation Easements:

COL = Colorado Open Lands  
RiGHT = Rio Grande Headwaters Trust

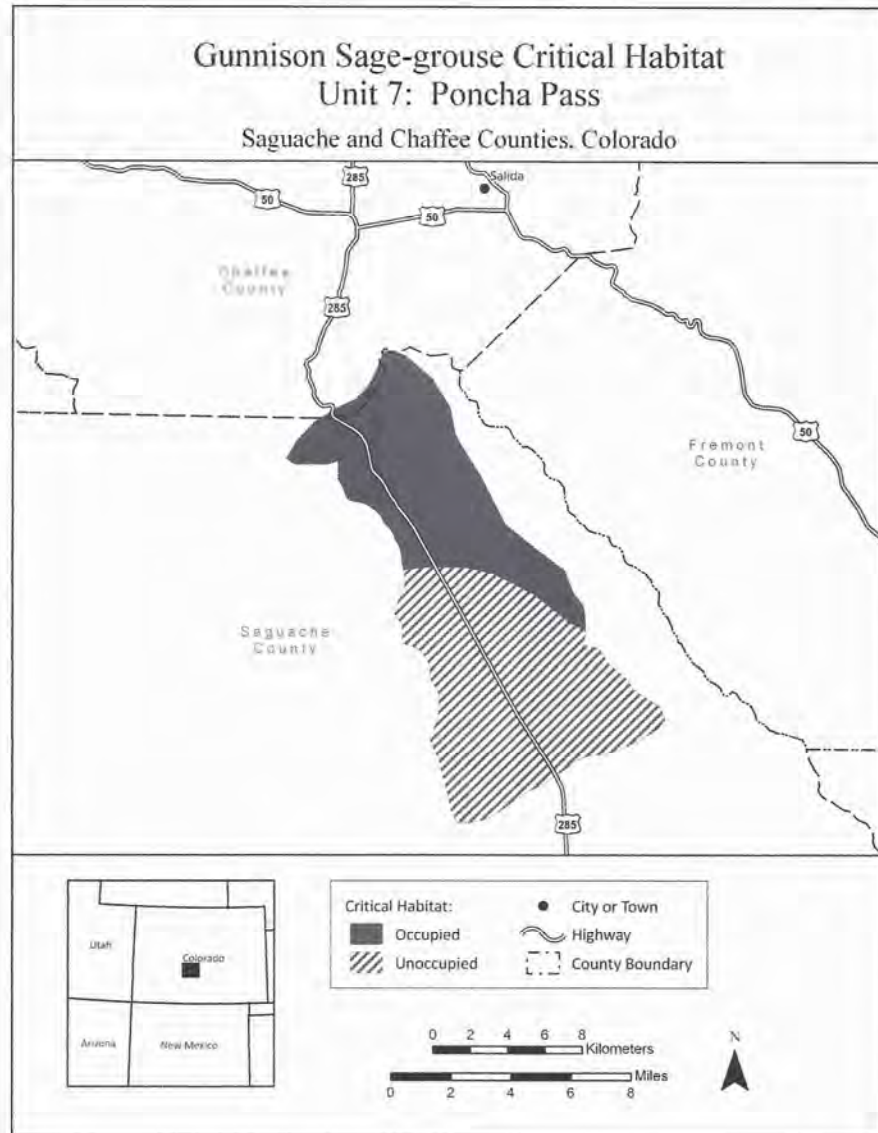
## Conservation Easements on Private Land in the Poncha Pass Area



## Critical Habitat in Unit 7, Poncha Pass

2570

Federal Register / Vol. 78, No. 8 / Friday, January 11, 2013 / Proposed Rules



Dated: December 13, 2012.

**Michael J. Bean,**  
*Acting Principal Deputy Assistant Secretary  
for Fish and Wildlife and Parks.*  
[FR Doc. 2012-31666 Filed 1-10-13; 8:45 am]  
**BILLING CODE 4310-55-C**



## BOARD OF COMMISSIONERS

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February 28, 2018

Tim Spisak, Acting Assistant Director  
Energy, Minerals, and Realty Management  
Bureau of Land Management (BLM)

Reggie Woodruff, Energy Program Manager  
Washington Office Lands & Realty Management  
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Bureau of Land Management (BLM)

Jeremy Bluma  
National Project Manager  
Section 368 West-Wide Energy Corridors Regional Review Project  
Bureau of Land Management (BLM)

Brian Mills, Senior Planning Advisor  
U.S. Department of Energy (DOE)

Via upload to <http://corridoreis.anl.gov/involve/stakeholder-input/> and email to [blm\\_wo\\_368corridors@blm.gov](mailto:blm_wo_368corridors@blm.gov)

RE: Section 368 West-Wide Energy Corridors Region 2 Review

Dear Mr. Spisak, Mr. Woodruff, Ms. Smale, Mr. Bluma, and Mr. Mills,

Thank you for the opportunity to comment on the energy corridor abstract for Region 2, Corridor 130-274/130-274(E) of the Section 368 West-wide Energy Corridors (WWEC). San Miguel County has been engaged in the Section 368 Corridor process as co-plaintiffs in the 2012 Settlement Agreement<sup>1</sup>.

San Miguel County has the responsibility of ensuring the health, safety, and welfare within the County. Our responsibility extends to environmental health, which includes watershed health, soil health, and protection of wildlife habitat. Environmental quality is very important to San Miguel County. San Miguel County through its Board of County Commissioners and designated officials collaborates, cooperates, and coordinates with federal land agencies on federal land planning and projects. Sixty percent of the land in San Miguel County is federal public land,

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<sup>1</sup>[http://corridoreis.anl.gov/documents/docs/Settlement\\_Agreement\\_Package.pdf](http://corridoreis.anl.gov/documents/docs/Settlement_Agreement_Package.pdf)

with another 4% being owned by the State of Colorado; 70.6 % of San Miguel County is a federal mineral estate. Only 36% of San Miguel County consists of private land.

San Miguel County has assisted in the protection of thousands of acres of private lands with important wildlife habitat values, especially Gunnison Sage-grouse (GuSG) critical habitat, during the last few decades by participating in the acquisition of conservation easements intended to preserve and protect GuSG habitat. San Miguel County has financially contributed over \$2.25 million of local taxpayer dollars during this period for GuSG habitat conservation and improvements through the County's Land Heritage Program, co-funding of the Gunnison Sage-grouse Working Group and funding of other actions intended to provide direct benefits to GuSG recovery and resilience. SMC continues to actively participate with the stakeholder group that developed the Gunnison Sage-grouse Rangewide Conservation Plan.<sup>2</sup> San Miguel County is a Cooperating Agency for the ongoing BLM Gunnison Sage-Grouse (GuSG) Rangewide Resource Management Plan (RMP) Amendments and Environmental Impact Statement (EIS).<sup>3</sup>

San Miguel County appreciates the coordination and efforts of the Bureau of Land Management (BLM), Department of Energy (DOE) and United States Forest Service (USFS), hereafter, "Agencies", on working toward meeting the terms of the 2012 Settlement Agreement with co-plaintiffs through reevaluation of energy corridor designations and recommendations and undertaking periodic reviews of these corridors. San Miguel County supports the comments submitted by The Wilderness Society, et al., on February 23, 2018. We are also in support of the comments submitted by Defenders of Wildlife, the Center for Biological Diversity, and the National Audubon Society on February 23, 2018, and comments submitted by National Trust for Historic Preservation on February 24, 2018. We strongly support comments provided by Colorado Parks and Wildlife (CPW) on February 23, 2018.

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<sup>2</sup><http://cpw.state.co.us/learn/Pages/GunnisonSagegrouseConservationPlan.aspx>

<sup>3</sup><https://eplanning.blm.gov/epl-front-office/eplanning/planAndProjectSite.do?methodName=renderDefaultPlanOrProjectSite&projectId=39681>



**Summary of San Miguel County Requests and Findings from a review of the portion of Corridor 130-274/130-274(E) and Abstracts intersecting San Miguel County.**

San Miguel County (hereafter, “SMC”) reviewed the portion of Corridor 130-274/130-274(E) that intersects SMC, shown in Figure 1 below. We referred to the Section 368 Energy Corridor Mapping Tool<sup>4</sup>, January 2018 Corridor 130-274/130-274 (E) Abstract<sup>5</sup> and West-Wide Energy Corridor (WWEC) Conflict Assessment Table<sup>6</sup> during our review, as well as our in-house GIS reference layers. We are happy to provide the non-proprietary layers to the Agencies upon request.

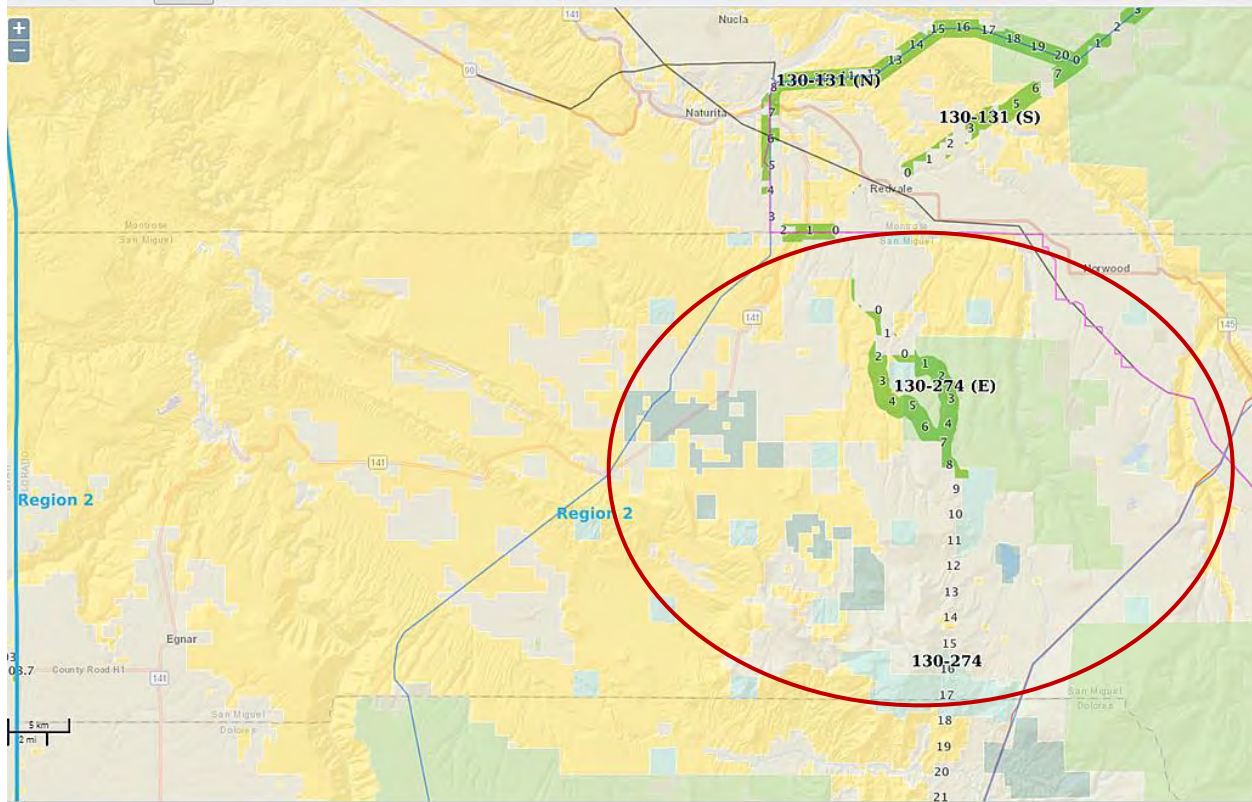


Figure 1: Screen-capture of the Section 368 Energy Corridor Mapping Tool showing the portion of Corridor 130-274/130-274(E) intersecting San Miguel County, Colorado, (within the red oval) which is the focus of our analysis and comments.

**1. Agreement with CPW on treating GuSG Critical Habitat in the San Miguel Basin satellite population of GuSG and treating private lands encumbered with conservation easements as Exclusion Areas.**

With respect to the February 23, 2018, CPW comments that are specific to Corridor 130-274, SMC believes they should be applied to both 130-274/130-274(E). We strongly agree that these corridors should be rerouted to avoid GuSG Critical Habitat. We agree that GuSG Critical Habitat should be designated a ROW Exclusion Area. Any impacts to GuSG Critical Habitat should require compensatory mitigation. We agree that the corridors should avoid CPW-owned land and private lands encumbered by conservation easements.

<sup>4</sup><https://bogi.evs.anl.gov/section368/portal/> (Accessed February 2018)

<sup>5</sup><https://bogi.evs.anl.gov/section368/abstracts/corridor-130-274.pdf>

<sup>6</sup>[http://corridoreis.anl.gov/documents/docs/conflict\\_assessment\\_table.pdf](http://corridoreis.anl.gov/documents/docs/conflict_assessment_table.pdf)



**Our SMC Section 368 Corridor 130-274/130-274(E) Screen Tool (Attachment A)** shows where private land conservation easements have been achieved through the assistance of our County Land Heritage Program. The Regional Review team should obtain current data on the locations, extents, and primary conservation values of conserved lands within San Miguel County.

We agree with CPW that existing overhead transmission lines having impacts to GuSG Critical Habitat should not have their ROW expanded and should be buried with compensatory mitigation required.

Furthermore, transmission lines intersecting areas with scenic qualities/visual resources important to San Miguel County should be buried and sited to ensure retention of Wilderness/Roadless/wildland characteristics. If a corridor to accommodate overhead transmission lines is needed, preference should be given to locating it within the footprint of an existing ROW having overhead transmission lines, such as the Tri-State Nucla-Cahone expansion which has just completed an EIS process.

## **2. Achieve primary objectives and Agency Guidance provided by the Settlement Agreement.**

It is our understanding that the primary objectives of the Settlement Agreement<sup>7</sup> include ensuring that future revisions, deletions, or additions to the Section 368 energy corridors comply with the Federal Land Policy and Management Act (FLPMA), the National Environmental Policy Act (NEPA), and Section 368 of the Energy Policy Act of 2005 (EPA) and consider the following:

1. Location of corridors in favorable landscapes;
2. Facilitation of renewable energy projects where feasible;
3. Avoidance of environmentally sensitive areas to the maximum extent practicable;
4. Diminution of the proliferation of dispersed rights-of-way ("ROWS") crossing the landscape; and
5. Improvement of the long-term benefits of reliable and safe energy transmission.

We expect that the Agency Guidance will adhere to the principles within the Settlement Agreement and will address the need for site-specific NEPA analysis for individual projects and that as stated on the Settlement Overview web page<sup>8</sup> Agency Guidance will include:

- *Encourage project proponents to locate projects within designated corridors or adjacent to existing ROWs, notify project proponents of any Section 368 energy corridor segments that are corridors of concern, and consider alternative locations if a proposed project would be located within a Section 368 energy corridor of concern segment.*
- *Corridors of concern are corridors that would have environmental impacts, extensive mitigation measures or would require preparation of EIS, alternative corridor considerations or LUP amendments. Corridors of concern are identified in Exhibit A of the Settlement Agreement.*
- *Site-specific projects will require individual NEPA analysis. To reduce redundant studies, encourage individual projects to 'incorporate by reference' data and studies in the Final PEIS. Tiering is not a substitute for site-specific analyses.*

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<sup>7</sup>[http://corridoreis.anl.gov/documents/docs/Settlement\\_Agreement\\_Package.pdf](http://corridoreis.anl.gov/documents/docs/Settlement_Agreement_Package.pdf)

<sup>8</sup><http://corridoreis.anl.gov/regional-reviews/settlement/>

- *Procedures for periodic review and update of IOPs; use of IOPs outside designated corridors on federal land; and adoption of IOPs approved by the agencies.*
- *Revisions, deletions, and additions to corridors must meet the requirements specified in Section 368 of the EPO Act and must consider the siting principles.*

We appreciate the Section 368 Corridor Study prepared by Argonne National Laboratory, dated May 2016<sup>9</sup> with the stated goal of evaluating “whether the Section 368 corridors are achieving their purpose to promote environmentally responsible corridor-siting decisions and to reduce the proliferation of dispersed ROWs crossing Federal lands.”<sup>10</sup> It also establishes a “baseline of current conditions and identifies considerations and areas which should be explored in more detail during future Regional Periodic Reviews of energy corridors conducted in the future by BLM and [US]FS.”<sup>11</sup>

### **3. New conditions require updated analysis and rerouting of Corridors 130-274/130-274(E).**

SMC notes that the Corridor Study evaluated information during the period from January 2009 and October 2014.<sup>12</sup> As will be discussed in more detail below, there are a number of new conditions that have developed that increase the significance of the impacts that the proposed Corridor 130-274/130-274(E) will have in environmentally sensitive areas in San Miguel County in order to access the federal lands where it is currently sited.

This period is prior to the listing of the Gunnison Sage-grouse as a threatened species protected by the Endangered Species Act (ESA) and prior to designation of critical habitat and several other important new conditions. It is also prior to the initiation and/or decision of several major federal land agency planning processes that are currently in-progress: BLM Tres Rios Resource Management Plan (RMP) – Areas of Critical Environmental Concern (ACEC) Amendment<sup>13</sup> contemplating designation or modification to numerous ACECs within western San Miguel County for Gunnison Sage-grouse, rare plants, and other sensitive ecosystems; BLM Gunnison Sage-Grouse (GuSG) Rangewide Resource Management Plan (RMP) Amendments and Environmental Impact Statement (EIS)<sup>14</sup> which has a decision area comprised of critical habitat and areas within 4-miles of GuSG leks and which could amend both the Tres Rios RMP and Uncompahgre RMP; Uncompahgre Field Office Resource Management Plan<sup>15</sup> which includes nominated Wild and Scenic River segments and nominated ACECs; and the Grand Mesa, Uncompahgre, and Gunnison National Forests (GMUG) Forest Plan revision<sup>16</sup> which is analyzing designation of Wilderness and other special lands.

<sup>9</sup>[http://corridoreis.anl.gov/documents/docs/Section\\_368\\_Corridor\\_Study.pdf](http://corridoreis.anl.gov/documents/docs/Section_368_Corridor_Study.pdf)

<sup>10</sup>[http://corridoreis.anl.gov/documents/docs/Section\\_368\\_Corridor\\_Study.pdf](http://corridoreis.anl.gov/documents/docs/Section_368_Corridor_Study.pdf) Page ES-1.

<sup>11</sup>[http://corridoreis.anl.gov/documents/docs/Section\\_368\\_Corridor\\_Study.pdf](http://corridoreis.anl.gov/documents/docs/Section_368_Corridor_Study.pdf) Page ES-2.

<sup>12</sup>[http://corridoreis.anl.gov/documents/docs/Section\\_368\\_Corridor\\_Study.pdf](http://corridoreis.anl.gov/documents/docs/Section_368_Corridor_Study.pdf) Page ES-2.

<sup>13</sup><https://eplanning.blm.gov/epl-front-office/eplanning/planAndProjectSite.do?methodName=renderDefaultPlanOrProjectSite&projectId=63796>

<sup>14</sup><https://eplanning.blm.gov/epl-front-office/eplanning/planAndProjectSite.do?methodName=renderDefaultPlanOrProjectSite&projectId=39681>

<sup>15</sup><https://eplanning.blm.gov/epl-front-office/eplanning/planAndProjectSite.do?methodName=dispatchToPatternPage&currentPageId=86003>

<sup>16</sup><https://www.fs.usda.gov/main/gmug/landmanagement/planning>

The BLM has issued Instructional Memorandum (IM) 2014-100,<sup>17</sup> which is in effect until rescinded and presents some of the best available interim guidance until the GuSG RMPa is finalized. The GMUG National Forest LRMP ROD was signed in 2013, prior to the listing of the GuSG and designation of critical habitat. The Agency Review and Analysis should recognize BLM IM 2014-100 and adhere to the guidance requiring focusing any type of development in non-habitat areas. This is a new condition, and SMC believes the Agencies should consider a revision to corridors such as 130-274/130-274(E) to adhere to this guidance.

BLM IM 2014-100<sup>18</sup>, provides, *“The BLM will focus any type of development in non-habitat areas. Disturbance will be focused outside of a 4-mile buffer around leks. The BLM intends that little, or no disturbance occurs within the 4-mile buffer, except for valid existing rights, and except where benefits to the GUSG are greater compared to other available alternatives. This guidance:*

- *Recognizes the FWS Proposed Listing of the GUSG as endangered (78 FR 2486) under the Endangered Species Act (ESA) (January 11, 2013) posted at <http://www.fws.gov/policy/library/2013/2012-31667.pdf>.*
- *Provides updated direction regarding management and ongoing planning actions in GUSG occupied habitat.*
- *Recognizes that the BLM proposes to incorporate objectives and conservation measures for the protection of GUSG and its habitat into relevant Resource Management Plans (RMP) through a GUSG range-wide plan amendment process.*
- *Ensures continued coordination with the FWS, State fish and wildlife agencies, and other partners regarding implementation, updates and project prioritization for GUSG conservation and strategies identified in the Range-wide GUSG Conservation Plan (RCP) and local GUSG population conservation plans.*
- *Does not preclude developing or using additional conservation measures or strategies deemed necessary to maintain or enhance local GUSG habitat and populations.”*

SMC believes the provisions of the MOU and Settlement Agreement require consideration of “avoidance of environmentally sensitive areas to the maximum extent possible” and “minimum impact on the environment.” Therefore, the Agencies have an obligation in this review process to make “recommendations for revisions, deletions, and additions to the section 368 corridor network” and have an obligation to re-evaluate the corridor routes to determine whether avoidance of environmentally sensitive areas is practicable and whether alternative routes could provide similar utility with less environmental impact.

An additional new condition since October 2014 is the revised agreement between Colorado Department of Public Health and Environment, U.S. Environmental Protection Agency, WildEarth Guardians and the National Parks Conservation Association as part of revisions to the Colorado regional haze State Implementation Plan (SIP) in December 2016.<sup>19</sup> This agreement causes the retirement of multiple coal-fired electrical generation plants in western Colorado: the 427-MW Unit, 1 at Craig Station, will be retired by Dec. 31, 2025, and the Tri-State 100-MW Nucla coal-fired generation plant will be retired by 2020 and decommissioned by 2022.

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<sup>17</sup><https://www.blm.gov/POLICY/IM-2014-100>.

<sup>18</sup><https://www.blm.gov/POLICY/IM-2014-100>.

<sup>19</sup><https://www.colorado.gov/pacific/cdphe/regional-haze-plan>

SMC believes that the Agencies should incorporate an updated evaluation of the purpose and need of the Section 368 Corridor with respect to coal to demonstrate need and adequacy of the existing Programmatic Environmental Impact Statement (PEIS) in light of new information and circumstances that have developed over the last ten years. For example, the updated evaluation should factor in the plant retirements and the fact that Tri-State is currently replacing its existing 115-kV transmission line which is described by Tri-State as “a major conduit for electric power from Tri-State’s Nucla Generating Station and is a backbone of the transmission grid on the western slope of Colorado,” with a 230-kV upgrade over the 80-mile long Montrose-Nucla-Cahone overhead Transmission Line following the existing ROW.<sup>20</sup> It is our understanding that Corridor 130-274/130-274(E) has been cited in part due to proximity and benefit to coal-fired generation stations.

In 2008, SMC indicated it was reluctantly supportive at the time and in the absence of better alternatives of a proposal by Teresa Pfifer of the BLM Uncompahgre Field Office (UFO) to move the 130-274 Corridor slightly west to follow San Miguel County Road 39N for multimodal use and to use 130-274(E) for underground use only. This position, taken in February – June 2008 was ten years ago.

Based on recent developments such as the listing of the Gunnison Sage-grouse and designation of critical habitat in November 2014, the implementation of the Tri-State Nucla-Cahone upgraded overhead transmission line in 2018 and 2019, the retirement of the Nucla coal-fired generation plant in 2020, and our review of the Corridor Map and Abstract, we have revised our previous tentative indication of support for Corridors 130-274/130-274(E). SMC now believes both of these corridors must be rerouted to avoid repeated disturbances to GuSG Critical Habitat, State lands managed for wildlife including GuSG, and private lands encumbered with conservation easements between MPs 7-17/4.6-17. New infrastructure and ROWs should be excluded from Critical Habitat and avoided within 4-miles of leks and the BLM Gunnison Sage-grouse Resource Management Plan Amendment/EIS Decision Area.

4. **Request for one of the Regional public meetings to be held in Norwood, Colorado and for Agencies to meet with SMC officials in person.**

It is our understanding that regional meetings are anticipated to occur in May or June 2018 potentially. San Miguel County strongly encourages the Agencies and the Regional Review team to meet with SMC officials and stakeholders, including Colorado Parks and Wildlife, U.S. Fish and Wildlife, and hold a public meeting in Norwood, Colorado. We strongly encourage the Agencies to visit Corridor 130-274/130-274(E) in person at the same time.

Agencies should meet in person with SMC officials and stakeholders such as Colorado Parks and Wildlife (CPW) and U.S. Fish and Wildlife Service (USFWS). The goal of meeting together will be to identify if there is possibly a suitable alternative corridor siting that would have less impact to environmentally sensitive areas and have less impact on non-federal lands. With more time and a robust discussion with stakeholders, we may be able to identify an alternative corridor sited for underground infrastructure located within 100-feet of an existing County Road.

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<sup>20</sup>First Amended Complaint for Declaratory and Injunctive Relief filed by the Wilderness Society in *The Wilderness Society, et al. v. United States Department of the Interior, et al.*, No. 3:09-cv-03048-JW (N.D. Cal); Especially paragraphs 21-25 on Pages 14-17.

The need for an additional corridor for overhead transmission lines should be carefully studied, especially with the planned retirement and decommissioning of multiple coal-fired power plants in western Colorado in the next two to seven years and the Tri-State upgrade to the existing line. If a corridor to accommodate overhead transmission lines is still warranted, it should examine the potential to be located within the footprint of an existing ROW having overhead transmission lines, such as the Tri-State Nucla-Cahone expansion which has just completed an EIS process and seventeen years of study.

SMC believes by providing adequate time and having direct consultation with stakeholders such as San Miguel County government, CPW, USFWS, private landowners, and federal land managers together, there is potential for identifying a different corridor alignment that could lead to a greater extent of avoidance of environmentally sensitive areas on both federal and non-federal lands.

#### **5. Deficiencies present in the review process.**

While the Corridor Abstract and Section 368 Energy Corridor Mapping Tool are helpful and appreciated, this process does not fully appear to remedy the original concerns of SMC outlined in our letters to Argonne National Laboratory dated February 14, 2008, and June 11, 2008, as well as in the original and First Amended Complaint for Declaratory and Injunctive Relief filed by the Wilderness Society in *The Wilderness Society, et al. v. United States Department of the Interior, et al.*, No. 3:09-cv-03048-JW (N.D. Cal)<sup>21</sup>.

In 2008 some of our most significant concerns were potential impacts to Naturita Canyon, interruption of critical occupied Gunnison Sage-grouse habitat, and large segments of the Corridor passing through private lands that were not analyzed by the PEIS. SMC remains concerned with public and private lands located within the County being negatively impacted by the Corridor's location on federal land, including degradation of scenic character and property values. The impacted non-federal public and private lands have exceptional habitat for Gunnison Sage-grouse, (now listed and protected by the ESA as a threatened species since November 2014); conservation easements acquired with county taxpayer dollars having the primary conservation values of Gunnison Sage-grouse habitat and scenic character; scenic qualities; and recreation qualities. SMC remains concerned that there has been an inadequate consultation of local and state government agencies, interested parties, and the public. The County remains concerned that there is an inadequate NEPA process which requires analysis and disclosure of environmental impacts and development of environmentally-superior alternatives.

In 2008, SMC communicated that it was disappointed that the rapid timeframe of the process prevented a thorough evaluation of lands to identify an energy corridor in the western portion of the county. Commissioner Art Goodtimes eloquently pointed out that the "fatal flaw" in the PEIS is that "it is limited to identifying corridors on public lands without working with local governments on how best to 'connect the dots' through private lands."<sup>22</sup> This has not been remedied with the current conflict assessment, mapping tool, or Corridor abstract.

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<sup>21</sup>[https://eplanning.blm.gov/epl-front-office/projects/nepa/66455/81165/94671/Tri-State\\_MNC\\_Draft\\_POD.pdf](https://eplanning.blm.gov/epl-front-office/projects/nepa/66455/81165/94671/Tri-State_MNC_Draft_POD.pdf)  
Page 1.

<sup>22</sup>Letter to Subcommittee on National Parks, Forests and Public Lands Subcommittee on Energy and Mineral Resources Joint Oversight Hearing, April 15, 2008 "The West-Wide Energy Corridor Process: State and Community Majority Questions for the Record Art Goodtimes, County Commissioner, San Miguel County, Colorado; "My Response to Questions Asked", May 6, 2008. Page 2, Question 2.



During our review and preparation of these comments, SMC finds that there are still several deficiencies in the review process which will guide the Agencies in recommending corridors for designation. These issues include:

- Inadequate NEPA and range of alternatives available given new information and circumstances that exist with respect to the listing of the Gunnison Sage-grouse as threatened<sup>23</sup> and designation of critical habitat in November 2014<sup>24</sup>;
- Changes needed to consider certain areas as “high potential conflict areas” vs. “medium potential conflict areas” (see discussion below);
- Out of date land status layers that do not account for State lands around Miramonte Reservoir;
- Land status layers do not consider conserved private lands that would be intersected by a ROWs to reach the federal lands included in Corridor 130-274/130-274(E);
- Inadequate time and lack of direct consultation with stakeholders including San Miguel County government, Colorado Parks and Wildlife, U.S. Fish and Wildlife, private landowners, and federal land managers, to identify if a different alignment would lead to a greater extent of avoidance of environmentally sensitive areas on both federal and non-federal lands;
- On-the-ground field inspections and verifications were not conducted but yet are strongly recommended to be conducted as part of the Regional Reviews in the Corridor Study.<sup>25</sup>
- Possible out of date lek layer for GuSG used for conflict analysis – it appears at least one lek near Miramonte Reservoir may not be accounted for in certain layers of the Section 368 Energy Corridor Mapping Tool.

**6. Specific Comments on Abstract and Corridor 130-274/130-274(E).**

**a. Corridor 130-274/130-274 (E) Abstract, January 2018**<sup>26</sup>

- Figure 2a – does not show all State lands around Miramonte Reservoir, generally located near MP 10-14.
- Corridor Rationale and Existing Infrastructure – please provide a reference for a determination that MPs other than 0 to MP 8.5 are a “locally designated corridor.” MPs 0-17 are located in San Miguel County, and we are unsure if you are specifically stating that MPs 9.5 to 17 are already a locally designated corridor. We have no evidence that they are and believe the abstract is incorrect. It would be helpful if the abstract could be more specific and cite references.

The Section 368 Energy Corridor Mapping Tool did not show any ROW when we turned on the “ROW Corridors – Locally Designated” Area or Line layers. The Trans Colorado gas pipeline, within the Infrastructure-Pipeline, Pipelines Natura Gas – Operation layer provided in the Section 368 Energy Corridor Mapping Tool, is located 1.2 miles east of the MP points provided. There is no existing infrastructure under MPs 0-17 of Corridor 130-274 within San Miguel County. The existing Trans Colorado pipeline is located under MPs 0-4.6 of Corridor 130-

<sup>23</sup>[https://www.fws.gov/mountain-prairie/es/species/birds/gunnisonsagegrouse/GUSGFinalListingRule\\_11202014.pdf](https://www.fws.gov/mountain-prairie/es/species/birds/gunnisonsagegrouse/GUSGFinalListingRule_11202014.pdf)

<sup>24</sup>[https://www.fws.gov/mountain-prairie/es/species/birds/gunnisonsagegrouse/GuSGCriticalHabitat\\_11202014.pdf](https://www.fws.gov/mountain-prairie/es/species/birds/gunnisonsagegrouse/GuSGCriticalHabitat_11202014.pdf)

<sup>25</sup>[http://corridoreis.anl.gov/documents/docs/Section\\_368\\_Corridor\\_Study.pdf](http://corridoreis.anl.gov/documents/docs/Section_368_Corridor_Study.pdf) Page ES-2, Footnote 1.

<sup>26</sup><https://bogi.evs.anl.gov/section368/abstracts/corridor-130-274.pdf>



274(E). However, the cumulative impacts to Gunnison Sage-grouse habitat and leks are unacceptable to access 130-274(E).

Corridor 130-274/130-274 (E)

Section 368 Energy Corridor Regional Reviews - Region 2

January 2018

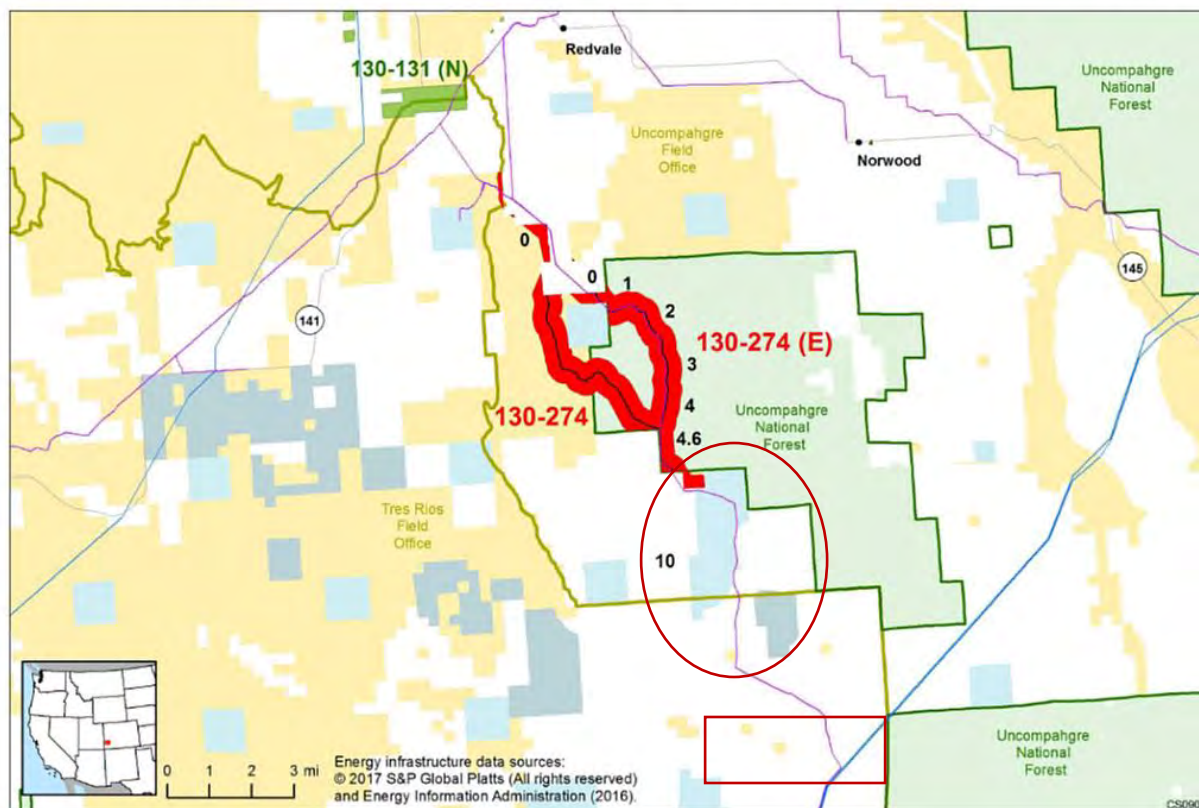


Figure 2a. Corridor 130-274/130-274(E), Including Existing Energy Infrastructure

Corridor 130-274/130-274 (E) Abstract, January 2018, Figure 2a—red shapes highlight areas that are missing lands owned by the State of Colorado. The purple line in the figure matches the Trans Colorado gas pipeline, within the Infrastructure-Pipeline, Pipelines Natura Gas – Operation layer provided in the Section 368 Energy Corridor Mapping Tool.

- Potential for Future Development:** The statement provided, “It is possible that the corridor will be affected by the Gunnison Sage-grouse Range-wide Draft RMP Amendment/Draft EIS”<sup>27</sup> is appreciated but is out of date for January 2018. The GuSG RMPa/EIS was released in August of 2016<sup>28</sup>. This statement is not current for January 2018. MPs 4.5/6/5 to MP 16.25 is entirely within the GuSG RMPa Decision Area (see Attachment A), which is comprised of critical habitat and a 4-mile buffer of leks. Only the most southern 1,200 feet of the Trans Colorado gas pipeline is out of the GuSG RMPa Decision Area. The Decision Area GIS layer<sup>29</sup> is publicly available from the BLM and additional GIS files

<sup>27</sup><https://bogi.evs.anl.gov/section368/abstracts/corridor-130-274.pdf> Page 5

<sup>28</sup><https://eplanning.blm.gov/epl-front-office/eplanning/planAndProjectSite.do?methodName=dispatchToPatternPage&currentPageId=53486>

<sup>29</sup>[https://eplanning.blm.gov/epl-front-office/eplanning/mapset\\_view.do?projectId=39681&currentPageId=53493&documentId=81491](https://eplanning.blm.gov/epl-front-office/eplanning/mapset_view.do?projectId=39681&currentPageId=53493&documentId=81491)

should be incorporated into the Corridor Abstract figures, conflict analysis, and Section 368 Energy Corridor Mapping Tool.

- Conflict Map Analysis: The Conflict Map Analysis relies on the criteria contained in the West-Wide Energy Corridor (WWEC) Conflict Assessment Table.<sup>30</sup> SMC recommends changes to the assessment classifications to recognize environmentally sensitive areas better:
  - ACECs designated to protect rare plants, soils, and scenic resources may have varying degrees incompatibility with ROWs. Above-ground structures vs. underground infrastructure development may have different impacts. ACECs designated or nominated to protect ESA listed species and/or critical habitat should be automatically classified as “high potential conflict areas” and avoided. ACECs designated or nominated to protect S1 or S2 species should also be automatically classified as “high potential conflict areas” and avoided. There are ten nominated ACECs that intersect SMC and that are being evaluated as part of the ongoing TRFO ACEC RMP amendment.<sup>31</sup> These should all be classified as “high potential conflict areas.” Areas that are nominated for ACEC designation under one or more alternatives of the GuSG RMPa/EIS should also be classified as “high potential conflict areas.”<sup>32</sup>
  - Lands Inventoried and Managed for Wilderness Character should be all classified as “high potential conflict areas,” as any impact from man-made infrastructure will forever change the wilderness character and potential for wilderness designation in the future.
  - Similar to river segments deemed suitable for Wild and Scenic River status, lands pending legislative designation as Wilderness or other special designations should be considered “high potential conflict areas” and avoided so as not to pre-judge and void any potential designation.
  - Lands acquired with federal funds for conservation purposes should be designated as “high potential conflict areas” if their purpose is to protect or conserve ESA listed species and/or critical habitat or to conserve significant viewsheds and lands with wilderness characteristics. This should be a provided GIS layer in the Section 368 Energy Corridor Mapping Tool.
  - Lands acquired with taxpayer funds for conservation purposes should also be designated as “high potential conflict areas.” As noted above San Miguel County has financially contributed over \$2.25 million of local taxpayer dollars during this period for GuSG habitat conservation and improvements through the County’s Land Heritage Program. This program has helped protect over 25% of the occupied GuSG habitat on private land within San Miguel County through conservation easements. Over 14,000 acres of habitat has been conserved at the cost of \$6.8 million and a donation value of over \$11.7 million. These investments toward protection and recovery of GuSG must not be jeopardized or diminished by direct or cumulative indirect impacts of a

<sup>30</sup>[http://corridoreis.anl.gov/documents/docs/conflict\\_assessment\\_table.pdf](http://corridoreis.anl.gov/documents/docs/conflict_assessment_table.pdf)

<sup>31</sup><https://eplanning.blm.gov/epl-front-office/eplanning/planAndProjectSite.do?methodName=renderDefaultPlanOrProjectSite&projectId=63796>

<sup>32</sup><https://eplanning.blm.gov/epl-front-office/eplanning/planAndProjectSite.do?methodName=dispatchToPatternPage&currentPageId=53486>

corridor designation. These lands should be included in the conflict analysis as “high potential conflict areas” and avoided.

- The Corridor Abstract states that “Corridor 130-274 is entirely within a medium potential conflict area and contains existing infrastructure.”<sup>33</sup> This seems to be contradicted by Figures 3a and 3b which mostly depict Corridor 130-274/130-274(E) to be in “No Conflict Identified” areas. Figure 3a shows that the lands south, east, west, and intersecting the southern portion of Corridor 130-274/130-274(E) to be in High Conflict areas. The Corridor Abstract figures and text need revisions for accuracy.
- Corridor Abstract Analysis Table:
  - Row 2: discussion notes that Corridor 130-274/130-274(E) is a Corridor of Concern and that the Tri-State coal-fired power plant is to be retired in 2022. It notes that no realistic wind power generation opportunities have been identified in the region. Is the logical conclusion that a corridor to accommodate high voltage electricity transmission is not warranted?
  - Rows 3-4: discussion notes that BLM and USFS can only authorize projects on Federally-administered lands and that development in corridor “gaps” on State or private lands require coordination outside of the Agencies. Corridors, where the “gaps” have high-conflict areas and environmentally sensitive areas such as ESA listed species and critical habitat, or conserved lands, should not be designated, as they are not leading to the location of corridors in favorable landscapes or maximizing avoidance of environmentally sensitive areas. Corridors should not be sited where there will be impacts as great or greater than those that led to avoided siting in similar areas on federal lands.
  - Row 8: discussion notes that per the Settlement Agreement, MP 4.2-4.6 of Corridor 130-274(E) and MP 6.2-13.2 of Corridor 130-274 should be re-routed to avoid critical GuSG habitat. The mile markers are not quite accurate. Both Corridors should be eliminated where they intersect GuSG critical habitat and conserved private lands. “The Agency Review and Analysis state that they should consider opportunities for corridor revision to avoid most areas of critical habitat and still encompass existing infrastructure.”<sup>34</sup> The Agencies have not analyzed cumulative impacts from repeated disturbance of the ROW of the existing pipeline for its own maintenance as well as if there were to be other infrastructure co-located with it. This corridor creates impacts within critical occupied habitat and habitat located within 0.5 miles of multiple leks of the Miramonte subpopulation of the San Miguel Basin population of GuSG. This is the most viable subpopulation of the GuSG.
  - Row 8 should recognize BLM IM 2014-100<sup>35</sup> is in effect until rescinded and presents some of the best available interim guidance until the GuSG RMPa is finalized. The Agency Review and Analysis should recognize BLM IM 2014-100 and adhere to the guidance requiring focusing any type of development

<sup>33</sup><https://bogi.evs.anl.gov/section368/abstracts/corridor-130-274.pdf> Page 5

<sup>34</sup>[http://corridoreis.anl.gov/documents/docs/conflict\\_assessment\\_table.pdf](http://corridoreis.anl.gov/documents/docs/conflict_assessment_table.pdf) Row 8, Page 10.

<sup>35</sup><https://www.blm.gov/POLICY/IM-2014-100>.



in non-habitat areas. At a minimum, areas within 4-miles of a lek should be considered “high potential conflict areas.”

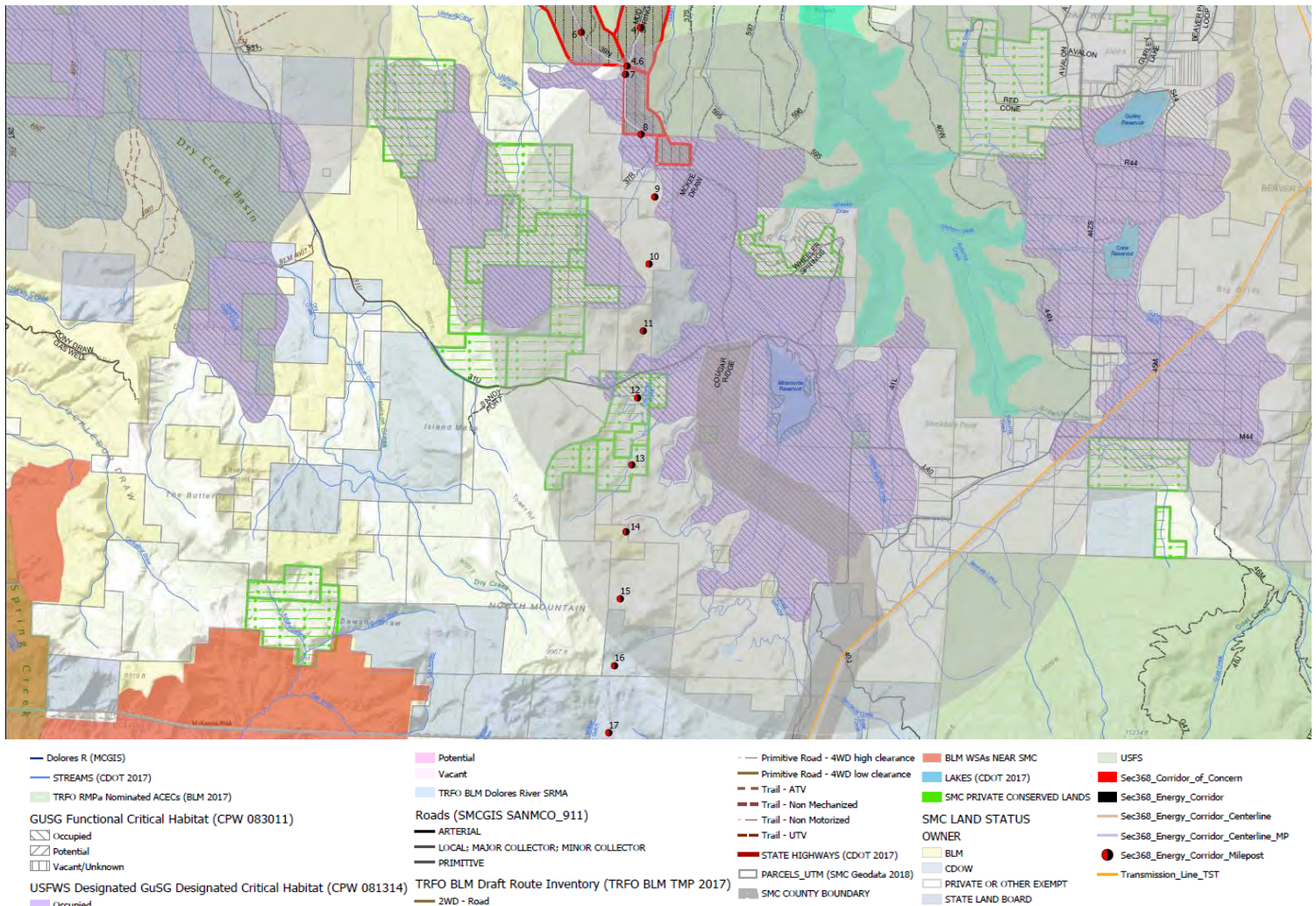


Figure 3: Showing a portion of the SMC-created screen tool for examining GuSG and other conflicts of concern to SMC. (The full-screen tool is provided as a layers-enabled pdf in Appendix A.) MPs of Corridor 130-274 from southern San Miguel County line/MP 17 at bottom center of figure, and private lands encumbered with conservation easements for the purpose of conserving GuSG and critical habitat (green hatching); lands within 4-mile lek buffers and the BLM GuSG RMPa/EIS Decision Area in light gray shading; GuSG critical habitat in striped hatching and purple. While the Corridors 130-274/130-274(E) in red outline at the top center intersect GuSG habitat and are discussed as needing re-routing in Row 8, the same reasons for re-routing on federal lands exist and should require re-routing on the State, private, and private conserved lands to the south. The proximity of MPs 15-17 to the McKenna Peak WSA in red should be mentioned in the Assessment Table and Abstract.

- Row 9: discussion claims that GuSG conservation areas “have not been identified and are not a consideration for the review at this time.” Currently, the BLM GuSG Draft RMPa/EIS has an alternative that contemplates designation of an ACEC for all GuSG critical habitat on BLM-administered

lands within 4-miles of a lek. Private land conservation easements that have the primary conservation value of GuSG habitat conservation should be considered active conservation areas as should State Wildlife Areas (SWA) like the Dan Noble SWA. The 2005 Rangewide Conservation Plan contains rangewide and local conservation strategies and best management practices that should be considered as de-facto GuSG conservation areas.<sup>36</sup>

- Rows 17, 19: The Corridor must continue to avoid impacts and intersections to lands that are subject to the Proposed San Juan Mountains Wilderness designations, Naturita Canyon Colorado Roadless Area, and Menefee Mountain WSA. Proximity to McKenna Peak WSA should be mentioned, as it is as close as 1-mile to MPs 18-20.
- Row 21: Scenic quality is extremely important to San Miguel County's economy, as mentioned in the original and First Amended Complaint about Declaratory and Injunctive Relief filed by the Wilderness Society in *The Wilderness Society, et al. v. United States Department of the Interior, et al., No. 3:09-cv-03048-JW (N.D. Cal)*.<sup>37</sup> The analysis table does not take into consideration the protection of visual resources desired by SMC and its citizens.

Thank you for the opportunity to provide our comments on the Region 2 Review Abstract and analysis of Corridor 130-274/130-274(E) and the need for these segments within SMC to be rerouted.

We encourage the Agencies to require that any Corridor is providing a ROW for fiber or broadband infrastructure, be required to make such broadband infrastructure open access and available for any purpose, including commercial use, to avoid any need in the future to have to go back and "perfect" easements.

We look forward to personally working with the Agencies and stakeholders to determine if a suitable corridor can be identified within San Miguel County that mitigates the concerns outlined in the Settlement Agreement and goals of the Agencies. We are happy to provide any assistance or data we might have to inform the Corridor mapping tool better, abstract and analysis.

Sincerely,  
SAN MIGUEL COUNTY, COLORADO  
BOARD OF COUNTY COMMISSIONERS

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Kris Holstrom, Chair

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<sup>36</sup><http://cpw.state.co.us/learn/Pages/GunnisonSagegrouseConservationPlan.aspx>

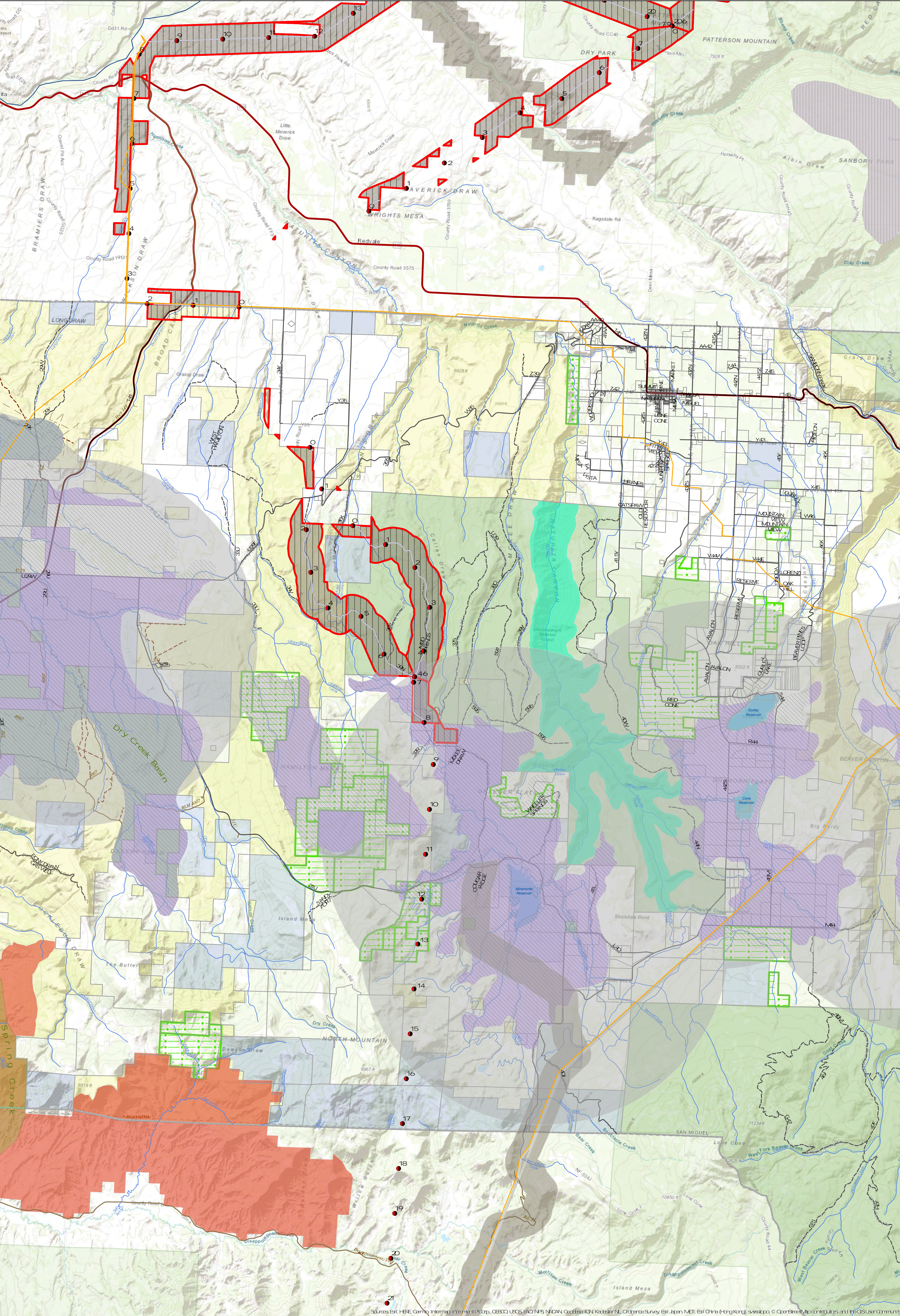
<sup>37</sup>[https://eplanning.blm.gov/epl-front-office/projects/nepa/66455/81165/94671/Tri-State\\_MNC\\_Draft\\_POD.pdf](https://eplanning.blm.gov/epl-front-office/projects/nepa/66455/81165/94671/Tri-State_MNC_Draft_POD.pdf)

**Attachment A: SMC Section 368 Corridor 130-274/130-274 (E) Screen Tool**

This is a layered .pdf file. To make layers visible/invisible please open the layers contents, click on the layers list menu and click “Expand All.” The legend is on the bottom of the document.



SVC Section 368 Corridor 130-274/130-274 (E) Screen Tool





**Attachment B: *Section 368 Energy Corridor Regional Reviews - Region 2* Corridor 130-274/130-274(E) *San Juan/San Miguel Corridor* (January 2018)**

Energy Corridor Abstract provided by Agencies for review, downloaded February 2018 at <http://bogi.evs.anl.gov/section368/abstracts/corridor-130-274.pdf>.

# Corridor 130-274/130-274(E)

## San Juan/San Miguel Corridor

### Introduction

Corridor 130-274/130-274(E) (Figures 1 and 2a,b) begins just south of the Montrose/San Miguel county line and extends generally southward terminating just south of State Route 160 at the Montezuma/La Plata county line. Corridor 130-274(E) is an additional braided segment extending east of Corridor 130-274 from MP 2 to MP 7. Federally designated portions of this corridor are 3,500 feet in width on BLM- and USFS-administered land. The Corridor 130-274(E) segment is designated as underground use only. The corridor is designated multi-modal for future electrical transmission and pipeline projects. Corridor 130-274 has 37.1 miles of designated corridor on BLM- and USFS-administered lands; the overall route including gaps is 65.5 miles. The designated area is 14,823.3 acres or 23.2 square miles. Corridor 130-274(E) has 4.4 miles of designated corridor on BLM- and USFS-administered lands; the overall route including gaps is 4.6 miles. The designated area is 1,760.9 acres or 2.7 square miles. Corridor 130-274 is in San Miguel, Dolores, and Montezuma counties in Colorado, and Corridor 130-274(E) is in San Miguel County; they are under the jurisdictions of the BLM Tres Rios and Uncompahgre Field Offices. Portions of the corridor also occur on the San Juan National Forest and Grand Mesa, Uncompahgre, Gunnison (GMUG) National Forests in Colorado. Corridor 130-274/130-274(E) is entirely in Region 2.

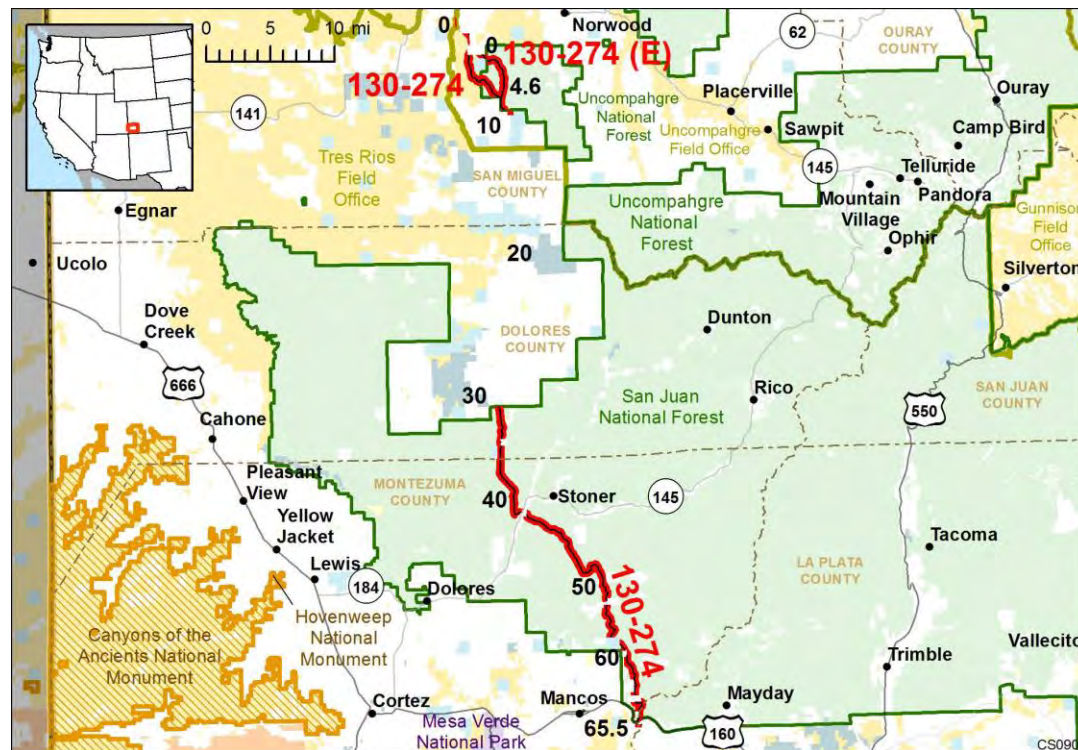
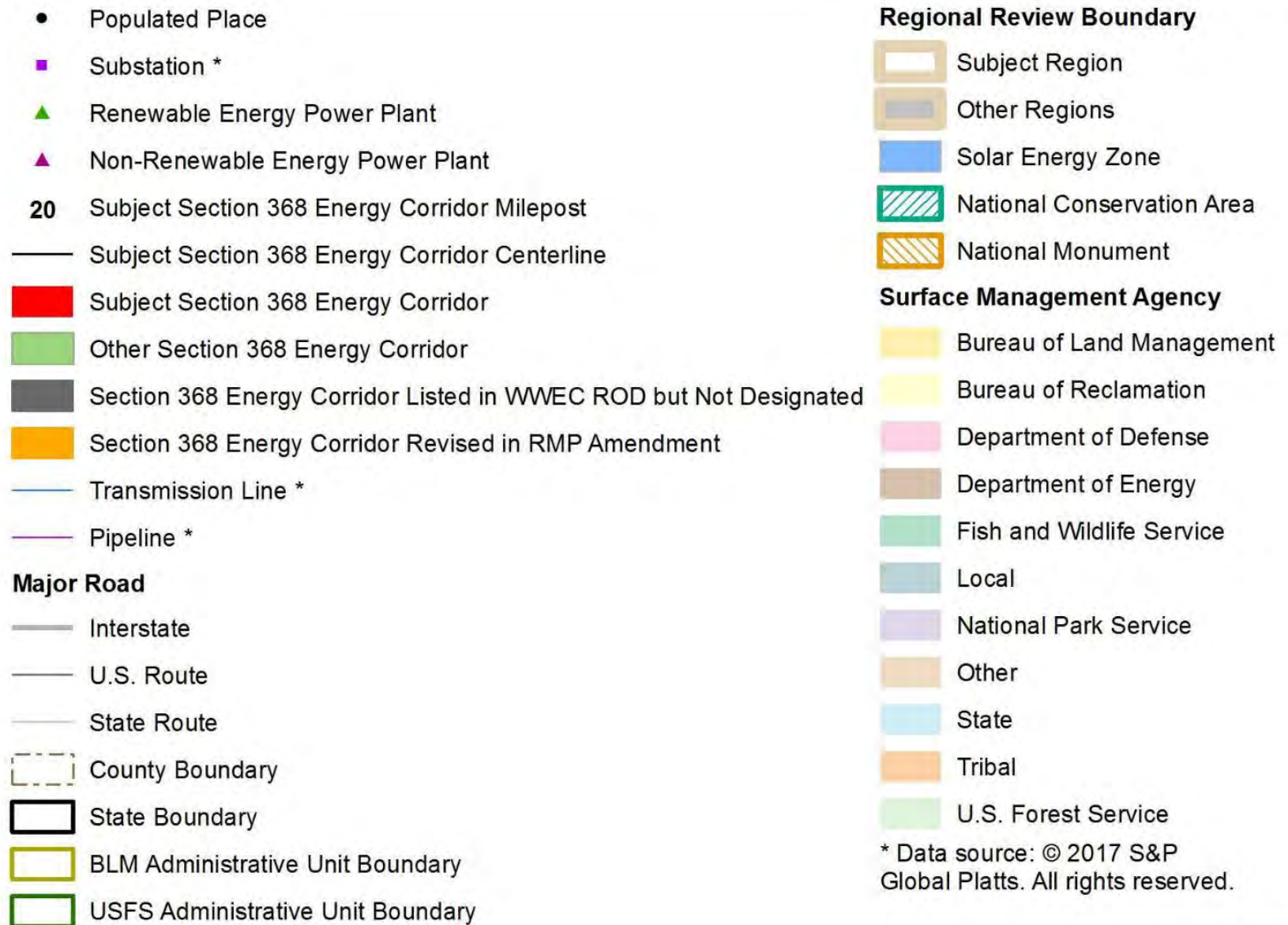


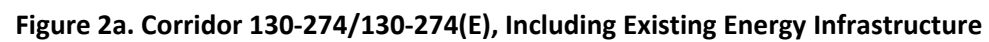
Figure 1. Corridor 130-274/130-274(E)



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**Key for All Figures**





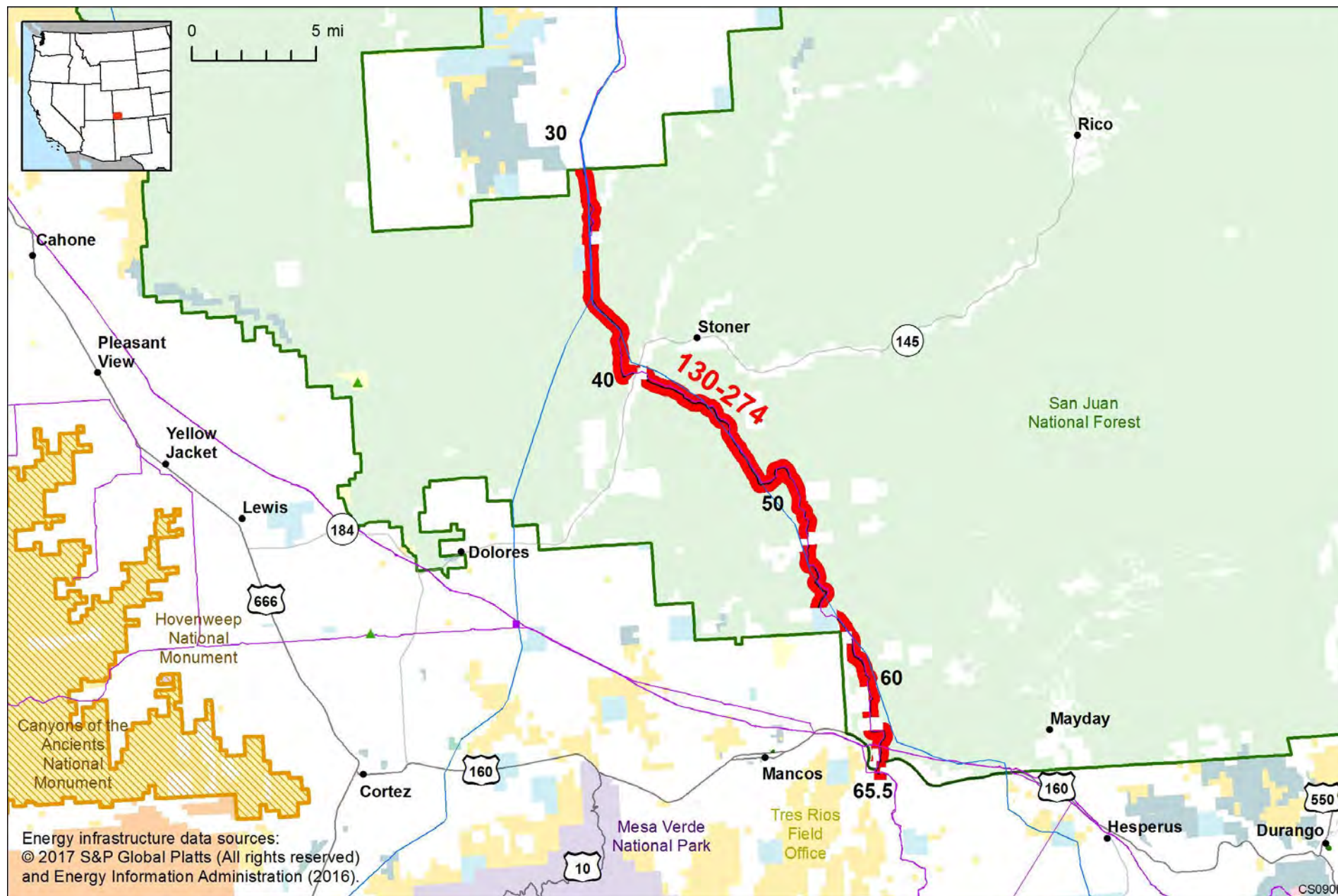


Figure 2b. Corridor 130-274, Including Existing Energy Infrastructure



## Corridor Rationale

During scoping for the WWEC PEIS, routes generally following this corridor were suggested by the National Grid and the Western Utility Group. The initial portion of Corridor 130-274 from MP 0 to MP 8.5 was not previously designated, but the remainder of the corridor was previously identified as a locally designated corridor.

*Existing Infrastructure:* Corridor 13-274(E) is an existing management prescription 1D Utility Corridor occupied by a natural gas pipeline operated by TransColorado Gas Transmission Company, LLC. The portion of Corridor 130-274 on the GMUG National Forest is not occupied by any utility transmission, but the remainder of the corridor contains the TransColorado natural gas pipeline, a 230-kV transmission line operated by Western Area Power Administration from MP 30.1 to MP 36.6, and generally follows a 345-kV transmission line operated by Tri-State G & T Association, Inc. from MP 30.1 to MP 63.2. Also included along the corridor is the Nucla-Naturita Tel Co FLPMA Telephone-Telegraph line, the Tri-State 115-kV power transmission line, and the CDOT Federal Aid Highway.

*Potential for Future Development:* The Platts data do not show any planned projects near this corridor. Results from the Corridor Study indicate that there had been some interest by a transcontinental pipeline company for the San Juan National Forest segment, but there was no follow-up and no application was submitted. BLM analysis indicates that there are no pending projects within corridor and no pending utility-scale renewable projects in the area. It is possible that the corridor will be affected by the Gunnison Sage-Grouse Range-wide Draft RMP Amendment/Draft EIS.

## Corridor of Concern Status

Corridor 130-274/130-274(E) is a corridor of concern. Concerns regarding access to coal, direct or indirect impacts to Gunnison Sage-grouse conservation areas, occupied Gunnison Sage-grouse critical habitat, Colorado-proposed Wilderness, and USFS Inventoried Roadless Area were identified in Exhibit A of the Settlement Agreement. These corridor of concern issues are highlighted in yellow in the Corridor Analysis table.

## Conflict Map Analysis

Figures 3a and 3b reflect a comprehensive resource conflict assessment to help the Agencies identify a corridor's proximity to environmentally sensitive areas. The potential conflict assessment (low, medium, high) shown in the figures are based on [criteria](#) found on the WWEC Information Center at [www.corridoreis.anl.gov](http://www.corridoreis.anl.gov). The conflict assessment criteria table was used to identify if the corridor meets the Settlement Agreement siting principles to provide maximum utility and minimum impact on the environment. This facilitates balance between resource protection and potential development. Where feasible, corridors should be sited in the areas of low conflict; however, to meet the requirements in the Energy Policy Act and the siting principles in the Settlement Agreement, corridors may be located in high potential conflict areas. Many energy corridors were designated in land use plans prior to being carried forward into Section 368 designation. In almost all instances, these existing corridors (pre-Section 368) contained existing infrastructure. Corridor 130-274 is entirely within a medium potential conflict area and contains existing infrastructure.

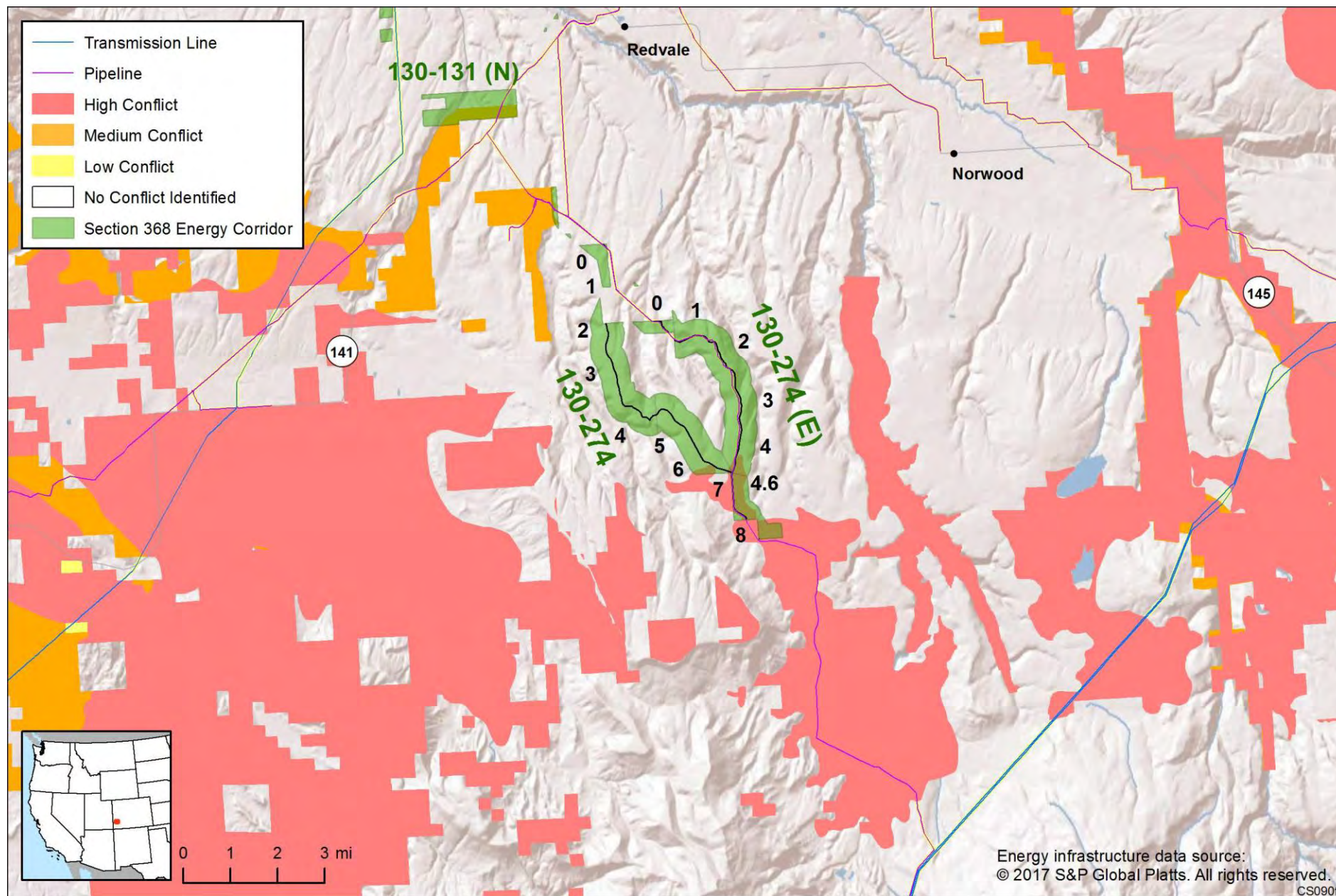


Figure 3a. Mapping of Conflict Areas in Vicinity of Corridor 130-274/130-274(E)



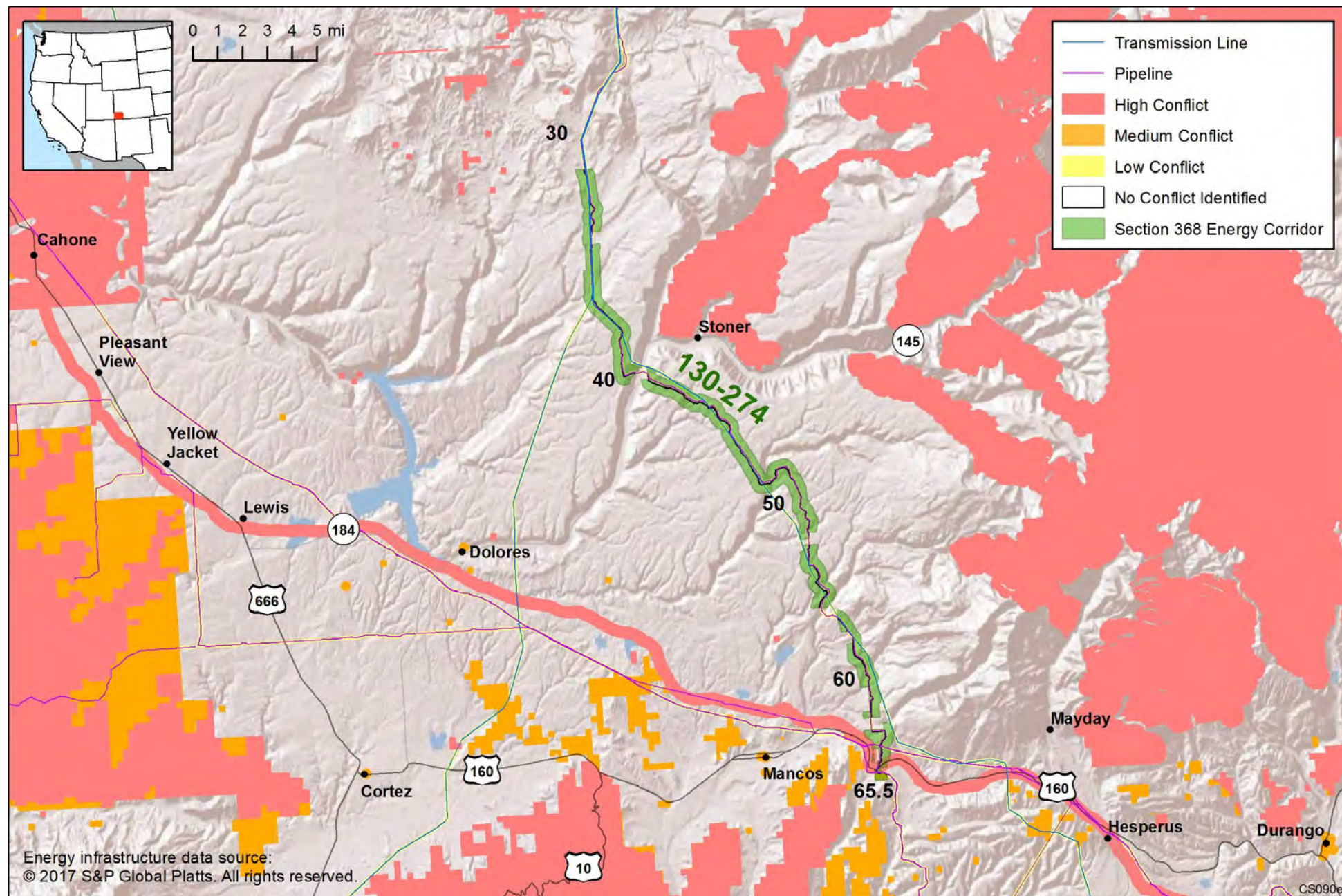


Figure 3b. Mapping of Conflict Areas in Vicinity of Corridor 130-274

## Corridor Analysis

The corridor analysis table below identifies issues potentially affecting Corridor 130-274/130-274(E), locations of resources within the corridor, and the results of the analysis by the Agencies. Issues are checked if they are known to apply to the corridor. Corridor of concern issues are highlighted in yellow.

☒ **Energy Planning Opportunities**

☒ **Energy Planning Issues**

- ☐ Physical barrier
- ☒ Jurisdiction
- ☒ Existing infrastructure/available space

☒ **Land Management Responsibilities and Environmental Resource Issues**

- ☐ Air quality
- ☒ Cultural resources
- ☒ Ecological resources
- ☒ Hydrological resources
- ☒ Lands and realty
- ☒ Lands with wilderness characteristics

- ☐ Livestock grazing
- ☐ Paleontology
- ☐ Public access and recreation
- ☐ Soils/erosion
- ☒ Specially designated areas
- ☐ Tribal concerns
- ☒ Visual resources

☐ **Interagency Operating Procedures**

| REGION 2 – CORRIDOR 130-274/130-274 (E) – ANALYSIS TABLE |        |                          |                            |                                 |                                       |                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|----------------------------------------------------------|--------|--------------------------|----------------------------|---------------------------------|---------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ID                                                       | Agency | Agency Jurisdiction      | County                     | Primary Issue                   | Corridor Location (by Milepost [MP])  | Source                                                                                                                             | Agency Review and Analysis <sup>1</sup>                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>ENERGY PLANNING OPPORTUNITIES</b>                     |        |                          |                            |                                 |                                       |                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 130-274/130-274(E).001                                   | USFS   | San Juan National Forest | Montezuma and La Plata, CO | Substations                     | Corridor 130-274: MP 61.2 and MP 64.2 | GIS Analysis: two substations within 5 mi of corridor                                                                              | Nearby substations provide an opportunity for the corridor to accommodate additional transmission.                                                                                                                                                                                                                                                                                                                                                                                                        |
| 130-274/130-274(E).002                                   |        |                          |                            | Access to coal-fired generation | Not specified.                        | Settlement Agreement; RFI: re-route corridor to a location that can accommodate transmission tied to renewable energy development. | Currently there is a Tri-State coal-fired power plant near Nucla. It is connected to transmission lines that do not go through either corridor. Tri-State recently announced they would be decommissioning this power plant by the end of 2022.<br><br>In 2013, BLM evaluated the Four Corners terrain for potential wind power generation and determined there were no realistic opportunities to justify huge investments into this type of renewable energy prospects/development by private industry. |

| REGION 2 – CORRIDOR 130-274/130-274 (E) – ANALYSIS TABLE                  |              |                                           |                            |                                             |                                       |                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                             |
|---------------------------------------------------------------------------|--------------|-------------------------------------------|----------------------------|---------------------------------------------|---------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ID                                                                        | Agency       | Agency Jurisdiction                       | County                     | Primary Issue                               | Corridor Location (by Milepost [MP])  | Source                                                                                                                                                                                                                                                                                                                                      | Agency Review and Analysis <sup>1</sup>                                                                                                                                     |
|                                                                           |              |                                           |                            |                                             |                                       |                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                             |
| <b>ENERGY PLANNING ISSUES</b>                                             |              |                                           |                            |                                             |                                       |                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                             |
| <b>Jurisdiction</b>                                                       |              |                                           |                            |                                             |                                       |                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                             |
| 130-274/130-274(E).003                                                    | State        | State                                     | San Miguel and Dolores, CO | Discontinuous section of corridor           | MP 15.5 to MP 18                      | GIS Analysis: State lands in corridor gap.                                                                                                                                                                                                                                                                                                  | BLM and USFS can only authorize projects on Federally-administered lands. Development in corridor gaps would require coordination outside of the Agencies.                  |
| 130-274/130-274(E).004                                                    | NA           | Private and State                         | San Miguel and Dolores, CO | Private and state lands within corridor gap | MP 8.5 to 31.5                        | RFI: impact that development within the corridor could have on state or privately owned parcels (jurisdictional corridor gaps –) that are located between designated corridor segments on Federal lands. Recommend that the Agencies extend assessment of existing corridors to non-federal lands, including private and state trust lands. | BLM and USFS can only authorize projects on Federally-administered lands. Development in corridor gap would require coordination outside of the Agencies.                   |
| <b>Existing Infrastructure/Available Space</b>                            |              |                                           |                            |                                             |                                       |                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                             |
| 130-274/130-274(E).005                                                    | BLM and USFS | Tres Rios FO and San Juan National Forest | La Plata and Montezuma, CO | Existing infrastructure                     | MP 53.3 to MP 65.5                    | GIS Analysis: several transmission lines, pipelines and the corridor both follow each other and intersect at angles.                                                                                                                                                                                                                        | Generally does not affect use of the corridor. Proposed project siting and colocation alternatives to address impacts would be analyzed during the ROW application process. |
| 130-274/130-274(E).006                                                    | BLM          | San Juan National Forest                  | Montezuma and La Plata, CO | State Highway 145 and U.S. Highway 160      | MP 40.9 to MP 41 and MP 64.6 to MP 65 | GIS Analysis: roads and corridor intersect.                                                                                                                                                                                                                                                                                                 | Generally does not affect use of the corridor. Consistent with BLM ROW regulations, notification to adjacent ROW holders would be provided.                                 |
| <b>LAND MANAGEMENT RESPONSIBILITIES AND ENVIRONMENTAL RESOURCE ISSUES</b> |              |                                           |                            |                                             |                                       |                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                             |
| <b>Cultural Resources</b>                                                 |              |                                           |                            |                                             |                                       |                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                             |
| 130-274/130-274(E).007                                                    | BLM          | Tres Rios FO                              |                            | Cultural sites                              | Not specified.                        | Agency Input: large known cultural sites with associated surveys.                                                                                                                                                                                                                                                                           | Not a consideration for corridor-level planning. Section 106 process would be followed to identify possible impact of development during the ROW application process.       |



| REGION 2 – CORRIDOR 130-274/130-274 (E) – ANALYSIS TABLE    |                 |                                             |                            |                                                                                                                                                                                                         |                                                                                                                                                          |                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                |
|-------------------------------------------------------------|-----------------|---------------------------------------------|----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ID                                                          | Agency          | Agency Jurisdiction                         | County                     | Primary Issue                                                                                                                                                                                           | Corridor Location (by Milepost [MP])                                                                                                                     | Source                                                                                                                                                                                   | Agency Review and Analysis <sup>1</sup>                                                                                                                                                                                                                                                                                                                                        |
|                                                             |                 |                                             |                            |                                                                                                                                                                                                         |                                                                                                                                                          |                                                                                                                                                                                          | The Tres Rios FO RMP has no ROW exclusion or avoidance prescriptions for cultural resources, but the RMP does state that important cultural areas and traditional cultural properties need protection.                                                                                                                                                                         |
| <b>Ecology: Special Status Animal Species</b>               |                 |                                             |                            |                                                                                                                                                                                                         |                                                                                                                                                          |                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                |
| 130-274/<br>130-274(E)<br>.008                              | USFS            | GMUG<br>National<br>Forests                 | San Miguel,<br>CO          | Gunnison Sage-grouse critical habitat (ESA-listed: threatened)                                                                                                                                          | MP 4.2 to MP 4.6 within Corridor 130- 274(E) and MP 6.2 to MP 13.2                                                                                       | Settlement Agreement;<br>RFI: reroute to avoid concern.<br><br>GIS Analysis: corridor intersects critical habitat in southernmost portion of the corridor on the GMUG National Forest. . | GMUG National Forest LRMP has no ROW exclusion or avoidance prescriptions for Gunnison Sage-grouse critical habitat. However, the LRMP does acknowledge the need to protect federally listed species and their habitats. The Agencies should consider opportunities for corridor revision to avoid most areas of critical habitat and still encompass existing infrastructure. |
| 130-274/<br>130-274(E)<br>.009                              | USFS            | GMUG<br>National<br>Forests                 | San Miguel,<br>CO          | Gunnison Sage-grouse conservation areas                                                                                                                                                                 | Not specified.                                                                                                                                           | Settlement Agreement;<br>RFI: reroute to avoid concern.                                                                                                                                  | Gunnison Sage-grouse conservation areas have not been identified and are not a consideration for the review at this time.                                                                                                                                                                                                                                                      |
| <b>Hydrology: Surface Water</b>                             |                 |                                             |                            |                                                                                                                                                                                                         |                                                                                                                                                          |                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                |
| 130-274/<br>130-274(E)<br>.010                              | BLM and<br>USFS | Uncompahgre FO and San Juan National Forest | Dolores and Montezuma, CO  | Stream crossings: Disappointment Creek, Beaver Creek, Dolores River, Lost Canyon Creek, Chicken Creek, West Mancos River, Middle Mancos River, East Mancos River, and unidentified intermittent streams | MP 19.8, MP 32.9 to MP 33.5, MP 38.5 to MP 39.1, MP 41, MP 48.8 to MP 49.2, MP 55.4 to MP 56, MP 56.3 to MP 57, MP 60 to MP 60.9, and MP 62.2 to MP 63.7 | GIS Analysis: streams and corridor intersect.                                                                                                                                            | Not a consideration for corridor-level planning. Linear ROWs can either span streams or be buried underneath them.                                                                                                                                                                                                                                                             |
| <b>Lands and Realty: Rights-of-Way and General Land Use</b> |                 |                                             |                            |                                                                                                                                                                                                         |                                                                                                                                                          |                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                |
| 130-274/<br>130-274(E)<br>.012                              | BLM and<br>USFS | Tres Rios FO and San Juan                   | Montezuma and La Plata, CO | NSO Area                                                                                                                                                                                                | MP 64.9 to MP 65.3                                                                                                                                       | GIS Analysis: NSO Area intersects corridor.                                                                                                                                              | Pipeline must accommodate directional underground drilling only within two extremely steep river/canyon corridors                                                                                                                                                                                                                                                              |



| REGION 2 – CORRIDOR 130-274/130-274 (E) – ANALYSIS TABLE |        |                             |                |                               |                                      |                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|----------------------------------------------------------|--------|-----------------------------|----------------|-------------------------------|--------------------------------------|--------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ID                                                       | Agency | Agency Jurisdiction         | County         | Primary Issue                 | Corridor Location (by Milepost [MP]) | Source                                                                                                             | Agency Review and Analysis <sup>1</sup>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|                                                          |        | National Forest             |                |                               |                                      | Agency Input: NSO for riparian habitat exists in a small area of Corridor 130-274(E).                              | that are subject to landslides, including the Dolores River Canyon and Lost Canyon within the San Juan National Forest. Substantial investments in mitigation efforts/bonding are likely in these canyon corridors, if surface disturbance is warranted.                                                                                                                                                                                                                                                                                                                                |
| 130-274/130-274(E) .013                                  | USFS   | GMUG National Forests       | San Miguel, CO | Oil and gas leases            | Not specified.                       | Agency Input: in the GMUG, the corridor is in an area available for oil and gas leasing per 1993 leading decision. | Controlled surface use stipulations would apply mostly in corridor areas. There are no existing leases on the GMUG, however there are existing leases to the west and northwest.                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Lands with Wilderness Characteristics</b>             |        |                             |                |                               |                                      |                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 130-274/130-274(E) .014                                  |        |                             |                | Citizens' proposed wilderness | Not specified.                       | Settlement Agreement; RFI: reroute to avoid concern.                                                               | <p>This citizens' proposed wilderness is not in the RMP management prescriptions and is therefore not a consideration at the time of this review.</p> <p>There are no wilderness proposals on the GMUG National Forests. The San Juan Mountain Wilderness Proposal currently identifies the Naturita Canyon, approximately 2 miles east of 130-274(E) as an area to be withdrawn from mineral leasing to prevent oil and gas leasing from occurring. Naturita Canyon is a Colorado Roadless Area and is not affected by the existing Transcolorado pipeline in Corridor 130-274(E).</p> |
| <b>Public Access and Recreation</b>                      |        |                             |                |                               |                                      |                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 130-274/130-274(E) .015                                  | State  | Colorado Parks and Wildlife | Montezuma, CO  | Mancos State Park             | MP 57.1 to MP 59.9                   | GIS Analysis: park is as close as 1.8 mi west of corridor.                                                         | The park does not intersect the corridor and is therefore not a consideration for use of the corridor at corridor-level planning.                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

| REGION 2 – CORRIDOR 130-274/130-274 (E) – ANALYSIS TABLE |              |                                             |                              |                                                        |                                           |                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                |
|----------------------------------------------------------|--------------|---------------------------------------------|------------------------------|--------------------------------------------------------|-------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ID                                                       | Agency       | Agency Jurisdiction                         | County                       | Primary Issue                                          | Corridor Location (by Milepost [MP])      | Source                                                                                                                                                                                                             | Agency Review and Analysis <sup>1</sup>                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Specialty Designated Areas</b>                        |              |                                             |                              |                                                        |                                           |                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                |
| 130-274/<br>130-274(E)<br>.016                           | USFS         | San Juan National Forest                    | La Plata and Montezuma, CO   | San Juan Skyway Scenic Byway                           | MP 40.9 to MP 41.1 and MP 64.6 to MP 64.9 | GIS Analysis: the San Juan Skyway Scenic Byway and the corridor intersect.                                                                                                                                         | The San Juan National Forest LRMP has no ROW exclusion or avoidance prescriptions for the San Juan Skyway Scenic Byway. The corridor intersects the Scenic Byway only at its intersection (a relatively small portion of the Byway). Coordination with CDOT would be required to identify any management prescriptions related to the scenic highway, including methods to reduce visual impacts on the byway. |
| 130-274/<br>130-274(E)<br>.017                           | BLM and USFS | San Juan National Forest and Uncompahgre FO | Montezuma and San Miguel, CO | Naturita Canyon and Storm Peak Colorado Roadless Areas | MP 8.5 (near), MP 38.4 to MP 45.6 (near)  | Settlement Agreement; RFI: reroute to avoid concern;<br><br>GIS Analysis: Storm Peak Colorado Roadless Area as close as 1.2 mi to corridor, Naturita Canyon Colorado Roadless Area as close as 1.5 mi to corridor. | The corridor is outside of the Colorado Storm Peak and Naturita Canyon Colorado Roadless Areas. The Colorado Roadless Areas would not influence development and management inside of the corridor.                                                                                                                                                                                                             |

| REGION 2 – CORRIDOR 130-274/130-274 (E) – ANALYSIS TABLE |                    |                                                    |                                  |                                           |                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                      |
|----------------------------------------------------------|--------------------|----------------------------------------------------|----------------------------------|-------------------------------------------|--------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ID                                                       | Agency             | Agency Jurisdiction                                | County                           | Primary Issue                             | Corridor Location (by Milepost [MP]) | Source                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Agency Review and Analysis <sup>1</sup>                                                                                                                                                                                                                                                                                                                                                                              |
| 130-274/<br>130-274(E)<br>.018                           | BLM<br>and<br>USFS | Tres Rios FO<br>and San Juan<br>National<br>Forest | La Plata and<br>Montezuma,<br>CO | Old Spanish<br>National Historic<br>Trail | MP 64.8 to MP 64.9                   | <p>GIS Analysis: the OSNHT and the corridor intersect.</p> <p>Agency Input: San Juan National Forest Plan guidelines for development of the corridor include:</p> <ul style="list-style-type: none"> <li>-Other resource activities should be designed in order to meet scenic quality objectives for these special designation trails (generally, a foreground and middle-ground of very high to high scenic integrity or VRM Class II).</li> <li>-A literature search and/or Class III cultural resources survey should be conducted within 0.5 mile of either side of the centerline of the congressionally designated OSNHT in high potential segments, prior to authorization of ground-disturbing activities or activities that could substantially interfere with the nature and purposes of the trail.</li> </ul> | <p>The OSNHT is a Congressionally designated trail. Adherence to IOPs would be required. Through project-specific environmental reviews, impacts would be analyzed in relation to any other alternatives that would be identified.</p> <p>The Agencies have identified the need for a new IOP to address development in Section 368 energy corridors while protecting values in Congressionally designated NHTs.</p> |
| 130-274/<br>130-274(E)<br>.019                           | BLM                | Tres Rios FO                                       | Montezuma,<br>CO                 | Menefee Mountain<br>WSA                   | MP 65.1 (near)                       | GIS Analysis: WSA as close as 1.2 mi southwest of corridor.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | The corridor does not cross the WSA and therefore is not a consideration for corridor-level planning.                                                                                                                                                                                                                                                                                                                |

| REGION 2 – CORRIDOR 130-274/130-274 (E) – ANALYSIS TABLE |        |                     |                                         |               |                                            |                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|----------------------------------------------------------|--------|---------------------|-----------------------------------------|---------------|--------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ID                                                       | Agency | Agency Jurisdiction | County                                  | Primary Issue | Corridor Location (by Milepost [MP])       | Source                                                                                                                                                                                                                                 | Agency Review and Analysis <sup>1</sup>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Visual Resources</b>                                  |        |                     |                                         |               |                                            |                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 130-274/130-274(E).020                                   | BLM    | Tres Rios FO        | Montezuma, CO                           | VRM Class I   | MP 65.5                                    | GIS Analysis: VRM Class I areas are as close as 1.2 mi west of corridor.                                                                                                                                                               | There are no Class I areas within the corridor.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 130-274/130-274(E).021                                   | BLM    | Tres Rios FO        | San Miguel and Dolores, CO              | VRM Class II  | MP 13.9 to MP 14.4 and MP 18 to MP 19.5    | GIS Analysis: VRM Class II areas in corridor gap.                                                                                                                                                                                      | Future development within the corridor could be limited as VRM Class II allows for low level of change to the characteristic landscape. Management activities may be seen, but should not attract the attention of the casual observer.                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 130-274/130-274(E).022                                   | BLM    | Uncompahgre FO      | San Miguel                              | VRI Class III | MP 0 to MP 4.5<br>MP 0 to MP 0.5           | GIS Analysis: VRI Class III areas and the corridor intersect. No VRM indicated in the San Juan/San Miguel RMP, 1985, so VRI data used.                                                                                                 | The BLM utilizes the VRM system to manage and protect visual/scenic resources. VRM cannot occur in a systematic and objective manner without a proper inventory of visual resources. An accurate inventory of visual resources creates the needed baseline data to conduct VRM. The VRI is a methodical process intended to evaluate and determine the quality of visual resources and the value of those resources in a given area. A VRI was completed for the Uncompahgre FO in September of 2009. While not yet incorporated into the current RMP, this data is the most recent and comprehensive data available for visual resources within the Uncompahgre FO. |
| 130-274/130-274(E).023                                   | BLM    | Tres Rios FO        | San Miguel, Montezuma, and La Plata, CO | VRM Class III | MP 0 and MP 64.6 to MP 65.5<br><br>MP 64.9 | GIS Analysis: VRM Class III areas and corridor intersect.<br><br>Agency Input: The Old Spanish National Historic Trail and Road 109 transect a VRM Class III area of the corridor. A gas pipeline is currently located in the corridor | VRM Class III allows for moderate change to the characteristic landscape, although minimizing visual contrast remains a requirement. Management activities may attract the attention of the casual observer, but shall not dominate the view.                                                                                                                                                                                                                                                                                                                                                                                                                        |

| REGION 2 – CORRIDOR 130-274/130-274 (E) – ANALYSIS TABLE |        |                          |                        |               |                                      |                                                              |                                                                                                                                                                                                             |
|----------------------------------------------------------|--------|--------------------------|------------------------|---------------|--------------------------------------|--------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ID                                                       | Agency | Agency Jurisdiction      | County                 | Primary Issue | Corridor Location (by Milepost [MP]) | Source                                                       | Agency Review and Analysis <sup>1</sup>                                                                                                                                                                     |
| 130-274/<br>130-274(E)<br>.024                           | USFS   | San Juan National Forest | Montezuma, Dolores, CO | SIO classes   | Not specified.                       | Agency Input: no Very High SIO but a few places of High SIO. | Future development within the corridor could be limited. Landscape character appears intact. Deviations may be present but must repeat the form, line, color, texture, and pattern common to the landscape. |

<sup>1</sup> Projects proposed in the corridor would be reviewed during the ROW application review process and would adhere to federal laws, regulations, and policy.

## Abstract Acronyms and Abbreviations

BLM = Bureau of Land Management; CDOT = Colorado Department of Transportation; FO = Field Office; EIS = Environmental Impact Statement; GIS = geographic information system; GMUG = Grand Mesa, Uncompahgre, Gunnison National Forests; IOP = Interagency Operating Procedure; IRA = Inventoried Roadless Area; LRMP = Land and Resources Management Plan; MP = milepost; NEPA = National Environmental Policy Act; NHT – National Historic Trail; MS = Manual Section; NSO = no surface occupancy; OSNHT = Old Spanish National Historic Trail; PEIS = Programmatic Environmental Impact Statement; RFI = Request for Information; RMP = Resource Management Plan; ROW = right-of-way; SIO = Scenic Integrity Objective; USFS = U.S. Forest Service; VRI = Visual Resource Inventory; VRM = Visual Resource Management; WSA = Wilderness Study Area; WWEC = West-wide Energy Corridor.



**Attachment C: Conflict Assessment Criteria Table for Section 368 Energy Corridor Reviews**

Energy Corridor Conflict Assessment Criteria Table document provided by Agencies for review, downloaded February 2018 at [http://www.corridoreis.anl.gov/documents/docs/conflict\\_assessment\\_table.pdf](http://www.corridoreis.anl.gov/documents/docs/conflict_assessment_table.pdf)

Corridor reviews use a comprehensive resource conflict assessment to help the Agencies identify a corridor's proximity to environmentally sensitive areas. The potential conflict assessment (low, medium, high) is generated using the criteria from BLM's new regulations for prioritizing applications for solar and wind energy projects (43 CFR 2804.35(a)-(c)). The Agencies incorporated the criteria into the conflict assessment criteria table, shown below. The matrix was applied to each corridor to generate conflict maps to aid in reviewing whether the corridor's current location best meets the Settlement Agreement siting principles to provide maximum utility and minimum impact to the environment.

Where feasible, corridors should be sited in the areas of low conflict; however, to meet the requirements in the Energy Policy Act and the siting principles in the Settlement Agreement, corridors may be located in medium and high potential conflict areas. In those instances, it's important to note many energy corridors were already designated in land use plans prior to being carried forward into Section 368 designation. In almost all instances, these existing corridors (pre-Section 368) contained existing infrastructure. Retaining corridors through these areas may be the best option available for providing long-distance pathways for electrical transmission and pipelines while avoiding disperse development across Federal lands.

**Table 2-5 Conflict Assessment Criteria Table for Section 368 Energy Corridor Reviews**

The blue rows indicate the conflict criteria, while the white rows underneath are individual GIS data layers associated with the criteria.

| Low Potential Conflict Areas                                                                                                    |                                                                                                                                                                         |
|---------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ■ <b>Lands designated as Visual Resource Management Class IV</b>                                                                |                                                                                                                                                                         |
|                                                                                                                                 | VRM Class IV                                                                                                                                                            |
|                                                                                                                                 |                                                                                                                                                                         |
| ■ <b>Previously disturbed sites or areas adjacent to previously disturbed or developed sites</b>                                |                                                                                                                                                                         |
|                                                                                                                                 | BLM data were not available for inclusion in the figures in individual abstracts, but existing infrastructure can be viewed on the <a href="#">Section 368 Mapper</a> . |
|                                                                                                                                 | Existing transmission lines                                                                                                                                             |
|                                                                                                                                 | Existing pipelines                                                                                                                                                      |
|                                                                                                                                 | Existing roadways and railways                                                                                                                                          |
|                                                                                                                                 | Existing telecommunication lines, communication sites                                                                                                                   |
|                                                                                                                                 | Existing agricultural uses                                                                                                                                              |
|                                                                                                                                 | Other energy development (e.g. adjacent windfarms, solar farms, power generation facilities, substations)                                                               |
|                                                                                                                                 |                                                                                                                                                                         |
| ■ <b>Lands identified in BLM land use plans as suitable for disposal</b>                                                        |                                                                                                                                                                         |
|                                                                                                                                 | No BLM data are available for inclusion in the graphical display                                                                                                        |
|                                                                                                                                 |                                                                                                                                                                         |
| ■ <b>Lands specifically identified as appropriate for solar or wind energy development, other than designated leasing areas</b> |                                                                                                                                                                         |
|                                                                                                                                 | Solar Energy Zones                                                                                                                                                      |
|                                                                                                                                 | BLM AZ Renewable Energy Development Areas                                                                                                                               |
|                                                                                                                                 | DRECP Development Focus Areas Restricted to Solar and/or Geothermal Energy                                                                                              |

| Medium Potential Conflict Areas                                                                                                                                                                                                       |                                                                      |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|
| ■ <b>BLM special management areas that provide for limited development, including recreation sites and facilities</b>                                                                                                                 |                                                                      |
|                                                                                                                                                                                                                                       | <i>Areas of Critical Environmental Concern</i>                       |
|                                                                                                                                                                                                                                       | <i>DRECP Extensive Recreation Management Areas</i>                   |
|                                                                                                                                                                                                                                       | <i>Other recreation sites and facilities, as data are available</i>  |
| ■ <b>Lands with wilderness characteristics outside Wilderness and Wilderness Study Areas that have been identified in an updated wilderness characteristics inventory</b>                                                             |                                                                      |
|                                                                                                                                                                                                                                       | <i>Lands Inventoried and Managed for Wilderness Character</i>        |
| ■ <b>ROW avoidance areas</b>                                                                                                                                                                                                          |                                                                      |
|                                                                                                                                                                                                                                       | <i>ROW Avoidance Areas</i>                                           |
| ■ <b>Areas where project development may adversely affect resources and properties listed in a national register, such as in the National Register of Historic Places, National Natural Landmarks, or National Historic Landmarks</b> |                                                                      |
|                                                                                                                                                                                                                                       | <i>Properties Listed in the National Register of Historic Places</i> |
|                                                                                                                                                                                                                                       | <i>National Natural Landmarks</i>                                    |
|                                                                                                                                                                                                                                       | <i>National Historic Landmarks</i>                                   |
|                                                                                                                                                                                                                                       | <i>National Historic Parks</i>                                       |
| ■ <b>Sensitive habitat areas, including important species use areas, riparian areas, or areas of importance for Federal or State sensitive species</b>                                                                                |                                                                      |
|                                                                                                                                                                                                                                       | <i>Greater Sage-grouse General Habitat Management Areas</i>          |
|                                                                                                                                                                                                                                       | <i>Greater Sage-grouse Priority Habitat Management Areas</i>         |
|                                                                                                                                                                                                                                       | <i>Desert Tortoise Designated Critical Habitat</i>                   |
|                                                                                                                                                                                                                                       | <i>DRECP Wildlife Allocations</i>                                    |
|                                                                                                                                                                                                                                       | <i>Important Bird Areas</i>                                          |
|                                                                                                                                                                                                                                       | <i>Sagebrush Focal Areas</i>                                         |
|                                                                                                                                                                                                                                       | <i>USFWS-identified Desert Tortoise Connectivity Areas</i>           |
|                                                                                                                                                                                                                                       | <i>Least Cost Corridors for Tortoise Population Connectivity</i>     |
|                                                                                                                                                                                                                                       | <i>DRECP Tortoise Conservation Areas and Linkages</i>                |
| ■ <b>Lands designated as Visual Resource Management Class III</b>                                                                                                                                                                     |                                                                      |
|                                                                                                                                                                                                                                       | <i>VRM Class III</i>                                                 |
| ■ <b>DoD operating areas with land use or operational mission conflicts</b>                                                                                                                                                           |                                                                      |
|                                                                                                                                                                                                                                       | <i>Military Training Route: Instrument Route Corridors</i>           |
|                                                                                                                                                                                                                                       | <i>Military Training Route: Slow Route Corridors</i>                 |
|                                                                                                                                                                                                                                       | <i>Military Training Route: Visual Route Corridors</i>               |
|                                                                                                                                                                                                                                       | <i>Special Use Airspace - Low Altitude</i>                           |
|                                                                                                                                                                                                                                       | <i>DoD High Risk of Adverse Impact Areas</i>                         |
| ■ <b>Areas where project development may adversely affect lands acquired for conservation purposes</b>                                                                                                                                |                                                                      |
|                                                                                                                                                                                                                                       | <i>Lands Acquired with Federal Funds for Conservation Purposes</i>   |
|                                                                                                                                                                                                                                       | <i>Boulder City Conservation Easement</i>                            |
| ■ <b>Projects with proposed groundwater uses within groundwater basins that have been allocated by State water resource agencies</b>                                                                                                  |                                                                      |
|                                                                                                                                                                                                                                       | <i>No data are available for inclusion in the graphical display</i>  |

| High Potential Conflict Areas                                           |                                                                                                                                                                                                                                                                                                                                                                   |
|-------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ■                                                                       | <b>Lands designated by Congress, the President, or the Secretary for the protection of sensitive viewsheds, resources, and values (e.g., units of the National Park System, Fish and Wildlife Service Refuge System, some National Forest System units, and the BLM National Landscape Conservation System), which could be adversely affected by development</b> |
|                                                                         | <i>Units of the National Park System</i>                                                                                                                                                                                                                                                                                                                          |
|                                                                         | <i>Units of the Fish and Wildlife Refuge System</i>                                                                                                                                                                                                                                                                                                               |
|                                                                         | <i>National Monuments</i>                                                                                                                                                                                                                                                                                                                                         |
|                                                                         | <i>Wilderness Areas</i>                                                                                                                                                                                                                                                                                                                                           |
|                                                                         | <i>Wilderness Study Areas</i>                                                                                                                                                                                                                                                                                                                                     |
|                                                                         | <i>National Conservation Areas (except CDNCA)</i>                                                                                                                                                                                                                                                                                                                 |
|                                                                         | <i>Other Lands in the NLCS</i>                                                                                                                                                                                                                                                                                                                                    |
|                                                                         | <i>EPA Class I Air Quality Areas</i>                                                                                                                                                                                                                                                                                                                              |
|                                                                         | <i>DRECP California Desert National Conservation Lands</i>                                                                                                                                                                                                                                                                                                        |
|                                                                         | <i>DRECP National Scenic Cooperative Management Areas</i>                                                                                                                                                                                                                                                                                                         |
|                                                                         | <i>USFS Roadless Areas</i>                                                                                                                                                                                                                                                                                                                                        |
|                                                                         | <i>National Historic Trails</i>                                                                                                                                                                                                                                                                                                                                   |
|                                                                         | <i>National Scenic Trails</i>                                                                                                                                                                                                                                                                                                                                     |
|                                                                         | <i>National Recreation Trails*</i>                                                                                                                                                                                                                                                                                                                                |
|                                                                         |                                                                                                                                                                                                                                                                                                                                                                   |
| ■                                                                       | <b>Wild and Scenic Rivers and Recreational Rivers and river segments deemed suitable for Wild and Scenic River status, if project development could have significant adverse effects on sensitive viewsheds, resources, and values</b>                                                                                                                            |
|                                                                         | <i>Wild and Scenic Rivers</i>                                                                                                                                                                                                                                                                                                                                     |
|                                                                         | <i>Recreational Rivers*</i>                                                                                                                                                                                                                                                                                                                                       |
|                                                                         | <i>River segments deemed suitable for Wild and Scenic River status*</i>                                                                                                                                                                                                                                                                                           |
|                                                                         |                                                                                                                                                                                                                                                                                                                                                                   |
| ■                                                                       | <b>Designated critical habitat for federally threatened or endangered species, if project development could result in the destruction or adverse modification of that critical habitat</b>                                                                                                                                                                        |
|                                                                         | <i>Critical Habitat Areas</i>                                                                                                                                                                                                                                                                                                                                     |
|                                                                         | <i>Critical Habitat Lines</i>                                                                                                                                                                                                                                                                                                                                     |
|                                                                         |                                                                                                                                                                                                                                                                                                                                                                   |
| ■                                                                       | <b>Lands designated as Visual Resource Management Class I or Class II</b>                                                                                                                                                                                                                                                                                         |
|                                                                         | <i>Visual Resource Management Class I</i>                                                                                                                                                                                                                                                                                                                         |
|                                                                         | <i>Visual Resource Management Class II</i>                                                                                                                                                                                                                                                                                                                        |
|                                                                         |                                                                                                                                                                                                                                                                                                                                                                   |
| ■                                                                       | <b>ROW exclusion areas</b>                                                                                                                                                                                                                                                                                                                                        |
|                                                                         | <i>ROW exclusion areas</i>                                                                                                                                                                                                                                                                                                                                        |
|                                                                         |                                                                                                                                                                                                                                                                                                                                                                   |
| ■                                                                       | <b>Lands designated as no surface occupancy for oil and gas development in BLM land use plans</b>                                                                                                                                                                                                                                                                 |
|                                                                         | <i>No Surface Occupancy</i>                                                                                                                                                                                                                                                                                                                                       |
| *No data are currently available for inclusion in the graphical display |                                                                                                                                                                                                                                                                                                                                                                   |

**JUN 10 2009**

**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
SAN MIGUEL COUNTY, COLORADO  
AND THE  
BUREAU OF LAND MANAGEMENT  
UNCOMPAHGRE FIELD OFFICE**

**I. INTRODUCTION**

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The Bureau of Land Management (BLM), Uncompahgre Field Office, is undertaking a major revision of their Resource Management Plan (RMP) beginning in the spring of 2009. The BLM anticipates that the RMP revision and associated environmental impact statement (EIS) will take approximately four years to complete.

San Miguel County is eligible to become a Cooperating Agency for the duration of the RMP/EIS process. Cooperating Agency status provides an opportunity for the BLM, San Miguel County and other Cooperating Agencies to work together to enhance the BLM's planning efforts.

This Memorandum of Understanding (MOU) sets forth roles and responsibilities for the Cooperating Agencies as agreed upon between San Miguel County and the Uncompahgre Field Office (UFO) for the purposes of collaborative planning and production of the RMP and EIS.

**II. PURPOSE**

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In carrying forth its responsibilities and mandates under the National Environmental Policy Act and Council of Environmental Quality regulations at 40 Code of Federal Regulations (CFR), Part 1500 and the Federal Land Policy and Management Act (as amended) CFR Part 1600, the BLM recognizes a compelling need to ensure that the interests of San Miguel County are accounted for, and that they are meaningfully engaged in the above stated resource management planning effort and associated EIS.

As such, San Miguel County has requested, and the BLM has agreed to grant, Cooperating Agency Status pursuant to 40CFR 1501.6, 1501.2, and 1501.8. Under the regulations, the BLM recognizes that San Miguel County has special expertise as it relates to various aspects of the planning effort described above.



### **III. AGENCY DESIGNATIONS**

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Appendix A specifies Agency Representatives. Each participating entity will designate one primary representative to attend meetings and to act as a point of contact to ensure coordination and exchange information between San Miguel County and the BLM during the planning process. An entity may change its representative at any time by providing written notice to the other party. Cooperating Agencies may also involve "in-house" specialists in discussions, when a specific topic warrants such expertise.

### **IV. AUTHORITIES FOR AGREEMENT**

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Authority for the BLM and San Miguel County to participate in this agreement is provided by the National Environmental Policy Act, 42 USC 4321 et seq. and 40 CFR 1501.6 – Cooperating Agencies, 1508.2 – Elimination of Duplication with State and Local Procedures, and 1508.5 – Cooperating Agency (CA).

Additional authority comes from the Federal Land Policy Management Act, 43 USC 1712 et seq., which mandates coordination of BLM planning and management efforts with the programs of state and local governments which may be affected by those planning actions.

### **V. ROLES AND RESPONSIBILITIES**

---

#### **A. RESPONSIBILITIES OF THE BUREAU OF LAND MANAGEMENT, UFO**

The BLM UFO is responsible for the following:

- i. To prepare and ensure the content and quality of the Draft RMP/Draft EIS, the Proposed RMP/Final EIS, and the Record of Decision/Approved RMP.
- ii. To provide San Miguel County with meaningful opportunities for participation, including involvement in:
  - identifying issues and concerns of relevance to the planning effort,
  - identifying or providing data that is suitable, available and relevant to the planning effort,
  - reviewing and commenting on draft sections of the EIS for which San Miguel County provided input due to its special expertise.
- iii. To consider and incorporate information and comments provided by San Miguel County into EIS documents to the extent possible and where appropriate.
- iv. To make all final determinations regarding the content of the EIS document.

## **B. RESPONSIBILITIES OF SAN MIGUEL COUNTY**

San Miguel County has special expertise in a number of areas related to planning, and as such, is responsible for the following:

- i. Along with other involved Cooperating Agencies, to participate in the planning process to the fullest extent possible.
- ii. To assist the BLM with the identification of issues and concerns to be addressed through the planning effort.
- iii. To provide data of potential relevance and value to the RMP revision/EIS effort. This data may include but is not limited to the following:
  - approved San Miguel County programs, plans and policies potentially affected by the RMP,
  - information regarding planning area resources and current and proposed uses and management actions,
  - environmental analyses on issues for which San Miguel County has special expertise,
  - socio-economic data such as demographics, activities and values.
- iv. To review and provide comments during specified review periods on preliminary baseline and other technical reports for which San Miguel County has contributed data or other pertinent information.
- v. To review and provide comments during specified review periods concerning the following sections of the preliminary Draft EIS:
  - preliminary range of alternatives to be considered in detail,
  - relevant portions of the "Affected Environment" section (including the socio-economic portion),
  - relevant portions of the "Environmental Consequences" section,
  - relevant portions of the "Consultation and Coordination" section, including information on consistency reviews.
- vi. During public review periods for the Draft EIS, to provide the BLM with a consolidated comprehensive review of the Draft EIS.
- vii. To assist the BLM with analyzing and reviewing public comments and data, and with the development of the Proposed RMP/Final EIS.

## **VI. FUNDING**

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Each entity agrees to fund its own expenses associated with this planning process.

## **VII. JOINT RESPONSIBILITIES**

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The parties agree to use their best efforts to meet the timeframes established in the agreement, to work cooperatively, and to resolve differences as quickly as possible.

## **VIII. IMPLEMENTATION, AMENDMENT AND TERMINATION**

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This agreement becomes effective upon signature by all parties, and may be subsequently amended through written agreement of all signatories. The parties agree to jointly develop a framework for information exchange and feedback within 60 days of the signing of this agreement.

San Miguel County or the BLM may terminate this agreement by providing written notice of termination to the other party. If not terminated sooner, this agreement will end when the Notice of Availability for the Final EIS is published in the Federal Register.

Nothing in this agreement will abridge or amend the authorities and responsibilities of San Miguel County or the BLM or any other party on any matter under their respective jurisdictions.

Nothing in this agreement may be construed to require either San Miguel County or the BLM to obligate or pay funds or in any other way take action in violation of the Anti-Deficiency Act (31 USC 1341) or any State or County law or ordinance.

## **IX. SOVEREIGN IMMUNITY**

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Neither signatory waives their sovereign immunity by entering into this Memorandum of Understanding. Each fully retains all immunities and defenses provided by law with respect to any actions based on or occurring as a result of this agreement.

**X. SIGNATURES**

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The parties hereto have executed this Memorandum of Understanding as of the dates shown below.

**BUREAU OF LAND MANAGEMENT**

  
Barbara L. Sharrow, Field Manager  
Uncompahgre Field Office, BLM

6-8-07  
Date

**SAN MIGUEL COUNTY, COLORADO**

  
Elaine Fischer, Chair  
San Miguel County Board of Commissioners

6/3/08  
Date

## **APPENDIX A – AGENCY REPRESENTATIVE**

---

**REPRESENTING:        SAN MIGUEL COUNTY, COLORADO**

Dave Schneck  
County Administrator  
San Miguel County  
PO Box 1170  
Telluride, CO 81435  
Phone: (970) 728-0447  
Fax: (970) 728-3718  
Email: [daves@sanmiguelcounty.org](mailto:daves@sanmiguelcounty.org)

**REPRESENTING:        BUREAU OF LAND MANAGEMENT  
UNCOMPAHGRE FIELD OFFICE**

Bruce Krickbaum  
RMP Project Manager  
Uncompahgre Field Office  
2465 South Townsend Avenue  
Montrose, CO 81401  
Phone: (970) 240-5384  
Fax: (970) 240-5367  
Email: [bruce\\_krickbaum@blm.gov](mailto:bruce_krickbaum@blm.gov)



**MEMORANDUM OF UNDERSTANDING**  
**BETWEEN**  
**SAN MIGUEL COUNTY**  
**THE UNITED STATES DEPARTMENT OF THE INTERIOR**  
**BUREAU OF LAND MANAGEMENT**  
*BY AND THROUGH THE COLORADO STATE DIRECTOR*  
**REGARDING**  
**DEVELOPMENT OF THE GUNNISON SAGE-GROUSE**  
**ENVIRONMENTAL IMPACT STATEMENT**

**Memorandum of Understanding  
Between San Miguel County, Colorado and the Bureau of Land Management**

**1. Parties to and Purpose for this Document:**

This Memorandum of Understanding (MOU) is entered into between San Miguel County, Colorado and the United States Department of the Interior, Bureau of Land Management (BLM), by and through the Colorado State Director (BLM), for the purpose of coordinating and cooperating in conducting an environmental analysis and preparing the Environmental Impact Statement (EIS) for the BLM Gunnison Sage-Grouse EIS Plan Amendment (Project). This MOU establishes San Miguel County as a "cooperating agency" in the EIS and documentation process and establishes procedures through which San Miguel County and the BLM will participate on the BLM interdisciplinary team (IDT) to conduct the analyses and develop the EIS.

San Miguel County has designated County Commissioner Joan May, as primary representative, and County Environmental Health Director Dave Schneck, as alternate representative, to represent San Miguel County as its members on the IDT. The alternate representative may represent San Miguel County, if Commissioner May is unavailable.

**2. Background:**

The BLM is writing an Environmental Impact Statement to analyze incorporating new sage-grouse habitat conservation measures into its Resource Management Plans for the eleven planning units within the range of the Gunnison Sage-Grouse: the Monticello Field Office and the Moab Field Office in Utah, the Grand Junction Field Office, the Uncompahgre Field Office, the Tres Rios Field Office, the Gunnison Field Office, the San Luis Valley Field Office, the Dominguez-Escalante National Conservation Area, the McInnis Canyons National Conservation Area, the Gunnison Gorge National Conservation Area, and the Canyons of the Ancients National Monument in Colorado.

More than 625,000 surface acres of Gunnison Sage-Grouse habitat are on BLM lands across this range.

The EIS is to comply with National Environmental Policy Act of 1969, 42 U.S.C. 4321 et. seq., as amended (NEPA) and provide support for the Record of Decision (ROD), if applicable.

Consistent with NEPA, and pursuant to the Code of Federal Regulations (40 CFR 1501.6 and 1508.5), State or local governments may participate in the development of environmental documentation for projects where they have jurisdiction by law or special expertise.

The BLM has offered and San Miguel County has accepted cooperating agency status in the development of the EIS for the Project.

**3. Term of MOU:**

This MOU shall commence upon the day and date last signed and executed by the duly authorized representatives of the parties to this MOU, and shall remain in full force and effect until terminated. This MOU may be terminated, without cause, by either party upon thirty (30) days written notice to the other party, which notice shall be delivered by hand or by certified mail.

**4. Responsibilities of San Miguel County:**

- San Miguel County will participate in the EIS and documentation process by providing information regarding environmental issues in which or where San Miguel County has jurisdiction by law or special expertise.
- San Miguel County will have one member appointed to the IDT, as identified in Paragraph 1 above. The San Miguel County member may attend and participate in IDT meetings, will provide supporting documentation, and will provide input as necessary, according to IDT protocol.
- San Miguel County will provide information from its records to the IDT, as needed.
- San Miguel County will submit information at its discretion or upon request by any IDT members or the BLM project manager, within the specified time frames.
- Through San Miguel County's IDT member, San Miguel County will have the opportunity for input to preliminary draft documents prepared during the EIS process. The IDT members may, at any time during the effective term of this MOU, request records by contacting San Miguel County point of contact identified in Section 8i.
- San Miguel County will provide public records, and other records deemed appropriate, and consistent with the provisions specified in Section 8g.

**5. Responsibilities of the BLM:**

In accordance with 40 CFR 1501.5, the BLM is the Project lead agency.

- The BLM Project Manager is Leigh D. Espy.
- The BLM Project IDT Leader is Travis Haby.
- The BLM will keep all IDT members apprised of current events in relation to the development of the EIS.
- The BLM will consider San Miguel County input and proposals to the maximum extent possible, consistent with legal requirements and its responsibility as lead agency.
- Beyond including San Miguel County in all IDT meetings, the BLM will appropriately involve other cooperating agencies (including but not limited to other County

governments, Colorado and Utah State Governments, and federal agencies) in meetings where such involvement would be necessary or of benefit to the process.

- The BLM will ensure that input from San Miguel County is appropriately considered and incorporated into the EIS.
- Any final decisions on BLM-administered lands and federal mineral estate under BLM jurisdiction will be made by the BLM.

**6. Mutual Responsibilities of San Miguel County and the BLM:**

- San Miguel County and the BLM will cooperate in apprising each other, as far in advance as possible, of any related actions or issues that may affect the EIS and documentation process or that may affect either party.
- The parties will cooperate in the development and review of any operating guidelines or agreements between San Miguel County or the BLM and other entities involved in the preparation of the EIS.
- The BLM and San Miguel County agree to meet on issues concerning the EIS at the request of either party.

The San Miguel County representative, the Project IDT Leader, and the Project Manager will serve as the MOU core team. The purpose of the MOU core team will be to coordinate communication among the parties to the MOU throughout the EIS process. MOU core team members will be responsible for relaying information to and from their constituents on a timely basis.

**7. Payment:**

No payment shall be made to either party by the other as a result of this MOU, including but not limited to, payment for any cost incurred as a result of carrying out any responsibility identified above. Each party shall pay its own costs. During the course of the project, should it become necessary for one party to purchase from or make payment or reimbursement to the other party, such arrangements will be covered in a separate cooperative agreement.

**8. General Provisions:**

**a. Amendments.**

Either party may request changes in this MOU. Any changes, modifications, revisions, or amendments to this MOU, which are mutually agreed upon by and between the parties to this MOU, shall be incorporated by written instrument, executed and signed by all parties to this MOU and are effective in accordance with the terms of paragraph 3 above.

**b. Applicable Law.**

The construction, interpretation and enforcement of this MOU shall be governed by the applicable laws of the United States.

**c. Entirety of Agreement.**

This MOU, consisting of seven (7) pages, represents the entire and integrated agreement between the parties and supersedes all prior negotiations, representations and agreements concerning the EIS, whether written or oral.

**d. Severability.**

Should any portion of this MOU be determined to be illegal or unenforceable, the remainder of the MOU shall continue in full force and effect, and either party may renegotiate the terms affected by the severance.

**e. Sovereign Immunity.**

San Miguel County and the BLM do not waive their sovereign immunity by entering into this MOU, and each fully retains all immunities and defenses provided by law with respect to any action based on or occurring as a result of this MOU.

**f. Third Party Beneficiary Rights.**

The parties do not intend to create in any other individual or entity the status of third party beneficiary, and this MOU shall not be construed so as to create such status. The rights, duties and obligations contained in this MOU shall operate only between the parties to this MOU, and shall inure solely to the benefit of the parties to this MOU. The provisions of this MOU are intended only to assist the parties in determining and performing their obligations under this MOU. The parties to this MOU intend and expressly agree that only parties signatory to this MOU shall have any legal or equitable right to seek to enforce this MOU, to seek any remedy arising out of a party's performance or failure to perform any term or condition of this MOU, or to bring an action for the breach of this MOU.

**g. Exchange of Information.**

Parties to this MOU will have access to all information relevant to the fulfillment of their responsibilities under this agreement. Data provided pursuant to this agreement may contain confidential or proprietary BLM or San Miguel County information. All records or information requested of either party by the other will be reviewed by the releasing party prior to release. To the extent permissible under applicable law, any recipient of proprietary information agrees not to disclose, transmit, or otherwise divulge this information without prior approval from the releasing party. Any breach of this provision may result in termination of this MOU.



#### **h. Administrative Considerations.**

Pursuant to 204(b) of the Unfunded Mandates Reform Act of 1995, responsible Federal Agency officials may meet or enter into project level MOUs with officials of State and local Governments or their designees. During such meetings and development, implementation and monitoring of such MOUs, views, information and advice are exchanged, or input relative to the implementation of Federal programs is obtained. Such meetings and MOUs will further the administration of intergovernmental coordination. The meetings or MOUs referred to include, but are not limited to, meetings called for the purpose of exchanging views, information, advice or recommendations, or for facilitating any other interaction relating to intergovernmental responsibilities or administration.

Nothing in this MOU will be construed as limiting or affecting in any way the authority or legal responsibility of San Miguel County or the BLM, or as binding either San Miguel County or the BLM to perform beyond the respective authority of each, or to require either assuming or expending any sum in excess of appropriations available. It is understood that all the provisions herein must be within financial, legal, and personnel limitations, as determined practical by San Miguel County and the BLM for their respective responsibilities. This MOU is neither a fiscal nor a funds obligation document.

Nothing in this MOU will be construed to extend jurisdiction or decision-making authority to the BLM for planning and management of land and resource uses for any non-Federal lands or resources in the Project area. Similarly, nothing in this MOU will be construed to extend jurisdiction or decision-making authority to San Miguel County for planning and management of land or resource uses on the Federal lands or mineral estates administered by the BLM. Both San Miguel County and the BLM will work together cooperatively and will communicate about issues of mutual concern.

#### **i. Contacts:**

The primary points of contact for carrying out the provisions of this MOU are:

##### **San Miguel County**

Joan May  
County Commissioner  
333 W. Colorado Ave, 3rd Floor  
PO Box 1170  
Telluride, CO 81435

Dave Schneck  
County Environmental Health Director  
333 W. Colorado Ave, 3rd Floor  
PO Box 1170  
Telluride, CO 81435

##### **BLM**

Leigh D. Espy  
Project Manager  
2850 Youngfield St.  
Lakewood, CO 80215

Travis Haby  
Project IDT Leader  
2850 Youngfield St  
Lakewood, CO 80215

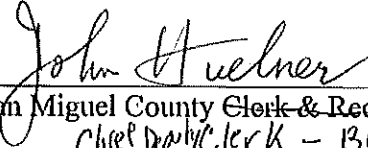
**9. Signature:**

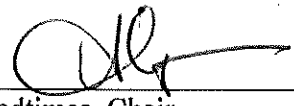
In witness whereof, the parties to this MOU through their duly authorized representatives have executed this MOU on the days and dates set out below, and certify that they have read, understood, and agreed to the terms and conditions, of this MOU as set forth herein.

The effective date of this MOU is the date of the signature last affixed to this page.


ATTEST:

BOARD OF COUNTY COMMISSIONERS  
OF SAN MIGUEL COUNTY, COLORADO

  
\_\_\_\_\_  
San Miguel County Clerk & Recorder  
Chief Deputy Clerk - BOCC

By \_\_\_\_\_  
Art Goodtimes, Chair  
Date 8/27/14

U. S. DEPARTMENT OF THE INTERIOR,  
BUREAU OF LAND MANAGEMENT,  
by and through:

  
\_\_\_\_\_  
Ruth Welch  
Colorado State Director

9/4/14  
Date



AGENDA ITEM - 7.a.

**TITLE:**

Update on the potential of a new trail at the east end that will begin on the Idarado property (Bridal Veil Creek Trail).

**Presented by:** Janet Kask, County Parks and Open Space Director

**Time needed:** 15 mins

**PREPARED BY:**

Janet Kask

**RECOMMENDED ACTION/MOTION:**

**INTRODUCTION/BACKGROUND:**

See attached memo.

**FISCAL IMPACT:**

| Contract Number:    | Date Executed | End Date | Department(s)        |
|---------------------|---------------|----------|----------------------|
| YYYY-###            |               |          | Parks and Open Space |
| <b>Description:</b> |               |          |                      |

**ATTACHMENTS:**

Description

Upload Date

BOCC Memo - Bridal Veil Creek Trail

7/31/2019

Bridal Veil Creek Maps

7/31/2019

DATE: July 31, 2019  
TO: BOCC  
FROM: Janet Kask, Dir., Parks & Open Space  
RE: Proposed East End Trail – Bridal Veil Creek Trail

The Telluride Mountain Club (TMC) and Idarado have proposed a new Bridal Veil Creek Trail (BVCT) at the east end of town. The trail would be located on both Idarado land (.3 miles) and County land (.9 miles) and total 1.2 miles. Preliminary discussions were between TMC and Idarado, however, the recreational trail easement agreement will be between Idarado and the County.

The Town of Telluride is offering to construct this primitive foot trail, which would meander from the existing Valley View parking area through Idarado property, cross County property and intersect mid-way with the Bridal Veil Trail, which was constructed last fall. The trail would then continue up to the bottom of Bridal Veil Falls. Once the 2 trails connect, the total distance is approx. 1.5 miles in length. This new BVCT will give pedestrians a safe alternate route to the County's Black Bear Pass Road (K69).

The Town has offered to pay for the cost of the BVCT and any environmental studies, and will oversee and manage the work. The County, Idarado, TMC and the Town will determine the final trail alignment. The Town has contracted with the Southwest Conservation Corps. for this project and if approved by the BOCC, work will commence early September.

The BVCT measures 1.2 miles and the goal is to make the trail as user-friendly as possible, however, it'll be primitive and the terrain is natural and rugged. Therefore, use will be based on ability. The plan is to take advantage of sloping terrain to make it as accessible as possible for all.

I discussed this project with the County's Open Space Commission at their 7/29 meeting and they are supportive of this new trail and recommend the BOCC approve of its construction.

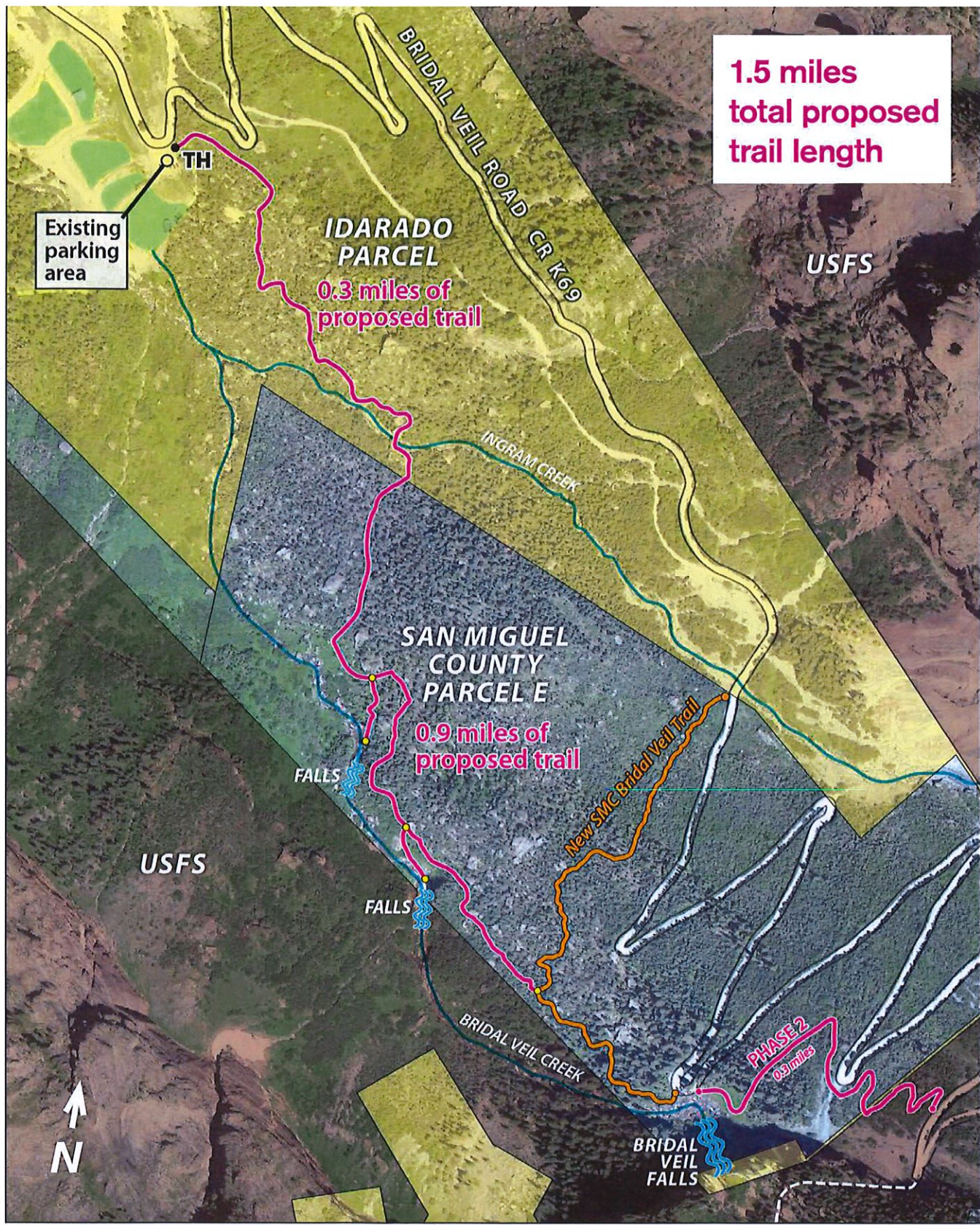
As we all know, the east end trail system is getting busier each year. The BOCC has expressed continued concern for the safety of user groups in this area. This new trail will assist in separating hikers from cyclists and motorized vehicles.

A site walk visit will be conducted within the next couple of weeks and include the County, Idarado, TMC, the Town and members of the County's Open Space Commission. Attached are maps of preliminary trail alignments, which will be finalized once the surveying is complete and site walk visit(s) have taken place.

Approval is requested from the BOCC to allow the Town to proceed with construction of this new Bridal Veil Creek Trail.

Att.

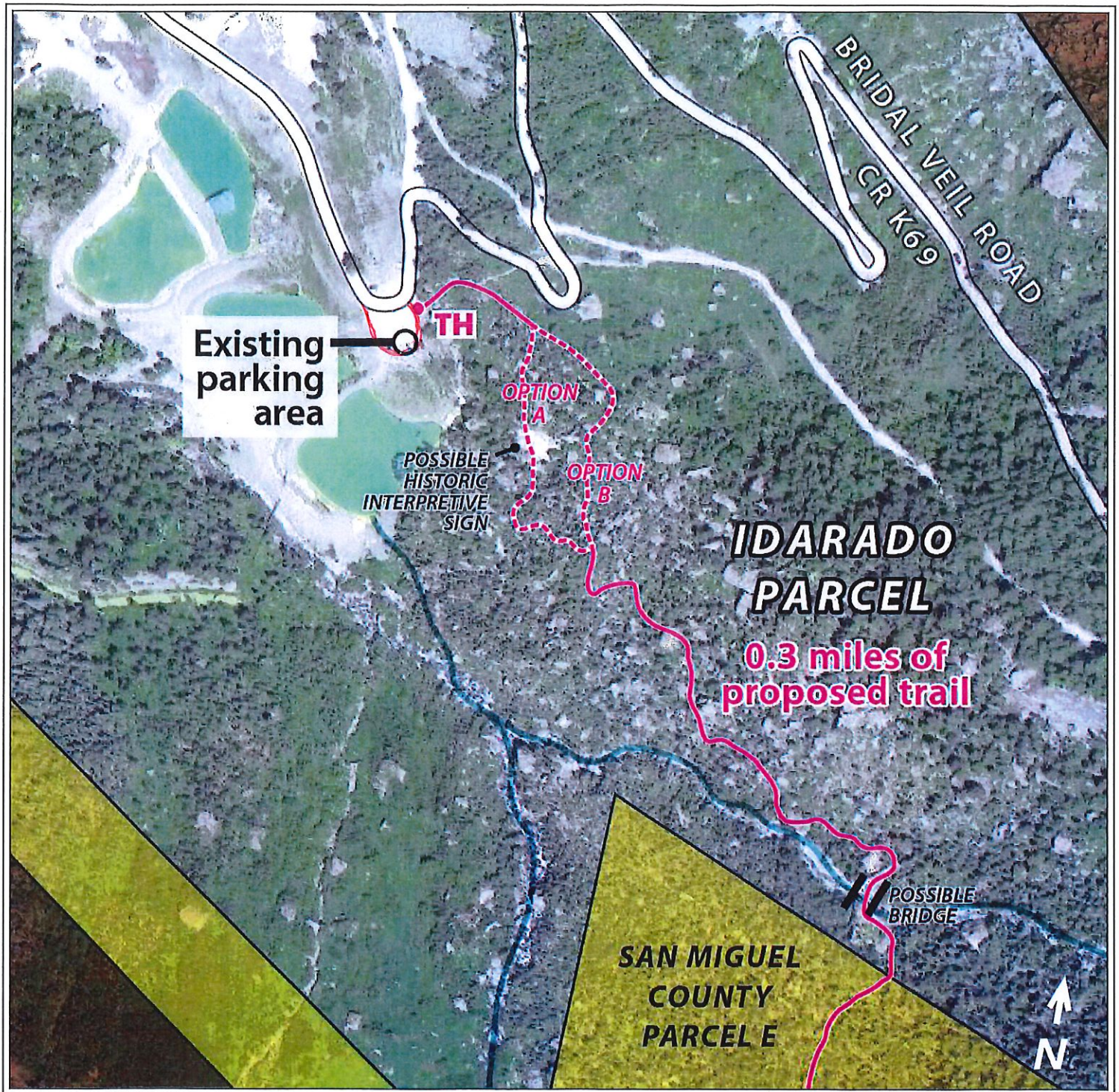




All locations are approximate. Property boundaries based on San Miguel County GIS. — NOV. 2018 —



# PROPOSED BRIDAL VEIL CREEK TRAIL: *Idarado Parcel Detail*







AGENDA ITEM - 7.b.

**TITLE:**

Consideration of funding a contribution of \$52,500 from the County Land Heritage Program for the Potential Land Conservation Easement known as Elk Springs Ranch on Iron Springs Mesa./MOTION

**Presented by:** Janet Kask, County Parks and Open Space Director

**Time needed:** 15 mins

**PREPARED BY:**

Janet Kask

**RECOMMENDED ACTION/MOTION:**

Approval is requested from the BOCC to approve the requested funding contribution of \$52,500. from the County's LHP. Appropriate funding has been budgeted for LHP transactions within the Parks & Open Space budget for 2019.

**INTRODUCTION/BACKGROUND:**

See memo attached.

**FISCAL IMPACT:**

| Contract Number: | Date Executed | End Date | Department(s)        |
|------------------|---------------|----------|----------------------|
| YYYY-###         |               |          | Parks and Open Space |
| Description:     |               |          |                      |

**ATTACHMENTS:**

| Description                 | Upload Date |
|-----------------------------|-------------|
| BOCC Memo Elk Springs Ranch | 8/2/2019    |
| Elk Springs Ranch Map (LCE) | 8/1/2019    |
| Grouse Photo                | 8/1/2019    |
| Elk Springs Ranch Photo 1   | 8/1/2019    |
| Elk Springs Ranch Photo 2   | 8/1/2019    |

Elk Springs Ranch Photo 3  
Barlow Homestead Photo 1  
Barlow Homestead Photo 2

8/1/2019  
8/1/2019  
8/1/2019

DATE: July 31, 2019  
TO: BOCC  
FROM: Janet Kask, Dir., Parks & Open Space  
RE: Potential Land Conservation Easement

The BOCC has a land conservation easement (LCE) to consider through the County's Land Heritage Program (LHP). This is a coordinated effort with the Montezuma Land Conservancy (MLC). The potential LCE totals 1345 acres - 1271 in San Miguel County and 74 in Montrose County.

Laura Kudo, member of the County's Open Space Commission (OSC), and I conducted a site walk visit with the landowner on 7/25. The landowner and MLC then presented this potential LCE to the OSC at their 7/29 meeting and they voted unanimously in support of funding for this project. The OSC recommends the BOCC approve of funding for this LCE.

The property is known as Elk Springs Ranch and is located off of Highway 62 between Placerville and Ridgway on Iron Springs Mesa. The property abuts USFS land on the west side, south side and part of the north side. The USFS road 514 runs along the western side of the property and has views in both directions. On the south side one can see the Sneffels range, the Wilson range, and the Dolores mountain range including Lone Cone. On the north side one can see the LaSalle's in Utah.

In requesting this LCE, the owner is retiring a total of 20 home sites. The landowner's goals are to maintain critical open space habitat for wildlife, to support the improvement of the land and return it to pre-cattle grazing health, and to prevent future development of the land that would negatively impact wildlife populations and their habitat.

The property is an important wildlife migration corridor for both elk and mule deer. In association with Colorado State University, the landowner has donated funding to begin an Elk Migration study on the Uncompahgre plateau. The Rocky Mountain Elk foundation also contributed funding to this effort.

According to mapping, the entire parcel is identified as historic GuSG habitat and the southern end of the parcel (sections of parcels A, B and C totaling 272 acres) is identified as GuSG production area range. The landowner is interested in continuing to manage for habitat for grouse and interested in protecting critical eco-systems for successful sage grouse populations. The landowner provided photos of grouse on his property and they have subsequently been identified as Dusky Grouse by CPW.

The property is also identified as elk summer range, elk winter range, and is adjacent to elk winter concentration grounds and a migration corridor. Through estimates by the landowner, there is a year round herd ranging between 200-300, which frequent the land. Additionally, the property provides habitat for mule deer. The landowner has also successfully observed badgers, Albert's

squirrels, black bears, Merriam's wild turkeys, lynx, mountain lions, bobcats, porcupines, coyotes, red-tailed hawks, American kestrels, Western Tanager birds, Mountain bluebirds, Western bluebirds, Great Horned owls, Yellow-rumped warblers, Meadowlarks and 3 varieties of Hummingbirds on his property.

The property is a beautiful composition of old growth ponderosa pine and aspen groves with stands of scrub oak and sage intermixed at varying elevations. There are also various water sources for wildlife including springs and seeps, wetland type areas, and seven ponds, which have been installed by the landowner.

There is a historic element to this property as well. The historic Barlow Homestead was acquired by the landowner in a land trade with the USFS. The landowner also had a Cultural Resource Inventory report prepared for this site. I will pursue County historic designation with the Historical Commission. The HC highlighted these structures as a priority for preservation/designation in previous conversations with the USFS when they still retained ownership.

The landowner plans to provide personal cash contributions to fulfill transaction costs for this LCE. The landowner will also make cash contributions to the MLC for perpetual stewardship, conservation defense and fees associated with this project.

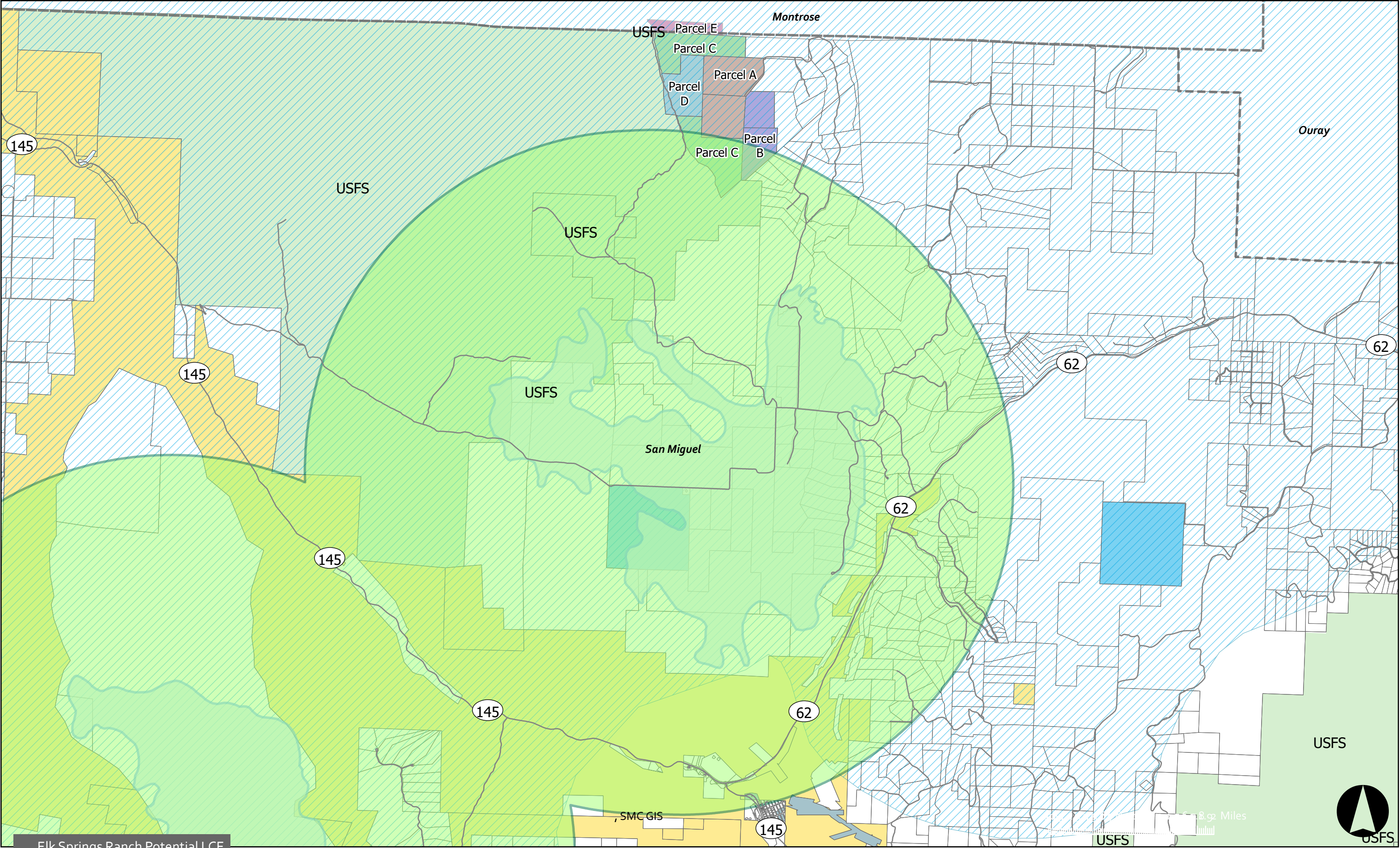
To complete this project, MLC is requesting \$52,500. from the County's LHP. These funds would be matched by the landowner's cash contributions totaling \$88,250. with a donated conservation land value estimated at \$1,345,000.00. An appraisal is scheduled for early September with a potential closing date of November.

Please see the attached map and photos for a descriptive layout.

Approval is requested from the BOCC to approve the requested funding contribution of \$52,500. from the County's LHP. Appropriate funding has been budgeted for LHP transactions within the Parks & Open Space budget for 2019.

Att.





**CPW GSG Habitat** ■ Severe Winter Range ■ Parcel ■ Colorado Counties

■ Production Area ■ Historic Habitat ■ Parcel A ■ Parcel D ■ San Miguel Roads

■ Parcel B ■ Parcel C ■ Parcel E

**DISCLAIMER**  
 This information is a product of the San Miguel County GIS Department and is intended for the display of relative positions and locations only. Users of this information agree that no assertion or warranty of any kind has been made by San Miguel County as to its accuracy. The presence on the map of a road feature does not indicate public access.  
 G:\GISProjects\OPEN\_SPACE\POS\POS.aprx 7/29/2019 Heather Widlund gis@sanmiguelcountyco.gov































AGENDA ITEM - 10.a.

**TITLE:**

Late Addition: Consideration of a resolution implementing reasonable requirements as the maximum distance "key employees" may maintain as their principal place of residency. /MOTION

**Presented by:**

**Time needed:**

**PREPARED BY:**

**RECOMMENDED ACTION/MOTION:**

To accept and approve the resolution concerning the maximum distance of residence for key county employees.

**INTRODUCTION/BACKGROUND:**

Amy Markwell

Attachments

Jul 25, 2019, 4:33 PM (17 hours ago)

to me, Jennifer, Lynn, Tonya, Bill

Carmen,

The Sheriff has requested that the BOCC consider a resolution implementing reasonable requirements as the maximum distance "key employees" may maintain as their principal place of residency. I also reached out to the other elected officials to see whether they felt they had any "key employees" who should be subject to this same restriction. At this time, only the Office of the Sheriff has identified "key employees" for consideration.

The Sheriff feels this is important for his organization because he has employees who are critical to public safety and preservation of peace in fulfilling multiple statutory requirements; are not likely to have a geographic

barrier during times when their presence is needed in the county for emergency or disaster incidents; and have a heightened and time-sensitive investment in the safety and well-being of the County.

Can you please put the attached draft resolution on next week's agenda for BOCC consideration? Jenn plans to attend next week in the event there are any questions.

Thank you!

**FISCAL IMPACT:**

| <b>Contract Number:</b> | <b>Date Executed</b> | <b>End Date</b> | <b>Department(s)</b>                  |
|-------------------------|----------------------|-----------------|---------------------------------------|
| YYYY-###                |                      |                 | Board of County<br>Commissioner Staff |
| <b>Description:</b>     |                      |                 |                                       |

**ATTACHMENTS:**

Description  
Resolution

Upload Date  
7/26/2019

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF  
SAN MIGUEL COUNTY, COLORADO  
MAXIMUM DISTANCE OF RESIDENCE FOR KEY COUNTY EMPLOYEES**

**Resolution #2019 - \_\_\_\_**

**WHEREAS**, Article XIV, section 10 of the Colorado Constitution requires that all county elected officials be a resident of the county in which they serve for at least one year prior to running for office; and

**WHEREAS**, C.R.S. §8-2-120(4)(b) allows a local government to subject key employees with duties which clearly and demonstrably require them to be close to their place of employment to reasonable requirements as to the maximum distance they can live from their place of work; and

**WHEREAS**, the San Miguel County Board of County Commissioners, in consultation with other county elected officials, has identified several positions within San Miguel County (“County”) as qualifying as “key employees” because they are critical to public safety and preservation of peace in fulfilling multiple statutory requirements; are not likely to have a geographic barrier during times when their presence is needed in the county for emergency or disaster incidents; and have a heightened and time-sensitive investment in the safety and well-being of the County.

**WHEREAS**, it is in the best interest of the County that key employees be subject to reasonable requirements as to the maximum distance in which they may establish their principal residence from their place of work. A principal residence is defined as where the person spends the majority of his or her non-working time, and which is designated as their legal address and residence for voting.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

The following positions within San Miguel County have been determined to qualify as key employee positions: Undersheriff, Chief Administrative Officer, Operations Sergeant(s), Operations Deputy Sheriff(s), Emergency Manager, any additional positions created by the Board of County Commissioners or any elected official in the future at the discretion of the Board of County Commissions or elected official.

Persons hired to fill any key employee position within the Office of the Sheriff shall have six (6) months from their date of hire to find a residence within twelve (12) road miles from the Sheriff’s Offices located in either Telluride or Norwood. Temporary housing may be available to the employee at their expense.

The requirement for key employees to reside within a specified distance or response time from their place of employment shall have no bearing or consequence to any negotiated housing allowance with their elected official(s).



**DONE AND APPROVED** by the Board of County Commissioners at a regular meeting held in Telluride, Colorado, on July 31, 2019.

**SAN MIGUEL COUNTY, COLORADO  
BOARD OF COUNTY COMMISSIONERS**

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Kris Holstrom, Chair

|       |               |     |     |         |        |
|-------|---------------|-----|-----|---------|--------|
| Vote: | Hilary Cooper | Aye | Nay | Abstain | Absent |
|       | Kris Holstrom | Aye | Nay | Abstain | Absent |
|       | Lance Waring  | Aye | Nay | Abstain | Absent |

ATTEST:

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Carmen L. Warfield, Chief Deputy Clerk



AGENDA ITEM - 10.b.

**TITLE:**

Late Addition: Executive Session: Update on Paradox Midstream LLC (4)(b)

**Presented by:**

**Time needed:**

**PREPARED BY:**

**RECOMMENDED ACTION/MOTION:**

**INTRODUCTION/BACKGROUND:**

Added 8/5/2019 1:42 p.m.

**FISCAL IMPACT:**

| Contract Number: | Date Executed | End Date | Department(s) |
|------------------|---------------|----------|---------------|
| YYYY-###         |               |          | Attorney      |
| Description:     |               |          |               |



AGENDA ITEM - 10.c.

**TITLE:**

Late Addition: Executive Session: Update on the San Miguel Water Conservancy District negotiations (4)(b).

**Presented by:**

**Time needed:**

**PREPARED BY:**

**RECOMMENDED ACTION/MOTION:**

**INTRODUCTION/BACKGROUND:**

8/5/2019 added agenda item 1:55 p.m.

**FISCAL IMPACT:**

| Contract Number: | Date Executed | End Date | Department(s)                         |
|------------------|---------------|----------|---------------------------------------|
| YYYY-###         |               |          | Board of County<br>Commissioner Staff |
| Description:     |               |          |                                       |