SAN MIGUEL COUNTY PLANNING COMMISSION

PLANNING COMMISSION MEETING AGENDA
THURSDAY, APRIL 4, 2024 – 9:00 AM

Online & 333 W. Colorado Ave, Telluride, Colorado

MEETING INFORMATION - This meeting will be held online and in person (seating is limited). To join the meeting: http://zoom.us/join, Meeting ID: 965 1288 5206, Password: 534277; Audio only: Dial 1-301-715-8692 or 1-253-215-8782 (long-distance rates may apply)

1. 9:00 A.M. CALL TO ORDER

2. APPROVAL OF MINUTES, PLANNING COMMISSION AND STAFF COMMENTS

March 14th 2024 Minutes
March 14th 2024 Minutes

3. PUBLIC HEARING: LAND USE APPLICATION

3a.. Applicant: Martinique Prohaska
Parcel Pin #: 429524200072
Parcel Size: 5 acres
Location: 772 CR 44Z N
Zone District: Wright's Mesa
Proposal: Greenhouse/Nursery with Retail
CPC Packet Materials Prohaska Nursery-retail SUP 040424.pdf

4. LAND USE APPLICATION

Applicant: Highbury Resources Inc.
Representative: Alex Kriele, Project Geologist
Location: Sections 23, 26, 27, 28, 29, 33 and 34 T44N R18W,
Zone District: West End
Proposal: Slick Rock Mineral Exploration drilling program on unpatented mining claims, BLM public lands
CPC Packet Materials -Highbury Resources Slickrock Project Mineral Exploration 040424.pdf
Mailed Petition 12/14/2023 - 1/5/2024

5. BREAK FOR LUNCH RETURN AT 12:30 P.M.

6. LAND USE CODE AMENDMENT

Amending Land Use Code Section 5-324 Community Housing (CH) zone district / MOTION
CPC Packet CH Zone 040424.pdf
Public Comments After Packet.pdf

7. LAND USE CODE AMENDMENT

Adding new Land Use Code Section 5-712 Mining Hazards to provide standards for the proposed development on lands with remnants from past mining activities / MOTION
CPC Packet Materials Mining hazards LUCA 040424.pdf

8. ADJOURN

NOTE: All times are approximate; items may begin earlier (except public hearings) or later than scheduled. For more information contact Planning Department at (970) 728-3083.

If special accommodations are necessary per ADA, contact 970-728-3844, or via email at bocc@sanmiguelcountyco.gov prior to the meeting.

The official, designated posting place for all meeting notices will be online at https://www.sanmiguelcountyco.gov/liveagenda. Use this link to view the live agenda with any last-minute changes. To be automatically notified, please sign up at www.sanmiguelcountyco.gov, sign up for alerts, and follow the prompts.

AGENDA ITEM

TITLE:
March 14th 2024 Minutes

Presented by:
Time needed:

PREPARED BY:
Nicola Kerr, Planning

RECOMMENDED ACTION/MOTION:

INTRODUCTION/BACKGROUND:

FISCAL IMPACT:

ATTACHMENTS:
March 14th 2024 Minutes

Description:

SAN MIGUEL COUNTY PLANNING COMMISSION

MINUTES – REGULAR MEETING

March 14, 2024

Online & 1110 Summit Street, Norwood, Colorado (AM)
Online & 333 W. Colorado Ave, Telluride, Colorado (PM)

9:00 A.M. Site Visit: 40485 Highway 145, Norwood

Present:	Lee Taylor, Chair Josselin Lifton-Zoline, Vice-Chair M.J. Schillaci, Secretary Ian Bald, Member Matthew Bayma, Member Galena Gleason, Alternate
Planning Staff Present:	Kaye Simonson, Planning Director John Huebner, Senior Planner
Commissioners Present:	
County Staff Present:	Amy Markwell, County Attorney Rachel Allen, Assistant County Attorney (P.M. Session) Matt Gonzales, Building Official Jarrid Biggs, Special Projects Manager Nancy Willis, Paralegal

9:44 a.m. Chair called the meeting to order.

APPROVAL OF MINUTES

MOTION by MJ Schillaci to approve the February 8, 2024 minutes

SECONDED by Josselin Lifton-Zoline motion **PASSED 6-0**

Lee Taylor	**Aye**	**Nay**	**Abstain**	**Absent**
Ian Bald	**Aye**	**Nay**	**Abstain**	**Absent**
M.J. Schillaci	**Aye**	**Nay**	**Abstain**	**Absent**
Josselin Lifton-Zoline	**Aye**	**Nay**	**Abstain**	**Absent**
Matthew Bayma	**Aye**	**Nay**	**Abstain**	**Absent**
Galena Gleason	**Aye**	**Nay**	**Abstain**	**Absent**

PLANNING COMMISSION AND STAFF COMMENTS

Kaye Simonson, Planning Director updated the commission.

- Dual worksession in both Telluride and Norwood for Solar Regulation drafts on March 27, 2024.
- Solar regulation draft expected to be on the May BOCC agenda.
- The consultants for the Natural Resources/Mining regulations should have drafts ready in April.
- A Mining Moratorium was discussed with the BOCC, which was turned down as we are not the primary permitters for such regulations. BLM, DRMS primarily handle all mining permits.

9:45 A.M. LAND USE APPLICATION

Applicant:	Peter Lundeen, on behalf of Demian Brooks
Proposal:	A. Rezone from WM to WMRA - Wright's Mesa Rural Agriculture Zone District; and B. RV Park
Location:	40485 State Highway 145, east of Town of Norwood
Size:	39-acre parcel
Zone:	Wright's Mesa (WM)

John Huebner, Senior Planner presented the proposal.

The commission discussed lighting under the Dark Sky regulations and potential noise impacts.

It was clarified that there will be a Phase I & II to the project. Phase II could be limited if needed. The Clubhouse, a part of a future phase, would require approval as an amendment to the SUP. Connection for wastewater in Phase II will require an expansion of or additional OTWS. The Special Use Permit (SUP) allows for 3 years to commence work, with a potential for an extension. Phase II of this project would have a 5-year completion window.

There was a discussion of road access and CDOT's rules. CDOT has issued the permit but it is expired and will have to be resubmitted. The applicant completed a Level II Assessment which would require widening the turn-in and paving requirements. There will be no changes to the highway.

The commission asked about the use of the proposed parking area by the cabins, which is not to be long-term but rather for patrons to utilize if they were towing a smaller car, OHV, or boat. There was a discussion of a weed mitigation plan in addition to the landscaping. It was recommended that the applicant try to keep the pond full and if there were any safeguards to retain the pond water. The applicant, Demian Brooks, elaborated that the pond is natural water runoff and supplemented with Gurley ditch water and the goal is to keep it filled.

Mr. Brooks stated he feels the project fills a need for the area and will create a positive economic impact. Water service has been secured with the town. The CDOT permit was granted but has expired and will need to be resubmitted. He agreed that quiet hours and operating rules would be posted and any lighting would be shielded according to the Dark Sky regulations. The berm has been planted with sunflowers, and trees will be added to provide a screen from the road and for the neighboring property. He further elaborated that he has had friendly discussions with the neighbors and they and the town have been supportive.

The commission discussed concerns about being on the highway and having dogs on a leash to protect the neighboring livestock. They suggested 'live like a local' visitor education, especially concerning wildlife, OHV, and Dark Sky regulations.

10:54 a.m. Open to Public Comment

Leslie Sherlock- Concerns about the impact on the town, more notice of meetings for greater public input. Wants to know who will oversee the operation, pond water viability, and guarantee the landscaping. Would like commission to delay a decision, feels public needs more notice.

Karen Marloff- Neighbor. Concerns with dogs running loose, impacts of the size of the project & making visitors follow the rules.

Bobby Starks- Neighbor. Concerns of dogs hassling cows would like fencing. Pond and potential drought conditions.

11:07 a.m. Closed Public Comment

MOTION A. Rezone by Josselin Lifton-Zoline to recommend the San Miguel County Board of Commissioners approve the rezoning of the Demian Brook's property, Parcel Identification Number 429526200003, aka 40485 Highway 145, to Wrights Mesa Rural Agricultural, WMRA, and to adopt Planning Commission Resolution No. 2024-03, based on the following findings:

1. The proposed rezoning complies with the standards of Land Use Code Section 5-1803, Rezoning;

2. The proposed project is consistent with the Purpose of Land Use Code Section 5-319 D. I., Wright's Mesa Rural Agricultural, WMRA;

3. The Applicant has demonstrated that the Property can be developed in a way that protects the public health, safety and welfare, including the provision of water and wastewater treatment; traffic; mitigation of geohazards; and mitigation of impacts on the environment;

4. The proposed rezoning implements Land Use Code Article 2, Land Use Policies;

5. The proposed rezoning is consistent with Land Use Code Section 1-4, Purposes of the Land Use Code;

6. The proposed rezoning is consistent with and implements the Wright's Mesa Master Plan, an element of the San Miguel County Comprehensive Development Plan.

SECONDED by Ian Bald **VOTE PASSED 5-0**

Lee Taylor	**Aye**	**Nay**	**Abstain**	**Absent**
Ian Bald	**Aye**	**Nay**	**Abstain**	**Absent**
M.J. Schillaci	**Aye**	**Nay**	**Abstain**	**Absent**
Josselin Lifton-Zoline	**Aye**	**Nay**	**Abstain**	**Absent**
Matthew Bayma	**Aye**	**Nay**	**Abstain**	**Absent**
Galena Gleason	**Aye**	**Nay**	**Abstain**	**Absent**

MOTION B. Recreational Vehicle / Travel Trailer Park by Josselin Lifton-Zoline to recommend the San Miguel County Board of Commissioners approve the Recreation Vehicle/Travel Trailer Park (R.V. Park) Special Use Permit for Demian Brooks, based on the findings that the proposed use is consistent with the San Miguel County Comprehensive Development Plan, and the relevant Land Use Policies as set forth in Article 2, and complies with the Land Use Code review standards in Land Use Code Section 5-319 D. I. and IV. New Wright's Mesa Rural Agricultural District Purpose; Section 5-319 H. IV. f. Use Specific Standards for Recreational Vehicle Park, Travel Trailer Park or Campground; Section 5-407 Wildlife Habitat Areas; and Section 5-10 Special Uses with the following specific terms and conditions ***and the corrections made after the packet was sent***:

1. The applicant shall address all relevant Referral Agency comments in the application for Recreational Vehicle/Travel Trailer Park Special Use Permit. 26
2. The Applicant is required to meet all county and state regulations regarding the provision of maintenance, sanitation, occupancy, and use of R.V. Park at the property.

3. This SUP Approval for RV Park is for:
   Phase 1 improvements:
   (26) Pull-through spaces
   (10) sites C27-C36 with full hookups (water, power and septic)
   (16) sites with water and power
   (5) pull-in van sites D46-D50 no hookups
   (1) Bath house to include male/female restrooms that include (2) sinks, toilets and showers
   (1) Bear proof, enclosed and covered trash and recycling area; and, Phase 2 improvements, if started, must be completed within five
   (5) years of SUP approval
   (14) Pull-through spaces with water and power
   (5) cabin sites D41-D45
4. The RV Park shall only operate from April 15 through November 30 unless applicant can provide written approval from the Colorado Parks and Wildlife of a site-specific wildlife protection plan. There shall be no winter use of the site.

5. The use of the property shall be limited to the areas shown on the site plan. There shall be no further development and use without County Planning approval.

6. Prior to commencing the approved use of the R.V. Park the Applicant must submit a Development Permit application with a complete set of plans and be issued a Development Permit by the Planning Department; and must submit a Building Permit application with a complete set of plans to the Building Department, and be issued a Building Permit and complete all proposed improvements; and must submit an Onsite Wastewater Treatment System (OWTS) Permit application, and be issued an OWTS Permit by the Public Health Department, and complete installation of the system.

7. The OWTS as designed is for phase 1 only. Prior to commencing phase 2, a new permit for OWTS must be submitted and approved. 8. Prior to commencing the approved use of the R.V. Park the Applicant

8. Prior to commencing the approved use of the R.V. Park the Applicant 27 must submit a new Access Permit application with a level two traffic assessment to the Colorado Department of Transportation, and be issued a new Access Permit and complete all proposed driveway improvements.

9. Prior to commencing the approved use of the R.V. Park the Applicant shall plant the trees for screening as indicated on the project site plan, with the addition of trees planted on the existing earthen berm. Status of trees should be checked three years after planting.

10. The use of bear-proof trash cans and dumpsters shall be utilized at the RV Park.

11. Duration of Stay: No R.V. Park space shall be used for long-term housing (i.e., stays of longer than thirty (30) consecutive days or a total of thirty (30) days within any one hundred twenty-day (120-day period); except for five spaces that may be used for up to 180 consecutive days.

12. Use of the RV sewage dump station is limited to only those persons staying at the RV Park.

13. There shall be an annual review one (1) year after the date of approval of this SUP (May 2025). The BOCC may make a determination in its discretion if there is a need for additional on-going annual reviews, or periodic reviews of the terms and conditions of the SUP in the future. There shall be a review prior to the commencement of phase 2.

14. Driveway shall be maintained in a dust-free condition.

15. Trees shall be planted as indicated on the project site plan. After three years trees shall be evaluated for condition, and if in unsatisfactory condition will need to be re-planted.

16. This SUP Approval is subject to all written representations of the applicant, in the original submittal and all supplements including emails, and are deemed to be conditions of approval except to the extent modified by this Motion.

17. ***Provide a Lighting Plan that is Dark Sky compliant.***

18. ***Provide a Weed Management Plan and a VegetationPlan.***

19. ***Cap the number of people in the extended stay spaces to be no more than 5 people per space***

20. ***Provide the draft rules for RV Park rules for review prior to the BOCC hearing.***

21. ***Update the site plan to show the location of the fenced-in dog run.***

SECONDED by MJ Schillaci

FRIENDLY AMENDMENT by Lee Taylor to cap the extended stay at 25 persons. Amendment not accepted .

FRIENDLY AMENDMENT By Ian Bald at buildout, the total occupancy shall not exceed 200 guests. Occupancy for Phase I to be 125 people.

SECOND FRIENDLY AMENDMENT by Matt Bayma to include the dog run shown on plan.

AMENDMENTS by Ian Bald & Matt Bayma accepted by Josselin Lifton-Zoline & MJ Schillaci
VOTE 5-0 PASSED

Lee Taylor	**Aye**	**Nay**	**Abstain**	**Absent**
Ian Bald	**Aye**	**Nay**	**Abstain**	**Absent**
M.J. Schillaci	**Aye**	**Nay**	**Abstain**	**Absent**
Josselin Lifton-Zoline	**Aye**	**Nay**	**Abstain**	**Absent**
Matthew Bayma	**Aye**	**Nay**	**Abstain**	**Absent**
Galena Gleason	**Aye**	**Nay**	**Abstain**	**Absent**

11:52 a.m. BREAK

Planning Commission will drive to Telluride for following EEMP Work Session

1:34 p.m. RECONVENE IN TELLURIDE FOR WORK SESSION

1:30 PM EAST END MASTER PLAN WORK SESSION

Discussion regarding the Draft East End Master Plan

- Staff provided an update on housing needs and what is currently being built or planned.
- Plan should acknowledge cumulative impacts and be part of review criteria.

- A lot of the feedback received has been incorporated into the plan.
- Commissioner Taylor noted that he and Commissioner Brown had met with the Elk Run and Raspberry patch residents.
- The CPC members stated that there needs to be a commitment to more frequent plan updates.

2:54 p.m. Open to Public Comment

Those who addressed the Commission

Fran Berg
Todd Creel
Pam Bennett
Emily Masson
Harvey Roisman
Jennifer Barker
Shellie Duplan
Jolanda Vanek
Scott Bennett
Catherine Winchester

3:29 p.m. Closed Public Comment

There was discussion with the Commission regarding Diamond Ridge, Community Housing (CH) Zone, Affordable Housing Planned Unit Development (AHPUD) process with its five steps giving due diligence for any development. It was noted that the AHPUD zone is old and should be reviewed and updated in the future.

The Planning Commission directed staff to change the Future Land Use classification Diamond Ridge to Low Density. The draft Plan, with all amendments discussed to this point, will now be sent to Design Workshop so they can compile the final draft plan.

3:56 p.m. Adjourned

Respectfully Submitted,

_____
Nancy Willis, Paralegal

Approved on _____, 2024.

SAN MIGUEL COUNTY PLANNING COMMISSION

_____

M.J. Schillaci, Secretary

AGENDA ITEM 3a.

TITLE:
Applicant: Martinique Prohaska
Parcel Pin #: 429524200072
Parcel Size: 5 acres
Location: 772 CR 44Z N
Zone District: Wright's Mesa
Proposal: Greenhouse/Nursery with Retail

Presented by:
Time needed:

PREPARED BY:
John Huebner, Planning

RECOMMENDED ACTION/MOTION:

INTRODUCTION/BACKGROUND:

FISCAL IMPACT:

ATTACHMENTS:
CPC Packet Materials Prohaska Nursery-retail SUP 040424.pdf

Description:

PUBLIC HEARING RECORD
County Planning Commission
Application: Martinique Davis Prohaska, Wild Iris Greenhouse and Gardens Retail Greenhouse/Nursery Special Use Permit to operate a seasonal nursery
Date: April 4, 2024

1. San Miguel County Land Use Code (Adopted 11/30/90) with all amendments to date (By Reference Only).

2. San Miguel County Comprehensive Development Plan (Adopted 8/3/78) with all amendments to date (By Reference Only).

3. Memorandum to the San Miguel County Planning Commission from John Huebner, Senior Planner dated April 4, 2024.

4. Draft Planning Commission Resolution 2024-04.

5. Application and Supplements submitted by Martinique Davis Prohaska, Wild Iris Greenhouse and Gardens dated March 1, 2024.

6. Applicant's Certifications of Compliance with the public noticing requirements of the San Miguel County Land Use Code Section 3-9 dated March 14, 2024.

7. Public Meeting Notice published in the Telluride Daily Planet on March 29, 2024.

8. Public Hearing Notice published in the Norwood Post and Telluride Daily Planet on March 15, 2024.

AGENCY COMMENTS

9. Memo from John Huebner, Senior Planner, to Review Agencies dated March 4, 2024.

PUBLIC COMMENTS

None received

M E M O R A N D U M

TO: San Miguel County Planning Commission
FROM: John Huebner, AICP, Senior Planner
RE: Special Use Permit: Greenhouse/Nursery with retail – Wrights Mesa
DATE: April 4, 2024

Proposal
Martinique Davis Prohaska, Wild Iris Greenhouse and Gardens, ("Applicant"), has submitted an application seeking to establish a Retail Greenhouse/Nursery Special Use Permit to operate a seasonal nursery on an improved 5-acre parcel, PIN # 429524200072, located at 772 County Road 44Z N the ("Property'), zoned Wright's Mesa (WM) and located approximately 1.25 miles northeast of the Town of Norwood. Three co-owners of the property have provided their written consent for the application.

The applicant is an experienced greenhouse and landscaping company that is seeking to expand business operations to offer on-site retail plant and cut Christmas tree sales. This property is classified mixed-use (residential and agricultural uses) by the County Assessor's Office. There is an existing residence and outbuildings on the property.

A 2,320 square foot greenhouse was recently constructed and is used to grow flowers and plants on the site for sale. Products offered for sale will include annual flower flats, hanging baskets, custom planters and perennials. Operations are planned from May through July. In addition, on-site sales of Christmas trees, wreaths, garland and winter blooming flowers are proposed during the holiday season (Thanksgiving to Christmas).

There are expected to be 2-4 employees on site at during the various stages of the growing and sales operation. Hours of operation are expected to be 11am – 6pm during spring and summer season, and 12pm – 4 pm during the holiday season.

The greenhouse and garden operation utilizes an existing water well available on site and Norwood municipal water for irrigation. The applicant has invested in a high efficiency sprinkler head system to apply water economically.

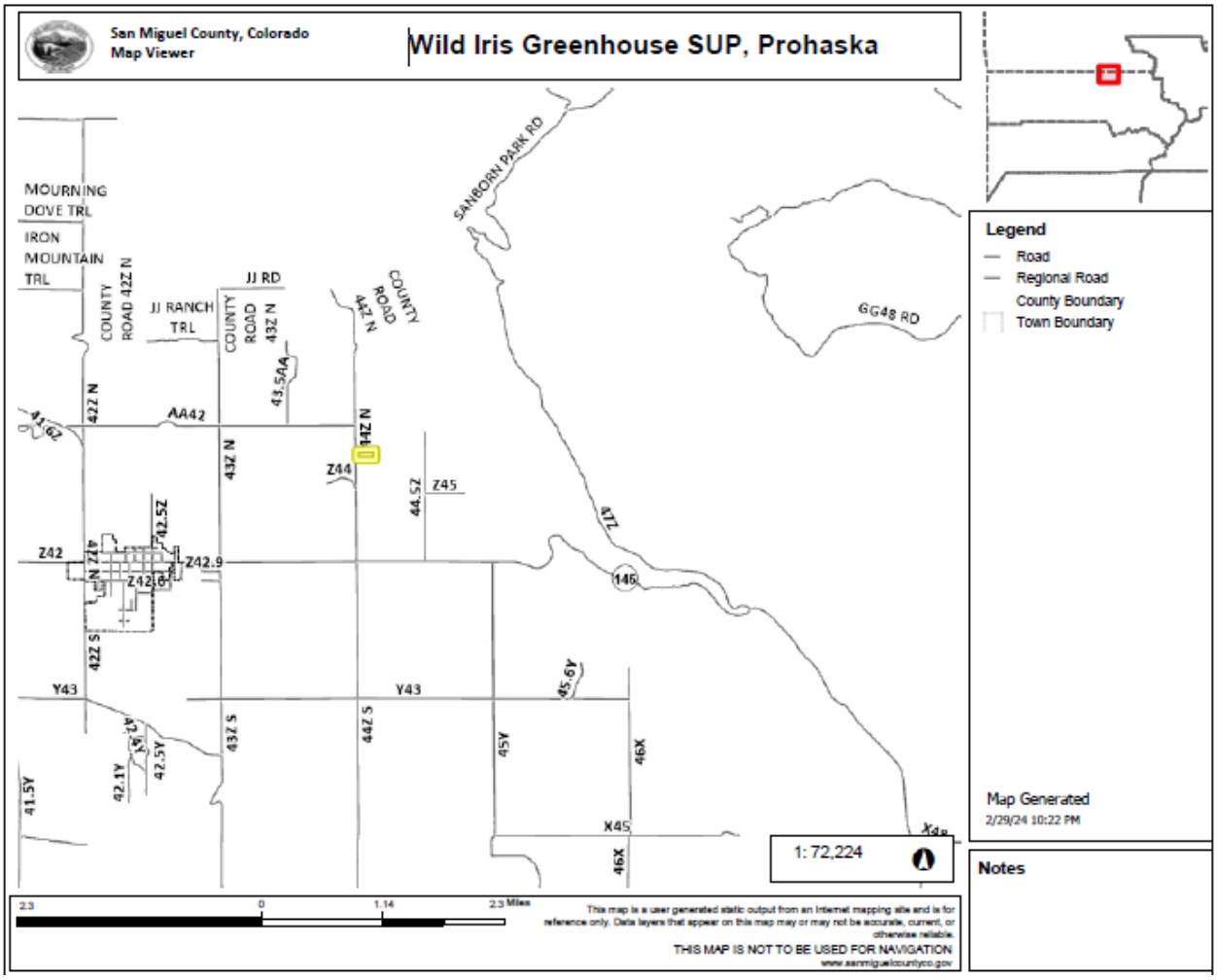
Parking is available onsite on an improved, graded area adjacent to the west side of the greenhouse. No more than five cars (customers and employees) are expected to access the site at one time. A portable toilet will be available on site for employees and customers.

All disturbed areas during construction near the greenhouse have been revegetated with the same grass species found on site. Weeds, i.e. white top and thistle, are mitigated by cultural and chemical methods.

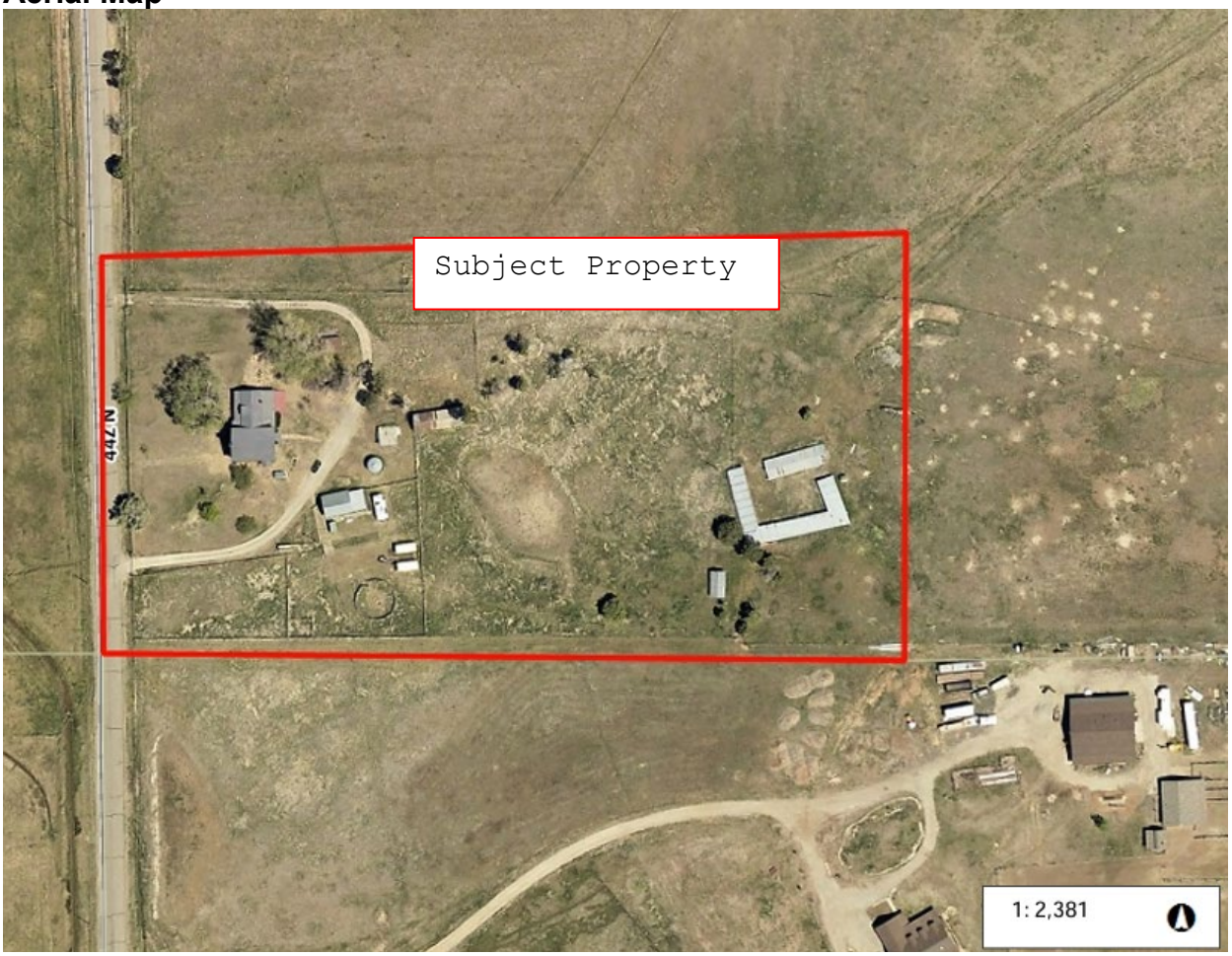
An application for a retail Greenhouse/Nursery, which is similar to the listed use Fruit and Vegetable stands on parcels less than 150 acres in Land Use Code (LUC) Section

5-319 E. XVII, requires One-step review by the Planning Commission (CCC) pursuant to the standards contained in LUC Sections 5-319 K, Review Standards for all WM Zone District Special Uses, 5-407 Wildlife Habitat Areas, and 5-10, Special Uses.

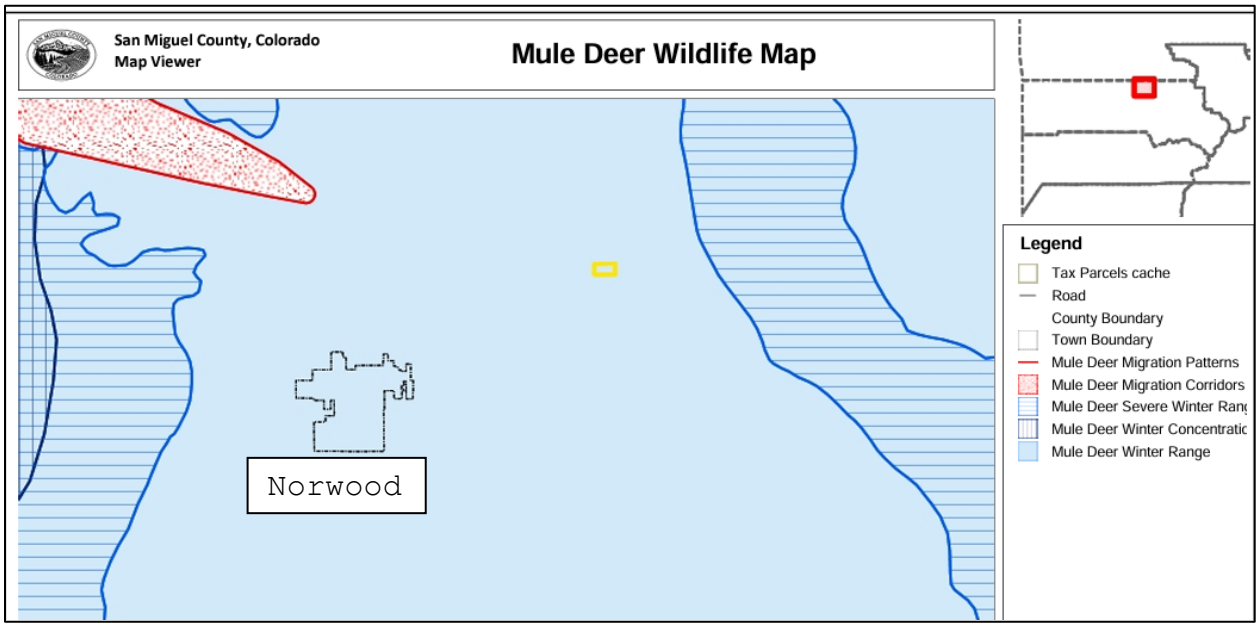
Vicinity Map



Aerial Map



Wildlife Map



Site Map


772 44Z N Norwood
Wild Iris Greenhouse
Site Plan
Greenhouse - built
Parking area - improved
Entrance
County Rd 44 Z N
Exit
Overflow/additional parking
Location of portable toilet
04/04/2022

Site Photos – Existing Conditions











Review Standards and Policies

A Wright's Mesa Zone District Greenhouse/Nursery with retail requires One-step Planning Commission Special Use Permit (SUP) Review, per Land Use Code (LUC) Section 5-319 E XVII, and pursuant to the standards contained in LUC Sections 5-319 K, Review Standards for all WM Zone District Special Uses, 5-407 Wildlife Habitat Areas, and 5-10, Special Uses. Applicant notes are underlined. *Staff analysis is in italics*.

5-319 E. Uses Allowed Subject to One-step Planning Commission Special Use Permit Review (see Section 5-319 K.)

XVII. Fruit and vegetable stands on parcels less than 150 acres;

5-319 Wright's Mesa (WM)

5-319 A. Purpose

The Wright's Mesa Zone District is identified by the map adopted in the Wright's Mesa Master Plan. The Zone District is intended to preserve the rural and agricultural character of Wright's Mesa while encouraging compatible, diverse economic opportunities that fit in with the rural landscape. Wright's Mesa has a history of co-existing agriculture and ranching, residential and small business uses that comprise its rural character.

The WM District discourages the large-lot pattern of sprawl typically created through 35-acre development by offering alternatives and incentives to cluster buildings, retain open lands and keep large parcels whole. The tradeoff for flexibility in uses and densities on Wright's Mesa is that development cannot adversely affect neighbors and detract from the rural character.

Each WM parcel is allowed a single-family dwelling, home occupation and/or normal and customary agriculture and ranching activities, plus either a second Principal Use (whether by Right or Special Review), or a Secondary Unit (pursuant to Section 5-319 D.), or a Subdivision Exemption for Wright's Mesa (pursuant to Section 5-1210). Section 5-319 K. establishes review standards for all special uses in the WM Zone District.

Development Permits (other than those associated with Building Permits, Sign Permits, or Oil and Gas Exploration and Development) are not required in the WM Zone District.

5-319 K. Review Standards for all WM Zone District Special Uses. All special uses shall:

I. Be consistent with the County Master Plan, the County Land Use Policies in Article 2 and the purpose of the WM Zone District;
II. Be consistent with and compatible with the character of the immediate vicinity of the parcel proposed for development and surrounding land uses, and/or shall enhance the mixture of complimentary uses and activities in the immediate vicinity of the parcel proposed for development;
III. Be designed, located and proposed to be operated so that the public health, safety and welfare will be protected;
IV. Be located, designed and operated to minimize adverse effects, including impacts on scenic quality, pedestrian and vehicular circulation, parking, trash, service delivery, noise, vibration and odor on surrounding properties. (The allowed number of employees or occupants may be limited depending upon potential impacts on surrounding properties);

V. Provide adequate public facilities and services to serve the special use, including but not limited to roads, adequate water supply in terms of both quality and quantity, sewer, solid waste and fire protection;

VI. Not substantially adversely affect agriculture or ranching operations, residences or scenic quality of land surrounding State or County roads (including through addition of traffic);

VII. Comply with setback and height restrictions; however, the County may require greater setbacks to mitigate impacts on neighbors or scenic quality;

VIII. Be required to shield exterior lighting to prevent direct visibility of light bulbs from off-site. All exterior lighting shall be directed toward the ground or the surface of a building. High-intensity sodium-vapor and similar lighting shall be prohibited;

IX. Be located to preserve scenic views and blend in with and utilize the natural topography;

X. Use native or similar horticultural materials for revegetation and reforestation, and provide guarantees that any needed revegetation or reforestation will be completed during the first planting season after construction;

XI. Only include roads, utilities and associated structures that bear logical relationships to existing topography and minimize cuts and fills;

XII. Comply with the applicable sign standards in Land Use Code Section 5-704; and

XIII. Be consistent with the historic rural and agricultural character of Wright's Mesa. The following standards, along with input from neighbors, shall be considered by the County in determining consistency:

Siting of Buildings

- Locate buildings away from open meadows, visible ridges, and wildlife habitat areas.
- Cluster structures with surrounding open space ("ranch compound" concept).
- Locate buildings to maximize solar access.

Roads/Driveways

- Minimize cuts and fills, which should not exceed 2:1 slopes.
- Stabilize cut and fill slopes with erosion-resistant vegetation or material contoured to blend with natural, undisturbed terrain.
- Maintain the natural drainage on the property to the greatest extent possible.
- Encourage shared driveways between buildings.
- Avoid cutting through open meadows.
- Surface driveways with gravel, or employ dust-control.

Parking

- Locate parking areas behind or to the side of buildings.
- Consider parking-surface alternatives, such as gravel and reinforced sod.
- Separate parking areas from buildings with pedestrian ways and planting zones.
- Landscape at least 15 percent of parking areas, and provide one shade tree for each 300 square feet of parking.

Building Materials

- Utilize predominantly natural building materials, such as wood siding and native stone. (Corrugated metal buildings are discouraged, and at minimum should be sited to minimize visibility from roads.)
- Encourage natural earth tones and muted colors to blend with surroundings.
- Paint or anodize exposed metal flashing or trim to reduce reflectivity.
- Encourage composition shingle, metal, slate or other earth toned non-reflective roofing.

Architectural Elements

- Encourage front and side porches.

- Encourage roof slopes that change pitch and peaked roofs with gentle slopes.
- Encourage horizontal building forms (this does not preclude two stories).
- Encourage pitched roofs, and discourage flat, mansard, curved and domed roofs.
- Match roof colors with the darkest colors in the adjacent landscape.
- Encourage reuse, renovation, and/or modification of existing buildings. Accessory Structures
- Screen mechanical appurtenances, service and storage areas and trash receptacles from public view.
- Utilize the same or similar building materials (forms, colors and textures) for main and accessory structures.
- Mitigate visibility of accessory structures with fences, walls and/or landscaping

The proposed use of Greenhouse/Nursery with retail is consistent with the Wright's Mesa Master Plan. The Plan promotes agriculture support uses as secondary uses within the Rural Agricultural category. Agriculture support uses are intended to generate additional income in support of the economic viability of the on-site agricultural operation. Agricultural produce sales stands are listed as an appropriate agriculture support use or tourism related use.

The applicant states that by offering a local source for plants and cut trees it hopes to enhance the character of the Norwood community on Wright's Mesa.

5-407 Wildlife Habitat Areas

This section establishes land use standards for wildlife habitat areas in addition to the general standards in Section 5-402. The standards apply to areas mapped by the Colorado Parks and Wildlife (CPW) on the County's adopted Wildlife Resource Information System (C.R.S.1041 Wildlife maps) and to areas known to be wildlife habitat areas by the Colorado Parks and Wildlife, and areas mapped by the Colorado Natural Heritage Program. Agricultural and Ranching activities are exempt from this Section.

5-407 A. General Standards

The standards in this section apply to all wildlife habitat areas.

I. Residential development shall be clustered to avoid impacting wildlife and their habitat.
II. Removal of vegetation shall be minimized. Vegetation removed shall be promptly replaced with beneficial native browse species.
III. Wildlife food, cover and water shall be preserved and development effects that would destroy these shall be mitigated. Special consideration shall be given to trees and shrubs with high wildlife food value, especially heavy seed, berry and fruit producing species.
IV. The planting of wildlife food species and woody cover along fences shall be encouraged as one way of improving wildlife habitat.
V. Waterholes, springs, seepage, marshes, pond and watering areas shall be preserved.
VI. Known endangered species habitats shall be preserved and all disturbances to those habitats shall be minimized.
VII. Every golden eagle nest site, bald eagle roost site, and all other raptor nest sites shall be protected from the adverse impacts of development within a ½ mile buffer.
VIII. Mesh or woven fences shall be prohibited and are encouraged to be removed.

IX. Fences located within CPW designated mapped wildlife habitat areas are discouraged. Fences in such wildlife habitat areas shall be limited to "wildlife friendly fences" that are in compliance with applicable CPW fencing standards. Wildlife friendly fences are very visible and allow wild animals to easily jump over or slip under the wires or rails. The following regulations shall apply to fencing:

a. Smooth wire or rounded rail for the top, smooth wire on the bottom;
b. Fence is limited to 42: in height;
c. At least 12" between the top two wires or rails;
d. At least 16" between the bottom wire or rail and the ground;
e. Posts at minimum 16' intervals;
f. Gates, drop-downs, removable fence sections or other passages where animals concentrate and cross;
g. Using a rail, high-visibility wire, flagging or other visual markers for the top.
h. A zigzagged worm fence (rails stacked alternately on top of one another, with rails interlocked like laced fingers where the ends meet) should create openings for wildlife to cross by intermittently dropping rails to the ground every 400'; and in swales and at stream crossing for easy wildlife passage.

X. Perimeter fencing of an entire parcel is discouraged.

XI. As an exception to "wildlife friendly fencing" dogs shall be kept in an enclosed kennel or small fenced yard adjacent to the residence. The standards or allowance for a small fenced yard or area shall be specified in the county's revised dog or animal control regulations.

If staff has a question regarding the appropriateness of proposed fencing to be located within a CPW mapped wildlife habitat area the application may be referred to the CPW for comment and recommendation. Any new fencing shall follow the CPW "Fencing with Wildlife in Mind" guidelines available at the CPW website, www.wildlife.state.co.us

XIV. Residential development shall maintain bear proof storage for garbage disposal for all parcels located in all zone districts.

XV. Development activities, such as Subdivisions, PUDs and Special Use Permits uses may require a Wildlife Impact Assessment prepared by a qualified wildlife biologist or scientist for all mapped wildlife habitat areas or known habitat areas to be submitted with the land use application. The Impact Assessment should include changes, trends and proposed mitigation to be reviewed by the Colorado Parks and Wildlife or other County review staff.

XVI. Barking dogs, dogs at large, and stray dogs are not permitted in any unincorporated portion of San Miguel County pursuant to Board of County Commissioner Resolution1982-27 or as may be set forth in the most current Board of County Commissioner Resolution regarding dog or animal control rules and regulations.

XVII. It is illegal for dogs to chase and/or harass wildlife, on public or private property. A Colorado wildlife officer or other peace officer may capture or kill any dog he or she determines to be harassing wildlife, pursuant to C.R.S. §33-6-128.

5-407 C. Deer, Elk and Bighorn Sheep Winter Range

Land uses located in deer, elk or bighorn sheep winter range shall comply with Sections 5-407 A. and 5-407 B.I.-III. and the standard in this section.

Commercial activity and recreational uses requiring County review shall be prohibited from December 1 through April 15, unless an applicant can demonstrate written approval from the Colorado Parks and Wildlife of a site- specific wildlife protection plan. Such plan shall include CPW monitoring provisions and set forth on-site protection, including but not limited to habitat enhancement and habitat protection, including but not limited to control of fencing, noise, lighting and siting of structures, and establishment of routes and means of transportation and hours/days of operation. Permits must be renewed annually. The dates in this section may be modified and permits may be suspended at any time upon CPW recommendation on a case-by-case basis as necessary to protect the health of the herd.

The property is located within mapped Deer Range. The site itself does not provide a large amount of winter range for mule deer or elk. However, the surrounding landscape and agricultural fields do, so there is the potential for an increased number of animals being present in the winter months. When customers and employees travel to the site to access the retail greenhouse, there is a potential for increased vehicle/mule deer conflicts.

SECTION 5-10: SPECIAL USES

5-1001 General

This section of the Code establishes the application submittal requirements and review standards applied to review Special Use permit applications for land uses designated as an allowed use in a zoning district. An allowed use may be established if approved subject to Special Use permit review to assure the use is located, designed and operated in harmony with neighboring properties and the surrounding area and does not adversely affect the public health, safety and welfare. Special Uses may or may not be appropriate in certain locations depending on degree of conformance with adopted, relevant standards and policies. For certain Special Uses these standards may supplement special standards for specific uses. Refer to Section 3-5 for one-step review procedures, Section 3-6 for two-step review procedures and Section 4-7 for submission contents.

5-1002 Review Procedures

I. All applications for Special Uses and other uses that require special review are subject to either a One-step Planning Commission or Board of County Commission review or Two-step Planning Commission and

Board of County Commission review, as designated in the zoning district standards.

II. All Special Uses requiring One-step and Two-step Review, except Oil and Gas Exploration and Development (pursuant to Section 5-26), shall comply with the standards in this section.

III. All uses that may be established in a zoning district can be permitted by Special Use permit review but only if the proposed use meets the following criteria as applicable and upon approval of the reviewing board(s), subject to any additional conditions and mitigation measures.

5-1002 A. Application Requirements

All applications for Special Uses shall include at a minimum, the information and materials specified in Land Use Code Section 4-2.

I. The following must also be addressed as part of any application:

a. Site plan, photos and/or drawings accurately representing existing conditions and proposed conditions, specifying the location and dimensions of buildings, accessory structures, setbacks from property lines, identification of recorded and apparent easements, specifying areas for all proposed types of land uses, identification of specific land uses, streets and rights-of-way, driveways and access points of ingress and egress, parking, fences, signs, topography, existing and proposed landscaping, and lighting, as well as all adjacent land uses;

b. Elevation drawings showing the heights of buildings, or before and after simulations/drawings specifying the height and location of buildings and support structures, and any accessory uses, fences and signs, and proposed materials and colors;

c. Written Narrative explaining why the proposed site has been chosen, regarding the function and characteristics of any Building or Use proposed, including: days and hours of operation, number of employees, number of students, number of rooms for rent, etc., communication plan, as applicable, and describe how the proposal meets all applicable Standards and Review Criterion;

d. Detailed plans, reports and specifications.

1) Traffic and parking plan;
2) Grading, drainage and stormwater management plan;
3) Water/sewer plan: must meet state standards, may include verification of a commercial well permit, and water savings plan;
4) Lighting plan: All exterior lighting shall comply with the standards of Section 5-710;
5) Signage: see Section 5-704 standards;

6) Dust control plan;
7) A noxious weed control plan;
8) Wildlife Plan: see Section 5-407 A.XII.;
9) Additional permits as necessary from other agencies.
10) Detailed engineered plans and specifications by a registered Colorado Professional Engineer as requested by staff or Referral Agents;

5-1002 B. Review Criteria

A Special Use will be permitted only if the reviewing body finds the proposed use meets all relevant requirements. Applicants shall demonstrate through competent evidence that the proposed use meets the following criteria as applicable:

I. All Applicable Standards. The proposed use shall comply with the minimum requirements of the zone district in which the use is to be established, and will also comply with all applicable requirements of the Code.

II. Consistency with Master Plan, Land Use Policies, and Zone District.

The proposed Special Use shall be:

a. In accordance with the County Master Plan;

b. Consistent with County Land Use Policies in Article 2;

c. Consistent with the purpose of the Zone District in which it is proposed to be located;

III. Consistent and compatible with Neighborhood Character. The proposed Special Use shall be consistent, compatible, and not in conflict with the character of the neighborhood and surrounding land uses. It may be an enhancement of the mixture of complementary uses and activities in the Neighborhood of the Parcel proposed for Development;

IV. Essential for public convenience at the proposed location; and

V. Designed, located and proposed to be operated so that the public health, safety and welfare will be protected.

VI. Impacts on Surrounding Area

Consistency and compatibility with the Character of Parcels adjacent to the Parcel shall be expressed in terms of appearance, scale and features, Site design, landscaping, weed control, as well as, the control and minimization of adverse impacts including noise, vibration, dust, dirt, smoke, fumes, gas, odor, explosion, glare,

impacts on pedestrian and traffic congestion, parking, trash, service delivery, or other undesirable or hazardous conditions.

VII. Cumulative Impacts.

If multiple Special Use Permits have been issued for the same property, the uses permitted under the existing permits shall be considered in reviewing the new permit application. If there are other Special Use Permits in the geographic area, the cumulative impacts shall be evaluated. The application may be denied or appropriate conditions may be required on the proposed uses to address or mitigate any incompatibility or cumulative impacts.

a. The proposed uses must be compatible with the existing uses.

b. Cumulative impacts of all Special Use Permits on the property and in the geographic area must be considered.

5-1002 C. Public Facilities

Adequate public facilities and services shall exist or shall be provided to serve any reviewable Use including, but not limited to, roads, potable water, sewer, solid waste, parks, police, fire protection, emergency medical, hospital and medical, drainage system and schools.

5-1002 D. Bond Requirement

A bond may be required, as a condition of any reviewable Use permit as deemed necessary by the Board of Commissioners or the Planning Commission, sufficient to cover the cost of Site remediation and/or satisfaction of the other conditions and requirements.

The subject property is located within the WM Zone District and the land use is consistent with the purpose of the Zone District and Review Standards for a WM Special Use Permit and specifically with the criteria contained in the WM Master Plan. The proposed use is compatible with the character of parcels adjacent to the parcel in terms of appearance, scale and features. The proposed use is designed and located so that public health, safety and welfare will be protected and is located and designed to minimize adverse effects from customer traffic, delivery traffic, noise and odor on the surrounding properties and will not adversely affect agriculture or ranching operations.

Public Notice

Public Hearing Notice of this Special Use Permit application and this hearing was mailed to all property owners within 500 feet of the subject property and the property was posted by the Applicant on March 14, 2024 as required per LUC Section 3-903C.

As required by C.R.S. § 30-28-106(1), a Notice of Public Hearing was published in the Telluride Daily Planet and in the Norwood Post on Friday, March 15, 2024 for the Planning Commission hearing.

Referral Agencies
The application was referred to the County Attorney, County Manager, County Road and Bridge Director, County Building Official, County Environmental Specialist, County Sheriff, Colorado Parks and Wildlife, Norwood Fire District, and the Town of Norwood. for review and comment.

Referral Agency Comments

None received at time of writing report

Public Comments

None received at time of writing report

Sample Motion:
I move to approve a Special Use Permit for Retail Greenhouse/Nursery, for Wild Iris Greenhouse and Gardens, for the operation of a proposed seasonal nursery, based on the findings that the uses as proposed are consistent with Land Use Code 5-319 E, XVII Fruit and vegetable stands on parcels less than 150 acres, a Use Allowed Subject to One Step Planning Commission, Special Use Review; 5-319 K, Review Standards for all WM Zone District Special Uses; 5-407 Wildlife Habitat Areas, 5-10, Special Uses; and the County Master Plan, with the following conditions:

1. The Special Use Permit is issued to the Applicant, Wild Iris Greenhouse and Gardens (Martinique Davis Prohaska), and does not run with the Land.

2. All written representations of the applicant, in the original submittal and all supplements, are deemed to be conditions of approval except to the extent modified by this approval.

3. All lighting shall be shielded and directed down and meet the requirements of LUC Section 5-319.K.VIII.

4. The use of the site shall be limited to the areas shown on the site plan. There shall be no further expansion of parking and greenhouse areas without County Planning approval.

**RESOLUTION OF THE COUNTY PLANNING COMMISSION,
OF SAN MIGUEL COUNTY, COLORADO,
APPROVING A SPECIAL USE PERMIT FOR RETAIL GREENHOUSE/NURSERY
FOR MARTINIQUE PROHASKA, WILD IRIS GREENHOUSE AND GARDENS,
IN THE WRIGHT'S MESA (WM) ZONE DISTRICT**

Resolution 2024-04

WHEREAS, Martinique D Prohaska, Wild Iris Greenhouse and Gardens, is the applicant, hereafter "Applicant", and Martinique D and Craig Prohaska and Sheila R Wells Trust and Alva James Wells Trust are the owners of a 5-acre parcel (PIN # 429524200072), hereafter "Property," in the Wright's Mesa (WM) Zone District, more particularly described as shown on Exhibit A, Legal Description; and

WHEREAS, the Applicant has submitted an application for a Special Use Permit to establish a Retail Greenhouse/Nursery ("Application") at the Property, in accordance with San Miguel County Land Use Code Section 5-319 E. XVII Fruit and Vegetable stands, which is a similar type use, Uses allowed subject to one-step Planning Commission Review in the WM Zone; and

WHEREAS, Applicant is seeking to operate a seasonal nursery as shown on Exhibit B, Site Plan; and

WHEREAS, the Application was referred to the County Attorney, County Manager, County Road and Bridge Director, County Building Official, County Environmental Specialist, County Sheriff, Colorado Parks and Wildlife, Norwood Fire District, and the Town of Norwood for review and comment; and

WHEREAS, on or about March 14, the Applicant sent Notice of the application and the Planning Commission (CPC) Public Hearing to be held on Thursday, April 4, 2024 to all property owners within 500 feet of the subject parcel, and on or about March 14, 2024 a sign was posted on the property noticing the proposed use and the CPC Public Hearing to be held on April 4, 2024; and

WHEREAS, a Public Hearing Notice for the proposed Special Use Permit and the County Planning Commission meeting to be held on April 4, 2024 was published in the Norwood Post and the Telluride Daily Planet on March 15, 2024; and

WHEREAS, a list of the items included in the Public Hearing Record is attached to this resolution as Exhibit C; and

WHEREAS, the Planning Commission of San Miguel County, Colorado, considered this application, along with relevant evidence and testimony, at a public hearing in person and on-line on Thursday, April 4, 2024.

NOW, THEREFORE, BE IT RESOLVED that the County Planning Commission of San Miguel County, Colorado, approves a Special Use Permit for Retail Greenhouse/Nursery, for Wild Iris Greenhouse and Gardens, for the operation of a proposed seasonal nursery, based on the findings that the uses as proposed are consistent with Land Use Code 5-319 E, XVII Fruit and vegetable stands on parcels less than 150 acres, a Use Allowed Subject to One Step Planning Commission, Special Use Review; 5-319 K, Review Standards for all WM Zone District Special Uses; 5-407 Wildlife Habitat Areas, 5-10, Special Uses; and the County Master Plan, with the

following conditions:

1. The Special Use Permit is issued to the Applicant, Wild Iris Greenhouse and Gardens (Martinique Davis Prohaska), and does not run with the Land.

2. All lighting shall be shielded and directed down and meet the requirements of LUC Section 5-319.K.VIII.

3. The use of the site shall be limited to the areas shown on the site plan. There shall be no further expansion of parking and greenhouse areas without County Planning approval.

BE IT FINALLY RESOLVED that all written representations of the applicant in the original submittal and all supplements, letters and emails are deemed to be conditions of approval, except to the extent modified by this review process.

DONE AND APPROVED by the County Planning Commission of San Miguel County, Colorado, on April 4, 2024.

SAN MIGUEL COUNTY, COLORADO
PLANNING COMMISSION

By: _____
Lee Taylor, Chair

Vote:	Ian Bald	Aye	Nay	Abstain Absent
	Matthew Bayma	Aye	Nay	Abstain Absent
	M.J. Schillaci	Aye	Nay	Abstain Absent
	Lee Taylor	Aye	Nay	Abstain Absent
	Josselin Lifton-Zoline	Aye	Nay	Abstain Absent
	Galena Gleason	Aye	Nay	Abstain Absent

ATTEST:

By: _____
M.J. Schillaci, Secretary

EXHIBIT “A” Legal Description

EXHIBIT “B” Site Plan

EXHIBIT “C” Public Hearing Record

EXHIBIT A

LEGAL DESCRIPTION

PARCEL NO. 429524200072

BEGINNING AT SOUTHWEST CORNER OF NORTHWEST NORTHWEST SECTION 24 TOWNSHIP 45 RANGE 13 THEN NORTH ALONG SECTION LINE 343 FT THEN EAST 634.99 FT THEN SOUTH 343 FT THEN WEST 634.99 FT TO POB

COUNTY OF SAN MIGUEL, STATE OF COLORADO.

EXHIBIT B
SITE PLAN

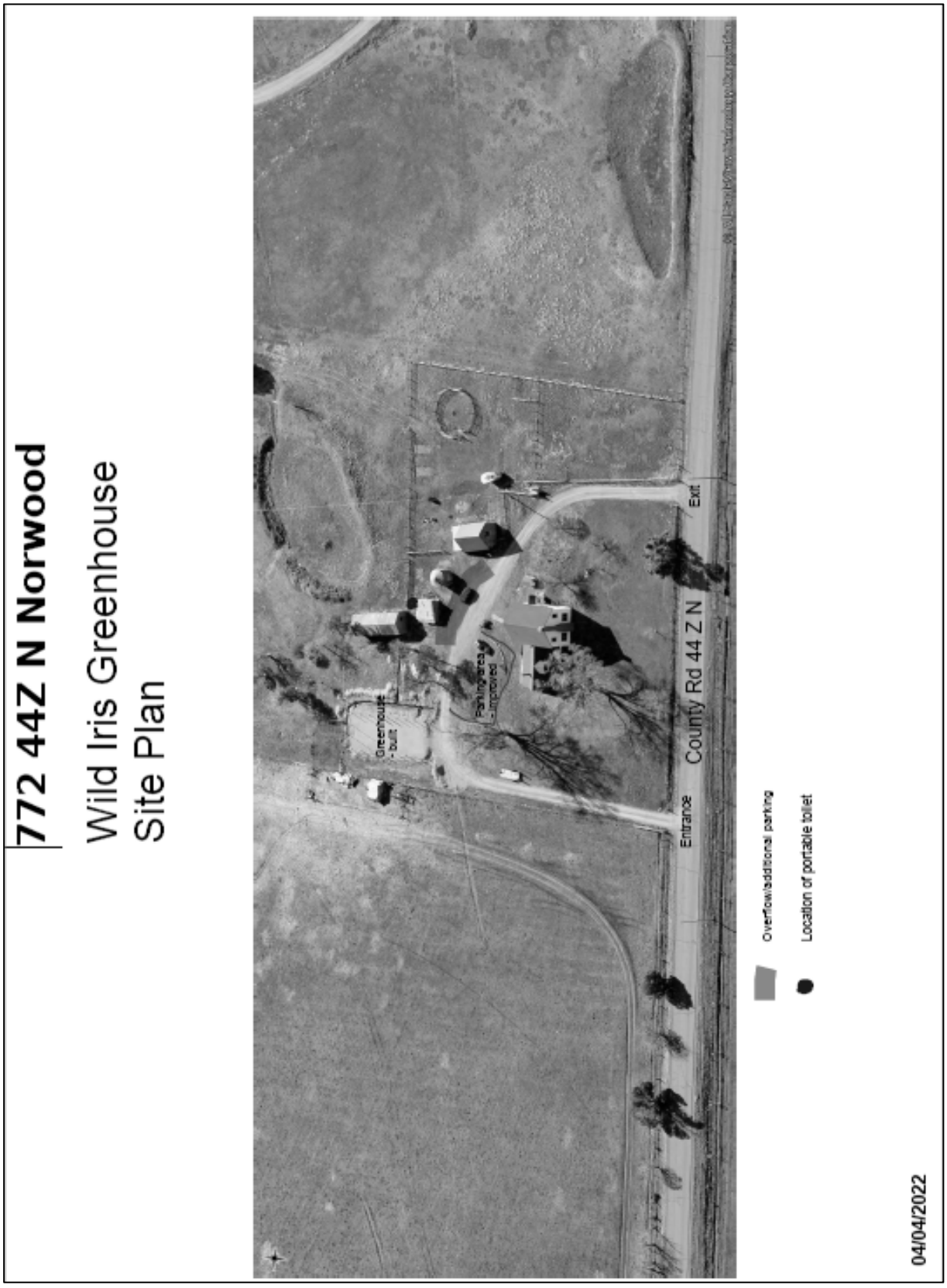


EXHIBIT C

Public Hearing Record

County Planning Commission
Application: Martinique Davis Prohaska, Wild Iris Greenhouse and Gardens Retail Greenhouse/Nursery Special Use Permit to operate a seasonal nursery
Date: April 4, 2024

1. San Miguel County Land Use Code (Adopted 11/30/90) with all amendments to date (By Reference Only).

2. San Miguel County Comprehensive Development Plan (Adopted 8/3/78) with all amendments to date (By Reference Only).

3. Memorandum to the San Miguel County Planning Commission from John Huebner, Senior Planner dated April 4, 2024.

4. Draft Planning Commission Resolution 2024-04.

5. Application and Supplements submitted by Martinique Davis Prohaska, Wild Iris Greenhouse and Gardens dated March 1, 2024.

6. Applicant's Certifications of Compliance with the public noticing requirements of the San Miguel County Land Use Code Section 3-9 dated March 14, 2024.

7. Public Meeting Notice published in the Telluride Daily Planet on March 29, 2024.

8. Public Hearing Notice published in the Norwood Post and Telluride Daily Planet on March 15, 2024.

AGENCY COMMENTS

9. Memo from John Huebner, Senior Planner, to Review Agencies dated March 4, 2024.

PUBLIC COMMENTS

None received

WILD IRIS
GREENHOUSE & GARDENS
NORWOOD, COLORADO

March 1, 2024

To San Miguel County Planning Department,

Please accept this letter as the required Background Information related to a Special Use Permit application, for the operation of a proposed seasonal nursery located at 772 County Rd. 44 Z N in Norwood, Colo.

I am the owner and representative of Wild Iris Plants & Design, dba Wild Iris Greenhouse & Gardens. We are a greenhouse and landscaping company that has been in operation since 2021, and we would like to expand our business operations to offer on-site retail plant and cut Christmas tree sales. My husband Craig Prohaska and my parents Jim and Sheila Wells are each 25% owners of the five-acre property at 772 County Rd. 44Z N. *See written consent from all owners, attached.*

We plan to utilize the 2,320-sq ft greenhouse located on-site to grow annual flower flats, hanging baskets, custom planters, and perennials, which we hope to sell from May-July. We would also like to offer on-site sales of Christmas trees, wreaths, garland, and winter-blooming bulb flower pots during the holiday season, from Thanksgiving until Christmas.

We anticipate employing an average of two part-time employees at the greenhouse during the growing season, which is March until early July, with up to four employees working on-site during some busy weeks in early June. We anticipate an average of one employee working part-time during the holiday sales window in early winter. We expect one to three employee vehicles accessing the site during the spring and summer season, and one employee vehicle during the winter season. Hours of operation are not yet determined but are expected to be 11 a.m. until 6 p.m. on the weekends from mid-May until early July, and by appointment during the week; and 12 p.m. until 4 p.m. on the weekends from Thanksgiving until Christmas with a few special later evening sales dates TBA.

Parking for employees and customers will be located at the improved, graded parking area adjacent to the west side of the greenhouse, with overflow parking possible on the north side of the greenhouse, and along the edge of the northern portion of the property's circular drive. We do not anticipate more than five vehicles to be accessing the site at any given time.

Sanitary facilities for employees and customers are provided by portable toilet.

We do not plan to regularly conduct sales after dark however there are overhead lights located inside the greenhouse and outdoor lighting located on existing buildings (home and office/shed.)

We have revegetated all areas that were disturbed during construction of the greenhouse with the same grass species found throughout the rest of the property. We have and will continue to mitigate weeds such as whitetop and thistle throughout the property via cultural and chemical means.

970-708-0531
110 Coyote Ct, Mountain Village CO
772 County Rd. 44 Z N, Norwood CO
marti@wildirisplants.com
www.wildirisplants.com

March 1, 2024

Our water plan includes using the existing municipal water supply and existing well for overhead irrigation within the greenhouse. We are in the process of installing a high efficiency Netafim sprinkler head system.

In closing, we believe this Special Use Permit Application complies with the applicable standards for review, in that it is a compatible use within the existing neighborhood and will not create adverse impacts. By offering a local source for plants and cut trees we hope to enhance the character of the Norwood community and look forward to providing a product that is currently unavailable in the area.

Please find attached to this packet other documents required for submission including:
a. Parcel description, including property maps
b. Disclosure and Proof of Ownership (Property report and Deed of Trust)
c. Written consent from all owners
d. Pre-application Conference Summary letter
e. Site plan, including existing conditions photos

I sincerely appreciate your time and consideration in reviewing this application. Please do not hesitate to reach out to me if you have any questions or I have overlooked something.

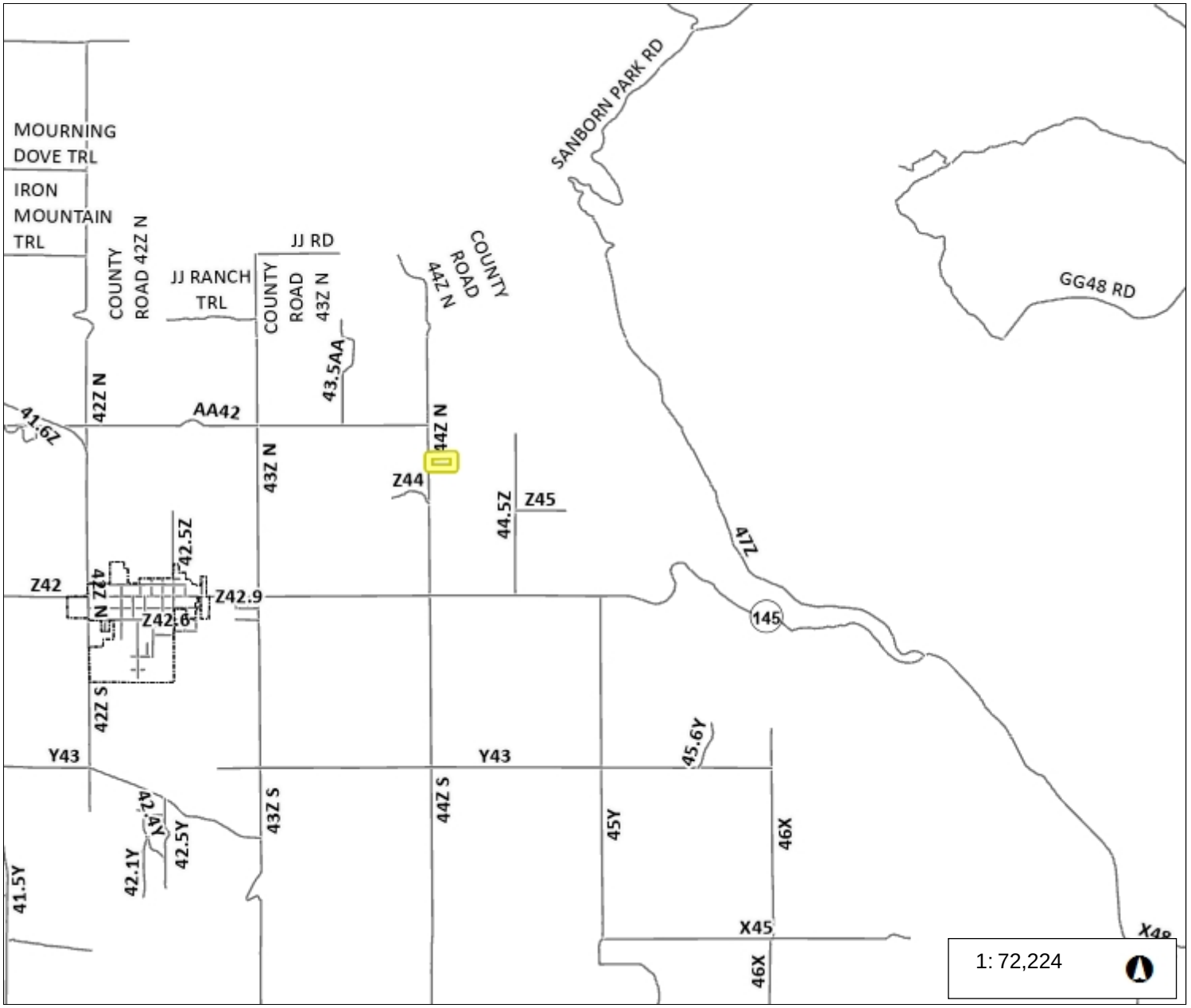
Sincerely,

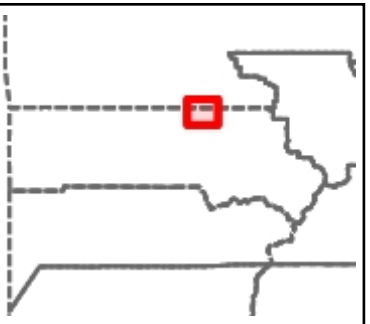
Martinique Davis Prohaska

Martinique Davis Prohaska
Colorado Certified Greenhouse Grower
Owner, Wild Iris Greenhouse & Gardens
970-708-0531
marti@wildirisplants.com

San Miguel County, Colorado
Map Viewer

Wild Iris Greenhouse SUP, Prohaska





Legend

- Road
- Regional Road
- County Boundary
- Town Boundary

Map Generated
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1: 72,224

Notes

2.3 0 1.14 2.3 Miles

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION
www.sanmiguelcountyco.gov

772 44Z N Norwood

Wild Iris Greenhouse
Site Plan



Overflow/additional parking

Location of portable toilet

04/04/2022

Wild Iris Greenhouse - existing conditions











WILD IRIS
GREENHOUSE & GARDENS
NORWOOD, COLORADO

March 1, 2024

To San Miguel County Planning Department,

Please accept this letter as our consent for Wild Iris Greenhouse & Gardens, and owner Martinique Prohaska, to utilize the greenhouse and outbuildings located at 772 County Rd. 44 Z N, Norwood, Colo., for on-site retail plant sales.

We, along with Mrs. Prohaska, are equal owners of the property.

Sincerely,

Craig Prohaska

Sheila Wells

AJ Wells

970-708-0531 | 110 Coyote Ct, Mountain Village CO
772 County Rd. 44 Z N, Norwood CO | marti@wildirisplants.com
www.wildirisplants.com

Property Detail Report

San Miguel County, Colorado

Account #: **R2030023595**
Parcel #: **429524200072**

Account Type: Mixed Use
Tax District: 203

Owner Name and Address

PROHASKA MARTINIQUE D AND
PROHASKA CRAIG AS TO A 50% INT

7 COYOTE CT
TELLURIDE, CO, 81435

Property Location

Situs Address (if assigned)
772 COUNTY ROAD 44Z N

Location City
NORWOOD

Property Description

Subdivision: TOWNSHIP AND RANGE
Lot: TR Filing: 1
Block: Tract:

Property Characteristics

Net Land Acres	5
Net Land Square Feet	217800
# of Bldgs:	4

Legal Description

BEG AT SW COR OF NWNW SEC 24 T45 R13 TH N ALONG SEC LINE 343 FT TH E 634.99 FT TH S 343 FT TH W 634.99 TO POB CONT 5A

Zoning Information

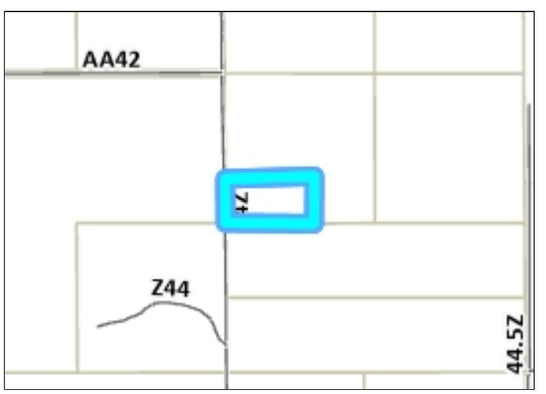
Zone District **WRIGHTS MESA**
Zoning Authority SAN MIGUEL COUNTY

Parcel Details

Zoning Notes

BOCC Resolution File Name

Property Map



ZONING: Multiple regulations may apply to a single parcel.

DISCLAIMER: This information is a product of the San Miguel County Geographic Information Systems (GIS) Department and is intended for the display of relative positions and locations only. Users of this information hereby recognize, acknowledge and agree that it is not a guaranteed accurate, legal or surveyed representation of land. Users assume all risk and responsibility for any and all direct and indirect damages, including consequential damages, that may flow from the use of this information. Users further recognize, acknowledge and agree that the San Miguel County GIS Department has not made any representations, warranties, or guaranties of any kind that this information is survey accurate or fit to be used or relied upon for any particular purpose. Furthermore, this information is provided as a courtesy and does NOT include holders of subsurface mineral interests of record.

www.sanmiguelcountyco.gov/maps

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San Miguel County Assessor Data Site

Sarah Enders, P.O. Box 506, Telluride, CO, 81435
(P) 970 728-3174 | (F) 970 369-1007 | (E) assessor@sanmiguelcountyco.gov

Account Information

ACCOUNT NUMBER	R2030023595
PROPERTYCODE	1112,1212,1216,2130,2230
OWNER NAME	PROHASKA MARTINIQUE D AND PROHASKA CRAIG AS TO A 50% INT AND WELLS SHEILA R TRUST AS TO A 25% INT AND AND WELLS ALVA JAMES TRUST AS TO A 25% INT AND
PARCELNUMBER	429524200072
PROPERTY ADDRESS	772 COUNTY ROAD 44Z N
CITY	NORWOOD
LEGAL SUMMARY	BEG AT SW COR OF NWNW SEC 24 T45 R13 TH N ALONG SEC LINE 343 FT TH E 634.99 FT TH S 343 FT TH W 634.99 TO POB CONT 5A
SUBDIVISION	TOWNSHIP AND RANGE-5000
SECTION TOWNSHIP RANGE	Section 24 Township 45 Range 13
OWNER MAIL	7 COYOTE CT TELLURIDE CO 81435
CLASS DESCRIPTION	Residential,Residential,Residential,Commercial,Commercial
PROPERTY CODES	1112-SINGLE FAM.RES.-LAND,1212-SINGLE FAM.RES-IMPROVEMTS,1216-ACCESSORY UNITS WITH RESIDENTIAL,2130-
TAXAREAID	203,203,203,203,203
OCCUPANCY	Single Family Residential,Accessory Unit Res,Accessory Unit Res,Nursery/Greenhouse
NEIGHBORHOOD	4003
ARCHITECTURAL STYLE	Single Family Residential,Accessory Unit Res,Accessory Unit Res,Nursery/Greenhouse
MAPLINK	https://www.google.com/maps?q=38.14222,-108.259403

Additional Owner Details

Owner Name	Owner Address
WELLS ALVA JAMES TRUST AS TO A 25% INT AND	
WELLS SHEILA R TRUST AS TO A 25% INT AND	
PROHASKA MARTINIQUE D AND	7 COYOTE CT TELLURIDE CO 81435

Sales Information

Date	Deed Type	Doc Number	Grantor	Grantee	Amount
09/16/2021	WD	472523	BRITT LORY LEE	WELLS SHEILA R TRUST AS T...	685,000
04/13/2012	SWD	422646	FEDERAL HOME LOAN MORTGAG...	BRITT LORY LEE	303,000
11/15/2011	SWD	420832	WELLS FARGO BANK NA	FEDERAL HOME LOAN MORTGAG...	
11/15/2011	PTD	420538	SAN MIGUEL COUNTY PUBLIC ...	WELLS FARGO BANK NA AS HO...	
09/12/2000	WD	336623	UNRUH, RICHARD	SITLINGTON, SUZANNE L.	108,000
04/20/1990	CD	B465419	REED, FRANCES I	UNRUH, RICHARD D.	
12/01/1980	WD	B409211		UNRUH,R.	

Values and Estimated Taxes

Tax Year	Taxable	Actual	Mill Levy	Estimated Tax
2015	$40,130.00	$504,180.00	42.044	$1,687.23
2016	$40,130.00	$504,180.00	52.064	$2,089.33
2017	$37,660.00	$523,103.00	54.103	$2,037.52
2018	$37,660.00	$523,103.00	57.090	$2,150.01
2019	$49,880.00	$697,717.00	54.145	$2,700.75

2020	$49,880.00	$697,717.00	53.579	$2,672.52
2021	$57,970.00	$810,793.00	48.776	$2,827.54
2022	$98,400.00	$955,793.00	48.497	$4,772.10
2023	$86,140.00	$998,208.00	48.562	$4,183.13

Property Details

Model	Attribute Name	Attribute Value
LAND DETAIL 2		
	LANDCLASS	
	LANDSF	10890
	ABSTRACTCODE	2130
	LANDACRES	0.25
	LANDUNITCOUNT	1
	LEADESCRIPTIO	NORWOOD RURAL SITE @4<10AC
	LANDSF	206910
	ABSTRACTCODE	1112
	ECONAREADESCR	NORWOOD AREA
	LANDACRES	4.75
	LANDUNITCOUNT	1
	LANDCLASS	
	LEADESCRIPTIO	NORWOOD RURAL SITE @4<10AC
	ECONAREAID	2
Out Building 3		
	BEDROOMS	0.00
	ADJ YEAR BUIL	1950
	YEAR BUILT	1950
	STORIES	0.00
	BUILT AS	GRAIN BIN
	AGE	46
	BATH COUNT	0.00
	HVACTYPE	NONE
	ROOF	IRREGULAR
	SQUARE FEET	1
	CONDITION	AVERAGE
	IMPNO	2.00
	QUALITY	LOW
	MHLENGTH	0
	MOBILE WIDTH	0
	TOTAL FIN ARE	1
	PROPERTY TYPE	OUT BUILDING
	OCCABSTRACT	1216
	OCCUPANCY	ACCESSORY UNIT RES
Out Building 4		
	OCCUPANCY	ACCESSORY UNIT RES
	SQUARE FEET	560
	MOBILE WIDTH	14
	TOTAL FIN ARE	560

Model	Attribute Name	Attribute Value
Out Building 4		
	OCCABSTRACT	1216
	PROPERTY TYPE	OUT BUILDING
	ROOF	GABLE
	QUALITY	LOW
	MHLENGTH	40
	IMPNO	3.00
	HVACTYPE	NONE
	CLASSDESCRIPT	WOOD FRAME
	BATH COUNT	0.00
	CLASSCODE	D
	CONDITION	AVERAGE
	STORIES	0.00
	BUILT AS	FARM UTILITY BUILDING
	YEAR BUILT	1950
	ADJ YEAR BUIL	1950
	AGE	46
	BEDROOMS	0.00
Out Building 5		
	IMPNO	4.00
	ADJ YEAR BUIL	2022
	STORIES	1.00
	BUILT AS	GREENHOUSE SHADE SHELTERS
	YEAR BUILT	2022
	CONDITION	GOOD
	CLASSCODE	S
	AGE	0
	CLASSDESCRIPT	METAL FRAME
	QUALITY	GOOD
	HVACTYPE	NONE
	MHLENGTH	0
	MOBILE WIDTH	0
	SQUARE FEET	2320
	PROPERTY TYPE	OUT BUILDING
	ROOF	FLAT
	OCCABSTRACT	2230
	TOTAL FIN ARE	2320
	OCCUPANCY	NURSERY/GREENHOUSE
Residential 2		
	ROOF	HIP/GABLE
	FLOOR	HARDWOOD
	SQUARE FEET	4188
	OCCUPANCY	SINGLE FAMILY RESIDENTIAL
	IMPNO	1.00
	BUILT AS	1½ STORY UNFIN
	HVACTYPE	FORCED AIR
	QUALITY	GOOD
	ROOF COVER	COMPOSITION SHINGLE
	BATH COUNT	1.00

Model	Attribute Name	Attribute Value
Residential 2		
	YEAR BUILT	1910
	OCCABSTRACT	1212
	INTERIOR	WALLBOARD
	TOTAL FIN ARE	4188
	ADJ YEAR BUIL	1984
	BEDROOMS	2.00
	PROPERTY TYPE	RESIDENTIAL
	CONDITION	AVERAGE
	MHLENGTH	0
	AGE	38
	STORIES	1.50
	EXTERIOR	FRAME PINE LAP
	MOBILE WIDTH	0
	FOUNDATION	24 BLOCK

Property Images

APPLICANT'S CERTIFICATION OF COMPLIANCE WITH THE PUBLIC NOTICING REQUIREMENTS OF THE SAN MIGUEL COUNTY LAND USE CODE SECTION 3-9

MARTINIQUE PROHASKA Applicant, or the duly designated agent(s) of Applicant, has applied to San Miguel County for approval of a land use application. Applicant recognizes that the provisions of the San Miguel County Land Use Code (LUC) Section 3-9 require public notice by First Class mail and posting of the property not less than twenty (20) days before the date scheduled for a public meeting or hearing.

Applicant or Applicant's agent(s) have examined the current tax records of San Miguel County as they appeared either in the records of the San Miguel County Assessor or under the San Miguel County Geographic Information Systems* (GIS) mapping program no more than sixty (60) days prior to the date of the public meeting or hearing. Applicant or Applicant's agent(s) hereby certifies that: (Applicant must check all.)

AND

I understand that San Miguel County requires completion and delivery of this Certification of Compliance to the San Miguel County Planning Department at least ten (10) days prior to the initial public meeting or hearing on a land use application. I further understand that failure to submit the required Certification of Compliance to the County Planning Department at least ten (10) days prior to the initial public meeting on a land use application will result in the public meeting or hearing being rescheduled to a later date.

Name Martinique Prohaska (Insert Applicant's name if executed by agent)

Physical location of Property and/or legal description 772 County Rd 442 N, Norwood 81423

Mailing Address (if different from above) 110 Coyote Ct, Mountain Village CO 81435

Date: 3/14/24

Signature: M Prohaska

[text/luc/certification.property.owner]

* GIS data may not accurately or completely reflect owners in multi-unit, multi-floor buildings in San Miguel County. In such instance, the applicant must examine the Assessor's information in addition to the GIS data in order to provide the required public notice.

Please publish the following Legal Ad in the:

NORWOOD POST AND TELLURIDE DAILY PLANET on FRIDAY MARCH 15, 2024

Please bill: San Miguel County Planning Department
P.O. Box 548
Telluride, CO 81435

PUBLIC HEARING NOTICE

The San Miguel County Planning Commission has been asked to consider an application submitted by Martinique Prohaska (Applicant) on behalf of Craig Prohaska, Sheila Wells Trust and James Wells Trust, (Property Owner), for a Greenhouse/Nursery with Retail Special Use Permit on the 5-acre parcel, Property Identification Number 429524200072, aka 772 County Road 44Z N, located in the Wrights Mesa (WM) zone district. A Greenhouse/Nursery with Retail is subject to One-step Review, i.e. review and action at a Public Hearing by the County Planning Commission (CPC) pursuant to Land Use Code Section 5-319 E XVII.

A Public Hearing on the above proposal will be held by the San Miguel County Planning Commission on Thursday, April 4, 2024 at 10: a.m. (or thereafter). This meeting will be held online and in person in Telluride, 333 W Colorado Ave, 2nd FL. To provide comment or ask questions regarding the proposal, please join the meeting: https://zoom.us/join, Meeting ID: 965 1288 5206, Password: 534277; Audio only: Dial 1-301-715-8592 or 1-253-215-8782 (long distance rates may apply).

Written comments of more than one page may not receive complete consideration if not received by March 25, 2024. Send written comments to: San Miguel County Planning Department, P.O. Box 548, Telluride, CO 81435 or to planning@sanmiguelcountyco.gov

Please call the Planning Department at 970-728-3083 for more information on the application. A copy of this pending master plan amendment application may be viewed at https://www.sanmiguelcountyco.gov/490/Other-Resources

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Legal Notices

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BUSINESS

Meet our Norwood community businesses

By CHERYL JERABEK

Norwood Chamber of Commerce of Wright's Mesa is excited to bring you our continuing series of weekly columns spotlighting our current business members from A-Z.

BLUE GROUSE BREAD

If you've ever driven past 1630 Summit St. in Norwood and thought you caught a whiff of something wonderful in the air, you probably did – Blue Grouse Bread. The boutique bakery was founded in 2016, a collaboration between cousins Hannah and Ben Rossman, who were inspired by their shared passion for artisan bread-making.

Originally from Vermont, the two realized their love for dough in high school. Hannah moved to Norwood and eventually, Ben made his way here as well. The business operates on a wholesale setup, delivering to local establishments as well to stores and restaurants in Montrose, Telluride, Rico, Ridgway and beyond.

Blue Grouse Bread is known for its high-quality, organic, locally-sourced grains and dedication to the art of old-world bread-baking techniques and also for its commitment to the community. "Without our community, none of this would be possible," Ben stated. "Someone once told me that when you invest in your community, they will invest in you. I have certainly found that to be true."

BRIGHT FUTURES

Next on our A-Z list is a non-profit organization that is devoted to some of the most precious members of our community – the children. Bright Futures' mission is two-fold, to improve the lives of children as a Family Resource Center and as an Early Childhood Council. Directed by Clea Willow, resources extend to the children, their families and to educators.

From offering individualized support services and navigation of programs and resources to improving access, availability and quality of early childhood care and education, Bright Futures is constantly taking stride to make a positive difference in Norwood and throughout the San Juan Region.

The organization also provides higher education and professional development funding to early childhood teachers. In addition, their Parents as Teachers offers an in-home visitation program to parents of young children.

CLARK'S MARKET

Whether you're in need of a dozen eggs, a full cart of groceries, or simply want to see a smiling face, Clark's Market in Norwood is there to accommodate.

Open seven days a week from 7 a.m. to 9 p.m., the existing store became Clark's in 2020. It is managed by Marco Dominguez who oversees the team of 25 employees. "This team is a group of people who put passion into their work and are always willing to help each other and the customers," Marco stated.

Not only is Clark's a member of the Chamber of Commerce, but it also plays an active role in the community — contributing to school food drives and the food bank, hosting Non-Profit Mondays, purchasing a 4H steer every year, sponsoring the rodeo and jr. rodeo and more.

"I like that we help where we can," Marco commented.

Future goals for Clark's Market include adding an area in the front of the store where local artists can sell their creations. The idea was the brainstorm of assistant manager, Sadie Lopez. "We're excited," Sadie said. "It'll be good for the artists and the customers."

Read the full-length blogs on these businesses on our website at norwoodcolorado.com or on our Facebook site — Norwood Chamber of Commerce of Wrights Mesa. If you would like your business to be featured, please sign up on our website or email us at norwoodchamber23@gmail.com. The Norwood Chamber of Commerce of Wright's Mesa has monthly membership meetings the second Tuesday of each month at the BackCountry Inn from 5:30-6:30 p.m.

OBITUARY

Johnie Ray Harris

June 29, 1948 – March 2, 2024

Johnie Ray Harris, Sr. passed away peacefully on March 2 at the age of 75 after a courageous battle with cancer. He was surrounded by loved ones who will continue to honor his legacy by living their lives to the fullest.

Johnie moved from his birthplace of Texas to Olathe, CO, where he spent a great deal of his childhood.

He graduated from Olathe High School and enlisted in the U.S. Army, where he was medically discharged shortly after bootcamp. Johnie worked at Idarado Mine in the San Juan Mountains of Ouray County as a hard rock miner. In 1977, Johnie and his family moved to Nucla, where he was a mine foreman for Cotter Corporation until his retirement in 2012.

Johnie found the love of his life, Dolores Webb, at the age of 21. The two were married on July 5, 1969, at Olathe Methodist Church and built a beautiful life over their nearly 55 years together. Road trips across the country with Dolores were some of Johnie's favorite memories, and the two were inseparable.



Johnie Ray Harris (Courtesy photo)

Their love and commitment to each other is inspirational to all that know them.

A true outdoorsman, Johnie loved the mountains. He spent countless hours in nature with his three sons hunting, fishing, hiking and camping. His adventurous spirit lives on through his family, and he passed this love of the outdoors all the way down to his great grandchildren. Johnie loved to read, and would read multiple books everyday with his dog on his lap. His quick wit and great sense of humor kept his family laughing until his final moments. Johnie was a friend to all, and to those who needed him most. He loved his family fiercely, and his final days were a testament to that love reciprocated.

Johnie is preceded in death by his father, Jerrel; mother, Anita; brother, Larry; and his beloved son, Johnie Ray Jr. (Heather). He is survived by his wife, Dolores; two sons, Robert (Molly) Harris and Randy (Lacey) Harris; daughter-in-law, Heather (Brien) Gardner; his nine grandchildren, Brent (Sarah) Harris, Danny (Makiah) Harris, Talon Harris, Hayden (Reese) Harris, Colten Harris, Carson Gardner, Grace Harris, Mason Harris and Payton Harris; and his five great-grandchildren, Harvey, Jace, Mehlani, Maddox and Tatum.

He is also survived by his sisters, Mary Jones and Susan Clemonts, as well as many nieces and nephews whom he loved dearly.

Johnie's spirit and love for his family lives on as we celebrate the life of a wonderful man.

Graveside Services at the Nucla Cemetery at 1 p.m. on March 17. Refreshments at the Nucla Senior Center following Graveside Service.

HOROSCOPE

By SALLY BROMPTON
www.sallybrompton.com

BIRTHDAY FRIDAY:
Why be aggressive in your dealings with other people when you can turn on the charm and get everything you desire at the flash of a smile? The year ahead will bring opportunities to make friends with people whose support can take you higher than ever before.

BIRTHDAY SATURDAY:
It may seem as if everyone but you is on top of their game over the coming year but that is an illusion. If you acknowledge that you are less than perfect it will give you a huge advantage over those who see failure as something shameful.

ARIES (March 21 - April 20):
Go out of your way to help someone who has lost their way and don't count the cost even when you know your resources are being stretched. The universe always looks kindly on those who give more thought to other people's needs than to their own.

TAURUS (April 21 - May 21):
If you put a friend's needs first today they will return the compliment later on when it is you who requires assistance. Group activities are under excellent stars at the moment, so the more you do with other people the more you will benefit as well.

GEMINI (May 22 - June 21):
It is sometimes said that who you know is more important than what you know and you will be reminded of that today when a senior colleague steps in to back you up on the work front. You can never have too many friends in high places.

CANCER (June 22 - July 23):
You may be finding it hard to stay in one place for any length of time but why would you want to when there is a world out there waiting to be explored? Drop what you are working on and follow your heart wherever it may lead you.

LEO (July 24 - Aug. 23):
Someone whose outlook on life is very different to your own seems to be exerting a strange fascination over you. You may be spellbound by their captivating personality but don't lose contact with reality – and certainly don't strive to be like them.

VIRGO (Aug. 24 - Sept. 23):
Now that Venus is moving through the partnership area of your chart you can expect one-to-one relationships of all kinds to go well. But they will go even better if you stop trying to micro-manage their lives. Give them some breathing space.

LIBRA (Sept. 24 - Oct. 23):
You have pushed yourself hard in recent weeks and need to take things easy for a while. With Venus, your ruler, moving through the wellbeing area of your chart this would be a good time to start a new health kick – but it must be relaxing!

SCORPIO (Oct. 24 - Nov. 22):
Cosmic activity in the most loving area of your chart will bring the romantic side of your nature to the fore. If you are single then a new affair will be a lot of fun. If you are partnered-up already your relationship will reach new heights of passion.

SAGITTARIUS (Nov. 23 - Dec. 21):
Don't waste any more time on a feud that can never be won. Even if you believe you are entirely in the right you will only hurt yourself if you allow it to continue. There is no sense holding a grudge, so forgive and forget and move on.

CAPRICORN (Dec. 22 - Jan. 20):
Someone you meet on your travels will open your mind to possibilities that had not occurred to you before. They could also open your heart to a degree that allows you to see positive things about colleagues and strangers that you were previously unaware of.

AQUARIUS (Jan. 21 - Feb. 19):
If you find yourself tempted to go on a spending spree today it would be a good idea to set yourself a budget and stick to it resolutely. If you go even one cent over the top you could find it impossible to stop until there is nothing left!

PISCES (Feb. 20 - Mar. 20):
You seem much happier lately about your place in the world and that's great but don't get so self-satisfied that you neglect to take on challenges that can stretch you above and beyond your normal capabilities. Never stop striving. Never stop learning.

Missed any of our papers this week?
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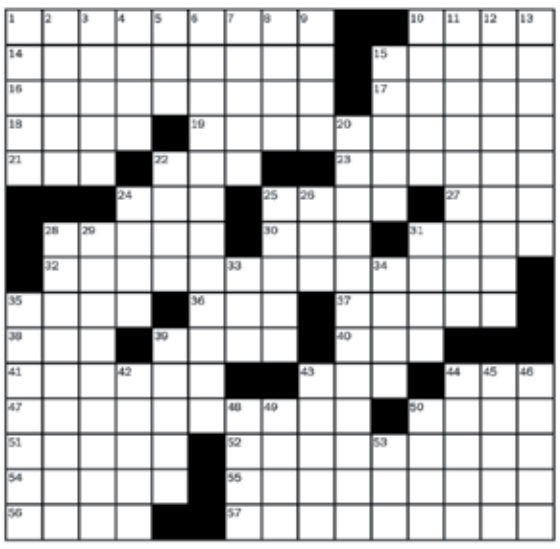
NEW YORK TIMES CROSSWORD

ACROSS

1 Beaming
10 Sounds of melodrama
14 Wind up alone?
15 Mideast capital
16 Fuzzy exotic pet
17 Performed by the whole ensemble, in music
18 Ruler often seen in a robe
19 Classified in levels
21 Word with tie or fly
22 Sign by a highway exit
23 Hens, but not roosters
24 Big container
25 Yoga pose with arms extended and legs folded over the head
27 Where a flask might be kept
28 High-speed commuter option
30 Court ruling?
31 Like the Lilliputians
32 Trend for unengaged employees
35 Twist
36 O, on a letter
37 Hall mate?
38 Social media influencer Addison ___
39 Stephen Sondheim's "The Worst ___ in London"
40 Frequent conspiracy subject
41 Pops
43 Invention originally used as a yellow dye, in brief
44 Baby bat
47 The Traveling Wilburys or Crosby, Stills, Nash & Young
50 Track selection
51 Conceited sorts
52 In concert
54 Match up
55 It makes a spin around a dance floor
56 Disdainful sounds
57 One-sided dice?

DOWN

1 Caption in a comparison ad
2 "Me ___ ..." (Spanish for "My name is ...")
3 Sensational
4 Lead
5 "___ Explain Things to Me," influential 2014 essay collection by Rebecca Solnit
6 Question of legitimacy
7 "___ and the Good Book" (1958 jazz album)
8 Monthly with a palindromic name
9 Fly
10 Like some teenagers and pasta
11 At stake
12 DC Comics weapons, one of which can be seen at the Smithsonian
13 Passes with ease
15 Suck it!
20 Overwhelming and needing time for consideration
22 It's a blast
24 Facial concealer
25 Good words, so to speak
26 Natural necklace
28 These might help people take deep breaths
29 Bacon or pancetta
31 One of the Jackson brothers
33 "___ pasa?"
34 First president to own a car
35 Grumpy toward
39 Break into bits
42 Gives (out)
43 Southern city that was once home to Black Wall Street
44 Philippine island that's home to Iloilo
45 Scrooge, to Donald Duck
46 Some spa treatments
48 Exposure units
49 Lena of "Alias"
50 Place for a ring
53 Place for a ring



PUZZLE BY CHRISTINA IVERSON

ANSWER TO PREVIOUS PUZZLE

U	M	P	I	R	E	■	C	H	I	L	I	■	F	D	R
R	O	O	T	E	R	■	L	U	C	I	D	■	L	E	A
L	A	L	A	L	A	L	A	L	O	L	A	■	Y	A	M
S	T	O	L	I	■	O	M	A	N	I	■	G	I	F	S
■	■	■	I	S	A	W	■	■	I	T	S	O	N	■	■
■	C	H	C	H	C	H	C	H	C	H	A	N	G	E	S
P	R	E	■	■	M	I	L	E	■	■	T	E	S	L	A
R	A	M	A	■	E	T	E	R	N	E	■	R	O	T	I
O	Z	O	N	E	■	■	A	V	O	W	■	■	L	O	L
M	Y	G	G	G	G	E	N	E	R	A	T	I	O	N	■
■	■	■	L	E	G	A	L	■	■	I	N	O	N	■	■
I	D	O	L	■	■	L	A	I	R	S	■	R	A	D	A	R
S	U	B	■	■	P	P	P	P	O	K	E	R	F	A	C	E
A	N	I	■	■	J	A	S	O	N	■	■	P	I	E	R	R	E
Y	E	N	■	■	S	L	E	D	S	■	■	A	D	W	E	E	K

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Legal Notices

PUBLIC MEETING NOTICE

The San Miguel County (SMC) Planning Commission has been asked to consider an application submitted by Alex Kreile, Project Geologist on behalf of Highbury Resources Inc (Applicant). The applicant proposes Mineral Exploration on Bureau of Land Management (BLM) lands for its Slick Rock drilling program accessed from SMC County Roads T11, 12S and 14R, and located in S23, 26, 27, 28, 29, 33 and 34 T44N R18W, and West End (WE) zone district, in San Miguel County. The proposed limited exploratory drill program will involve the selection of 20 drill pads, each measuring about 25 feet by 40 feet for the purpose of exploring for Uranium and Vanadium, and the use of existing BLM two track roads and trails only. An application for Mining Special Use Permit for Conditional Uses on Federal Lands in the WE zone district requires Two-step review by the County Planning Commission and Board of County Commissioners pursuant to Land Use Code Section 5-319 G VII.

A public meeting on the above application will be held by the San Miguel County Planning Commission at 9:15 a.m. or later Thursday, April 4, 2024. This public meeting is the first step of a two-step review process by the Planning Commission and Board of County Commissioners. This meeting will be held online and in person in Telluride, 333 W Colorado Ave, 2nd FL. To provide comment or ask questions regarding the proposal, please join the meeting: https://zoom.us/join, Meeting ID: 965 1288 5206, Password: 534277; Audio only: Dial 1-301-715-8592 or 1-253-215-8782 (long distance rates may apply).

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Please call the Planning Department at 970-728-3083 for more information on the application. A copy of this pending master plan amendment application may be viewed at https://www.sanmiguelcountyco.gov/490/Other-Resources

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PUBLIC MEETING NOTICE

The San Miguel County Planning Commission (CPC) has been asked to consider a Land Use Code (LUC) amendment to add Section 5-712 Mining Hazards. The proposed amendment was initiated by county Planning staff. A complete copy of the proposed amendment can be accessed on the Planning Department page of the County website at www.sanmiguelcountyco.gov. The proposed LUC amendment requires Two-step CPC review and recommendation and Board of County Commissioners review pursuant to Land Use Code Section 3-601 D. Land Use Code Amendments. This is the first step of a Two-step process.

A public meeting on the above application will be held by the San Miguel County Planning Commission at 10:00 a.m. or later Thursday, April 4, 2024. This public meeting is the first step of a two-step review process by the Planning Commission and Board of County Commissioners. This meeting will be held online and in person in Telluride, 333 W Colorado Ave, 2nd FL. To provide comment or ask questions regarding the proposal, please join the meeting: https://zoom.us/join, Meeting ID: 965 1288 5206, Password: 534277; Audio only: Dial 1-301-715-8592 or 1-253-215-8782 (long distance rates may apply).

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The Town of Mountain Village Housing Authority will begin allocating units for the East building of Village Court Apartments Phase IV to those on the VCA public waitlist and tenant transfer waitlist. If both waitlists are exhausted, the VCA public waitlist will be opened back up with community-wide noticing. Move-in is anticipated for April 2024. For more information, please email vcaphase4@mtnvillage.org.

El Departamento de Vivienda de Mountain Village comenzará a asignar unidades para el edificio Este Fase IV de Village Court Apartments a aquellas personas en las listas de espera pública y en la de transferencia. Si se agotan ambas listas, la lista de espera pública se abrirá y se notificará a toda la comunidad. La mudanza está prevista para abril de 2024. Para obtener más información, envíe un correo electrónico a vcaphase4@mtnvillage.org.

The Southwest Basins Roundtable is accepting applications for three at-large representatives. There are two voting seats that are currently vacant. An additional seat will be vacant in July. One of the current vacant seats shall represent environmental interests and shall be selected from nominees submitted by one or more regionally, state-wide, or nationally recognized environmental conservation organizations that have operated in Colorado for at least five years.

Applicants should submit a letter describing their qualifications. Please note in your letter if you own water rights, share in a ditch or reservoir company, or represent an agent with a Reclamation contract. Letters of support for your application are welcome, but not required. Please submit your letter to Ed Tolen, etolen@laplawd.org and Wendy Weygandt, contact@swbasinsroundtable.org no later than Friday, April 12, 2024. Elections will be held Thursday, April 25, 2024 at the DoubleTree by Hilton Durango (and via Zoom) at 3 pm at which applicants will have an opportunity to address the Roundtable. Please contact Ed Tolen, Roundtable Chair, at 970-442-1303 for specific questions. Additional information may be found on the website: https: //waterinfo.org/resources/southwest-basin-roundtable.

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–Henry Ford
For information on advertising in the Telluride Daily Planet call:
970.728.9788

PLANNING DEPARTMENT

KAYE SIMONSON, PLANNING DIRECTOR

M E M O R A N D U M

TO: Mike Bordogna, County Manager
Amy Markwell, County Attorney
Matt Gonzales, County Building Official
Ryan Righetti, County Road and Bridge Director
Bill Masters, County Sheriff
Kevin Chaney, County Environmental Health Specialist
Mark Caddy, Colorado Parks and Wildlife
John Bockrath, Norwood Fire Protection District,
Deanna Sheriff, Town of Norwood, Water Commission / Sanitation District

FROM: John Huebner, AICP, Senior Planner

RE: Greenhouse/Nursery with Retail, Norwood

APPLICANT: Martinque Prohaska

DATE: March 4, 2024

Please find the attached application submitted by the Martinique Prohaska for your review and comment. The County Planning Commission hearing date is Thursday, April 4, 2024. Please provide your review comments by March 25, 2024 to John Huebner, Senior Planner, johnh@sanmiguelcountyco.gov in the County Planning Department. Please contact the Planning Department if you have any questions.

Your review comments are very important to us and help the Planning Commission and/or Board of County Commissioners understand the application and make informed decisions with appropriate conditions. All comments received in response to this request for review will be forwarded to the applicant and included in meeting packets for the decision makers. If you wish to discuss the project with staff prior to submitting final comments, please indicate in your email(s) that your comments and questions are preliminary.

AGENDA ITEM

TITLE:
Applicant: Highbury Resources Inc.
Representative: Alex Kriele, Project Geologist
Location: Sections 23, 26, 27, 28, 29, 33 and 34 T44N R18W,
Zone District: West End
Proposal: Slick Rock Mineral Exploration drilling program on unpatented mining claims, BLM public lands

Presented by:
Time needed:

PREPARED BY:
John Huebner, Planning

RECOMMENDED ACTION/MOTION:

INTRODUCTION/BACKGROUND:

FISCAL IMPACT:

ATTACHMENTS:
CPC Packet Materials -Highbury Resources Slickrock Project Mineral Exploration 040424.pdf
Mailed Petition 12/14/2023 - 1/5/2024

Description:

PUBLIC MEETING RECORD
County Planning Commission
Application: Highbury Resources Inc.
West End (WE) Zone District, Conditional Use on Federal Lands, Mining Special Use Permit for the Slickrock drilling Project
Date: April 4, 2024

1. San Miguel County Land Use Code (Adopted 11/30/90) with all amendments to date (By Reference Only).

2. San Miguel County Comprehensive Development Plan (Adopted 8/3/78) with all amendments to date (By Reference Only).

3. Memorandum to the San Miguel County Planning Commission from John Huebner, Senior Planner dated April 4, 2024.

4. Application submitted by Alex Kreile, Highbury Resources Inc. dated February 7, 2024.

5. Applicant's Certification of Compliance with the public noticing requirements of the San Miguel County Land Use Code Section 3-9 dated March 1, 2024.

6. Public Meeting Notice published in the Norwood Post and Telluride Daily Planet on March 15, 2024.

AGENCY COMMENTS

7. Memo from John Huebner, Senior Planner to Review Agencies dated February 15, 2024.

8. Email from Tony Bonacquista, Colorado Parks and Wildlife, to John Huebner, Senior Planner dated March 6, 2024.

9. Email from Starr Jamison, San Miguel County Natural Resources, to John Huebner, Senior Planner, dated March 18, 2024.

PUBLIC COMMENTS

10. Email and attachment from Sally Sharp, Great Old Broads for Wilderness, to John Huebner, Senior Planner, dated March 12, 2024.

11. Email from Kathryn Wilder, Cachuma Ranch Co. LLC, to Planning Commission dated March 22, 2024

12. Letter from Mason Osgood, Sheep Mountain Alliance, Jennifer Thurston, INFORM and Jennifer Singer, Great Old Broads for Wilderness to Planning Commission dated March 26, 2024.

M E M O R A N D U M

TO: San Miguel County Planning Commission
FROM: John Huebner, Senior Planner
RE: Highbury Resources Inc. – Slick Rock Project, West End (WE) Zone District, Conditional Uses on Federal Lands, Mining Special Use Permit - exploratory drilling for mineral exploration
DATE: April 4, 2024

Proposal
Alex Kreile, Project Geologist, has submitted an application on behalf of Highbury Resources Inc, (Applicant), that seeks a Mining Special Use Permit for mineral exploration from drill pads on its unpatented mining claims under Bureau of Land Management (BLM) federal public lands in northwest San Miguel County near Slick Rock approximately 65 miles west of Telluride. The Slick Rock Project drill sites are accessed from Highway 141 and county roads. There are twenty-seven (27) potential exploratory drill hole locations identified at the project location. Of those, no more than twenty (20) will selected for pad construction and drilling. The purpose is to prospect for uranium and vanadium. The drilling program includes developing up to twenty (20) drill pads, each measuring about 25 feet by 40 feet. The project area comprises BLM lands only and as such requires federal and state permit applications. The sites are accessible from existing road infrastructure.

Project Design and Impact Minimization
The drilling program is designed to minimize new surface impacts within the project area. No necessary access road improvements have been identified at this time. The proposed drill pads are small sites, approximately 1,000 square feet each. This site planning reduces dirt work required to prepare drill pads, simplifies project reclamation, and minimizes the overall footprint and impacts from this project (Impact calculations below)

Infrastructure Component	Number/Linear Feet	Acres	Comments
BLM Land			
Drill pads	20	.46	25x40ft (20000sf)
Take-off Access routes	0	0.00	No improvements
Project Total		.46	

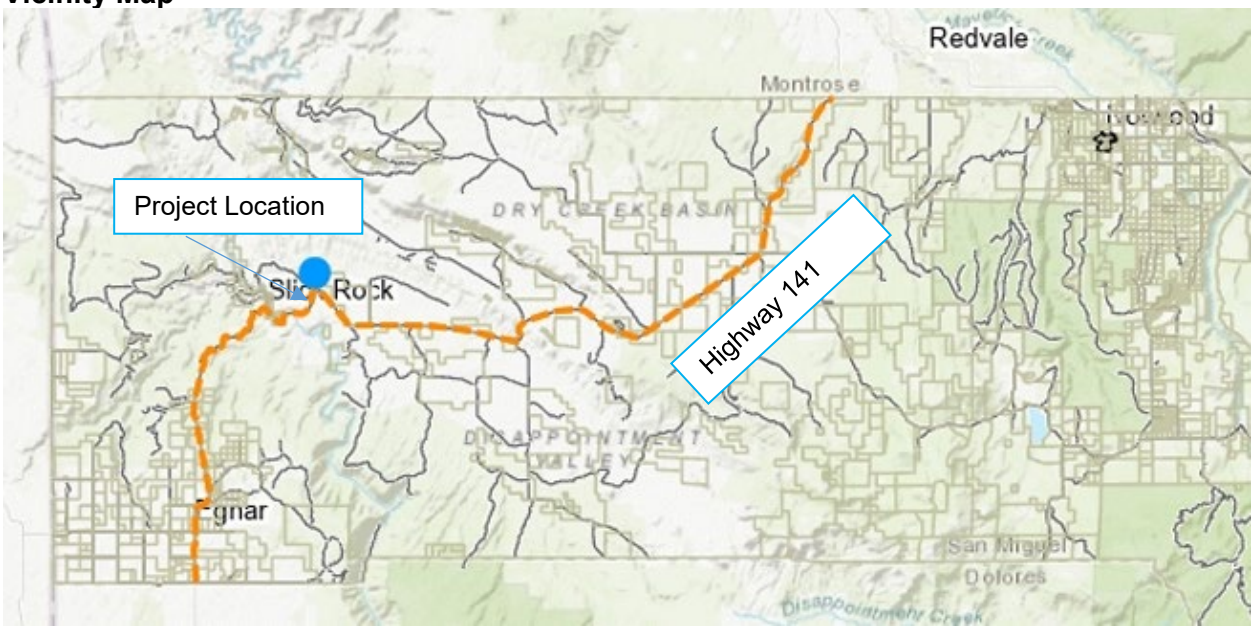
Access
Access to the project is planned from Highway 141 and County Roads T11, 12S and 14R. No County roads will require improvement for access.

The project plans to use existing two-track roads on BLM public land, and the development of temporary single use cross country access routes to access drilling sites. The routes will be passable for a standard four-wheel drive pickup truck, ATV and truck-mounted drill rig.

Drilling Pads and Staging
Minimal drill pad preparation (vegetation clearing) plus digging is planned. Topsoil will be removed for drill pads and stored on site. Drill pads will have a maximum dimension of 25x40 feet to accommodate the storage of topsoil and equipment parking.

Each drill pad will have a sump pit, approximately 4 feet by 8 feet and 6 feet deep, located on site to retain drill cuttings and drilling mud from drilling operations, and to allow for infiltration of water into the ground.

Vicinity Map



Project Operations

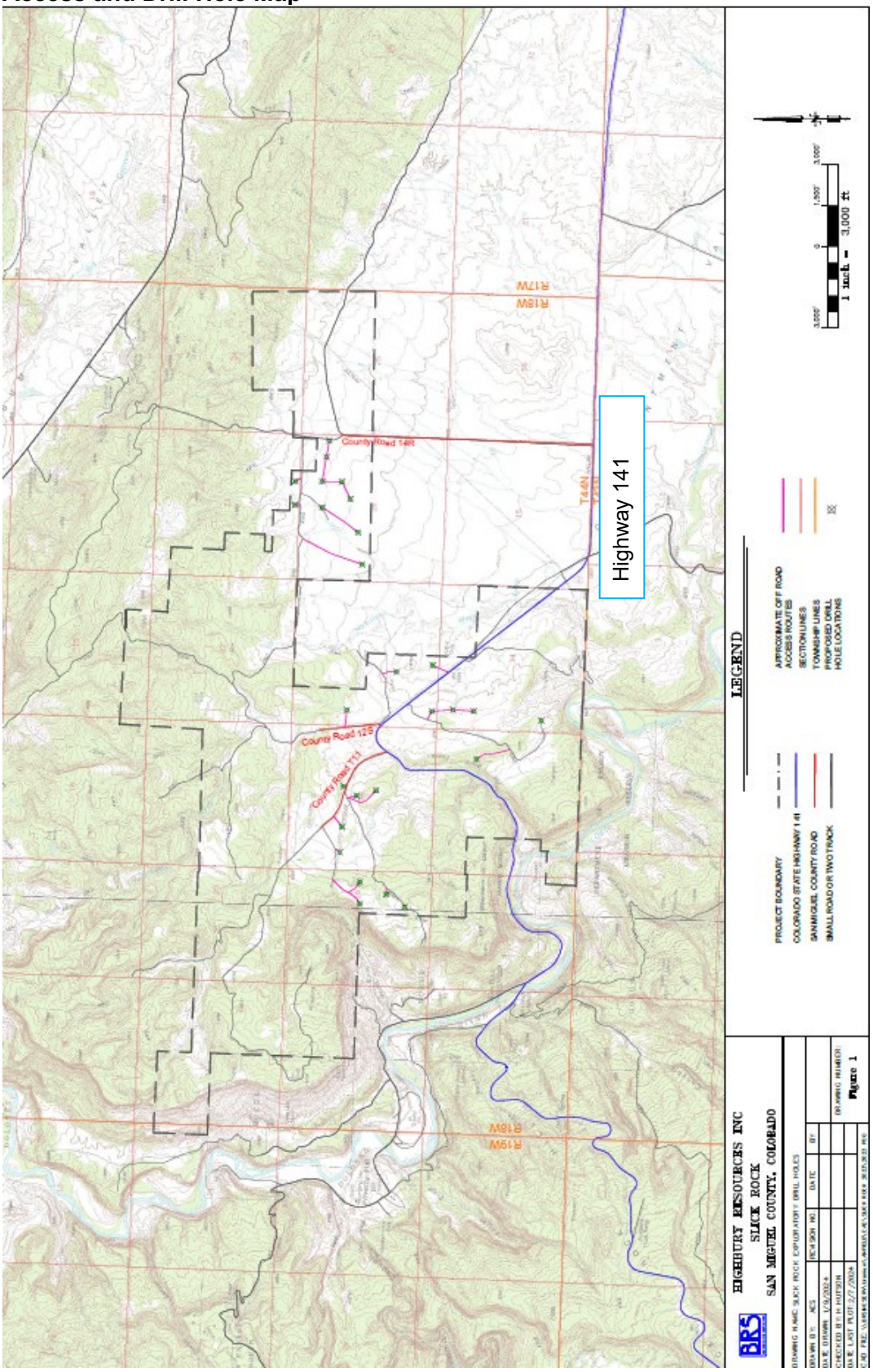
The following equipment will be used to conduct the exploratory drilling:

- (1-2) rubber-tired backhoe loaders. Cat 420 or similar.
- (1-2) rubber-tired truck mounted drilling rigs. DOT legal highway weight.
- (2-3) Service/water truck. 2,000-4,000 gallons.
- One (1) 4x4 pickup truck
- One (1) enclosed trailer for parts and tool storage.
- One (1) flatbed trailer for covered dry material storage.
- (4-6) highway legal passenger vehicles for crew transportation.

Hours of operation are expected to be 5 days per week, 10 hours per day during daylight hours. Personnel will use pickup trucks to access the drill pads. The sites are accessible from existing road infrastructure. Up to three water trucks will be used to haul water as needed for drilling (once per 10-hour shift). The permitted water source is not yet identified.

The drilling program consists of 27 potential drill hole locations shown on in the attached Access and Drill Hole Map. No more than 20 bore holes will be selected for pad construction and drilling. Each bore hole will be drilled to various depths up to a maximum of 1,200 feet depending on the drill site requirements. The reverse circulation chip samples will be collected and removed from the site. Each cylindrical hole (6”) in the ground drilled for the extraction of rock material (crushed “chips”) does not pose a hazard or risk to water or surface resources. Once the hole is completed it will be plugged per Colorado State regulation.

Access and Drill Hole Map



Work activities for the project will be limited to a May 1– November 30 operation window. This matches the limits requested by Colorado Parks and Wildlife to alleviate concerns regarding winter range for elk, deer and bighorn sheep. Highbury intends to conduct the program during the summer of 2024 with an expected project duration of two to three weeks of on-site activity. A plant and wildlife survey was conducted in the project area. It noted the occurrence of Naturita Milkvetch, a BLM Sensitive Species previously known in the area. However, the proposed project disturbances as currently proposed will not affect this plant.

If groundwater is encountered during drilling, the drill hole may be converted to a monitoring well before abandonment to gather baseline hydrogeologic data at the site. This will require a well permit from the Colorado Division of Water Resources.

All trash and waste generated on the site will be removed.

Reclamation
The total ground disturbance for this project is estimated to be .46 acres. Reclamation of drill pads and holes will occur following the close of drilling activities. Drill pads will be regraded, the stockpiled top soil redistributed, and revegetated with a BLM-approved native seed mixture. All disturbed roads will be repaired and off-road access will be seeded. Ripping or scarification of compacted soils will be performed if necessary. All reclamation will conform to the specific guidance, protocols, and BLM, Colorado DRMS and County permit requirements.

The low yearly precipitation rate in addition to soil characteristics contributes to overall slow recovery of range health. Reclamation bonds will be held by BLM and DRMS, which will include a three-to-five-year warranty period.

Required Permits
CDRMS and the BLM have approved their respective NOIs and the posting of financial warranties for this project. The BLM examines the project application regarding access, archeological and cultural resources, surface disturbances, endangered species, and compatibility with existing uses. The applicant must comply with the Colorado Mined Land Reclamation Act and all applicable CDRMS rules and regulations.

Per the San Miguel County Land Use Code (LUC) Section 5-320 F. XVII “Conditional uses on federal lands (mining claims on BLM public lands) – mineral exploration, mining and logging, subject to applicable state and federal statutes and regulation”, and LUC Section 5-320 F. XVI “…new commercial resource development and extraction operations and facilities”, require Two-Step Special Use Permit Planning Commission and Board of County Commissioners review.

The following permits are required to be obtained by Highbury Resources Inc. prior to commencing the proposed exploratory boring program:

1. San Miguel County Mining Special Use Permit
2. San Miguel County Road and Bridge Aboveground Work in the Right-of-Way Permit
3. U.S. Bureau of Land Management (BLM) Notice of Intent (for operations on BLM land)
4. Colorado Department of Reclamation, Mining and Safety (CDRMS) Notice of Intent(NOI)

Since the total project disturbance of .46 acres is less than one (1) acre, the project will not require construction stormwater permits from the Colorado Department of Public Health and Environment (CDPHE) Water Quality Control Division (WQCD).

COUNTY REVIEW STANDARDS AND POLICIES

Applicant comments underlined *(Staff comments in italics)*

The application shall be reviewed pursuant to applicable policies in LUC Sections 2-1 to 2-35 Land Use Policies, and to applicable standards in LUC Section 5-4, Areas and Activities of Local and State interest/"1041" Environmental Hazard Review, LUC Section 5-10, Special Uses; LUC Section 5-11, Conditional Uses on Federal Lands; LUC Section 5-16, Mining; and LUC Section 5-320 West End (WE). Areas of key concern include development of drill pads, erosion control, mitigation of impacts to wildlife and natural resources during drilling; and site reclamation.

SECTION 2-8: NATURAL AND MAN-MADE HAZARD AND RESOURCE AREAS

It is the policy of San Miguel County to prevent any use and development of land that may:

2-801 Unreasonably subject any person, or use, to natural or man-made hazards;
2-802 Unreasonably create or contribute to the danger of natural or man-made hazards that might affect lands or the use and development thereof;
2-803 Unreasonably subject other persons including the County to the risks and expenses necessary to mitigate hazardous conditions, respond to emergencies created by such conditions, or to rehabilitate any lands or improvements thereof;
2-804 Be unduly destructive to the natural resources of the County; or
2-805 Constitute a public or private nuisance.

At completion of the project, no new natural or man-made hazards will remain at the project site.

SECTION 2-11: EROSION

It is the policy of the County to prevent the acceleration of the erosion of soil and rock and whenever possible maintain vegetative cover to minimize soil disturbance.

No erosion issues are anticipated due to the generally flat lying nature of the drill hole locations. However, if deemed necessary, straw wattles and/or sediment fencing can be deployed to mitigate the possibility of stormwater erosion. Re-establishing vegetative cover is the highest priority measure to reduce the chances of erosion.

SECTION 2-28: COMPATIBILITY WITH HISTORICAL AND ARCHAEOLOGICAL RESOURCES

It is the policy of the County to protect any sites, structures and surrounding areas determined to have historical or archaeological significance to the community, the region, or the State of Colorado from any destruction or alteration of the site, structure or surrounding area that would detract from its historical and archaeological significance.

The review conducted by the BLM archeologist found no known conflicts between archeological resources and the planned drilling locations. If archeological resources are encountered during the project, work will be halted at that location and the BLM archeologist will be notified immediately.

SECTION 2-34: REVEGETATION WITH NATIVE SPECIES

It is the policy of the County to prevent weed infestation and to ensure that all surface disturbances, especially of topsoil, are revegetated with native species.

Operations will comply with the county policy to prevent weed infestations and to ensure revegetation with native species.

SECTION 2-35: MINING AND MINERAL PROCESSING OPERATIONS

It is the policy of the County to permit commencement or expansion of Mining and Mineral Processing operations only in appropriate areas identified pursuant to the County Comprehensive Development Plan, with review, as appropriate, under Land Use Code Section 5-4 and CRS 24-65.1-101 et. seq., "Areas and Activities of State Interest," subject to adequate mitigation of environmental, noise, traffic, and other impacts of such activities.

No mining or mineral processing operations are proposed under this Special Use Permit Application. However, mineral prospecting is an associated initial phase activity in most mining operations. According to the San Miguel Comprehensive Development Plan, mining operations are consistent with the permissible land use policies identified for the West End Zone of San Miguel County.

5-407 Wildlife Habitat Areas
This section establishes land use standards for wildlife habitat areas in addition to the general standards in Section 5-402. The standards apply to areas mapped by the Colorado Parks and Wildlife (CPW) on the County's adopted Wildlife Resource Information System (C.R.S.1041 Wildlife maps) and to areas known to be wildlife habitat areas by the Colorado Parks and Wildlife, and areas mapped by the Colorado Natural Heritage Program. Agricultural and Ranching activities are exempt from this Section.

5-407 A. General Standards. The standards in this section apply to all wildlife habitat areas.

I. Residential development shall be clustered to avoid impacting wildlife and their habitat.
II. Removal of vegetation shall be minimized. Vegetation removed shall be promptly replaced with beneficial native browse species.

III. Wildlife food, cover and water shall be preserved and development effects that would destroy these shall be mitigated. Special consideration shall be given to trees and shrubs with high wildlife food value, especially heavy seed, berry and fruit producing species.

IV The planting of wildlife food species and woody cover along fences shall be encouraged as one way of improving wildlife habitat.

V. Waterholes, springs, seepage, marshes, pond and watering areas shall be preserved.

VI. Known endangered species habitats shall be preserved and all disturbances to those habitats shall be minimized.

VII. Every golden eagle nest site, bald eagle roost site, and all other raptor nest sites shall be protected from the adverse impacts of development within a ½ mile buffer.

VIII. Mesh or woven fences shall be prohibited and are encouraged to be removed.

IX. Fences located within CPW designated mapped wildlife habitat areas are discouraged. Fences in such wildlife habitat areas shall be limited to “wildlife friendly fences” that are

in compliance with applicable CPW fencing standards. Wildlife friendly fences are very visible and allow wildlife to jump over or slip under the wires or rails.

BLM specialists in Archeology and Wildlife Biology have reviewed the project regarding archeological resources and wildlife habitat. These findings concluded that the project locations are effectively removed from archeological resources and by applying seasonal timing recommendations impacts to winter wildlife concentration areas can be avoided.

If new archeological artifacts or resources are encountered, they will be left undisturbed and reported to the BLM Archeologist.

Activities will be conducted in compliance with Section 5-405 and 5-407 of the San Miguel County Land Use Code.

A Rare Plant & Wildlife Survey Report was conducted for the Slick Rock Uranium Mine site by Peak Ecological Services, LLC. This report is included within Environmental Reports.

Vegetation removal will be minimized, and all disturbed areas will be seeded with beneficial native species.

Wildlife habitat areas are shown on Map Figure 3 within Environmental Reports.

5-407 B. Deer, Elk and Bighorn Sheep Winter Concentration Area/Severe Winter Range

Land uses in deer, elk or bighorn sheep winter concentration areas/severe winter range shall comply with the standards in Section 5-407 A. and the standards in this Section.

I. Overgrazing of ranges by livestock shall be prohibited.
II. Development shall be restricted to areas in which wildlife impacts can be minimized.
III. Access for the Colorado Parks and Wildlife for managing wildlife shall be maintained.

5-407 C. Deer, Elk and Bighorn Sheep Winter Range.

Land uses located in deer, elk or bighorn sheep winter range shall comply with Sections 5-407 A. and 5-407 B.I.-III. and the standard in this section.

Commercial activity and recreational uses requiring County review shall be prohibited from December 1 through April 15, unless an applicant can demonstrate written approval from the Colorado Parks and Wildlife of a site- specific wildlife protection plan. Such plan shall include CPW monitoring provisions and set forth on-site protection, including but not limited to habitat enhancement and habitat protection, including but not limited to control of fencing, noise, lighting and siting of structures, and establishment of routes and means of transportation and hours/days of operation. Permits must be renewed annually. The dates in this section may be modified and permits may be suspended at any time upon CPW recommendation on a case-by-case basis as necessary to protect the health of the herd.

Some of the drill holes fall within the boundaries of Desert Bighorn Sheep Production Area, Desert Bighorn Sheep Winter Concentration Area and/or Mule Deer Winter Concentration Area. Operations will not be conducted during the recommended periods of seasonal avoidance (December 1-May 1) associated with the identified habitat categories.

SECTION 5-10: SPECIAL USES

5-1001 General

This section of the Code establishes the application submittal requirements and review standards applied to review Special Use permit applications for land uses designated as an allowed use in a zoning district. An allowed use may be established if approved subject to Special Use permit review to assure the use is located, designed and operated in harmony with neighboring properties and the surrounding area and does not adversely affect the public health, safety and welfare. Special Uses may or may not be appropriate in certain locations depending on degree of conformance with adopted, relevant standards and policies. For certain Special Uses these standards may supplement special standards for specific uses. Refer to Section 3-5 for one-step review procedures, Section 3-6 for two-step review procedures and Section 4-7 for submission contents.

5-1002 Review Procedures

X. All applications for Special Uses and other uses that require special review are subject to either a One-step Planning Commission or Board of County Commission review or Two-step Planning Commission and Board of County Commission review, as designated in the zoning district standards.

XI. All Special Uses requiring One-step and Two-step Review, except Oil and Gas Exploration and Development (pursuant to Section 5-26), shall comply with the standards in this section.

III. All uses that may be established in a zoning district can be permitted by Special Use permit review but only if the proposed use meets the following criteria as applicable and upon approval of the reviewing board(s), subject to any additional conditions and mitigation measures.

5-1002 A. Application Requirements

All applications for Special Uses shall include at a minimum, the information and materials specified in Land Use Code Section 4-2.

I. The following must also be addressed as part of any application:

a. Site plan, photos and/or drawings accurately representing existing conditions and proposed conditions, specifying the location and dimensions of buildings, accessory structures, setbacks from property lines, identification of recorded and apparent easements, specifying areas for all proposed types of land uses, identification of specific land uses, streets and rights-of-way, driveways and access points of ingress and egress, parking, fences, signs, topography, existing and

proposed landscaping, and lighting, as well as all adjacent land uses;

b. Elevation drawings showing the heights of buildings, or before and after simulations/drawings specifying the height and location of buildings and support structures, and any accessory uses, fences and signs, and proposed materials and colors;

c. Written Narrative explaining why the proposed site has been chosen, regarding the function and characteristics of any Building or Use proposed, including: days and hours of operation, number of employees, number of students, number of rooms for rent, etc., communication plan, as applicable, and describe how the proposal meets all applicable Standards and Review Criterion;

d. Detailed plans, reports and specifications.

1) Traffic and parking plan;
2) Grading, drainage and stormwater management plan;
3) Water/sewer plan: must meet state standards, may include verification of a commercial well permit, and water savings plan;
4) Lighting plan: All exterior lighting shall comply with the standards of Section 5-710;
5) Signage: see Section 5-704 standards;
6) Dust control plan;
7) A noxious weed control plan;
8) Wildlife Plan: see Section 5-407 A.XII.;
9) Additional permits as necessary from other agencies.
10) Detailed engineered plans and specifications by a registered Colorado Professional Engineer as requested by staff or Referral Agents;

5-1002 B. Review Criteria

A Special Use will be permitted only if the reviewing body finds the proposed use meets all relevant requirements. Applicants shall demonstrate through competent evidence that the proposed use meets the following criteria as applicable:

I. All Applicable Standards. The proposed use shall comply with the minimum requirements of the zone district in which the use is to be established, and will also comply with all applicable requirements of the Code.

II. Consistency with Master Plan, Land Use Policies, and Zone District.

The proposed Special Use shall be:

a. In accordance with the County Master Plan;

b. Consistent with County Land Use Policies in Article 2;

c. Consistent with the purpose of the Zone District in which it is proposed to be located;

According to the San Miguel Comprehensive Development Plan, mining operations are consistent with the permissible land use policies identified for the West End Zone of San Miguel County.

The proposed project location is within the West End Zone District of San Miguel County. The purpose of the proposed project is for mineral exploration, which is consistent with the West End Zone District's purpose to preserve large, relatively remote areas of western San Miguel County for resource, agricultural, open space, and recreational purposes, while protecting private property rights. The work will be consistent with the County Land Use Policies in Article 2 as detailed within this report. The potential environmental, noise, traffic, and other impacts are mitigated.

III. Consistent and compatible with Neighborhood Character. The proposed Special Use shall be consistent, compatible, and not in conflict with the character of the neighborhood and surrounding land uses. It may be an enhancement of the mixture of complementary uses and activities in the Neighborhood of the Parcel proposed for Development;

IV. Essential for public convenience at the proposed location; and

V. Designed, located and proposed to be operated so that the public health, safety and welfare will be protected.

VI. Impacts on Surrounding Area

Consistency and compatibility with the Character of Parcels adjacent to the Parcel shall be expressed in terms of appearance, scale and features, Site design, landscaping, weed control, as well as, the control and minimization of adverse impacts including noise, vibration, dust, dirt, smoke, fumes, gas, odor, explosion, glare, impacts on pedestrian and traffic congestion, parking, trash, service delivery, or other undesirable or hazardous conditions.

VII. Cumulative Impacts.

If multiple Special Use Permits have been issued for the same property, the uses permitted under the existing permits shall be considered in reviewing the new permit application. If there are other Special Use Permits in the geographic area, the cumulative impacts shall be evaluated. The application may be denied or appropriate conditions may be required on the proposed uses to address or mitigate any incompatibility or cumulative impacts.

a. The proposed uses must be compatible with the existing uses.

b. Cumulative impacts of all Special Use Permits on the property and in the geographic area must be considered.

The proposed project location is within the West End Zone District and the land use is consistent with the purpose of the Zone District. The proposed project is compatible with the character of parcels adjacent to the parcel in terms of appearance, scale and features.

This project is a mineral prospecting operation within a historical mining district located on a historically mined property. The proposed Special Use is consistent, compatible, and aligned with both the character of the neighborhood and the land use policies of the West End Section of the San Miguel County Comprehensive Development Plan.

This project includes the drilling, sampling, plugging, and abandoning of test holes; as well as the reclamation of those 20 small drill sites, in a remote and sparsely populated portion of the County.

The sites are accessible from existing road infrastructure. Traffic impacts will be minimal, with only a few crew vehicles traveling to and from site, and up to three loads with a DOT-legal water truck per day. Work will be limited to only daylight hours.

Adverse impacts will be minimal and all necessary mitigation efforts will be implemented on an as-needed basis. The visual impacts involved with this project are temporary in nature and involve no permanently constructed features or installations.

5-1002 C. Public Facilities

Adequate public facilities and services shall exist or shall be provided to serve any reviewable Use including, but not limited to, roads, potable water, sewer, solid waste, parks, police, fire protection, emergency medical, hospital and medical, drainage system and schools.

There are no segments of the existing public roads that will need improvement prior to use by Highbury Resources Inc. for this project.

5-1002 D. Bond Requirement

A bond may be required, as a condition of any reviewable Use permit as deemed necessary by the Board of Commissioners or the Planning Commission, sufficient to cover the cost of Site remediation and/or satisfaction of the other conditions and requirements.

A reclamation bond will be required as designated by the CDRMS to cover the cost of reclamation conditions and weed control.

SECTION 5-11: CONDITIONAL USES ON FEDERAL LANDS

5-1101 General. This section of the Code establishes standards for review of conditional uses on Federal lands. Refer to Section 3-6 for two-step review procedures and

Section 4-7 for submission contents. This Section does not apply to Minor Facility Oil and Gas Exploration and Development on Federal Lands.

The applicant acknowledges that San Miguel County will require a Two-Step Review permitting process for Special Uses, as outlined in Section 5-10. The application has followed the application submission requirements provided by the San Miguel County Planning Department from the Pre-Application Conference Summary.

5-1102 Standards

5-1102 A. The location, size, design and operating characteristics of the proposed conditional use minimizes adverse effects, including visual impacts, impacts on pedestrian and vehicular circulation, parking, trash, service delivery, noise, vibrations and odor on surrounding properties;

5-1102 B. The conditional use is designed, located and proposed to be operated so that the public health, safety and welfare will be protected.

The operating characteristics of this project are self-contained, remote operations, far from impacting residences and neighborhoods. The impacts on pedestrian and vehicular circulation will be negligible. All trash and waste generated on the project will be removed. The impacts of noise and vibrations on surrounding properties will be negligible due to the remote location of the sites.

SECTION 5-16: MINING

The standards in this Section are intended to mitigate the impacts of mining and mineral processing, including protecting the health, safety and welfare of persons residing in the vicinity and of persons traveling on roads, streets and highways in San Miguel County utilized for hauling of mined material. This Section also contains provisions to ensure that the environmental impacts of mining and mineral processing are adequately mitigated. Mining and mineral processing operations are also subject to the special use permit provisions of Section 5-10.

5-1601 Applicability

The standards and requirements in this Section 5-16 shall apply to all mining and mineral processing operations required to obtain special use permit approval from the County, including any expansion of existing mining and/or mineral processing operations. Mining and mineral processing operations also are subject to applicable review requirements for Activities of Local and State Interest, as set forth in Section 5-4, and for Wetland Areas, as set forth in Section 5-22.

5-1602 Mitigation of Impacts

All on-site and off-site impacts shall be adequately mitigated to protect the health, safety and welfare of persons in San Miguel County and to protect the integrity and appearance of the natural environment. Consideration shall be given to site-specific environmental assessments and mitigation plans approved by the appropriate Federal agencies and/or the Colorado Division of Minerals and Geology and/or the Colorado Department of Health. However, compliance with such plans, as well as additional mitigation, may be required by the County

as part of the special use permit review process. Such mitigation may include, but is not limited to, revegetation, dust control, noise control, visual screening, limitations on hours of operations, truck haul routes and traffic volumes.

5-1603 Enforcement of State and Federal Regulations

In the event that the County discovers that applicable state and/or federal regulations pertaining to a specific mining activity in San Miguel County have not been adequately enforced by the appropriate agency or organization, the Board of County Commissioners may require the mining activity to comply with any and all terms of such regulations. If such regulations are not complied with, the Board of County Commissioners may order such mining activity to cease and desist.

There are currently no active mining or mineral processing operations on the site. This project proposes to conduct mineral prospecting activities which are not considered to be mining or mineral processing.

The project has been developed in coordination with the Colorado DRMS and the Tres Rios Field Office of the BLM with respect to environmental assessment and mitigation.

5-1604 Traffic Impacts and Highway Access

Mining (including sand and gravel operations) and mineral processing shall be limited to the greatest extent possible to areas where the surrounding road, street and/or highway network can accommodate heavy truck traffic. In no event shall a proposed operation be permitted where the carrying capacity of the surrounding road, street and/or highway network is exceeded by existing traffic volumes, or would be exceeded by projected or proposed traffic volumes.

Traffic associated with these operations is low volume. The surrounding road infrastructure can accommodate the proposed traffic with little-to-no impact to current levels of traffic circulation.

5-1605 Additional Notice Requirements

In addition to the notice requirements set forth in Section 3-9, applicants for approval of mining and mineral processing operations shall also be required to provide written notice of a pending application by mailing such notice first class, postage prepaid, no less than 20 days prior to the scheduled meeting date to all owners of property within 1,500 feet of the subject property, and to all municipalities within 3 miles of the subject property.

SECTION 5-320 West End (WE) Zone District

5-320 A. Purpose

The West End (WE) Zone District is intended to preserve large, relatively remote areas of western San Miguel County for resource, agricultural, open space, and recreational purposes, while protecting private property rights. These areas currently have minimum public facilities and services and are considered premature for substantial development. Development activities in these areas shall be encouraged to preserve historical, archeological and natural

resources and landmarks, while allowing individuals the right to farm and ranch, using the necessary resources desired and needed with as little intrusion as possible on property rights.

Development Permits are not required in the WE Zone District except for Oil and Gas Exploration and Development.

5-320 K. Review Standards for all WE Zone District Special Uses

All special uses shall:

I. Be consistent with the County Master Plan, the County Land Use Policies in Article 2 and the purpose of the WE Zone District;
II. Be consistent with and compatible with the character of the immediate vicinity of the parcel proposed for development and surrounding land uses, and/or shall enhance the mixture of complimentary uses and activities in the immediate vicinity of the parcel proposed for development;
III. Be designed, located and operated so that the public health, safety and welfare will be protected;
IV. Be located, designed and operated to minimize adverse effects, including impacts on scenic quality, pedestrian and vehicular circulation, parking, trash, service delivery, noise, vibration and odor on surrounding properties;
V. Provide adequate public facilities and services to serve the special use, including but not limited to roads, adequate water supply in terms of both quality and quantity, sewer, solid waste and fire protection;
VI. Not substantially adversely affect agriculture or ranching operations and residences;
VII. Only include roads, utilities and associated structures that bear logical relationships to existing topography and minimize cuts and fills; and
VIII. Be consistent with the historic rural and agricultural character of the West End. Input from neighbors shall be considered by the County in determining consistency.

The proposed project location is within the West End Zone District and the land use is consistent with the purpose of the Zone District. No activities proposed for this exploratory boring program are anticipated to affect the access, functionality, safety or condition for any public land users.

Public Noticing
A Notice of Public Meeting was published in the Telluride Daily Planet and in the Norwood Post on Friday, March 15, 2024 for the Planning Commission public meeting to be held on-line and in person on Thursday, April 4, 2024. A Public Notice sign was posted at the intersection of SH 141 and CR 12S by the Applicant on March 1, 2024 for the Planning Commission public meeting; there were no accessible posting locations closer to the site that would have provided effective notice. Pursuant to LUC Section 3-903 C, the applicant mailed written notice to all owners of record located within 500 feet of the subject property on or about February 15, 2024, 2024.

Referral Agents
The application was referred to the County Manager, County Attorney, County Road and Bridge, **County Natural Resources**, County Open Space and Parks, County Sheriff, Colorado Department of Public Health & Environment, Colorado Division of Reclamation, Mining and Safety, US Bureau of Land Management (BLM), and **Colorado State Parks & Wildlife** for review and comment. The application was also sent to the Great Old Broads for Wilderness, Information Network for Responsible Mining and Sheep Mountain Alliance.

Referral Agency Comments
Colorado Parks and Wildlife Nucla District Manager, Tony Bonacquista states that the Slick Rock area provides habitat for numerous species and is mapped winter range and severe winter range for both mule deer and elk. Golden eagles may be nesting in cliffs within ½ mile from the proposed activities, and CPW recommends that eagle nest surveys be conducted before the proposed activities take place. The low yearly precipitation rate in addition to surface disturbance contributes to overall slow recovery of range health. It recommends that new routes be minimized to the extent possible and reclaimed. CPW recommends that historic roads be utilized to the greatest extent possible and that applicant reclaim all surface disturbances. CPW consistently recommends that no permitted activities occur from December 1 to April 30 in order to minimize impacts to wintering mule deer and elk.

San Miguel County Natural Resources Director, Starr Jamison requested that drilling operations avoid ground disturbing activity that would affect the Naturita Milkvetch and Gypsum Valley Catey within the Slick Rock Potential Conservation Area.

Project operations are proposed outside of pinion-juniper and sage brush resources. Applicant states it will actively avoid disturbing vegetation.

Public Comments
Great Old Broads for Wilderness, Sally Sharp provided an on-line petition in opposition to exploratory drilling and uranium mining in Slick Rock Canyon, for which signatures were collected all over Colorado.

Cachuma Ranch Co. LLC, Kathryn Wilder, a resident of Disappointment Valley raised concerns regarding the health of her family, cattle and land since the drill hole sites are close to the ranch's northern and western fence lines. She states that land disturbance may impact water flow, and the traffic and noise will impact their grazing cattle and her family.

Mason Osgood, Sheep Mountain Alliance Executive Director, Jennifer Thurston, Information Network for Responsible Mining Executive Director, and Jennifer Singer, Great Old Broads for Wilderness, commented that the proposed drilling activity should be restricted to non-winter months to protect nesting or brooding species and the project area has unsurveyed cultural and archaeological resources. The Dolores River National Conservation Area (NCA) boundary is adjacent to Slickrock drill sites, and currently one on the project drilling locations is within the Dolores NCA boundaries.

Sample Motion:

I move to recommend to the San Miguel County Board of Commissioners to approve a Mining Special Use Permit (SUP) for Newburry Resources Inc. or its contractor, for mineral exploration from drill pads on unpatented mining claims under Bureau of Land Management (BLM) public lands located in the Slick Rock area in west San Miguel County, based on the finding that the proposed use is consistent with the County Master Plan, and with the Land Use Policies in LUC Section 2-8, Natural and Man-Made Hazard and Resource Area; LUC Section 2-11, Erosion; LUC Section 2-34, Revegetation with Native Species; LUC Section 2-35, Mining and Mineral Processing Operations, and complies with the Land Use Code review standards in Section 5-407 Wildlife Habitat Areas; Section 5-10, Special Uses; Section 5-11, Conditional Uses on Federal Lands; and Section 5-16, Mining; and Section 5-320 K, Review Standards for WE Zone District Special Uses, subject to the following specific terms and conditions:

1. The Special Use Permit is issued to the Applicant, Newbury Resources Inc., and does not run with the Land.
2. No future mining activity at the project site by Newbury Resources Inc., its lessees, or the property owners or its lessees is authorized by this approval.
3. Contact the Planning Department, Road and Bridge Department and County Sheriff's Office prior to mobilization of and the start of drilling activities.
4. Provide a list of onsite contacts for Newbury Resources Inc. and the drilling project contractor.
5. This Special Use Permit conditional approval is subject to the terms and conditions of the Notice of Intents approved by the Bureau of Land Management (BLM) and Colorado Division of Reclamation and Mining and Safety (CDRMS) concerning this drilling program.
6. The project drilling program and reclamation plan shall be consistent with and comply with the applicable provisions as approved by the County, unless specifically modified in the BLM and CDRMS approval action.
7. Provide monthly progress reports to County Planning.
8. All written representations of the applicant, in the original submittal and all supplements, are deemed to be conditions of approval except to the extent modified by this approval.
9. Exploration activities shall be limited to summer 2024, and shall end no later than November 30.
10. The County shall be informed of any cultural resources discovered in the course of work. Pads and road disturbance should avoid any areas with cultural resources. All appropriate mitigation measures shall be taken to protect cultural resources.
11. The revegetation plan shall include best practices to maximize available water.
12. Provide documentation regarding the water source(s) for the project.

Project Narrative

Highbury Resources Inc. is applying for a Special Use Permit from San Miguel County for mineral prospecting, in specific, Uranium and Vanadium minerals.

Uranium is a key component in nuclear power generation; a proven, safe, reliable, zero-baseload power source. Domestically sourced fuels for energy production have taken on paramount importance for the security and resilience of the U.S. energy portfolio. With the growing national portfolio of renewable energy sources, there is a growing demand for stable baseload power generation. Uranium is the highest energy density and lowest carbon emitting fuel available with a proven track record of substantial power supply to the nation. Producing our uranium domestically is the best way to ensure fuels are produced via both environmentally and socially responsible means.

There are many legitimate concerns about the environmental impacts, regulatory oversight, safety controls, mitigation strategies, and reclamation efforts associated with the historical US uranium industry. Outstanding liabilities remain at hundreds of abandoned sites across the nation, nodding to times when regulations favored profits, not people or the planet. The uranium industry of today is committed to doing things differently, with value in transparency, and applying new methods and technology to help fix some outstanding legacy issues along the way.

Among the benefits of domestically sourced fuels is the high standards of regulatory oversight which prioritizes protection of people, air quality, water quality, wildlife, and sensitive historical and cultural resources. Domestic consumers have no control over the environmental and social implications associated with foreign sourced fuels. Another advantage of domestic energy projects are the domestic jobs with competitive wages and benefits, which boost local economies and communities, feeding families, and lighting homes.

Vanadium is classified by the U.S. as a critical mineral, and while its primary use is as an alloying agent for high grade metal products, it may prove to play a significant role in new battery technology which is an important factor towards the effort to modernize and electrify the fossil-fuel dependent global transportation network.

This permit application does not propose a mining or mineral processing operation. This application is to conduct a small exploratory drilling campaign (mineral prospecting) in order to verify (or disprove) the presence of Uranium and Vanadium minerals at the Slick Rock mineral property. An additional goal of the project would be to identify the presence of and preliminarily assess the hydrogeologic characteristics of potential groundwater aquifers in the project area.

The proposed mineral prospecting activity is an in-field exploratory drilling program. This program consists of 27 potential drill hole locations; of which, no more than 20 will be selected for pad construction and drilling. The potential pad/drill hole locations are shown on **Map Figure 1 – Access and Drill Hole Map**, uploaded under **Vicinity Map**.

The proposed drill pads are small sites, approximately 1,000 square feet each, and will be reclaimed and revegetated. A small diameter test hole will be drilled at each pad location. The holes will be evaluated with a geophysical probe before plugging and abandonment following the procedures outlined in the Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for Hard Rock, Metal, and Designated Mining Operations.

If a groundwater aquifer is encountered during the project, a subset of the holes may be selected for conversion to monitoring wells before abandonment. These monitor wells would be used to gather baseline hydrogeologic data at the site. A proposal to convert test holes to monitoring wells will be presented to the Colorado DRMS, Colorado State Engineer, BLM, and San Miguel County, if favorable hydrologic conditions are encountered. Current hydrologic conditions (including depth to groundwater) are unknown. Due to the lack of existing hydrologic data, we cannot predict which locations might be suitable monitor well locations until initial drilling takes place.

Topsoil will be salvaged from the drill pads and stockpiled prior to drilling. After the drill holes are properly abandoned, the topsoil will be distributed across the disturbance site and a native seed mixture will be applied to the sites.

Seasonal wildlife recommendations suggest a work season beginning after May 1st and concluding before December 1st. The actual start date is subject to obtaining all necessary approvals, as well as contractor availability. Highbury intends to conduct the program in the summer of 2024. The expected duration of the project is two to three weeks of on-site activity.

The total disturbance area of the project is anticipated to be 0.46 acres. No necessary access road improvements have been identified at this time. Highbury Resources plans to apply for a permit from San Miguel County Road and Bridge Department as a contingency to address any unanticipated road repairs which may arise during this project.

All operations will adhere to all applicable County, State, and Federal laws, codes, rules, and regulations.

4-202 Required Background Information

All proposed drilling will occur on public land administered by the Bureau of Land Management's Tres Rios Field Office (BLM). The project was approved by the BLM on December 7, 2023.

4-203 Parcel Description

State of Colorado, San Miguel County, 6th Principal Meridian, Township 44 North, Range 18 West, (Parts of) Sections 23, 26, 27, 28, 29, 33 and 34.

These BLM Lands are located approximately 24 miles north of Dove Creek, CO.

4-206 Standards Report

Highbury Resources has reviewed the applicable review standards provided in the Pre-Application Conference Summary, specifically Sections 5-10, 5-11, 5-16, 5-4, 2-8, 2-11, 2-28, 2-34 and 2-35 of the San Miguel County Land Use code.

It is the applicant's belief that the proposed mineral prospecting project complies with the applicable standards within the cited code sections. The applicant acknowledges and agrees to adhere to the applicable policies and procedures outlined in the San Miguel County Land Use code.

Section 5-10

The applicant acknowledges that San Miguel County will apply a Two-Step Review permitting process for Special Uses, as outlined in Section 5-10. The application has followed the application submission requirements provided by the San Miguel County Planning Department from the Pre-Application Conference Summary.

This project is a mineral prospecting operation within a historical mining district located on a historically mined property. The proposed Special Use is consistent, compatible, and aligned with both the character of the neighborhood and the land use policies of the West End Section of the San Miguel County Comprehensive Development Plan.

This project includes the drilling, sampling, plugging, and abandoning of test holes; as well as the reclamation of those 20 small drill sites, in a remote and sparsely populated portion of the County.

The sites are accessible from existing road infrastructure. Traffic impacts will be minimal, with only a few crew vehicles traveling to and from site, and up to three loads with a DOT-legal water truck per day. Work will be limited to only daylight hours.

Adverse impacts will be minimal and all necessary mitigation efforts will be implemented on an as-needed basis. The visual impacts involved with this project are temporary in nature and involve no permanently constructed features or installations.

Section 5-11

The operating characteristics of this project are self-contained, remote operations, far from impacting residences and neighborhoods. The impacts on pedestrian and vehicular circulation will be negligible. All trash and waste generated on the project will be removed. The impacts of noise and vibrations on surrounding properties will be negligible due to the remote location of the sites.

Section 5-16

There are currently no active mining or mineral processing operations on the site. This project proposes to conduct mineral prospecting activities which are not considered to be mining or mineral processing.

The project has been developed in coordination with the Colorado DRMS and the Tres Rios Field Office of the BLM with respect to environmental assessment and mitigation.

Traffic associated with these operations is low volume. The surrounding road infrastructure can accommodate the proposed traffic with little-to-no impact to current levels of traffic circulation.

Section 5-4

BLM specialists in Archeology and Wildlife Biology have reviewed the project regarding archeological resources and wildlife habitat. These findings concluded that the project locations are effectively removed from archeological resources and by applying seasonal timing recommendations impacts to winter wildlife concentration areas can be avoided.

If new archeological artifacts or resources are encountered, they will be left undisturbed and reported to the BLM Archeologist.

Activities will be conducted in compliance with Section 5-405 and 5-407 of the San Miguel County Land Use Code.

A Rare Plant & Wildlife Survey Report was conducted for the Slick Rock Uranium Mine site by Peak Ecological Services, LLC. This report is included within **Environmental Reports.**

Vegetation removal will be minimized, and all disturbed areas will be seeded with beneficial native species.

Wildlife habitat areas are shown on **Map Figure 3 within Environmental Reports**.

Some of the drill holes fall within the boundaries of Desert Bighorn Sheep Production Area, Desert Bighorn Sheep Winter Concentration Area and/or Mule Deer Winter Concentration Area. Operations will not be conducted during the recommended periods of seasonal avoidance (December 1-May 1) associated with the identified habitat categories.

Section 2-8

At completion of the project, no new natural or man-made hazards will remain at the project site.

Section 2-11

No erosion issues are anticipated due to the generally flat lying nature of the drill hole locations. However, if deemed necessary, straw wattles and/or sediment fencing can be deployed to mitigate the possibility of stormwater erosion. Re-establishing vegetative cover is the highest priority measure to reduce the chances of erosion.

Section 2-28

The review conducted by the BLM archeologist found no known conflicts between archeological resources and the planned drilling locations. If archeological resources are encountered during the project, work will be halted at that location and the BLM archeologist will be notified immediately.

Section 2-34

Operations will comply with the County policy to prevent weed infestations and to ensure revegetation with native species.

Section 2-35

No mining or mineral processing operations are proposed under this Special Use Permit Application. However, mineral prospecting is an associated initial phase activity in most mining operations. According to the San Miguel Comprehensive Development Plan, mining operations are consistent with the permissible land use policies identified for the West End Zone of San Miguel County.

4-208 Site Plan

See **Map Figure 1 – Access and Drill Hole Map**, uploaded under **Vicinity Map**

Description of Activities:

This is an in-field exploratory drilling program to collect geologic information related to uranium mineralization in multiple roll front style deposits throughout the area.

The estimated date of commencement is after May 1st with a completion date before December 1st.

Activities include preparation of drilling locations, exploration using mud rotary methods, data collection, reclamation of the drill sites, and minor repairs to any damages to the access roads.

From the existing two-track roads, drill sites will be accessed by selecting dispersed single use cross country access routes. The routes will be selected to avoid drainage bottoms, heavily vegetated areas, wetlands, and areas of soft ground. Multiple passes of exploration support equipment will be avoided to prevent rutting or formation of new off-road trails. This approach is proposed to minimize ground disturbing activities typically associated with access road construction.

The proposed drill locations will be equal to or less than 25'x 40', small sites, requiring no more than 1,000 square feet per pad. The topsoil will be stripped and stockpiled within the drill pad footprint. Topsoil will be removed to an adequate depth to capture the O, A, and E soil horizons, or to a maximum depth of 1 foot (whichever is less). This work will be conducted with a backhoe.

Drill sumps, also described as mud pits, will be used as the holes are expected to be wet. The pit dimensions are 4' wide, 8' long, 6' deep. The drill cuttings will be contained within the sump and ultimately buried below grade inside the pad footprint. Additional space within the pad will be used for the drill hole collar and allow for a work area that is adequate to capture and contain any spilled circulation fluids.

Circulation fluids will consist of water supplied from a water truck as well as Bentonite based drilling mud additives.

There are 27 possible drill hole locations (**Map Figure 1)**. No more than 20 holes will be drilled (hole diameter 6", maximum depth 1200').

Three or four of the exploration drill holes (test holes) could be converted into groundwater monitoring and observation wells to establish baseline aquifer parameters. These holes would only be converted if expressed consent was given through the appropriate authorities. Additionally, monitor wells would need to be permitted with the State Engineer

by filing a notice of intent and would adhere to the Construction Standards outlined in 2 CCR 402-2 Section 14.3.

Fuel will be stored in vehicle tanks. No bulk fuel will be stored on site. If freezing temperatures exist during the project, propane for equipment heating and thawing will be stored in 5-gallon portable tanks and held in an enclosed trailer or a truck bed, when not in use. Powdered bentonite drilling fluid additives will be stored in the manufacturer's retail paper sacks, stacked on a pallet, and placed on a portable flatbed protected with plastic or tarpaulin material. Drilling water will be stored in truck-mounted 2,000-to-4,000-gallon water tanks and hauled to the drill sites.

Equipment to be used during prospecting operations includes:

1-2 rubber-tired backhoe loaders. Cat 420 or similar.
1-2 rubber-tired truck-mounted drilling rigs. DOT legal highway weight.
2-3 2,000-to-4,000-gallon water trucks. DOT legal highway weight.
One enclosed trailer for parts and tool storage.
One flatbed trailer for covered dry material storage.
One highway legal pickup truck for geophysical logging.
4-6 highway legal passenger vehicles for crew transportation, support, and project supervision.

All equipment not immediately involved with exploration will be staged along existing two-track access roads and/or previously disturbed non-vegetated areas near pad sites.

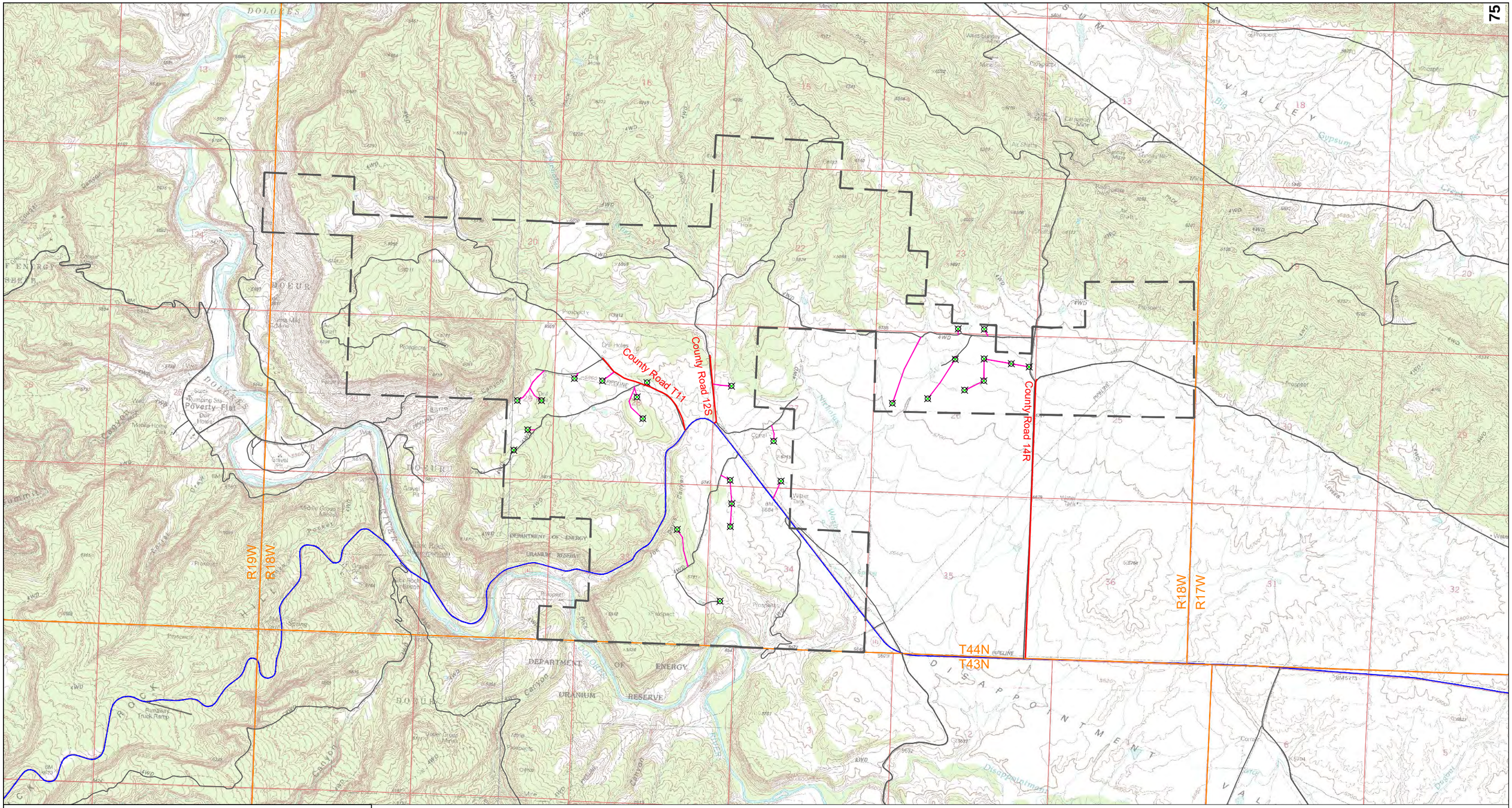
No drill holes are in the vicinity of flowing streams or water bodies. Test holes are expected to penetrate a single unconfined groundwater aquifer (Type II or Type III). Any test hole which encounters artesian flow of groundwater will be plugged with neat cement grout. Any test hole which encounters a groundwater aquifer will be sealed using a sodium bentonite-type gel developed for use as an abandonment fluid. Any test hole that does not encounter groundwater and is developed by air-rotary methods will be abandoned by backfilling the hole with dry drill cuttings and installing a manufactured plug approximately 5 feet below the surface. The top 5 feet will be filled with surrounding surficial materials.

The plugging and abandonment of exploration drill holes will adhere to the recommended procedures of the Code of Colorado Regulations, within Section 5.4 of the Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for Hard Rock, Metal and Designated Mining Operations.

As mentioned above, mud pits will be used to manage and contain circulation fluid. The sump/mud pit will be excavated within the footprint of the drill pad, with the material removed (spoils) also contained within the drill pad footprint. The excavated spoils will be isolated and clearly differentiated from the topsoil stockpile. Following completion of the drilling, the sump pits will be backfilled using the excavated spoils and drill cuttings.

Reclamation of drill sites consists of the pads being graded to their original contours, previously stripped topsoil evenly re-distributed to cover the area of disturbance, followed by seeding of native plant species for optimal revegetation.

All drill pads and off-road access trails will be reclaimed. Ripping or scarification of compacted soils will be performed if necessary. All disturbed roads and pads will be contoured to promote positive drainage and aesthetic blending with the surrounding terrain. Disturbances related to off-road access or drilling operations will be seeded to promote growth of native vegetation.



HIGHBURY RESOURCES INC
SLICK ROCK
SAN MIGUEL COUNTY, COLORADO

DRAWING NAME: SLICK ROCK EXPLORATORY DRILL HOLES

DRAWN BY: AES	REVISION NO.	DATE	BY	
DATE DRAWN: 1/9/2024				
CHECKED BY: H HUTSON				DRAWING NUMBER:
DATE LAST PLOT: 2/7/2024				**Figure 1**
CAD FILE: \\BRSINCSERV\Uranium\ANFIELD\CAD\SLICK ROCK 2023\2023 POO				

LEGEND

- PROJECT BOUNDARY
- COLORADO STATE HIGHWAY 141
- SAN MIGUEL COUNTY ROAD
- SMALL ROAD OR TWO TRACK
- APPROXIMATE OFF ROAD ACCESS ROUTES
- SECTION LINES
- TOWNSHIP LINES
- PROPOSED DRILL HOLE LOCATIONS

3,000' 0 1,500' 3,000'

1 inch = 3,000 ft

Wetlands taken from the ArcGIS "USA Wetlands" layer, produced by the US Fish and Wildlife Service. Wildlife areas taken from ArcGIS files linked on the document "Colorado Parks and Wildlife's (CPW) Recommendations to Avoid and Minimize Impacts to Wildlife from Land Use Development in Colorado".

R19W R18W R18W R17W T44N T43N

HIGHBURY RESOURCES INC
SLICK ROCK
SAN MIGUEL COUNTY, COLORADO

DRAWING NAME: SLICK ROCK WILDLIFE AREAS

DRAWN BY: AES	REVISION NO.	DATE	BY	
DATE DRAWN: 1/9/2024				
CHECKED BY: H HUTSON				DRAWING NUMBER:
DATE LAST PLOT: 2/2/2024				**FIGURE 2**
CAD FILE: \\BRSINCSERV\Uranium\ANFIELD\CAD\SLICK ROCK 2023\2023 P00				

LEGEND

- PROJECT BOUNDARY
- MAIN ACCESS ROAD
- SMALL ROAD OR TWO TRACK
- APPROXIMATE OFF ROAD ACCESS ROUTES
- SECTION LINES
- TOWNSHIP LINES
- PROPOSED DRILL HOLE LOCATIONS
- RIVER OR WETLAND AREA
- BIGHORN SHEEP PRODUCTION AREA
- BIGHORN SHEEP WINTER CONCENTRATION AREA
- ELK WINTER CONCENTRATION AREA
- GUNNISON SAGE GROUSE PRODUCTION AREA
- MULE DEER WINTER CONCENTRATION AREA

3,000' 0 1,500' 3,000'

1 inch = 3,000 ft

NOTE: No municipalities lie within 3 miles. Only one parcel of private land lies within 1500 feet of the proposed drill holes. Non-shaded area of the map is BLM land.

James Ranch Agriprises LLLP

Dufficy John & Heizer Molly JT

Crocker-Bedford Dennis Coleman & Crocker-Bedford Kara Lynn AS JT

Umetco Care of Dow Chemical

Suckla Jimmy G

DOE

BLM

James Ranch Agriprises LLLP

Redd Paul D

Umetco Mineral Corporation

Dufficy John & Heizer Molly JT

Umetco Mineral Corp

Gold Eagle Mining Inc

Randolph

Umetco Mineral Corp

Redd Paul D

Mary E

Cachuma Ranch Co LLC

R19W

R18W

James Ranch Agriprises LLLP

Randolph Mary E

Lost Canyon Consulting LLC

Farley Robert D & Virginia K

James Ranch Agriprises LLLP

R18W

R17W

T44N

T43N

Suckla Steven M & Pamela JT

HIGHBURY RESOURCES INC
SLICK ROCK
SAN MIGUEL COUNTY, COLORADO

DRAWING NAME: SLICK ROCK DRILLING TAX PARCELS

DRAWN BY: AES	REVISION NO.	DATE	BY	
DATE DRAWN: 1/9/2024				
CHECKED BY: H HUTSON				DRAWING NUMBER:
DATE LAST PLOT: 2/2/2024				FIGURE 3

CAD FILE: \\BRSINCSERV\Uranium\ANFIELD\CAD\SLICK ROCK 2023\2023 POO

LEGEND

- PROJECT BOUNDARY
- MAIN ACCESS ROAD
- SMALL ROAD OR TWO TRACK
- TAX PARCELS PRIVATE LAND
- APPROXIMATE OFF ROAD ACCESS ROUTES
- SECTION LINES
- TOWNSHIP LINES
- PROPOSED DRILL HOLE LOCATIONS
- 1500' BUFFER

3,000' 0 1,500' 3,000'

1 inch = 3,000 ft

4-205 Legal Access

Access to the proposed drill hole locations is available via Colorado State Highway 141 and various County roads as well as existing two-tracks on public land. No private lands will be crossed, and no use of private roads is required, to access the project.

See *Slick Rock Access and Drill Hole Map* – **Map Figure 1**

4-204 Disclosure and Proof of Ownership

The project area is located on public land administered by the U.S. Department of the Interior, Bureau of Land Management, overseen by the Tres Rios Field Office.

Highbury Resources holds unpatented mining claims located upon the subject lands through an agreement with URANIUM ENERGY CORP.

See *Claim Agreements*

4-210 Revegetation Plan

Highbury Resources will comply with San Miguel County policy outlined in Section 2-34 to ensure that all surface disturbances will employ best practices of salvaging and redistributing topsoil on the disturbance areas. The sites will be revegetated with native plant species as approved by the BLM.

Ripping of compacted soils followed by smoothing to original contours will be conducted where needed. All disturbances related to the operation will be seeded.
Seeding will consist of hand broadcasting followed by hand raking or dragging with a chain drag/harrow behind an ATV.

The table below represents the BLM approved seed mixture along with application rates.

Common Name	Species Name	Variety	Seeds/lb	seeds/sq ft /#	% of Mix	% PLS/lb	lb/ac
Indian ricegrass	Achnatherum hymenoides	Rimrock	141,000	3.2	60	100	14.8
Squirrel tail	Elymus elymoides	Bottlebrush	192,000	4.4	10	100	1.8
Blue grama	Chondrosum gracile	Alma	825,000	18.9	10	100	0.4
Needle and Thread	Hesperostipa comata	VNS	115,000	2.6	10	100	3.0
Mutton grass	Poa fendleriana	VNS	1,045,440	24.0	10	100	0.3

4-211 Weed Control Plan

Highbury Resources will comply with Section 2-34 of the San Miguel County Land Use Code and Rule 3.1.10 concerning revegetation within the Reclamation Performance Standards stated in the Colorado Mined Land Reclamation Board's Mineral Rules and Regulations for Hard Rock, Metal and Designated Mining Operations.

All equipment will be pressure-washed prior to mobilization to the site.

If noxious weeds are identified, best control measures will be conducted in coordination with the Bureau of Land Management and the Vegetation Control and Management Department of San Miguel County.

Disturbance areas will be minimized to the smallest footprint necessary to conduct drilling operations.

All disturbed areas will be reseeded as soon as possible. Weed-free native seed will be utilized for reseeding.

Weed control and revegetation is included with the project bonding held by the Colorado Division of Reclamation, Mining and Safety which has been accepted and approved by the BLM.

RARE PLANT & WILDLIFE SURVEY REPORT

SLICK ROCK URANIUM MINE



September 2023

San Miguel County, Colorado

Prepared for:
US Bureau of Land Management
Tres Rios Field Office
29211 Highway 184, Dolores, CO 81323

Anfield Resources Holding Corp.
10808 S. River Front Parkway, Suite 321
South Jordan, UT 84095

Prepared by:
Peak Ecological Services, LLC
301 Boulder Canyon Drive, PO Box 827
Nederland, Colorado 80466

RARE PLANT & WILDLIFE SURVEY REPORT

SLICK ROCK URANIUM MINE

San Miguel County, Colorado

revision date: September 1, 2023

Summary

A rare plant and wildlife survey was conducted within the proposed 1,600-acre Slick Rock Uranium Mine located in Disappointment Valley, San Miguel County, Colorado. Field reconnaissance in 2023 confirmed the lack of habitat for federally listed, proposed, or candidate wildlife and plant species. Therefore, the project will not require consultation with the USFWS. In addition, no BLM or CPW listed wildlife species were noted during comprehensive field reconnaissance during the pedestrian surveys. However, the survey did result in the identification of one new occurrence of Naturita Milkvetch (*Astragalus naturitensis*), a BLM Sensitive Species previously known from the area. However, the proposed project disturbances as currently proposed will not affect this plant.

Should ground disturbing activities be proposed outside of the existing botanical survey area, then additional rare plant surveys for the Naturita milkvetch and the Gypsum Valley Cateye should be conducted in spring, prior to June 1st. In addition, it is also recommended that ground disturbing activities commence after the migratory bird nesting season, generally after August 15. If ground disturbance is expected to occur between April 1 and August 15, then a migratory bird nest clearance survey should be conducted prior to the ground disturbing activities by a qualified biologist during the same season the disturbance is to occur.

Acknowledgement

The author gratefully acknowledges the support of the following individuals:

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1.0 Introduction

Anfield Resources Holding Corp (Anfield) has plans to mine its mineral interest within the Slick Rock development area, which is located in southwestern Colorado in San Miguel County. The project area is entirely located within lands managed by the U.S. Bureau of Land Management (BLM) Tres Rios Field Office. Specifically the project is located in Township 44 North, Range 18 West, Sections 15, 16, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 32, 33, and 34 and in Township 43 North, Range 18 West, Sections 3, 4, and 5. The purpose of this report is to document the presence of wildlife and plant species of concern to aid in project planning and to allow for compliance with federal and state laws and regulations including, but not limited to, the Endangered Species Act (ESA), the Migratory Birt Treaty Act (MBTA), the Federal Land Policy and Management Act (FLPMA), the National Environmental Policy Act (NEPA), and the Colorado State Wildlife Action Plan.

2.0 Proposed Project

Anfield anticipates drilling activities to guide the eventual reopening of the underground uranium and vanadium mine. As illustrated in Figure 2, there are a total of 27 drill holes with associated access roads that would be utilized during the initial phases of the project. In later phases of the project, additional surface disturbance would occur for structures, a water treatment facility, and two vent shafts.

3.0 Environmental Setting

3.1 Location and Landform

The Slick Rock Uranium Mine project area is in the northern portion of Disappointment Valley, located about 65 miles west of Telluride, Colorado. The project area is located in the Uravan Mineral Belt which includes Slick Rock, Gypsum, Valley, Uravan, and the Gateway mining districts. The project consists of two parcels, the west parcel, ~1,110 acres in size, and the east parcel, ~500 acres in size. The west parcel is bisected by State Highway 141 and occurs just north of the Dolores River. A portion of Joe Davis Canyon, unimproved roads, and historic mining prospect holes dot the area. The east parcel has a gentler slope which rises towards the north to small hills and sandstone rock outcrops, while the west parcel, located just north of the Dolores River Canyon supports a more undulating topography. Disappoint Valley is one of several northwest to southeast trending valleys in the region that formed from the collapse of ancient salt domes. The elevation of the project area ranges from a low of 5,700 feet to a high of 6,040 feet. The current land use is cattle grazing.

3.2 Plant Communities

The project area is located within the Shale Deserts and Sedimentary Basin Ecoregion of the Colorado Plateau (Chapman et al. 2006). This ecoregion consists of nearly level basins and valleys, benches, low rounded hills, badlands, and rock outcrops. The ecoregion is a cold desert with hot summers, cold winters, and limited precipitation. The following text describes the various plant communities observed and their dominant floristic composition. For further information on plant communities in Colorado, the reader is referred to (Decker et al. 2020).

Juniper Woodland & Savanna

Utah Juniper (*Juniperus osteosperma*) woodlands and savannah are found on the higher elevations of the project area often amongst sandstone outcrops. Common plant associates include snakeweed

(*Gutierrezia sarothrae*), Spiny greasebush (*Forsellesia meionandra*), Torrey's ephedra (*Ephedra torreyana*), needle-and-thread grass (*Hesperostipa comata*), Indian ricegrass (*Achnatherum hymenoides*), squirrel tail (*Elymus elymoides*), rose heath (*Chaetopappa ericoides*), mountain pepperweed (*Lepidium montanum*), spiny phlox (*Phlox hoodii*), and spearleaf buckwheat (*Eriogonum lonchophyllum*), and tawny cryptantha (*Oreocarya nitida*). Occasional trees of pinyon pine (*Pinus edulis*) were observed in a few areas but are not common.

Greasewood Flats

Greasewood (*Sarcobatus vermiculatus*) communities are found along the larger draws, washes, and stream terraces. The greasewood flats tend to be more heavily impacted by grazing and support low vegetative diversity. Sites typically have saline soils, a shallow water table, may flood intermittently, but remain dry for most of the growing season. However, the water table remains high enough to maintain vegetation, despite salt accumulations. This system occurs as an open to moderately dense shrublands dominated by greasewood. Other shrubs that may be present include four-winged saltbush (*Atriplex canescens*), shadscale (*Atriplex confertifolia*), and winterfat (*Krascheninnikovia lanata*). Adjacent to ephemeral stream channels, basin big sagebrush (*Artemisia tridentata* var. *tridentata*) and rubber rabbitbrush (*Ericameria nauseosus*) occasionally occur. Stock ponds, where present, additionally include dense stands of cocklebur (*Xanthium strumarium*), annual sunflower (*Helianthus annuus*), and goosefoot species (*Chenopodium* sp.).

Mixed Low Sagebrush Shrubland

These open shrublands and steppe occur in canyons, gravelly draws, hilltops, and dry flats. characterized by Bigelow sage (*Artemisia bigelovii*) or black sage (*A. nova*). Typical grass species include Indian ricegrass, purple threeawn (*Aristida purpurea*), blue grama (*Bouteloua gracilis*), needle-and-thread, and James' galleta (*Hilaria jamesii*).

Mat Saltbush Shrubland

The mat saltbush (*Atriplex gardneri, A. corrugata*) shrublands occur on lower elevations of the project area on Mancos Shale derived clay soils. Such soils tend to swell when wet, then shrink as they dry out, causing significant movement in the upper part of the soil column making it difficult for many plants to grow. Mat saltbush shrublands are considered dwarf-shrublands as they are composed of relatively pure stands of the low growing mat saltbush or Gardner's saltbush (*Atriplex gardneri*), typically with a sparse herbaceous layer. Other dwarf-shrub species that may be present include spineless horsebrush (*Tetradymia canescens*), rabbitbrush (*Chrysothamnus spp.*), and occasionally shadscale. Common graminoids and forbs include James' galleta grass, Indian ricegrass, desert prince's plume (*Stanleya pinnata*), prickly phlox, cleftleaf wildheliotrope (*Phacelia crenulata*), and sego lily (*Calochortus nuttallii*).

Semi-Desert Grassland

Dry grasslands occupy much of the project area and form a mosaic with the other vegetation communities. These grasslands are typically dominated by drought-resistant perennial grasses previously mentioned such as Indian ricegrass, blue grama, needle-and-thread, James' galleta, and purple threeawn. Scattered shrubs are often present including snakeweed, fourwing saltbush, and winterfat (*Krascheninnikovia lanata*). Common forbs include copper mallow (*Sphaeralcea coccinea*) along with prickly pear (*Opuntia polyacantha*), woolly plantain (*Plantago patagonica*), cleftleaf wildheliotrope, and tawny cryptantha (*Oreocarya nitida*).

3.3 Soils and Geology

The majority of the project area is dominated by fine sandy loams, loams, and rock outcrops. Per the USDA-National Resource Conservation Service Web Soil survey (USDA-NRCS 2023), the dominant soil map units include the Minchey fine sandy loam, 1-10% slopes (Map Unit 57); the Redlands sandy loam, 1 to 6 percent slopes (Map Unit 86), and the Farb-Rock outcrop complex, 1 to 30 percent slopes (Map Unit 40). There is also a minor component of the Killpack-Deaver loams (Map Unit 52), rock outcrop (Map Unit 87), and the Rock outcrop-Orthents complex (Map Unit 88).

The geology of the project area (Carter 1955), includes Map Unit Kd, *Dakota Sandstone*, Map Unit Km, *Mancos Shale*, and small portions of the Map Unit Kbc, the Burro Canyon Formation. There are also Quaternary Alluvium (Map Unit Qal) along Nicholas Wash which is located outside of the project footprint between the East and West Parcels. The Dakota sandstone is yellowish, lenticular sandstone and conglomerate with interbedded carbonaceous shale and impure coal while the Burro Canyon Formation is white, gray, and red sandstone and conglomerate with interbedded green and purplish shale. The Mancos shale is comprised of mostly dark gray shale but has been reported to also contain small outcrops of the Hermosa formation, which is known to have gypsiferous soils and harbor unique plant communities. See Figure 3.

4.0 Pre-Field Review

A pre-field review was conducted for the project area and included a variety of records and files from the US Fish and Wildlife Service (USFWS), BLM, Colorado Natural Heritage Program (CNHP), Colorado Parks and Wildlife (CPW), and local floras (CNHP 1997+, Lyon and Hanson 2006, Weber and Wittmann 2012, BLM 2020, Ackerfield 2022, CNHP 2022). Collectively this represents the best available science Appendices A, B, and C contain species tracking tables noting the species scientific and common names, habitat requirements, and potential for occurrence within the project area.

4.1 Federally Listed Species

An official USFWS species list was received for the project area on July 18, 2023. See Appendix A. The list includes one mammal, the Gray Wolf (*Canis lupus*); two birds, the Mexican spotted owl (*Strix occidentalis lucida*) and Yellow-billed cuckoo (*Coccyzus americanus*); four species of Colorado River fish bonytail (*Gilia elegans*), Colorado pikeminnow (*Ptychocheilus lucius*), humpback chub (*Gila cypha*), and razorback sucker (*Xyrauchen texanus*), and two insects, the Monarch butterfly (*Danas plexippus*), and silverspot (*Speyeria nokomis nokomis*). There are no federally listed, proposed, or candidate plant species present or that are expected to occur within the proposed project area. There are also no designated critical habitats for the project area. Each of the federally listed species is briefly discussed below.

Gray Wolf. The gray wolf are the largest wild members of Canidae, or dog family, and occupy a wide range of habitats. However, this species only needs to be considered if a proposed project includes a predator management program. As no such program is being proposed, this species does not need to be considered.

Mexican Spotted Owl. The Mexican spotted owl occurs in forested mountains and canyonlands throughout the southwestern U.S. and Mexico. In Colorado, the habitat for Mexican spotted owls are rocky canyons, and outside of these areas forested mountains and canyons. There is no appropriate habitat for this owl species on the project site.

Yellow-Billed Cuckoo. Yellow-billed cuckoos use wooded habitat with dense cover and water nearby, including woodlands with low, scrubby, vegetation, overgrown orchards, abandoned farmland and dense thickets along streams and marshes. There is no habitat for the yellow-billed cuckoo within the project area.

Colorado Endangered Fish Species. There are four species of Colorado River fish listed as threatened or endangered: Bonytail chub, Colorado pikeminnow, humpback chub, and the razorback sucker. None of the Colorado River fish species have suitable habitat within the project area. However, water depletions in the upper Colorado River basin can adversely affect these species and their critical habitat. Therefore, these species may need to be considered if water depletions are associated with the proposed project.

Monarch Butterfly. The monarch is a candidate species and not yet listed or proposed for listing. There are no section 7 requirements for candidate species. Milkweed plants and other flowering plants are needed for monarch habitat. While adult monarchs feed on the nectar of many flowers during breeding and migration, they can only lay eggs on milkweed plants. Only one milkweed plant observed to be present within the project area, the site is unlikely to provide any substantial habitat for this butterfly.

Silverspot. The silverspot butterfly is a subspecies that has been documented in ten populations across southwestern Colorado, eastern Utah, and northern New Mexico, ranging in elevation from 5,200 to 8,300 feet. The silverspot requires moist, open meadows with vegetation for shelter. This butterfly lays eggs on, or immediately next to, the bog violet (*Viola nephrophylla*/*V. sororia* var. *affinis*) that the larvae feed on exclusively. There is no habitat for the silverspot within the project area.

4.2 BLM Sensitive Species

4.2.1 BLM Sensitive Plant Species

Ten BLM sensitive plant species are listed as being potentially present or have been found on lands administered by the Tres Rios Field Office (BLM 2020). See Table C1 in Appendix C. However, only two species have potential to occur within the project area: Naturita milkvetch *(Astragalus naturitensis)* and the Gypsum Valley cateye *(Cryptantha revealii)*. See Table C1 in Appendix C. None of the other eight rare plants listed for the Tres Rios Field Office are known from or have habitat within the project area.

4.2.2 BLM Sensitive Wildlife

Numerous BLM Sensitive Wildlife are listed for Colorado. See Table C2 in Appendix C. However, the majority of these species do not have habitat within the project area or were not observed during field reconnaissance. Species which do have some potential include ferruginous hawk (*Buteo regalis*), which may forage over the vast expanses of ungrazed or lightly grazed grassland, Townsend big-eared bat, which occupies semidesert shrublands and pinyon-juniper woodlands; Gunnison's prairie dog (*Corynorhinus townsendii*), white tailed prairie dog (*Cynomys leucurus*), and Big Free-tailed Bat (*Nyctinomops macrotis*).

4.3 Migratory Birds of Conservation Concern

There are four species of migratory birds of conservation concern that are listed in the USFWS query for federally listed species. These include Clark's Nutcracker (*Nucifraga columbiana*), Golden Eagle *(Aquila chrysaetos*), Pinyon Jay (*Gymnorhinus cyanocephalus*), and Virginia'sWarbler (*Vermivora virginiae*). None

of these species have suitable nesting habitat present within the project area, however Golden eagles could potentially forage over the project area and Pinyon Jays could forage in the small amount of Juniper woodlands within the project area.

4.4 CPW Endangered, Threatened, and Species of Special Concern

The list of Colorado Parks and Wildlife endangered, threatened and species of special concern is listed in Table D1 of Appendix D. Of all the species present, only the northern pocket gopher (*Thomomys talpoides macrotis*), the Townsend's big-eared bat, which are both state special concern species, could potentially occur within the project area. However, no distinctive mounding of the pocket gopher was observed and bat roosting sites appear to be limited.

4.5 Colorado Natural Heritage Program PCAs

A portion of the project area is included within the CNHP's Disappointment Valley Northwest Potential Conservation Area (PCA) as well as the Dolores Canyon – Slick Rock to Bedrock PCA (Lyon and Hanson 2006), See Figure 4. PCAs highlight areas in the state contributing to Colorado's biological diversity. Their boundaries encompass rare species and natural plant communities. PCA boundaries are meant to be used for conservation planning purposes and have no legal status. The proposed boundary does not automatically recommend exclusion of all activities. Rather, the boundaries designate ecologically sensitive areas in which land managers may wish to consider how specific activities or land use changes within or near the PCA may affect the biological resources on which the PCA is based.

The Disappoint Valley PCA supports a good (B-ranked) and a fair (C-ranked) occurrence of a globally imperiled (G2/S2) plant, Gypsum Valley cateye (*Cryptantha revealii*) and an excellent (A-ranked) occurrence of a globally imperiled (G2G3/S2S3) plant, Naturita milkvetch (*Astragalus naturitensis*). The northern part of the valley floor has clay soils derived from Mancos shale. Small knolls of light gray gypsum soils of the Paradox member of the Hermosa Formation are scattered throughout the valley and provide habitat for one of the BLM Sensitive plant species, the Gypsum valley cateye (Lyon and Hanson 2006).

The Dolores Canyon – Slick Rock to Bedrock PCA supports two excellent (A-ranked) occurrences of a globally imperiled (G1G2/S1) New Mexico privet riparian shrub community (*Forestiera pubescens*) along the Dolores River, a good (B-ranked) occurrence of the Naturita milkvetch plant, Hanging garden communities (*Aquilegia micrantha - Mimulus eastwoodiae*), which are imperiled to vulnerable on a global scale (G2G3/S2S3). In addition, Paradox breadroot (*Pediomelum aromaticum*) was located near Bedrock in 1981. Paradox stickleaf (*Mentzelia paradoxensis*) is a globally imperiled plant species (G2/S2) that is historically known from this area (H-ranked occurrence).

5.0 Survey Methods

5.1 Wildlife Surveys

A habitat characterization survey was conducted by Mr. Jerry Powell, a certified wildlife biologist with Wildlife Specialties LLC in June 2023. The purpose of the survey was to look for appropriate habitat that may support migratory bird species of wildlife species of conservation concern, federally listed, BLM Sensitive, or CPW listed wildlife species. The pedestrian surveys were intuitively controlled so that the habitat most likely to support species of concern were targeted.

5.2 Botanical Surveys

Clearance surveys for rare plants of concern were conducted on August 14, 2023, by Ms. Rea Orthner of Peak Ecological Services, LLC and one assistant botanist, Ms. Alicia Langton of EcoloGIS. Ms. Orthner has a M.S. degree in botany from the University of Colorado in Boulder (1999) and has completed numerous floristic inventories and rare plant surveys in Colorado over the past two decades is an approved botanical contractor for the BLM. Ms. Langton is a former botanist with the US Fish and Wildlife Service in Grand Junction and has completed numerous rare plant studies in western Colorado. She is an authority on DeBeque phacelia (*Phacelia submutica*), a federally listed plant species known from heavy clay soils in Mesa and Garfield Counties, Colorado.

Prior to commencement of the survey, Ms. Orthner and Ms. Langton reviewed the CNHP data for the project area (Lyon and Hanson 2006, CNHP 2022). In addition, they visited known occurrences of the Gypsum Valley cateye, a BLM Sensitive species known to occur off US Highway 141 just east of the project area.

Surveys for all federally listed and BLM sensitive plant species habitat were conducted by walking along existing roads to be improved, proposed access roads and the drill sites as illustrated in Figure 2. The rare plant survey buffer extended approximately 100 feet from the center of the road or drill site but varied depending on the quality of the habitat. In areas that lacked suitable habitat, the use of binoculars greatly aided survey efforts. Once potential habitat was found, the habitat was closely and systematically searched for target plant species. Survey intensity was intuitively controlled so that a greater search effort was used in areas with the highest potential for finding target plants species or in areas with hard to detect species. If a target species was located, notes were taken on the number of individuals, habitat, associated species, slope, aspect, and any evidence of disease, predation, or injury. In addition, any rare plant occurrences were mapped by a Geographic Position System (GPS) and photographed. The extent of survey area, GPS tracks, and rare plant occurrences are within the Project File and are available upon request, pending approval from the BLM.

6.0 Survey Results

Field reconnaissance in 2023 confirmed the lack of habitat for federally listed, proposed, or candidate wildlife or plant species. Therefore, the project will not require consultation with the USFWS. In addition, no BLM or CPW listed wildlife species were noted during comprehensive field reconnaissance during the pedestrian surveys.

For plants, only one BLM listed plant species was identified during the onsite field reconnaissance. This plant is the Naturita milkvetch, which occurs on sandstone rimrock above the Dolores River. The exact location of this BLM Sensitive plant is available upon request. Potential habitat remains for the Gypsum Valley cateye, another BLM Sensitive plant, if appropriate gypsum bearing soils were to be identified within the Mancos shale geologic unit in areas not previously surveyed. See Table 1.

Table 1. Survey Results. Wildlife and Plant Species of Concern				
Species Name	Number of Occurrences	Number of Individuals	Area of Occupied Habitat	General Location
Wildlife Species & Migratory Birds				
None	n/a	n/a	n/a	n/a
Plant Species				
Naturita milkvetch *Astragalus naturitensis*	1	1	<0.001 ac	On sandstone rimrock above the Dolores River, southern boundary of west parcel.

7.0 Recommendations

The Recommended mitigation measures to minimize direct and indirect impacts to federally listed, BLM Sensitive, CPW species of conservation concern, and migratory birds include the following.

- Conduct ground disturbing activities after the migratory bird nesting season, generally after August 15. If ground disturbance is expected to occur between April 1 and August 15, then a migratory bird nest clearance survey should be conducted prior to the ground disturbing activities by a qualified biologist during the same season the ground disturbance is to occur.

- Conduct additional rare plant surveys for the Naturita milkvetch and Gypsum Valley cateye in any areas not previously surveyed. Surveys should be conducted in spring, prior to June 1st to the greatest extent practicable in order to aid in species observation.

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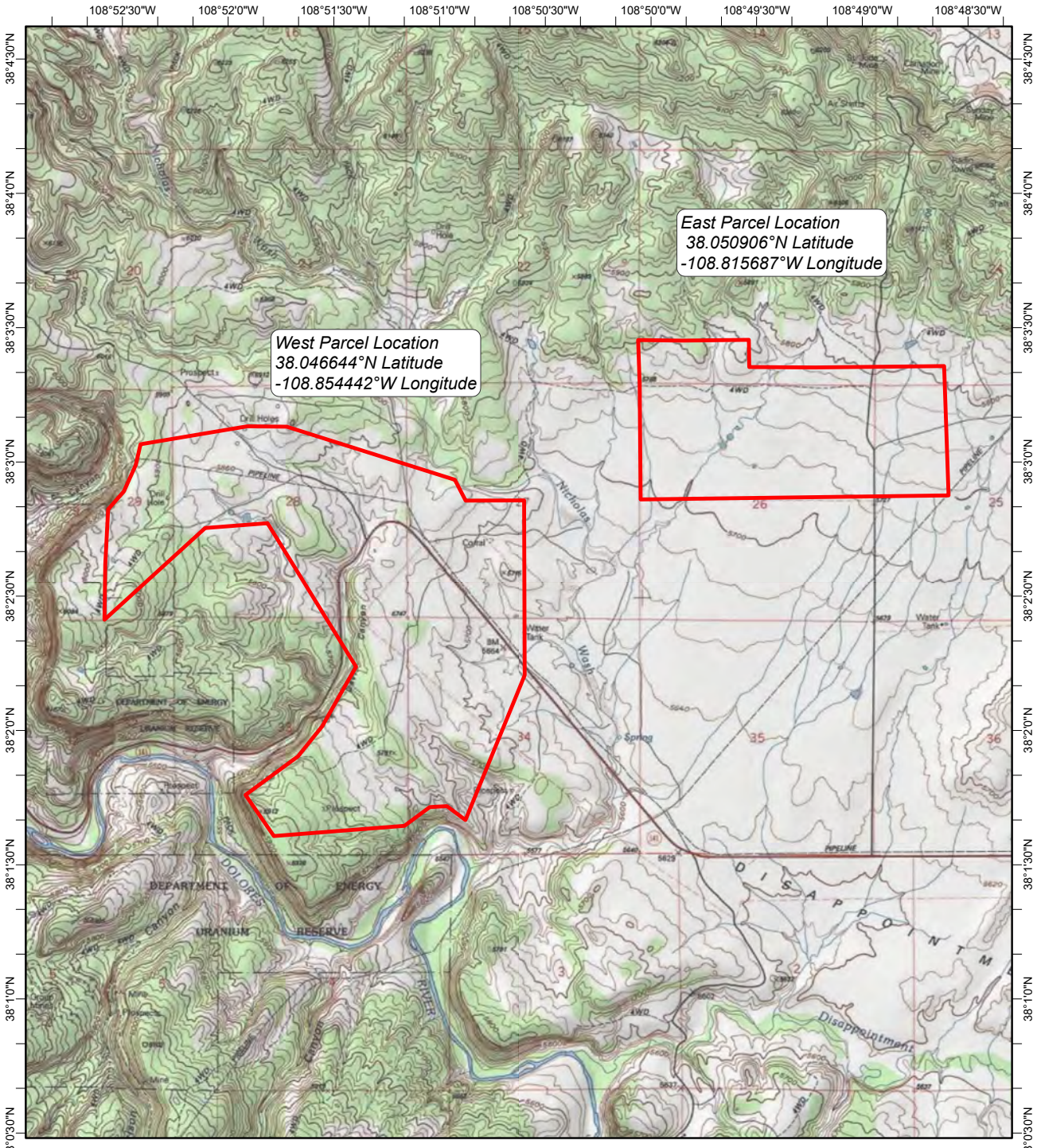
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Lyon, P., and J. Hanson. 2006. Final Report: 2005 Rare Plant Survey of San Juan Public Lands, Colorado. Colorado Natural Heritage Program, Fort Collins, CO. Downloaded from the CNHP Website, July 2023.

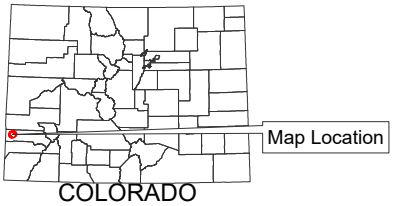
USDA-NRCS. 2023. Soil Map of the Slick Rock Uranium Mine. Prepared via Web Soil Survey. Soil Data - San Miguel Area, Colorado, Parts of Dolores, Montrose, and San Miguel Counties.

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9.0 Maps



BASE: USGS 7.5' Hamm Canyon and Horse Range Mesa, Colorado Quadrangles
Grid Lat/Long WGS 1984

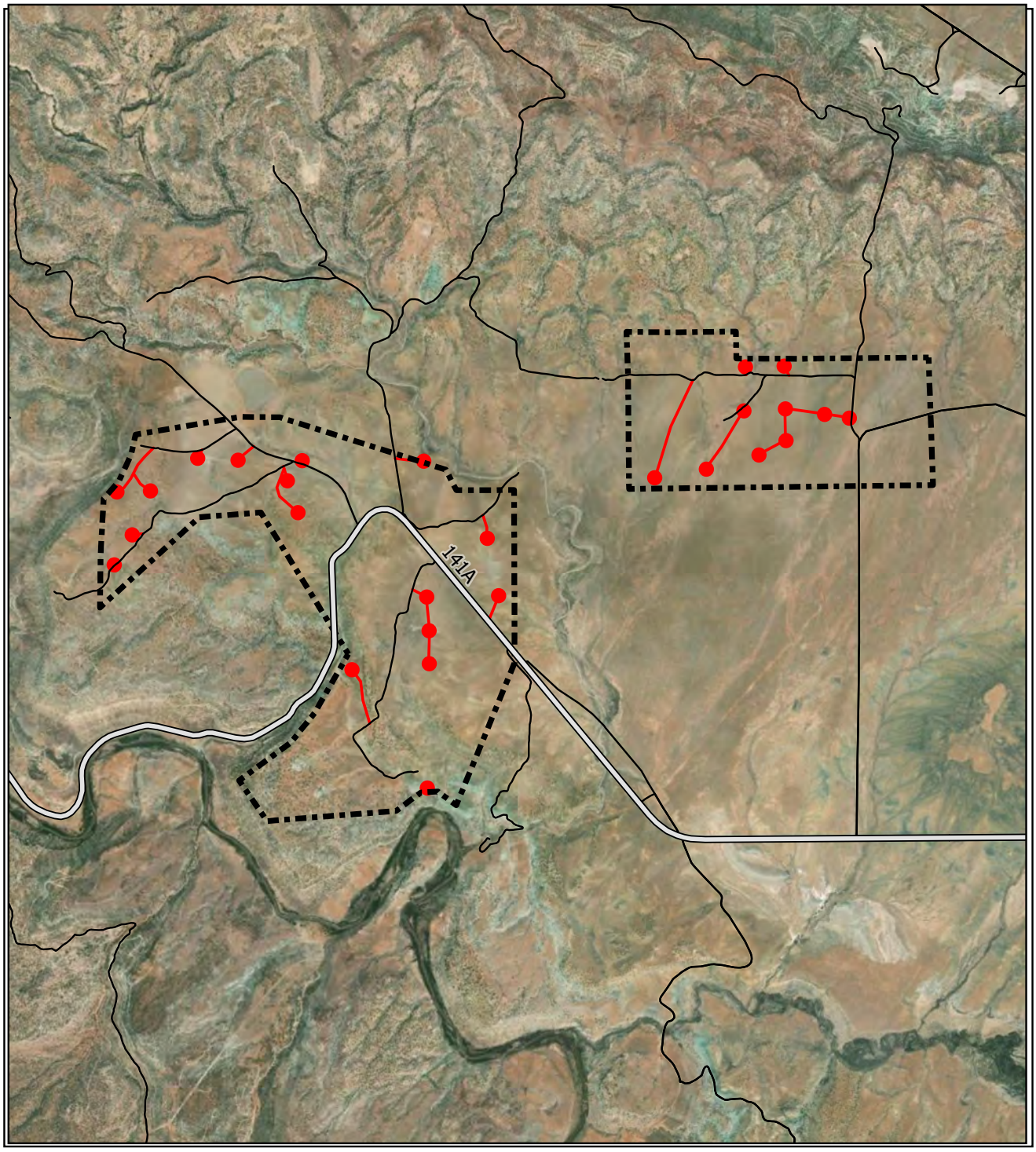




Scale: 1:48,000
1 inch equals 4,000 feet

Figure 1. Project Location Map
Slick Rock Uranium Mine
San Miguel County, Colorado

Peak Ecological Services LLC
301 Boulder Canyon Drive
Nederland, CO 80466
info@peakecological.com



BACKGROUND: ESRI WORLD IMAGERY

Legend

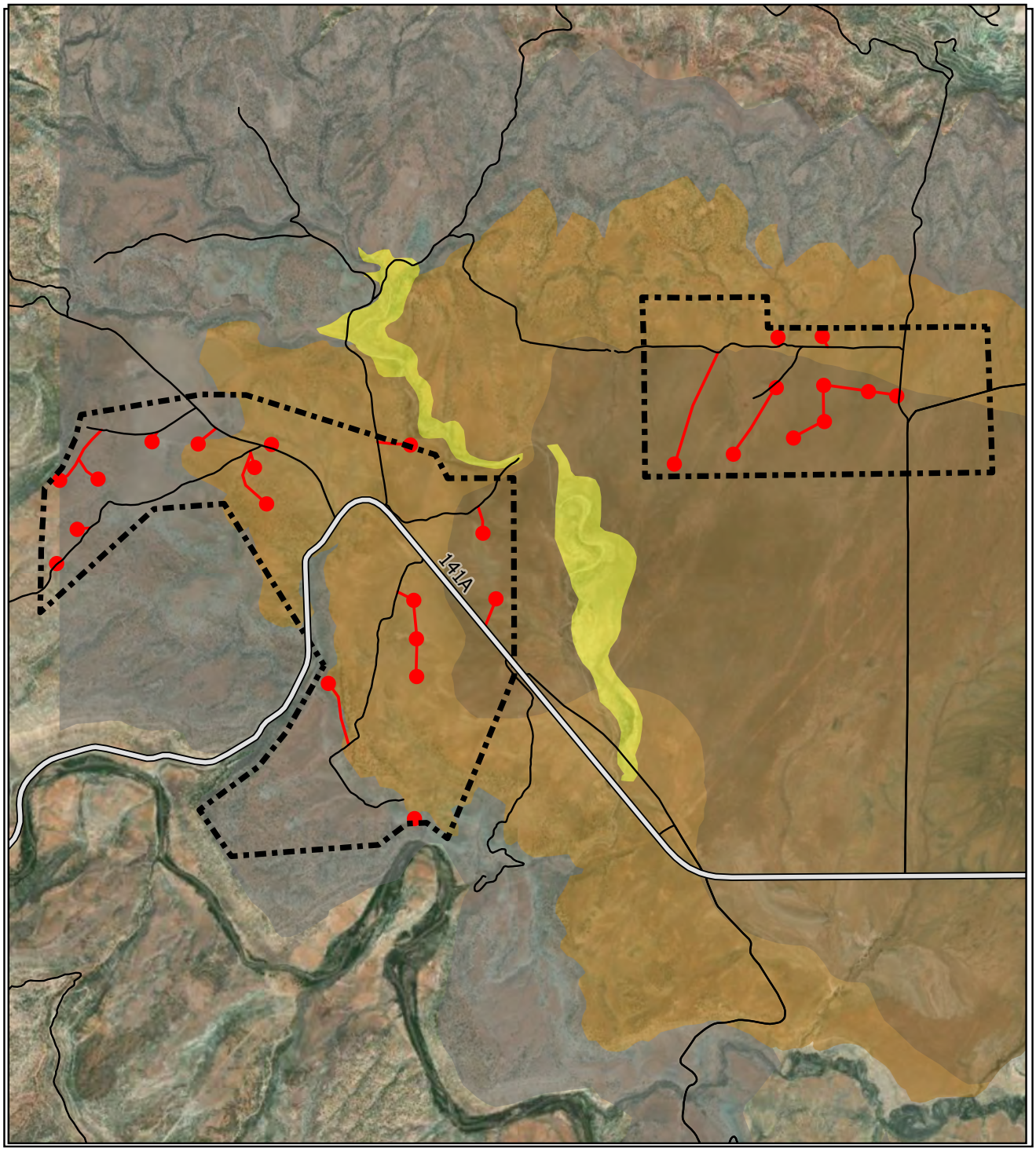
- Slick Rock Project Area
- State Highways
- Existing Access Roads
- Proposed Drill Access Road
- Proposed Drill Hole

N

Scale: 1:48,000
1 inch equals 4,000 feet
Date: 8/30/2023

Figure 2. Proposed Project Map
Slick Rock Uranium Mine
San Miguel County, Colorado

Peak Eco Services Nederland, CO



BACKGROUND: ESRI WORLD IMAGERY

Legend

- Slick Rock Project Area
- State Highways
- Existing Access Roads
- Proposed Drill Access Road
- Proposed Drill Hole

Geologic Unit

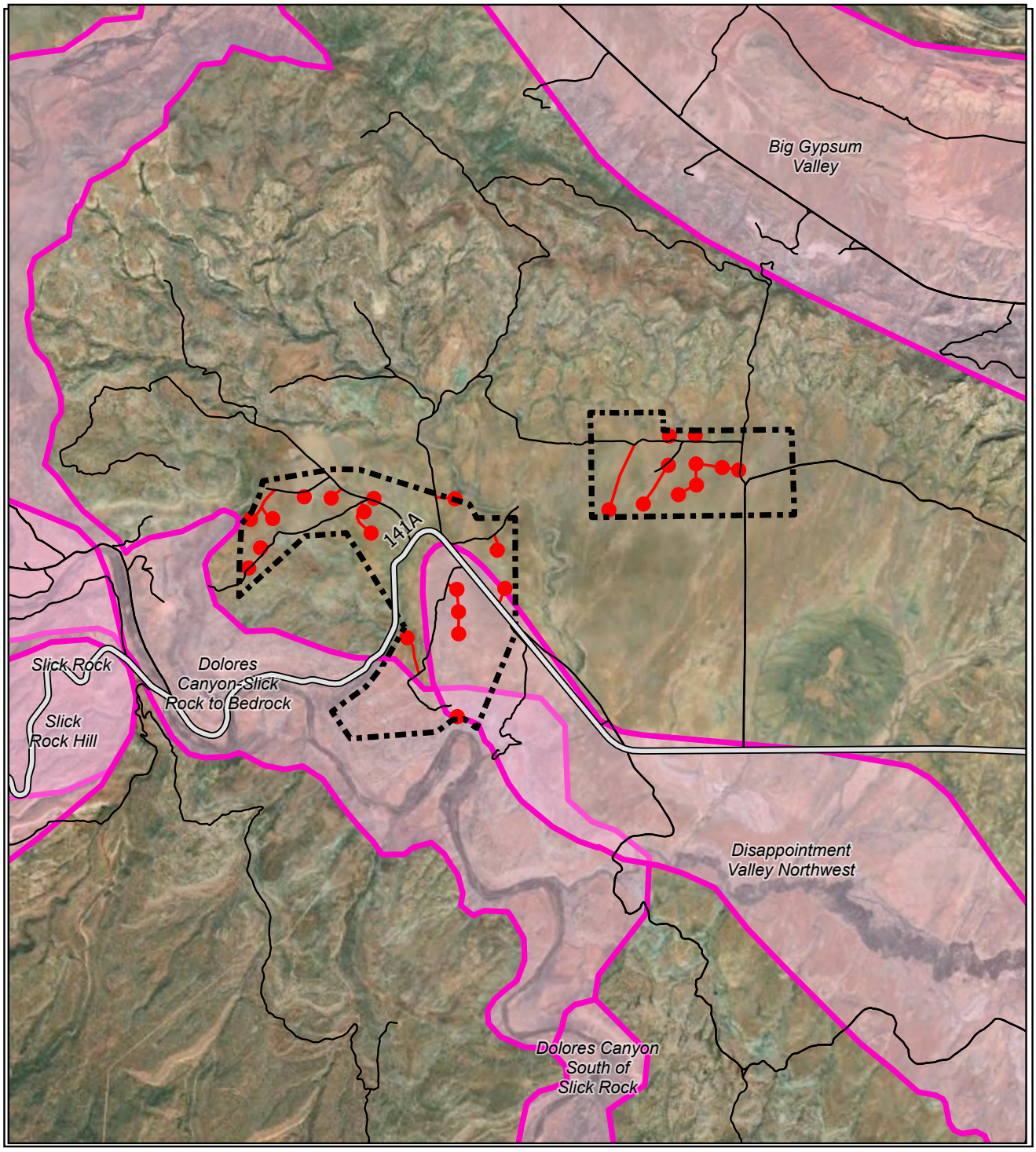
- Kbc - Burro Canyon Formation
- Kd - Dakota Sandstone
- Km - Mancos Shale
- Qal - Quaternary Alluvium

N

Scale: 1:42,000
1 inch equals 3,500 feet
Date: 8/30/2023

Figure 3. Geologic Map
Slick Rock Uranium Mine
San Miguel County, Colorado

Peak Eco Services Nederland, CO



BACKGROUND: ESRI WORLD IMAGERY

Legend

- Slick Rock Project Area
- State Highways
- Existing Access Roads
- Proposed Drill Access Road
- Proposed Drill Hole
- CNHP Potential Conservation Areas

N

Scale: 1:72,000
1 inch equals 6,000 feet
Date: 8/30/2023

Figure 4. Existing Potential Conservation Areas
Slick Rock Uranium Mine
San Miguel County, Colorado

Peak Eco Services Nederland, CO

Appendix A. USFWS Official Species List

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Western Colorado Ecological Services Field Office
445 West Gunnison Avenue, Suite 240
Grand Junction, CO 81501-5711
Phone: (970) 628-7180 Fax: (970) 245-6933

In Reply Refer To:
Project Code: 2023-0105602
Project Name: Slick Rock Uranium

July 18, 2023

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological

evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see https://www.fws.gov/birds/policies-and-regulations.php.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit https://www.fws.gov/birds/policies-and-regulations/executive-orders/e0-13186.php.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Migratory Birds
- Wetlands

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Western Colorado Ecological Services Field Office
445 West Gunnison Avenue, Suite 240
Grand Junction, CO 81501-5711
(970) 628-7180

PROJECT SUMMARY

Project Code: 2023-0105602
Project Name: Slick Rock Uranium
Project Type: Department of Energy Operations
Project Description: Underground uranium mine
Project Location:

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@38.0513943,-108.8221080446194,14z



Counties: San Miguel County, Colorado

ENDANGERED SPECIES ACT SPECIES

There is a total of 9 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 5 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Gray Wolf *Canis lupus* Population: U.S.A.: All of AL, AR, CA, CO, CT, DE, FL, GA, IA, IN, IL, KS, KY, LA, MA, MD, ME, MI, MO, MS, NC, ND, NE, NH, NJ, NV, NY, OH, OK, PA, RI, SC, SD, TN, TX, VA, VT, WI, and WV; and portions of AZ, NM, OR, UT, and WA. Mexico. There is **final** critical habitat for this species. This species only needs to be considered under the following conditions: ▪ Lone, dispersing gray wolves may be present throughout the state of Colorado. If your activity includes a predator management program, please consider this species in your environmental review. Species profile: https://ecos.fws.gov/ecp/species/4488	Endangered

BIRDS

NAME	STATUS
Mexican Spotted Owl *Strix occidentalis lucida* There is **final** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/8196	Threatened
Yellow-billed Cuckoo *Coccyzus americanus* Population: Western U.S. DPS There is **final** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/3911	Threatened

FISHES

NAME	STATUS
Bonytail *Gila elegans*	Endangered

There is **final** critical habitat for this species. Your location does not overlap the critical habitat.
This species only needs to be considered under the following conditions:

- Water depletions in the upper Colorado River basin adversely affect this species and its critical habitat. Effects of water depletions must be considered even outside of occupied range.

Species profile: https://ecos.fws.gov/ecp/species/1377

Colorado Pikeminnow *Ptychocheilus lucius*	Endangered

Population: Wherever found, except where listed as an experimental population
There is **final** critical habitat for this species. Your location does not overlap the critical habitat.
This species only needs to be considered under the following conditions:

- Water depletions in the upper Colorado River basin adversely affect this species and its critical habitat. Effects of water depletions must be considered even outside of occupied range.

Species profile: https://ecos.fws.gov/ecp/species/3531

Humpback Chub *Gila cypha*	Threatened

There is **final** critical habitat for this species. Your location does not overlap the critical habitat.
This species only needs to be considered under the following conditions:

- Water depletions in the upper Colorado River basin adversely affect this species and its critical habitat. Effects of water depletions must be considered even outside of occupied range.

Species profile: https://ecos.fws.gov/ecp/species/3930

Razorback Sucker *Xyrauchen texanus*	Endangered

There is **final** critical habitat for this species. Your location does not overlap the critical habitat.
This species only needs to be considered under the following conditions:

- Water depletions in the upper Colorado River basin adversely affect this species and its critical habitat. Effects of water depletions must be considered even outside of occupied range.

Species profile: https://ecos.fws.gov/ecp/species/530

INSECTS

NAME	STATUS
Monarch Butterfly *Danaus plexippus*	Candidate

No critical habitat has been designated for this species.
Species profile: https://ecos.fws.gov/ecp/species/9743

Silverspot *Speyeria nokomis nokomis*	Proposed Threatened

No critical habitat has been designated for this species.
Species profile: https://ecos.fws.gov/ecp/species/2813

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the National Wildlife Refuge system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act[1] and the Bald and Golden Eagle Protection Act[2].

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

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1. The Migratory Birds Treaty Act of 1918.
2. The Bald and Golden Eagle Protection Act of 1940.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

The birds listed below are birds of particular concern either because they occur on the USFWS Birds of Conservation Concern (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ below. This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the E-bird data mapping tool (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found below.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Clark's Nutcracker *Nucifraga columbiana* This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds Jan 15 to Jul 15
Golden Eagle *Aquila chrysaetos* This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1680	Breeds Dec 1 to Aug 31

NAME	BREEDING SEASON
Pinyon Jay *Gymnorhinus cyanocephalus* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9420	Breeds Feb 15 to Jul 15
Virginia's Warbler *Vermivora virginiae* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9441	Breeds May 1 to Jul 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

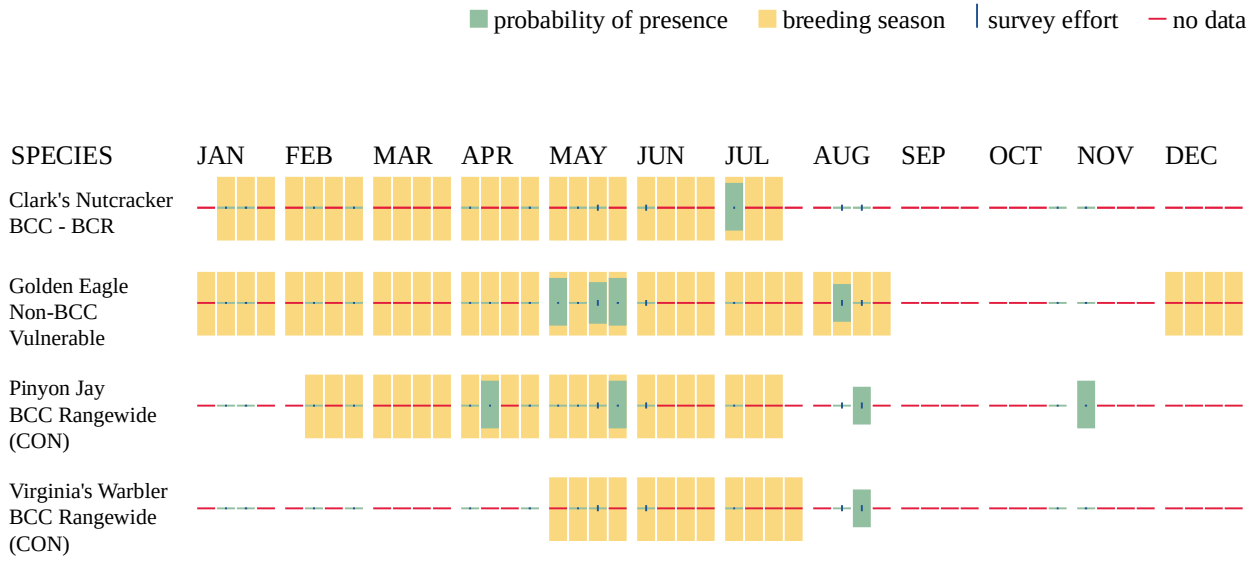
Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

No Data (–)
A week is marked as having no data if there were no survey events for that week.

Survey Timeframe
Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



Additional information can be found using the following links:

- Birds of Conservation Concern https://www.fws.gov/program/migratory-birds/species
- Measures for avoiding and minimizing impacts to birds https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds
- Nationwide conservation measures for birds https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf

MIGRATORY BIRDS FAQ

Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

Nationwide Conservation Measures describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. Additional measures or permits may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?
The Migratory Bird Resource List is comprised of USFWS Birds of Conservation Concern (BCC) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the Avian Knowledge Network (AKN). The AKN data is based on a growing collection of survey, banding, and citizen science datasets and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle (Eagle Act requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the Rapid Avian Information Locator (RAIL) Tool.

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?
The probability of presence graphs associated with your migratory bird list are based on data provided by the Avian Knowledge Network (AKN). This data is derived from a growing collection of survey, banding, and citizen science datasets.

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering or migrating in my area?
To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may query your location using the RAIL Tool and look at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are Birds of Conservation Concern (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the Eagle Act requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects
For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the Northeast Ocean Data Portal. The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the Diving Bird Study and the nanotag studies or contact Caleb Spiegel or Pam Loring.

What if I have eagles on my list?
If your project has the potential to disturb or kill eagles, you may need to obtain a permit to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report
The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of

certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

WETLANDS

Impacts to NWI wetlands and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

FRESHWATER POND

- PUSAh
- PUBFh
- PUBFx

RIVERINE

- R4SBJ

IPAC USER CONTACT INFORMATION

Agency: Wildlife Specialties LLC
Name: Jerry Powell
Address: PO Box 1231
City: Lyons
State: CO
Zip: 80540
Email jerry.powell@wildlifespecialtiesllc.com
Phone: 3037101286

Appendix B. USFWS Species

TABLE B1. USFWS FEDERALLY LISTED & PROPOSED SPECIES OF CONCERN SLICK ROCK URANIUM MINE, COLORADO			
Species	Status	Habitat Requirements	Potential for occurrence
Fishes			
Bonytail *Gila elegans*	FE	Colorado River and some tributaries.	None – suitable habitat not present.
Colorado Pikeminnow *Ptychocheilus lucius*	FE	Colorado River and some tributaries.	None – suitable habitat not present.
Humpback Chub *Gila cypha*	FT	Colorado River and some tributaries.	None – suitable habitat not present.
Razorback Sucker *Xyrauchen texanus*	FE	Colorado River and some tributaries.	None – suitable habitat not present.
Birds			
Mexican Spotted Owl *Strix occidentalis lucida*	FT	Narrow rocky canyons with trees.	None – suitable habitat not present.
Yellow-billed Cuckoo *Coccyzus americanus*	FT	Riparian woodlands greater than a minimum of 5 ha.	None – suitable habitat not present.
Mammals			
Gray Wolf *Canis lupus*	FE	Potentially state-wide.	None – only needs to be considered if predator control is part of the proposed action/management.
FE = Federally Endangered; FT = Federally Threatened			

TABLE B2. USFWS MIGRATORY BIRDS OF CONSERVATION CONCERN SLICK ROCK URANIUM MINE, COLORADO		
Species	Habitat Requirements	Potential for occurrence
Clark's Nutcracker *Nucifraga columbiana*	Typically breeds at high elevations in the mountains, in open or broken forest of pine, spruce, or Douglas-fir. May also breed in lower-elevation pine or pinyon-juniper woodlands if there is good cone production.	None – suitable habitat not present.
Golden Eagle *Aquila chrysaetos*	Golden Eagles live in open and semi-open country featuring native vegetation; they avoid developed areas and uninterrupted stretches of forest. Golden Eagles nest on cliffs and steep escarpments in grassland, chapparal, shrubland, forest, and other vegetated areas.	Suitable nesting habitat not present. Could forage over project area.
Pinyon Jay *Gymnorhinus cyanocephalus*	Most commonly found in pinyon-juniper woodland, sagebrush, scrub oak, chaparral, and sometimes in pine forests.	None – suitable habitat not present.
Virginia'sWarbler *Vermivora virginiae*	Breed in pinyon-juniper woodlands and winter in oak forests.	None – suitable habitat not present.

Appendix C. BLM Sensitive Species

TABLE C1. BLM SENSITIVE PLANT SPECIES LIST – TRES RIOS FIELD OFFICE SLICK ROCK URANIUM MINE, COLORADO		
Species	Habitat Requirements	Potential for occurrence
Jone's Bluestar *Amsonia jonesii*	Dry, open areas, with sandy clay soils	Low. Has not been recorded in San Miguel County.
Naturita Milkvetch *Astragalus naturitensis*	Sandstone ledges, crevices of sandstone bedrock, dry rock mesas, ledges, detrital slopes, Pinyon-Juniper	High. Species previously documented adjacent to project area on sandstone rock outcrops above the Dolores River.
Kachina Fleabane *Erigeron kachinensis*	Hanging gardens	Low. No hanging gardens are present within the project area.
Comb Wash Buckwheat *Eriogonum clavellatum*	Shadscale and blackbrush communities, fine soils	Low. Only known from extreme SW Colorado in Montezuma County.
Mesa Snakeweed *Gutierrezia elegans*	Mancos shale outcrops	Low. Endemic to Lone Mesa State Park in Dolores County and surrounding area.
Dolores River Skeletonplant *Lygodesmia grandiflora* var. *dolorensis*	Juniper, saltbush, sagebrush communities	Low. Only known from the Culter Formation in Mesa County.
Gypsum Valley Cateye *Oreocarya revealii*	Open Juniper and sagebrush communities	Moderate. Occurs nearby within Gypsum Valley where it is restricted to barren gypsum soils. Might be found within project area if suitable soils are found.
Aromatic Indian Breadroot *Pediomelum aromaticum*	Open Pinion-Juniper, in sandy soils or adobe hills	Low. Only known from Montrose and Mesa Counties.
Pagosa Springs Bladderpod *Physaria pruinosa*	Mancos Shale, open clay barrens near montane grasslands, sometimes in open Ponderosa stands with Gambel's Oak	Low. Only known from higher elevations (>6,500 ft) in Archuleta and Hinsdale Counties.
Cushion Bladderpod *Physaria pulvinata*	Widely scattered outcrops of Mancos Shale; openings between low shrubs	Low. Occurs at higher elevations (above 7,500 ft) and further to the east in San Miguel and Dolores Counties.

TABLE C2. BLM COLORADO STATE DIRECTOR'S SENSITIVE WILDLIFE SPECIES LIST SLICK ROCK URANIUM MINE, COLORADO		
Species	Habitat Requirements	Potential for occurrence
Fish		
Bluehead Sucker *Catostomus discobolus*	Bluehead suckers are restricted to mainstem streams and their tributaries and to riparian wetlands and backwaters connected to streams.	None.
Flannelmouth Sucker *Catostomus discobolus*	Historically, the flannelmouth sucker was commonly found in most, if not all, medium to large, lower elevation rivers of the Upper Colorado River drainage.	None.
Mountain Sucker *Catostomus playtrhynchus*	Found in smaller rivers and streams in northwestern Colorado.	None.
Rio Grande Sucker *Catostomus plebeius*	Restricted to the Rio Grande Basin in southern Colorado.	None.
Arkansas Darter *Etheostoma cragini*	Found only in tributaries of the Arkansas River.	None.
Rio Grande Chub *Gila pandora*	Restricted to the Rio Grande Basin in Colorado.	None.
Colorado Roundtail Chub *Gila robusta*	A large river fish found in western Colorado.	None.
Colorado River Cutthroat Trout *Oncorhynchus clarki pleuriticus*	Found in the Colorado River Basin.	None.
Rio Grande Cutthroat Trout *Oncorhynchus clarki virginalis*	Found in the Rio Grande River Basin.	None.
Aves		
Northern Goshawk *Accipiter gentilis*	Nest in a variety of forest types including Douglas-fir, Lodgepole Pine, Ponderosa Pine, and occasionally in Pinyon-Juniper forests. They prefer mature and old-growth forests with a preponderance of large trees, a dense canopy, and a relatively open understory.	None – suitable habitat not present.
Burrowing Owl *Athene cunicularia*	Nest in rodent burrows in grasslands, shrublands, deserts, and grassy urban areas (golf courses).	Potential - No rodent burrows were noted during the site visit.
Ferruginous Hawk *Buteo regalis*	Vast expanses of ungrazed or lightly grazed grassland and shrubland and shortgrass prairie.	Potential
Gunnison Sage-Grouse *Centrocercus minimus*	Sage communities in the Gunnison Basin.	None – the project area is not within the range of this species.
Greater Sage Grouse *Centrocercus urophasianus*	Sagebrush steppe of the Intermountain West.	None – suitable habitat not present.
Western Snowy Plover *Charadrius alexandrinus*	Sandy open beaches, dry salt flats, dredge spoils, and river bars.	None – suitable habitat not present.
Mountain Plover *Charadrius montanus*	Grazed shortgrass prairie and fallow fields.	None – suitable habitat not present.
Western Yellow-billed Cuckoo *Coccyzus americanus*	Found along major river drainages with large trees.	None – suitable habitat not present.

TABLE C2. BLM COLORADO STATE DIRECTOR'S SENSITIVE WILDLIFE SPECIES LIST SLICK ROCK URANIUM MINE, COLORADO		
Species	Habitat Requirements	Potential for occurrence
Black Swift *Cypseloides niger*	Associated with waterfalls in high-altitude canyons.	None – suitable habitat not present.
American Peregrine Falcon *Falco peregrinus anatum*	Nests on ledges of high cliffs.	None – suitable habitat not present.
Bald Eagle *Haliaeetus leucocephalus*	Large, mature cottonwoods or pines near large water bodies.	No nesting or roosting habitat is present.
Long-Billed Curlew *Numenius americanus*	Shortgrass prairie.	None – the project area is not within the range of this species.
White-faced Ibis *Plegadis chihi*	Marshes or wet agriculture fields.	None – suitable habitat not present.
American White Pelican *Pelecanus erythrorhynchos*	Feeds and nests in large lakes and reservoirs.	None – suitable habitat not present.
Brewer's sparrow *Spizella berweri*	Sagebrush obligate species.	None – suitable habitat not present.
Lesser Prairie-Chicken *Tympanuchus pallidicinctus*	Optimal habitat is midgrass to tallgrass prairie for nests and winter cover.	None – the project area is not within the range of this species.
Columbian Sharp-Tailed Grouse *Tympanuchus phasianellus columbianus*	Sagebrush shrublands.	None – suitable habitat not present.
Mammals		
Townsend's Big-eared Bat *Corynorhinus townsendii*	Occupies semidesert shrublands, pinon-juniper woodlands, and open montane forests.	Possible.
Gunnison's Prairie Dog *Cynomys gunnisoni*	Need level to gently sloping grasslands and semi-desert and montane shrublands, at elevations from 6,000 to 12,000 feet.	Possible – none observed during site visit.
White-tailed prairie dog *Cynomys leucurus*	Sagebrush steppe, open shrublands, shortgrass prairie, semidesert grasslands, and open valleys.	Possible – none observed during site visit.
Black-tailed Prairie Dog *Cynomys ludovicianus*	Open prairie grasslands, disturbed areas, fallow and mowed agriculture fields.	None – the project area is not within the range of this species.
Spotted bat *Euderma maculatum*	Ponderosa pine, piñon-juniper woodland and shrub desert. May prefer areas with cliffs and water.	None – suitable habitat not present.
Allen's (Mexican) big-eared bat *Idionycteris phyllotis*	Shrublands, ponderosa pine lands, pinyon-juniper woodlands, and riparian cottonwood galleries. Found occasionally in Colorado.	None – suitable habitat not present and rare visitor to Colorado.
Fringed Myotis *Myotis thysanodes*	Use a variety of habitats but most commonly most common include oak, pinyon, and juniper woodlands or ponderosa pine forest at middle elevations.	None – the project area is not within the range of this species.
Big Free-tailed Bat *Nyctinomops macrotis*	Wide-spread across Colorado.	Potential -
Desert Bighorn Sheep *Ovis canadensis nelsoni*	Areas with grasses, short shrubs and cliffs.	None – suitable habitat not present.
Kit Fox *Vulpes macrotis*	Deserts of the Southwest.	None – the project area is not within the range of this species.

TABLE C2. BLM COLORADO STATE DIRECTOR'S SENSITIVE WILDLIFE SPECIES LIST SLICK ROCK URANIUM MINE, COLORADO		
Species	Habitat Requirements	Potential for occurrence
Swift Fox *Vulpes velox*	Short and mid-grass prairies of the Great Plains.	None – the project area is not within the range of this species.
New Mexico Meadow Jumping Mouse *Zapus hudsonius luteus*	Nests in dry soils, but uses moist, streamside, dense riparian/wetland vegetation up to an elevation of about 8,000 feet. Uses two riparian community types: persistent emergent herbaceous wetlands and scrub-shrub wetlands.	None – the project area is not within the range of this species.
Amphibians/Reptiles		
Boreal Toad *Bufo boreas boreas*	High altitude wetlands, ponds, etc.	None – the project area is not within the range of this species.
Northern Cricket Frog *Acris crepitans*	Found in Yuma, Weld and Morgan Counties at elevations between 3,500–3,600 feet.	None – the project area is not within the range of this species.
Canyon Treefrog *Hyla arenicolor*	Restricted to riparian areas in rocky canyons. Found along streams among medium to large boulders from desert to desert grassland and into oak-pine forests.	None – suitable habitat not present.
Northern Leopard Frog *Rana pipiens*	Wet meadows and the banks of and shallows of marshes, ponds, lakes, streams, irrigation ditches.	None – suitable habitat not present.
Plains Leopard Frog *Rana blairi*	Eastern Colorado and southeastern Colorado.	None – the project area is not within the range of this species.
Great Basin Spadefoot *Spea intermontana*	A variety of habitats including sagebrush, juniper woodlands and even at relatively high elevations.	None – suitable habitat not present.
Midget Faded Rattlesnake *Crotalus viridis concolor*	Desert lands in northwestern Colorado.	None – the project area is not within the range of this species.
Longnose Leopard Lizard *Gambelia wislizenii*	Occurs in west-central Colorado and extreme southwestern Colorado.	None – the project area is not within the range of this species.
Common King Snake *Lampropeltis getula*	Occurs in southwestern and southeastern Colorado.	None – the project area is not within the range of this species.
Milk Snake *Lampropeltis Triangulum taylori*	Shortgrass prairie, sandhills, shrubby hillsides, canyons and open stands of ponderosa pine in the foothills, pinyon-juniper woodlands, and arid river valleys	None – suitable habitat not present.
Desert Spiny Lizard *Sceloporus magister*	Prefer sparsely vegetated rocky areas and shrub-covered dirt banks near arroyos or flowing streams. Associated vegetation includes greasewood, cottonwood, salt-cedar (tamarisk), rabbitbrush and other shrubs.	None – suitable habitat not present.
Massasauga *Sistrurus catenatus*	Occurs in shortgrass prairie habitats in southeastern Colorado.	None – the project area is not within the range of this species.

Appendix D. CPW Wildlife Species of Concern

TABLE D1. COLORADO PARKS AND WILDLIFE ENDANGERED, THREATENED, AND SPECIES OF SPECIAL CONCERN SLICK ROCK URANIUM MINE, COLORADO			
Species	Status*	Habitat Requirements	Potential for occurrence
Fish			
Arkansas Darter *Etheostoma cragini*	ST	Found only in tributaries of the Arkansas River.	None.
Bonytail *Gila elegans*	FE, SE	Found in the main stem and tributaries of the Colorado River.	None.
Brassy Minnow *Hybognathus hankinsoni*	ST	Found in S. Platte and Republican Rivers.	None.
Colorado Pikeminnow *Ptychocheilus Lucius*	FE, ST	Found in the main stem and tributaries of the Colorado River.	None.
Colorado River Cutthroat Trout *Oncorhynchus clarki pleuriticus*	SC	Found in the Colorado River Basin.	None.
Colorado Roundtail Chub *Gila robusta*	SC	A large river fish found in western Colorado.	None.
Common Shiner *Luxilus cornutus*	ST	Found in tributary streams of the S. Platte River.	None.
Flathead Chub *Platygobio gracilus*	SC	Found in mainstems of turbid streams and rivers.	None.
Greenback Cutthroat Trout *Oncorhynchus clarki stomias*	FT, ST	High altitude mountain streams with no non-native salmonids.	None.
Humpback Chub *Gila cypha*	FE, ST	Found in the main stem and tributaries of the Colorado River.	None.
Iowa Darter *Etheostoma exile*	SC	Found in some plains streams in northeastern Colorado.	None.
Lake Chub *Couesius plumbeus*	SE	Extirpated in Colorado (Woodling 1985).	None.
Mountain Sucker *Catostomus playtrhynchus*	SC	Found in smaller rivers and streams in northwestern Colorado.	None.
Northern Redbelly Dace *Phoxinus eos*	SE	Upper reach tributaries of the S. Platte and Platte River.	None.
Plains Minnow *Hybognathus placitus*	SE	Prefer main channel areas with some current and sandy bottoms. Found in eastern Colorado.	None.
Plains Orangethroat Darter *Etheostoma spectabile*	SC	Found in small streams of the Republican Basin.	None.
Razorback Sucker *Xyrauchen texanus*	FE, SE	Found in the main stem and tributaries of the Colorado River.	None.
Rio Grande Chub *Gila pandora*	SC	Restricted to the Rio Grande Basin in Colorado.	None.
Rio Grande Cutthroat Trout *Oncorhynchus clarki virginalis*	SC	Restricted to the Rio Grande Basin in Colorado.	None.
Rio Grande Sucker *Catostomus plebeius*	SE	Restricted to the Rio Grande Basin in southern Colorado.	None.
Southern Redbelly Dace *Phoxinus erythrogaster*	SE	One population known in Arkansas River tributary.	None.
Stonecat *Noturus flavus*	SC	Found in fast water riffles and runs of streams.	None.

TABLE D1. COLORADO PARKS AND WILDLIFE ENDANGERED, THREATENED, AND SPECIES OF SPECIAL CONCERN SLICK ROCK URANIUM MINE, COLORADO			
Species	Status*	Habitat Requirements	Potential for occurrence
Suckermouth Minnow *Phenacobius mirabilis*	SE	Found in riffle areas of warm prairie streams of all sizes.	None.
Aves			
American Peregrine Falcon *Falco peregrinus anatum*	SC	Nests on ledges of high cliffs.	None – suitable habitat not present.
Bald Eagle *Haliaeetus leucocephalus*	SC	Large, mature cottonwoods or pines near large water bodies.	No nesting or roosting habitat is present.
Burrowing Owl *Athene cunicularia*	ST	Nest in rodent burrows in grasslands, shrublands, deserts, and grassy urban areas (golf courses).	None – no burrowing mammals noted on either parcel.
Columbian Sharp-Tailed Grouse *Tympanuchus phasianellus columbianus*	SC	Sagebrush shrublands.	None – suitable habitat not present.
Ferruginous Hawk *Buteo regalis*	SC	Vast expanses of ungrazed or lightly grazed grassland and shrubland and shortgrass prairie.	None – suitable habitat not present.
Greater Sage-Grouse *Centrocercus urophasianus*	SC	Sagebrush shrublands in northwestern Colorado.	None – suitable habitat not present.
Greater Sandhill Crane *Grus canadensis tabida*	SC	Breed in wetland habitats, particularly flooded fields and beaver ponds.	None – suitable habitat not present.
Gunnison Sage-Grouse *Centrocercus minimus*	SC	Sage communities in the Gunnison Basin.	None – the project area is not within the range of this species.
Lesser Prairie-Chicken *Tympanuchus pallidicinctus*	ST	Optimal habitat is midgrass to tallgrass prairie for nests and winter cover.	None – the project area is not within the range of this species.
Long-Billed Curlew *Numenius americanus*	SC	Shortgrass prairie.	None – the project area is not within the range of this species.
Mountain Plover *Charadrius montanus*	SC	Grazed shortgrass prairie and fallow fields.	None – the project area is not within the range of this species.
Plains Sharp-Tailed Grouse *Tympanuchus phasianellus jamesii*	SE	Rolling hills with scrub oak thickets and grassy glades.	None – suitable habitat not present.
Western Snowy Plover *Charadrius alexandrinus*	SC	Sandy open beaches, dry salt flats, dredge spoils, and river bars.	None – suitable habitat not present.
Western Yellow-billed Cuckoo *Coccyzus americanus*	SC	Found along major river drainages with large trees.	None – suitable habitat not present.
Mammals			
Black-footed Ferret *Mustela nigripes*	FE, SE	Large (> 50 acres) prairie dog colonies.	None – suitable habitat not present.
Black-tailed Prairie Dog *Cynomys ludovicianus*	SC	Open prairie grasslands, disturbed areas, fallow and mowed agriculture fields.	None – the project area is not within the range of this species.

TABLE D1. COLORADO PARKS AND WILDLIFE ENDANGERED, THREATENED, AND SPECIES OF SPECIAL CONCERN SLICK ROCK URANIUM MINE, COLORADO			
Species	Status*	Habitat Requirements	Potential for occurrence
Botta's Pocket Gopher *Thomomy bottae rubidus*	SC	Occur in southern Colorado.	None – the project area is not within the range of this species.
Gray Wolf *Canis lupus*	FE, SE	Believed to be extirpated in Colorado.	None – suitable habitat not present.
Grizzly Bear *Ursus arctos*	FT, SE	Believed to be extirpated in Colorado.	None – suitable habitat not present.
Kit Fox *Vulpes macrotis*	SE	Deserts of the Southwest.	None – the project area is not within the range of this species.
Lynx *Lynx canadensis*	FT, SE	High altitude spruce-fir forests.	None – the project area is not within the range of this species.
Northern Pocket Gopher *Thomomys talpoides macrotis*	SC	Many habitat types including agricultural lands, pasture lands, semidesert shrublands, and grasslands.	Possible. This is the most wide-spread species in Colorado. No evidence (distinctive mounding) was observed on either parcel.
Preble's Meadow Jumping Mouse *Zapus hudsonius preblei*	FT, ST	Riparian areas with lush vegetation.	None – the project area is not within the range of this species.
River Otter *Lontra canadensis*	ST	Large waterways throughout Colorado.	None – suitable habitat not present.
Swift Fox *Vulpes velox*	SC	Short and mid-grass prairies of the Great Plains.	None – the project area is not within the range of this species.
Townsend's Big-eared Bat *Corynorhinus townsendii*	SC	Occupies semidesert shrublands, pinon-juniper woodlands, and open montane forests.	Possible.
Wolverine *Gulo gulo*	SE	Alpine, subalpine, and high-altitude forests with little to no human intrusion.	None – the project area is not within the range of this species.
Amphibians/Reptiles			
Boreal Toad *Bufo boreas boreas*	SE	High altitude wetlands, ponds, etc.	None – the project area is not within the range of this species.
Couch's Spadefoot *Scaphiopus couchii*	SC	Eastern Colorado plains.	None – the project area is not within the range of this species.
Great Plains Narrowmouth Toad *Gastrophryne olivacea*	SC	Extreme southeastern Colorado.	None – the project area is not within the range of this species.
Northern Cricket Frog *Acris crepitans*	SC	Found in Yuma, Weld and Morgan Counties at elevations between 3,500–3,600 feet.	None – the project area is not within the range of this species.

TABLE D1. COLORADO PARKS AND WILDLIFE ENDANGERED, THREATENED, AND SPECIES OF SPECIAL CONCERN SLICK ROCK URANIUM MINE, COLORADO			
Species	Status*	Habitat Requirements	Potential for occurrence
Northern Leopard Frog *Rana pipiens*	SC	Wet meadows and the banks of and shallows of marshes, ponds, lakes, streams, irrigation ditches.	None – suitable habitat not present.
Plains Leopard Frog *Rana blairi*	SC	Eastern Colorado and southeastern Colorado.	None – the project area is not within the range of this species.
Wood Frog *Rana sylvatica*	SC	Found in Colorado in mountain forests in Jackson and Larimer Counties only.	None – the project area is not within the range of this species.
Triploid Checkered Whiptail *Cnemidophorus neotesselatus*	SC	Foothills of the Rocky Mountains in Fremont County eastward to Pueblo and Stone City in Pueblo County.	None – the project area is not within the range of this species.
Midget Faded Rattlesnake *Crotalus viridis concolor*	SC	Desert lands in northwestern Colorado.	None – the project area is not within the range of this species.
Longnose Leopard Lizard *Gambelia wislizenii*	SC	Occurs in west-central Colorado and extreme southwestern Colorado.	None – the project area is not within the range of this species.
Yellow Mud Turtle *Kinosternon flavescens*	SC	Occurs in eastern Colorado.	None – the project area is not within the range of this species.
Common King Snake *Lampropeltis getula*	SC	Occurs in southwestern and southeastern Colorado.	None – the project area is not within the range of this species.
Texas Blind Snake *Leptotyphlops dulcis*	SC	Occurs in extreme southeastern Colorado.	None – the project area is not within the range of this species.
Texas Horned Lizard *Phrynosoma cornutum*	SC	Occurs in southeastern Colorado.	None – the project area is not within the range of this species.
Roundtail Horned Lizard *Phrynosoma modestum*	SC	Occurs in extreme northwestern Otero County.	None – the project area is not within the range of this species.
Massasauga *Sistrurus catenatus*	SC	Occurs in shortgrass prairie habitats in southeastern Colorado.	None – the project area is not within the range of this species.
Common Garter Snake *Thamnophis sirtalis*	SC	Restricted to aquatic, wetland and riparian habitats at elevations below 6,000 feet: seldom found at isolated ponds.	None – the project area is not within the range of this species.
*SE = State Endangered. ST = State Threatened. SC = State Special Concern (not a statutory category).			

Appendix E. Representative Site Photographs


8/14/23, 1:40:30 PM
UTM 687604 4213543
133 deg(T) 1779 m
ACCURACY 5 m
DATUM NAD83
Slick Rock
Rocky Juniper
Overview1


8/14/23, 6:36:59 PM
UTM 688595 4212700
188 deg(T) 1754 m
ACCURACY 5 m
DATUM NAD83
Slick Rock
Outcrop
Overview


8/14/23, 2:19:38 PM
UTM 687629 4213181
141 deg(T) 1782 m
ACCURACY 5 m
DATUM NAD83
Slick Rock
Native Grassland
Overview


8/14/23, 3:41:27 PM
UTM 686659 4213479
228 deg(T) 1814 m
ACCURACY 5 m
DATUM NAD83
Slick Rock
RiceGrass & Winterfat


8/14/23, 2:59:16 PM
UTM 686410 4212652
182 deg(T) 1829 m
ACCURACY 5 m
DATUM NAD83
Slick Rock
Existing Unimproved Road


8/14/23, 3:54:17 PM
UTM 686396 4213221
283 deg(T) 1820 m
ACCURACY 5 m
DATUM NAD83
Slick Rock
Canyon to NW
Overview2


8/14/23, 3:00:11 PM
UTM 686389 4212663
79 deg(T) 1831 m
ACCURACY 5 m
DATUM NAD83
Slick Rock
Historic Mining


8/14/23, 6:57:26 PM
UTM 691107 4214195
269 deg(T) 1769 m
ACCURACY 5 m
DATUM NAD83
Slick Rock
East Parcel
Overview


8/14/23, 7:22:02 PM
UTM 690156 4214163
297 deg(T) 1761 m
ACCURACY 5 m
DATUM NAD83
Slick Rock
East Parcel
Rocky Juniper
Woodland


8/14/23, 7:14:35 PM
UTM 690522 4214042
114 deg(T) 1752 m
ACCURACY 5 m
DATUM NAD83
Slick Rock
East Parcel
Ephemeral
Drainage


8/14/23, 7:47:03 PM
UTM 690677 4213796
246 deg(T) 1739 m
ACCURACY 5 m
DATUM NAD83
Slick Rock
East Parcel
Stock Pond


8/14/23, 4:17:07 PM
UTM 686565 4213523
202 deg(T) 1820 m
ACCURACY 5 m
DATUM NAD83
Slick Rock
Astragalus naturitensis
CloseUp

Appendix F. Vascular Plant Species List

Vascular Plant Species List - 2023 Slick Rock Uranium Mine - San Miguel County, Colorado

Scientific Name	Common Name	Family	Origin	PLANTS Code
Trees				
Juniperus osteosperma (=Sabina)	Utah juniper	Cupressaceae	N	JUOS
Pinus edulis	Pinyon pine	Pinaceae	N	PIED
Shrubs/Subshrubs				
Artemisia bigelovii	Bigelow sage	Asteraceae	N	ARBI3
Artemisia nova	Black sagebrush	Asteraceae	N	ARNO4
Atriplex canescens	Fourwing saltbush	Chenopodiaceae	N	ATCA2
Atriplex confertifolia	Shadscale saltbush	Chenopodiaceae	N	ATCO
Atriplex corrugata	Mat saltbush	Chenopodiaceae	N	ATCO4
Atriplex gardneri	Gardner's saltbush	Chenopodiaceae	N	ATGA
Brickellia microphylla subsp. scabra	Rough brickellbush	Asteraceae	N	BRMIS
Chrysothamnus greenei	Greene's rabbitbrush	Asteraceae	N	CHGR6
Chrysothamnus viscidiflorus	Sticky rabbitbrush	Asteraceae	N	CHVI8
Ephedra torreyana	Torrey's ephedra	Ephedraceae	N	EPTO
Ericameria nauseosa (=Chrysothamnus)	Rubber rabbitbrush	Asteraceae	N	ERNAN5
Forsellesia meionandra (=Glossopetalon meionandrum)	Spiny greasebush	Crossosomataceae	N	GLSPM
Gutierrezia sarothrae	Broom snakeweed	Asteraceae	N	GUSA2
Krascheninnikovia lanata	Winterfat	Chenopodiaceae	N	KRLA2
Rhus aromatica subsp. trilobata	Skunkbush sumac	Anacardiaceae	N	RHTRT
Sarcobatus vermiculatus	Greasewood	Chenopodiaceae	N	SAVE4
Suaeda nigra	Mojave seablite	Chenopodiaceae	N	SUMO
Tetradymia canescens	Spineless horsebrush	Asteraceae	N	TECA2
Xanthisma grindelioides (=Machaeranthera)	Goldenweed; rayless tansyaster	Asteraceae	N	MAGR2
Yucca baccata	Banana yucca	Agavaceae	N	YUBA
Yucca harrimaniae	Spanish bayonet	Agavaceae	N	YUHA
Perennial Graminoids				
Achnatherum hymenoides (=Oryzopsis)	Indian ricegrass	Poaceae	N	ACHY
Agropyron cristatum (=A. desertorum)	Crested wheatgrass	Poaceae	I	AGDE2
Aristida purpurea	Purple threeawn	Poaceae	N	ARPU9
Bouteloua gracilis (=Chondrosum gracile)	Blue grama	Poaceae	N	BOGR2
Carex	Sedge	Cyperaceae		
Elymus elymoides	Squirreltail	Poaceae	N	ELEL5
Hesperostipa comata	Needle and thread grass	Poaceae	N	HECO26

Scientific Name	Common Name	Family	Origin	PLANTS Code
Hilaria jamesii (=Pleuraphis)	James' galleta	Poaceae	N	PLJA
Poa secunda	Sandberg bluegrass	Poaceae	N	POSE
Psathyrostachys juncea	Russian wildrye	Poaceae	I	PSJU3
Sporobolus airoides	Alkali sacaton	Poaceae	N	SPAI
Sporobolus cryptandrus	Sand dropseed	Poaceae	N	SPCR
Perennial Forbs				
Acroptilon repens	Russian knapweed, hardheads	Asteraceae	I B	ACRE3
Artemisia frigida	Fringed sage, prairie sagewort	Asteraceae	N	ARFR4
Artemisia ludoviciana	White sage	Asteraceae	N	ARLU
Asclepias asperula	Spider milkweed	Asclepiadaceae	N	ASAS
Astragalus mollissimus	Woolly locoweed	Fabaceae	N	ASMO7
Astragalus naturitensis	Naturita milkvetch	Fabaceae	N	ASNA
Calochortus nuttallii	Sego lily	Liliaceae	N	CANU3
Calylophus lavandulifolius	Lavenderleaf sundrops	Onagraceae	N	CALA38
Castilleja chromosa	Red desert paintbrush	Orobanchaceae	N	CAAND
Chaetopappa ericoides (=Leucelene)	Rose heath	Asteraceae	N	CHER2
Chamaechaenactis scaposa	Fullstem	Asteraceae	N	CHSC
Chamaesyce fendleri	Fendler's sandmat	Euphorbiaceae	N	CHFE3
Cirsium tracyi	Tracy's thistle	Asteraceae	N	CIUNT
Clematis ligusticifolia	Western white clematis	Ranunculaceae	N	CLLI2
Comandra umbellata subsp. pallida	Comandra, pale bastard toadflax	Santalaceae	N	COUMP
Erigeron concinnus	Navajo fleabane	Asteraceae	N	ERCO27
Eriogonum alatum (=Pterogonum)	Winged buckwheat	Polygonaceae	N	ERALA2
Eriogonum lonchophyllum	Spearleaf buckwheat	Polygonaceae	N	ERLO4
Eriogonum ovalifolium	Cushion buckwheat	Polygonaceae	N	EROV
Eriogonum umbellatum subsp. subaridum	Sulphur-flower buckwheat	Polygonaceae	N	ERUMS2
Grindelia fastigiata	Pointed gumweed	Asteraceae	N	GRFA
Heterotheca villosa	Hairy false goldenaster	Asteraceae	N	HEVI4
Hoffmanseggia drepanocarpa (=Caesalpinia)	Sicklepod holdback	Fabaceae	N	HODR
Lepidium montanum	Mountain pepperweed	Brassicaceae	N	LEMO2
Lygodesmia grandiflora	Largeflower skeletonplant	Asteraceae	N	LYGR
Machaeranthera bigelovii	Bigelow's tansyaster	Asteraceae	N	MABI
Machaeranthera canescens	Hoary tansyaster	Asteraceae	N	MACA2
Marrubium vulgare	Horehound	Lamiaceae	I	MAVU

Scientific Name	Common Name	Family	Origin	PLANTS Code
Mirabilis multiflora	Colorado four o'clock	Nyctaginaceae	N	MIMU
Oreocarya bakeri	Baker's cryptantha	Boraginaceae	N	CRBA4
Oreocarya nitida (=Cryptantha fulvocanescens)	Tawny cryptantha	Boraginaceae	N	CRFUN
Penstemon lentus	Handsome beardtongue	Plantaginaceae	N	PELE2
Penstemon strictus	Rocky Mountain penstemon	Plantaginaceae	N	PEST2
Phlox hoodii	Spiny phlox	Polemoniaceae	N	PHHO
Physaria rectipes (=Lesquerella)	Straight bladderpod	Brassicaceae	N	LERE3
Sphaeralcea coccinea	Scarlet globemallow	Malvaceae	N	SPCO
Stanleya pinnata	Desert princesplume	Brassicaceae	N	STPI
Tetraneuris ivesiana	Ives' fournerved daisy	Asteraceae	N	TEIV
Cacti				
Echinocereus triglochidiatus	Claret cup cactus	Cactaceae	N	ECTR
Opuntia polyacantha	Prickly pear	Cactaceae	N	OPPO
Pediocactus simpsonii	Mountain ball cactus	Cactaceae	N	PESI
Annual/Biennial Forbs				
Alyssum desertorum	Desert madwort	Brassicaceae	I	ALDE
Chaenactis stevioides	Steve's dustymaiden	Asteraceae	N	CHST
Collomia linearis	Narrowleaf mountain trumpet	Polemoniaceae	N	COLI2
Descurainia pinnata	western tansymustard	Brassicaceae	N	DEPI
Draba cuneifolia	wedgeleaf draba	Brassicaceae	N	DRCU
Eriogonum gordonii	Gordon's buckwheat	Polygonaceae	N	ERGO
Eriogonum inflatum	Desert trumpet	Polygonaceae	N	ERIN4
Halogeton glomeratus	Saltlover	Chenopodiaceae	I C	HAGL
Helianthus annuus	Common sunflower	Asteraceae	N	HEAN3
Kochia scoparia (=Bassia sieversiana)	Kochia	Asteraceae	I	BASC5
Lactuca serriola	Prickly lettuce	Asteraceae	I	LASE
Lappula redowskii	Flatspine stickseed	Boraginaceae	N	LAOCO
Lepidium perfoliatum	Clasping pepperweed	Brassicaceae	I	LEPE2
Mentzelia albicaulis (=Acrolasia)	Whitestem blazingstar	Loasaceae	N	MEAL6
Phacelia crenulata	Cleftleaf wildheliotrope	Hydrophyllaceae	N	PHCR
Plantago patagonica	Woolly plantain	Plantaginaceae	N	PLPA2
Tragopogon dubius subsp. major	Western salsify	Asteraceae	I	TRDU
Xanthium strumarium	Rough cocklebur	Asteraceae	I	XAST
Annual Graminoids				
Bromus tectorum (=Anisantha)	Cheatgrass, Downy brome	Poaceae	I+ C	BRTE

Scientific Name	Common Name	Family	Origin	PLANTS Code
Eremopyrum triticeum (=Agropyron)	Annual wheatgrass	Poaceae	I	ERTR13
Vulpia octoflora	Sixweeks fescue	Poaceae	N	VUOC

Notes: Nomenclature generally follows Flora of Colorado (Ackerfield 2022) with Weber and Wittmann (2012) synonyms in parantheses. Origin: N=Native; I=Introduced, I+A,B,C,W = Colorado Listed Noxious Weed and Rank. Plants Code: National Code from the NRCS PLANTS National database. Prepared by Rea Orthner of Peak Ecological Services, LLC, Nederland, CO.

Date Created 01-Sep-23

COLORADO
Division of Reclamation, Mining and Safety
Department of Natural Resources

1313 Sherman St. Room 215
Denver, CO 80203

January 25, 2024

Scott Pottorff
Highbury Resources, Inc.
28151 DD Road
P.O. Box 700
Nucla, CO 81424

Re: Slick Rock, Notice of Intent to Conduct Prospecting Operations, File No. P-2023-018, Application Acceptance

Dear Mr. Pottorff:

The Division of Reclamation, Mining and Safety (Division) has completed the review of the above listed Notice of Intent to Conduct Prospecting (NOI) Application which included Concurrence Correspondence from the Bureau of Land Management (BLM) and posting of the required Financial and Performance warranties. This notice is to inform you that as of Wednesday January 24, 2024 the Division has **accepted** your application.

Pursuant to Rule 5.1.3(d)(iv), the Division's determination will not take effect until the expiration of the five business days allowed for an appeal, or in the case of an appeal, until the Mined Land Reclamation Board issues its decision. If there are no appeals within the five day appeal period, you may commence prospecting operations.

In accordance with Rule 5.8, an Annual Report and associated fee of $86.00 must be submitted on your notice approval anniversary date (august 8) for each year following the lining of an NOI until reclamation responsibility release is granted. In addition, Rule 5.3.4 requires the prospector to notify the Division of completion of prospecting operations and Rule 5.7 requires the submittal of a final report for drill holes within 60 days of completion of the abandonment for artesian flow holes and within one year of completion of the abandonment for any other drill holes.

Please note, the acceptance of this NOI shall not be construed to abrogate the duty of the prospector to comply with other applicable laws or regulations, including but not limited to all federal, state or local permits, licenses and approvals, as well as any access agreements, as applicable to the specific operation.

If you have any questions please feel free to contact me. Direct contact can be made at the Division's Grand Junction Field Office, by phone at 303-866-3567 Ext. 8187 or by email at lucas.west@state.co.us.

Sincerely,



Lucas J. West
Environmental Protection Specialist
Division or Reclamation, Mining and Safety

Cc: Travis Marshall, Senior Environmental Protection Specialist

Ec: Mallory Potorff, Highbury Resources, Inc.
Bridget Wade, BLM

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Tres Rios Field Office
161 Burnett Drive Unit #4
Durango, Colorado 81301
www.blm.gov/colorado

In Reply Refer To:
3809 (LLCOS01000)
CO106332662

December 7, 2023

Highbury Resources
Attn: Scott Pottorff, Project Manager
28151 DD Rd
Nucla, CO USA 81424

Re: Slick Rock NOI – Acceptance of 3809 Notice and Required Amount of Financial Guarantee

Dear Mr. Pottorff:

On December 4, 2023, the Bureau of Land Management (BLM) Tres Rios Field Office (TRFO) received Highbury Resource's updated Slick Rock Notice (CO106332662) to conduct exploratory drilling for uranium and vanadium on unpatented mining claims on BLM TRFO administered public lands in T. 44 N. R. 18 W. Sec 26, 27, 28, 29, 33, 34, New Mexico Prime Meridian, San Miguel County, Colorado.

The TRFO has completed the review of this Notice, and determined it is complete, containing all the information required by the surface management regulations required by 43 CFR 3809.301. TRFO also determined that the Notice as submitted is adequate to prevent unnecessary or undue degradation as defined by 43 CFR 3809.5. Activities under this Notice may commence as submitted with the attached mitigation measures. You must adhere to the performance standards outlined in 43 CFR 3809.420 where applicable, all applicable federal, state, and local laws, regulations, and permit requirements.

This decision does not constitute certification of ownership to any entity named in the Notice, recognition of the validity of any associated mining claims, or recognition of the economic feasibility of the proposed operations.

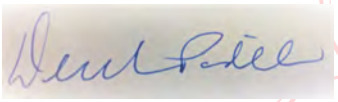
Amount of Financial Guarantee – This office, in concert with the Colorado Department of Reclamation, Mining, and Safety (CDRMS), has reviewed Highbury's reclamation cost estimate for this project and determined that the amount of $2,000 is sufficient to meet all the anticipated reclamation requirements. The amount of the reclamation cost estimate is based on the operator complying with all applicable operating and reclamation requirements as outlined in the Notice and the regulations at 43 CFR 3809.420.

Term of Notice – This Notice, CO106332662, will remain in effect for two years from the date of this letter unless you notify this office beforehand that operations have ceased and reclamation is complete. If you wish to conduct operations for another two years after the expiration date of this Notice, you must notify this office in writing on or before the expiration date as required by 43 CFR 3809.333. You will also have to submit an updated reclamation cost at that time.

Exploration activities under this Notice may not begin until all necessary federal and state permits and approvals have been obtained.

If you have any questions, please contact Bridget Wade, BLM Tres Rios Field Office Geologist, at (970) 385-1342 or bcwade@blm.gov.

Sincerely,



Digitally signed by DEREK PADILLA
Date: 2023.12.07 10:24:47 -07'00'

Derek Padilla
Field Manager

CC: Lucas West
Environmental Protection Specialist
DRMS Room 215
1001 E 62nd Ave
Denver, CO 80216

Attachment 1: Mitigation Measures

In order to accommodate big game, the Tres Rios Field Office Wildlife Biologist has recommended the following:

Hole #467 is in a desert bighorn sheep production area. Operator shall not commence operations during the timing restriction from February 1 through May 1.

Hole #455, #467, and #481 are in a desert bighorn sheep winter concentration area. Operator shall not commence operations during the timing restriction of December 1 through April 15.

Hole #467 is in a mule deer winter concentration area. Operator shall not commence operations during the timing restriction from December 1 through April 30.

In order to protect archeological resources, the Tres Rios Field Office Archaeologist has recommended the following:

Hole #455 has sensitive cultural resources in the vicinity, disturbance shall be kept to a bare minimum by reducing vehicle traffic to the fewest trips possible. Reclamation of any access disturbance shall commence immediately following cessation of work along the access.

PROPERTY SWAP AGREEMENT

THIS PROPERTY SWAP AGREEMENT (the "**Agreement**") is made this 19th of April, 2022 (the "**Effective Date**")

BETWEEN:

> **ANFIELD ENERGY INC**., a British Columbia corporation with an office at 4390 Grange Street, Suite 2005, Burnaby, BC, V5H 1P6 ("**Anfield**");

AND:

> **ARH WYOMING CORP**. ("**ARH Wyoming**");

AND:

> **HIGHBURY RESOURCES INC**. ("**Highbury**", and together with ARH Wyoming and Anfield Energy, the "**Anfield Parties**");

AND:

> **URANIUM ENERGY CORP**., a Nevada corporation with an office at 1030 West Georgia Street, Suite 1830, Vancouver, BC, V6E 2Y3 ("**UEC**");
>
> (and the Anfield Parties and UEC are collectively referred to as the "**Parties**" and individually as a "**Party**").

WHEREAS:

A. ARH Wyoming and Highbury are wholly-owned subsidiaries of Anfield;

B. The Parties have simultaneously entered into a debt settlement agreement, dated April 19, 2022, (the "**Settlement Agreement**"). Under the terms of the Settlement Agreement the Parties have agreed to enter into this Agreement to effect an exchange of mining properties;

C. Anfield owns, through ARH Wyoming, 1,689 unpatented mining claims located in the Albany, Campbell, Carbon, Converse, Crook, Fremont, Johnson, Natrona and Sweetwater Counties located in the State of Wyoming, as more particularly described in Part 1 of Schedule "A" which is attached hereto (collectively, the "**Anfield Mining Claims**"), and 38 state mineral leases located in Campbell, Carbon, Converse, Fremont, Johnson, Natrona and Sweetwater Counties located in the State of Wyoming, as more particularly described on Part 2 of Schedule "A" (collectively, the "**Anfield Leases**", and together with the Anfield Mining Claims, the "**Anfield Leases & Claims**");

D. The Anfield Parties desire to transfer their interests in the Anfield Leases & Claims to UEC, and UEC desires to acquire such interests on the terms and conditions set out in this Agreement;

E. UEC owns 335 unpatented mining claims located in San Miguel County of the State of Colorado, as more particularly described in Schedule "B" which is attached hereto (collectively, the "**UEC Mining Claims**"), and one Uranium Mining Lease located in San Miguel and Montrose Counties of the State of Colorado, as also more particularly described in Schedule "B" (the "**UEC Lease**", and together with the UEC Mining Claims, the "**UEC Lease & Claims**");

F. UEC desires to transfer its interests in the UEC Lease & Claims to Anfield, and Anfield desires to acquire such interests on the terms and conditions set out in this Agreement; and

G. The Parties desire to enter into this Agreement to exchange the properties on the following terms and conditions (with all of the transactions provided for under this Agreement being, collectively, the "**Transactions**").

NOW THEREFORE THIS AGREEMENT WITNESSES that in consideration of the premises and of the covenants and agreements set out in this Agreement, the Parties agree as follows.

1. TRANSFER AND ASSUMPTION

Transfer. On the Closing Date (as defined below), subject to the terms and conditions set forth in this Agreement, UEC shall transfer, assign and convey to Anfield all of UEC's right, title and interest in and to the UEC Lease & Claims, and the Anfield Parties shall transfer, assign and convey to UEC all of the Anfield Parties' right, title and interest in and to the Anfield Leases & Claims.

For this purposes of this Agreement, the term "**Transferor**" is used throughout to refer to the Party who currently owns its respective leases & claims, and the term "**Transferee**" is used throughout to refer to the Party seeking to acquire the other Party's leases & claims (collectively, the "**Leases & Claims**" as the context so requires).

1.2 Exchange/Consideration. The Parties agree to exchange the Anfield Leases & Claims and the UEC Lease & Claims without additional consideration, subject to the terms of this Agreement and the Settlement Agreement.

1.3 Assumption of Liabilities and Obligations. From and after the Closing Date, each Transferee expressly assumes all Liabilities, Environmental Liabilities, duties, obligations, guaranties, commitments, undertakings and contingencies of any nature (whether known or unknown, express or implied, accrued, liquidated, absolute, contingent or otherwise, and whether due or to become due) under, in and relating to the Leases & Claims however arising, and including, but not limited to, reclamation, bonding and other similar obligations under applicable Environmental Laws with respect to the Leases & Claims, that arise, become due or payable, or are required to be performed on or after the Closing Date.

1.4 Transfer Fees. Each Transferee shall pay all registration charges, transfer fees, recording fees and Taxes (as defined below) properly payable on and in connection with the transfer of the Leases & Claims being acquired under the Transactions.

1.5 Closing. The closing of the Transactions in this Agreement ("**Closing**") shall be deemed to occur simultaneously with the closing of the Settlement Agreement (the "**Closing Date**"). The

Closing Date shall be no longer than 60 calendar days from the date of execution of this Agreement and the Settlement Agreement. In the event that Closing does not occur due to the delay of any required regulatory approval, the Closing Date shall be automatically extended by up to 30 calendar days. Closing shall occur as promptly as possible, and in any event not later than three Business Days (as defined below) following the satisfaction or waiver of the conditions set forth in Section 4 of this Agreement that are to be satisfied at or prior to Closing or on such date as the Parties may agree to in writing. Closing shall occur electronically or at the office of UEC's counsel, or at such other place as the Parties may agree to in writing.

1.6 Closing Deliveries by each Transferor. At Closing, each Transferor shall deliver, or cause to be delivered, to the Transferee (unless previously delivered, or expressly waived in writing by, the Transferee) the following:

(a) the Quitclaim Deed, Assignment, Conveyance and Bill of Sale attached hereto as Exhibit "A" conveying to the Transferee all of the Transferor's right, title and interest in and to the Leases & Claims as of the Closing Date, duly executed and delivered by the Transferor;

(b) the assignment for each of the Leases & Claims in the form prescribed by applicable Law, duly executed and delivered by the Transferor;

(c) a certificate executed by an authorized officer of the Transferor, stating that the conditions to Closing set forth in Subsection 4.2 of this Agreement have been satisfied; and

(d) all such other assurances, consents, agreements, documents and instruments as may be reasonably required by the Transferee to complete the Transactions.

1.7 Closing Deliveries by Transferee. At Closing, each Transferee shall deliver, or cause to be delivered, to the Transferor (unless previously delivered to, or expressly waived in writing by, the Transferor) the following:

(e) a certificate executed by an authorized officer of the Transferee, stating that the conditions to Closing set forth in Subsection 4.3 of this Agreement have been satisfied; and

(f) all such other assurances, consents, agreements, documents and instruments as may be reasonably required by the Transferor to complete the Transactions.

1.8 Simultaneous Transactions. The Transactions and all deliveries contemplated by Subsections 1.6 and 1.7 of this Agreement shall be deemed to occur simultaneously on the Closing Date, and none shall be deemed completed until all are completed.

2. REPRESENTATIONS AND WARRANTIES

2.1 Transferor's Representations and Warranties. Each Transferor represents and warrants to the Transferee that:

(a) the Transferor is a corporation duly incorporated and validly subsisting and is in good standing under the laws of the jurisdiction of its incorporation, with full

power and absolute authority and capacity to enter into this Agreement and to carry out the transactions contemplated hereby;

(b) the Transferor has duly obtained all corporate authorizations for the execution, delivery, and performance of this Agreement. This Agreement has been duly executed and delivered by the Transferor and constitutes the valid and binding obligation of the Transferor, enforceable in accordance with its terms, subject to applicable Law (as defined below);

(c) to the knowledge of the Transferor upon reasonable inquiry, the Transferor owns good title to the Leases and Claims and all fee leases forming part of the Leases & Claims, subject to any Permitted Encumbrances (as defined below);

(d) no person (which term shall be given the broadest interpretation possible in this Agreement) has any right, agreement, commitment or option, present or future, contingent or absolute, or any right or privilege capable of becoming a right, agreement, commitment or option to acquire from the Transferor the Leases & Claims or any interest therein;

(e) subject to the receipt of any necessary consents, to the knowledge of the Transferor, there does not exist under any contract forming part of the Leases & Claims any event of default or event or condition that, after notice or lapse of time or both, would constitute a violation, breach or event of default on the part of the Transferor, to the extent such person is a party thereto, except for such violations, breaches, defaults, events or conditions that would not have a Material Adverse Effect (as defined below);

(f) to the Transferor's knowledge, the Leases & Claims and leases and other rights to conduct exploration, development and/or mining activities which underlie the Leases & Claims are not subject to any pending or threatened cancellation, forfeiture, relinquishment or surrender and the Transferor is not aware of any circumstances which could give rise to any such action;

(g) except where any such Claim (as defined below) would not have, or be expected to have, a Material Adverse Effect: (i) no part of the Leases & Claims is subject to any outstanding injunction, judgment, order, decree, ruling, charge or any Claim of, in, or before any Governmental Entity (as defined below); and (ii) to the Transferor's knowledge, there is no Claim that is pending or has been threatened in writing against any part of the Leases & Claims;

(h) nothing in this Agreement shall be deemed to be a representation or warranty as to (i) whether any of the Leases & Claims contains a discovery of valuable minerals, (ii) the absence of any junior patented or unpatented mining claims in conflict with the Leases & Claims, (iii) whether or not any of the Leases & Claims comprise a contiguous group of claims or are free from interior gaps or fractions, (iv) whether or not the Transferor or its predecessors-in-title established or maintained *pedis possession* rights with respect to any of the Leases & Claims or (v) what rights the Transferor has to use the surface of any of the Leases & Claims for any purpose;

(i) EXCEPT AS EXPRESSLY SET FORTH IN THIS SECTON 2.1 OF THIS AGREEMENT, THE TRANSFEROR MAKES NO REPRESENTATION OR WARRANTY, EXPRESS OR IMPLIED, AT LAW OR IN EQUITY, AND EXCEPT AS EXPRESSLY SET FORTH IN THIS SECTION 2.1 OF THIS AGREEMENT, THERE ARE NO IMPLIED CONDITIONS IN RESPECT OF THE TRANSFEROR OR ANY OF LEASES & CLAIMS AND INCLUDING, WITHOUT LIMITATION, ANY WARRANTIES EXPRESS OR IMPLIED WITH RESPECT TO THE SUFFICIENCY, COMPLETENESS, MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE OF ANY SUCH LEASES & CLAIMS, AND ANY SUCH IMPLIED REPRESENTATIONS, WARRANTIES OR CONDITIONS ARE HEREBY EXPRESSLY DISCLAIMED; and

(j) THE TRANSFEROR MAKES NO REPRESENTATIONS OR WARRANTY WHATSOEVER CONCERNING THE EXISTENCE, NATURE, LOCATION, AMOUNT OR VALUE OF ANY MINERALIZATION, MINERAL RESERVES OR RESOURCES OR WHETHER ANY NECESSARY PERMITS CAN BE OBTAINED IN A TIMELY MANNER OR WHETHER ANY MINING CAN BE DONE ECONOMICALLY OR AS TO THE COST OR TIME REQUIRED TO OPERATE AND MAINTAIN ANY SUCH MINE OR MINE FACILITY. ONLY THE TRANSFEREE MAY RELY ON THE REPRESENTATIONS SET FORTH IN THIS SECTION 2.1 OF THIS AGREEMENT.

2.2 Transferee's Representations and Warranties. Each Transferee represents and warrants to the Transferor that:

(a) the Transferee is a corporation duly incorporated and validly subsisting and is in good standing under the laws of the jurisdiction of its incorporation, with full power and absolute authority and capacity to enter into this Agreement and to carry out the Transactions; and

(b) the Transferee has duly obtained all corporate authorizations for the execution, delivery, and performance of this Agreement. This Agreement has been duly executed and delivered by the Transferee and constitutes the valid and binding obligation of the Transferee, enforceable in accordance with its terms, subject to applicable Law.

3. AGREEMENTS

3.1 Abandonment/Surrender. For greater certainty, and without obliging either Party, if a Transferee abandons or surrenders any of the Leases & Claims, or allows them to expire at any time, nothing in this Agreement shall prevent the Transferor from applying to the appropriate regulator or landowner for any lease or fee lease and/or staking any mining claims forming part of such Leases & Claims, or otherwise attempting to acquire any such Leases & Claims.

3.2 Release. Subject to Section 3.1 of this Agreement, the Transferee, and its officers, directors, representatives, employees, agents, contractors, affiliates, parents and subsidiaries, hereby fully and forever release Transferor, and its officers, directors, representatives, employees, agents, contractors, affiliates, parents and subsidiaries (collectively, the "**Transferor Group**"), from any Claims, of any type whatsoever, past, present or future, known or unknown arising out

of or relating to the Leases & Claims, except where such Claims relate to the fraud of any members of the Transferor Group.

3.3 Indemnification. The Transferee shall indemnify and hold harmless the Transferor from any and all Claims, demands, suits, Losses (as defined below), expenses (including reasonable attorneys' fees), damages and injuries (including death) to persons and property whatsoever that may result from or arise out of (i) a breach of this Agreement, (ii) the ownership or the operations conducted on or for the benefit of the Leases & Claims by the Transferee or (iii) reclamation, bonding, environmental and Liabilities with respect to the Leases & Claims.

3.4 Condition of Leases & Claims. Each Transferee hereby acknowledges that it has made its own independent inspection and investigation of the Leases & Claims and all matters concerning the Leases & Claims which it deems material to its purchase, ownership and use of the Leases & Claims. Each Transferee is acquiring the Leases & Claims **AS IS AND WITH ALL FAULTS**. Each Transferee acknowledges that the Transferor makes no representations or warranties except as expressly set forth in Section 2.1 of this Agreement. Without limiting the foregoing, each Transferor makes no representation or warranty, implied or express, concerning the existence, quantity, quality, mineability, or merchantability of the minerals within or underlying the Leases & Claims and each Transferee acknowledges and agrees that no representations, statements or warranties, express or implied, have been made by or on behalf of the Transferor with respect to the Leases & Claims regarding value, physical or environmental condition, use, merchantability, fitness for a particular purpose, freedom from defects or Encumbrances.

3.5 Public Announcements and Confidentiality. The Parties agree that the existence and content of this Agreement and the terms and status of the Transactions are confidential and, except as otherwise required by applicable Law or securities regulatory authorities or expressly permitted in this Agreement, shall not be disclosed by either Party (other than to its representatives, including its legal and financial advisors, in the necessary course of business in connection with the Transactions) without the prior written consent of the other Party. The Parties agree to consult with each other prior to dissemination of any public announcements concerning the Transactions, and to reflect reasonable input from such consultations into such announcements, and that there will be no public announcement or other disclosure of the Transactions or of the matters dealt with herein unless they have mutually agreed thereto or unless otherwise required by applicable Law or by regulatory instrument, rule or policy based on the advice of counsel. If either Party is required by applicable Law or regulatory instrument, rule or policy to make a public announcement with respect to the Transactions, the Party will provide as much notice to the other of the announcement as reasonably possible, including the proposed text of the announcement.

4. CONDITIONS TO OBLIGATIONS OF THE PARTIES

4.1 Conditions to Each Party's Obligations. The obligation of each Party to consummate the transfer of the Leases & Claims is subject to the satisfaction at or prior to Closing of the following conditions:

(a) all conditions of the Settlement Agreement having been met, excepting the conditions relating to this Agreement;

(b) no effective injunction, writ or preliminary restraining order or any order of any nature issued by, or Law of, a Governmental Entity of competent jurisdiction

shall have been issued, enforced or applied so as to have, and no Claim shall have been made or commenced by any Governmental Entity or other person that, if successful, would have the effect of prohibiting the consummation of the Transactions or any of the other transactions consummated in this Agreement or any related agreement, or imposing material damages or sanctions on any Party in connection therewith;

(c) no written notice shall have been received by any Party from any Governmental Entity indicating an intent to restrain, prevent, materially delay or restructure the Transactions; and

(d) the Parties shall have obtained all necessary approvals, consents and waivers.

4.2 Conditions to Obligations of Transferor. The obligation of each Transferor to consummate the Transactions is further subject to the satisfaction at or prior to Closing of the following conditions (unless expressly waived by the Transferor in writing):

(a) the representations and warranties of the Transferee contained in Section 2 of this Agreement shall be true and correct in all material respects at and as of the Effective Date and the Closing Date as if made at and as of such time, except for (i) changes permitted or contemplated by this Agreement and (ii) representations and warranties which are given or made at or as of a specific date, in which event they shall be true and correct only at or as of such date; and

(b) the Transferee shall have performed in all material respects its obligations under this Agreement required to be performed by it at or prior to Closing pursuant to the terms of this Agreement.

4.3 Conditions to Obligations of Transferee. The obligations of each Transferee to consummate the Transactions is further subject to the satisfaction at or prior to Closing of the following conditions (unless expressly waived by the Transferee in writing):

(a) the representations and warranties of the Transferor contained in Section 2 of this Agreement shall be true and correct in all material respects at and as of the Effective Date and the Closing Date as if made at and as of such time, except for (i) changes permitted or contemplated by this Agreement and (ii) representations and warranties which are given or made at or as of a specific date, in which event they shall be true and correct only at or as of such date;

(b) since the Effective Date, no Material Adverse Effect shall have occurred and the Transferor shall have conducted any operations or activities on the Leases & Claims in accordance with their ordinary practice prior to the Effective Date; and

(c) the Transferor shall have performed in all material respects its obligations under this Agreement required to be performed by it at or prior to Closing pursuant to the terms hereof.

5. NOTICE

5.1 Notices. Any notice required or permitted to be given under this Agreement will be given in writing and (a) delivered personally, (b) sent by nationally-recognized overnight courier

or (c) sent by e-mail at the address indicated below and shall be deemed to have been given on the day on which it is received if delivered personally or sent by e-mail and otherwise on the next succeeding Business Day. If a notice is not delivered or sent on a Business Day or is delivered or sent on or after 5:00 p.m. (Vancouver time) on such day, it shall be deemed to be given on the next Business Day thereafter.

If to Anfield*:*

Anfield Energy Inc.
4390 Grange Street, Suite 2005
Burnaby, BC, V5H 1P6
Attention: Corey Dias, CEO
Email: cdias@anfieldresources.com.

If to UEC:

Uranium Energy Corp.
1030 West Georgia Street, Suite 1830
Vancouver, BC, V6E 2Y3
Attention: Amir Adnani, President and CEO
Email: aadnani@uraniumenergy.com.

5.2 Change of Address. Any Party may give notice in writing of any change of its address. The address provided in said notice shall thereafter be deemed to be the address of the Party for the giving of notice hereunder.

6. MISCELLANEOUS

6.1 Certain Defined Terms. As used in this Agreement, the following terms shall have the following meanings:

(a) "**Business Day**" means any day other than a Saturday, a Sunday or a day on which banks are generally not open for the conduct of regular business in either Vancouver, British Columbia, or Toronto, Ontario;

(b) "**Claim**" means any suit, claim, action, demand, cause of action, arbitration, audit, hearing, investigation or proceeding;

(c) "**Encumbrance**" means any mortgage, lien, pledge, option, security interest, Claim, charge, encumbrance, net profits interest, royalty, overriding royalty or other payment out of production;

(d) "**Environment**" means soil, land surface or subsurface strata, surface waters (including navigable waters, ocean waters, streams, ponds, drainage basins and wetlands), groundwaters, drinking water supply, stream sediments, ambient air (including indoor air), plant and animal life and any other environmental medium or natural resource;

(e) "**Environmental Law**" means any Law relating to the abatement of pollution, protection of the Environment and wildlife (including endangered species) or the manufacturing, processing, distribution, use, handling, transportation,

management treatment, storage, disposal or Release of Hazardous Materials into the Environment, including the *Atomic Energy Act*, the *Uranium Mill Tailings Radiation Control Act*, the *Comprehensive Environmental Response, Compensation and Liability Act*, the *Clean Air Act*, the *Clean Water Act*, the *Solid Wastes Disposal Act* (as amended by the *Resource Conservation and Recovery Act*), the *Toxic Substances Control Act*, *Emergency Planning and Community Right to Know Act*, the *Safe Drinking Water Act*, the *General Mining Law* and the *Federal Land Policy and Management Act*, any state or local counterparts to such statutes, any regulations, orders or findings issued under any of such statutes, and any similar Laws of any other Governmental Entity, and any other Laws of any Governmental Entity to the extent relating to reclamation of lands affected by mining or any provisions of permits;

(f) "**Environmental Liabilities**" means any and all Losses of any kind or nature arising out of, based on, resulting from or alleging (a) the presence, Release or threatened Release, of any Hazardous Materials existing or arising on, beneath or above any of the Leases & Claims, including Claims with respect to other properties based upon Claims relating to the Release or threatened Release of Hazardous Materials from the Leases & Claims to such other properties, whether or not immediately adjacent to the property, (b) the violation of any Environmental Laws involving any of the Leases & Claims, including Claims with respect to other properties based upon Claims relating to the Release or threatened Release of Hazardous Materials from the subject property to such other properties, whether or not immediately adjacent to the property or (c) Claims by private (non-governmental) parties for natural resources damages, penalties or fines, or property damages or personal injuries;

(g) "**Governmental Entity**" means any foreign or domestic (a) nation, state, province, territory, municipality, or other political subdivision of any nature, (b) federal, state, provincial, territorial, local, municipal, or other government, governmental, or quasi governmental authority of any nature (including any governmental agency, branch, bureau, central bank, commission, department, ministry, official, or entity and any court, board or other tribunal) or (c) body exercising, or entitled to exercise, any administrative, executive, judicial, legislative, police, regulatory, or taxing authority or power of any nature;

(h) "**Hazardous Material**" means any waste or other substance that is listed, defined, designated, or classified as, or otherwise determined to be, hazardous, radioactive, or toxic or a pollutant or a contaminant under or pursuant to any Environmental Law, including any mixture or solution thereof;

(i) *"***Law**" means any applicable statute, rule, code, regulation, by law, interpretation, ordinance, judgment or order of, or issued by, any Governmental Entity;

(j) "**Liabilities**" means any liabilities (including Environmental Liabilities), obligations, guaranties, debts, commitments or undertakings, of any nature, whether known or unknown, express or implied, accrued, liquidated, absolute, contingent or otherwise, and whether due or to become due;

(k) "**Loss**" means any actual loss, cost, Liability, action, order, fine, penalty, Taxes, Claim (including those absolute, accrued or contingent, unknown or otherwise), damage, cost or expense, including (a) any amount paid in settlement of any Claim; (b) reasonable fees and expenses of attorneys, other professionals, and experts and (c) costs for study, testing or investigatory costs, cleanup costs, response costs, removal costs, remediation costs, containment costs, restoration costs, and corrective action costs;

(l) "**Material Adverse Effect**" means any event, change, circumstance or effect that has or is reasonably likely to have a material adverse effect (a) on the Leases & Claims, taken as a whole or (b) on the ability of Transferor to perform its obligations under this Agreement or any related agreement on a timely basis, including to consummate the Transaction on a timely basis. Notwithstanding the foregoing, in no event shall any of the following be deemed, either alone or in combination, to constitute, nor shall any of the following be taken into account in determining whether there has been, a Material Adverse Effect (a) changes in Laws, rules or regulations of general applicability or interpretations thereof by Governmental Entities, (b) changes in prevailing interest rates, (c) changes in uranium prices or in general economic conditions, (d) any change, effect, fact, event or condition that adversely affects uranium mining in the United States generally, or the mining industry generally, (e) any actions that pursuant to the terms of this Agreement are taken or omitted to be taken, (f) any effects resulting from the announcement of this Agreement and (g) any effects resulting from facts, events or conditions that are disclosed in this Agreement;

(m) "**Permitted Encumbrance**" means (a) liens for Taxes not yet due and payable, (b) survey exceptions, easements, rights of way and restrictions, zoning ordinances and other similar Encumbrances affecting the Leases & Claims and which do not unreasonably restrict the use thereof, (c) all conditions, terms, exceptions, restrictions, obligations, easements, charges, rights of way and any mortgages, liens, pledges, options, security interests, charges, encumbrances, net profits interests, royalties, overriding royalties or other payments out of production, or Claims (collectively, the "**Encumbrances**") which are set forth in any contract forming part of the Leases & Claims, (d) Encumbrances with respect to the Transferor created by or resulting from the acts or omissions of the Transferee, its affiliates or their agents or representatives, (e) rights reserved to or vested in any Governmental Entity to control or regulate any interest in the Leases & Claims as imposed by applicable Law, (f) the paramount title and rights of the United States in and to unpatented mining claims and the rights of third parties to use the surface of unpatented mining claims and (g) any other Encumbrance that does not materially impair the current use and enjoyment of the applicable assets and does not have a material adverse effect on the business and operations of such assets;

(n) "**Release**" means any spilling, leaking, emitting, discharging, depositing, escaping, leaching, dumping, emanating, migrating or other releasing into the Environment, whether intentional or unintentional; and

(o) "**Taxes**" means, in respect of the Leases & Claims, all taxes, assessments, charges, duties, fees, levies or other charges by Governmental Entities, including income, franchise, capital stock, gains, real property, personal property,

withholding, employment, payroll, social security, social contribution, unemployment compensation, disability, transfer taxes, sales, use, excise, gross receipts, value added, goods and services and all other taxes of any kind for which the owner of the Leases & Claims has any Liability whether disputed or not, and any charges, interest or penalties imposed by any Governmental Entity in connection therewith.

6.2 Governing Law. This Agreement shall be construed in accordance with the laws of the Province of British Columbia and the federal laws of Canada applicable therein, and shall be treated in all respects as a British Columbia contract. Each of the Parties irrevocably attorns to the exclusive jurisdiction of the courts of the Province of British Columbia with respect to all matters arising out of this Agreement and the transactions contemplated herein.

6.3 Assignments. No Party may assign or transfer this Agreement or the benefits, rights, duties or obligations of such Party hereunder without the prior written consent of the other Parties, which consent shall not be unreasonably withheld; provided, however, that a corporate reorganization or merger of a Party shall not constitute an assignment or transfer of this Agreement.

6.4 Survival. The provisions of Subsection 1.3 and Sections 3, 4 and 5 of this Agreement, and to the extent provided for in Section 2 of this Agreement, shall survive the consummation of the Transactions contemplated herein.

6.5 Expenses. Each Party will be responsible for and bear all of its own costs and expenses incurred in connection with the Transactions.

6.6 Entire Agreement. Except for the Settlement Agreement, this Agreement embodies the entire agreement and understanding among the Parties hereto and supersedes all prior agreements and undertakings, whether oral or written, relative to the subject matter hereof.

6.7 Binding. This Agreement shall inure to the benefit of and be binding upon the Parties and their respective successors, permitted assigns, heirs, administrators and legal representatives.

6.8 Unenforceability of Provisions. If any one or more of the provisions contained herein should be held to be invalid, unenforceable or illegal in any respect in any jurisdiction, the validity, legality and enforceability of such provision shall not in any way be affected or impaired thereby in any other jurisdiction and the validity, legality and enforceability of the remaining provisions contained herein shall not in any way be affected or impaired thereby.

6.9 Counterparts. This Agreement may be executed in counterparts which may be delivered by facsimile or e-mail transmission. Each executed counterpart shall be deemed to be an original and all such counterparts when read together constitute one and the same instrument.

6.10 Third Party Beneficiaries. This Agreement is exclusively for the benefit of the Parties and this Agreement shall not be deemed to confer upon or give to any other third party any remedy, Claim, Liability, reimbursement or other right.

6.11 Further Assurances. At the request of any Party, the Parties shall take such reasonable actions, and execute and deliver any further instruments, agreements, documents or other papers reasonably requested by any Party to effect the purposes of this Agreement and the Transactions contemplated hereby.

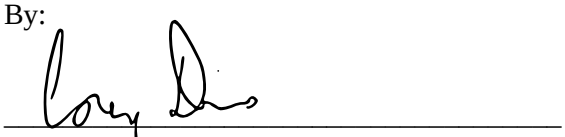
IN WITNESS WHEREOF, the Parties have duly executed this Agreement as of the date first written above.

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Signature Pages to Follow

ANFIELD ENERGY INC.

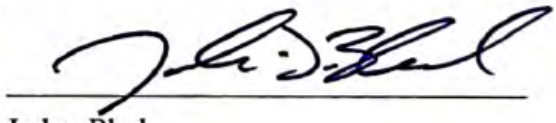
By:



Corey Dias
CEO

ARH WYOMING CORP.

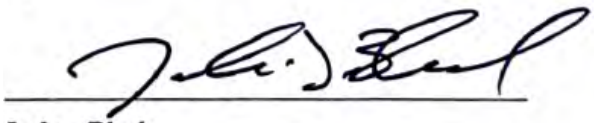
By:



Joshua Bleak
President

HIGHBURY RESOURCES INC.

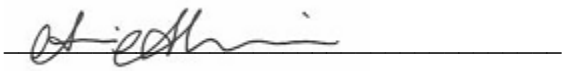
By:



Joshua Bleak
President

URANIUM ENERGY CORP.

By:



Amir Adnani
President and CEO

Schedule "B"

UEC Lease and Claims

UEC holds a Uranium Mining Lease. dated May 23, 2012 and made effective November 30, 2011, with URenergy, LLC, as lessor, covering several unpatented mining claims located in San Miguel and Montrose Counties, Colorado.

UEC owns 335 unpatented mining claims located in San Miguel and Montrose Counties of the State of Colorado; the particulars of which are provided hereinbelow:

Claim Name	BLM #	County Ref #	Township	Range	Section
BC 1	CMC264679	391965	T44N	R18W	28
BC 2	CMC264680	391966	T44N	R18W	28
BC 3	CMC264681	391967	T44N	R18W	20, 29
BC 4	CMC264682	391968	T44N	R18W	20, 29
BC 5	CMC264683	391969	T44N	R18W	20, 29
BC 6	CMC264684	391970	T44N	R18W	20, 29
BC 7	CMC264685	391971	T44N	R18W	20, 29
BC 8	CMC264686	391972	T44N	R18W	20, 29
BC 9	CMC264687	391973	T44N	R18W	20, 21, 28, 29
BC 10	CMC264688	391974	T44N	R18W	21, 28
BC 11	CMC264689	391975	T44N	R18W	19
BC 12	CMC264690	391976	T44N	R18W	19
BC 13	CMC264691	391977	T44N	R18W	19
BC 14	CMC264692	391978	T44N	R18W	19
BC 15	CMC264693	391979	T44N	R18W	19, 20
BC 16	CMC264694	391980	T44N	R18W	20
BC 17	CMC264695	391981	T44N	R18W	20
BC 18	CMC264696	391982	T44N	R18W	20
BC 19	CMC264697	391983	T44N	R18W	20
BC 20	CMC264698	391984	T44N	R18W	20
BC 21	CMC264699	391985	T44N	R18W	20
BC 22	CMC264700	391986	T44N	R18W	19
BC 23	CMC264701	391987	T44N	R18W	19
BC 24	CMC264702	391988	T44N	R18W	19

BC 25	CMC264703	391989	T44N	R18W	19
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Burro 14	CMC253071	371317	T44N	R18W	19, 30
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SR 84	CMC279082	415687	T44N	R18W	28
SR 85	CMC279083	415688	T44N	R18W	28
SR 86	CMC279084	415689	T44N	R18W	21, 22, 27, 28
SR 87	CMC279085	415690	T44N	R18W	21, 28
SR 88	CMC279086	415691	T44N	R18W	21, 27
SR 89	CMC283041	422087	T44N	R18W/19W	19/24
SR 90	CMC283042	422088	T44N	R18W/19W	19/24
SR 91	CMC283043	422089	T44N	R18W	19

SR 92	CMC283044	422090	T44N	R18W	19
SR 93	CMC283045	422091	T44N	R18W	19, 30
SR 94	CMC283046	422092	T44N	R18W	30
SR 95	CMC283047	422093	T44N	R18W	30
SR 96	CMC283048	422094	T44N	R18W	29
SR 97	CMC283049	422095	T44N	R18W	29
SR 98	CMC283050	422096	T44N	R18W	32
SR 99	CMC283051	422097	T44N	R18W	20, 21
SR 100	CMC283052	422098	T44N	R18W	21
SR 101	CMC283053	422099	T44N	R18W	21, 28
SR 102	CMC283054	422100	T44N	R18W	28
SR 103	CMC283055	422101	T44N	R18W	21, 28
SR 104	CMC283056	422102	T44N	R18W	21, 22, 27, 28
SR 105	CMC283057	422103	T44N	R18W	22, 27
SR 106	CMC283058	422104	T44N	R18W	22, 27
SR 107	CMC283059	422105	T44N	R18W	22, 27
SR 108	CMC283060	422106	T44N	R18W	22
SR 109	CMC283061	422107	T44N	R18W	22
SR 110	CMC285689	430415;0;0	T44N	R18W	25
SR 111	CMC285690	430416;0;0	T44N	R18W	24, 25
SR 112	CMC285691	430417;0;0	T44N	R18W	25
SR 113	CMC285692	430418;0;0	T44N	R18W	24, 25
SR 114	CMC285693	430419;0;0	T44N	R18W	25
SR 115	CMC285694	430420;0;0	T44N	R18W	24, 25
SR 116	CMC285695	430421;0;0	T44N	R18W	25
SR 117	CMC285696	430422;0;0	T44N	R18W	24, 25
SR 118	CMC285697	430423;0;0	T44N	R18W	25
SR 119	CMC285698	430424;0;0	T44N	R18W	24, 25
SR 120	CMC285699	430425;0;0	T44N	R18W	25
SR 121	CMC285700	430426;0;0	T44N	R18W	24, 25
SR 122	CMC285701	430427;0;0	T44N	R18W	25
SR 123	CMC285702	430428;0;0	T44N	R18W	24, 25

SR 124	CMC285703	430429;0;0	T44N	R18W	25
SR 125	CMC285704	430430;0;0	T44N	R18W	24, 25
SR 126	CMC285705	430431;0;0	T44N	R18W	25
SR 127	CMC285706	430432;0;0	T44N	R18W	24
SR 128	CMC285707	430433;0;0	T44N	R18W	24
SR 129	CMC285708	430434;0;0	T44N	R18W	24
SR 130	CMC285709	430435;0;0	T44N	R18W	24
SR 131	CMC285710	430436;0;0	T44N	R18W	24
TAN 1	CMC282347	420541	T44N	R18W	22, 23, 26
TAN 2	CMC282348	420542	T44N	R18W	26
TAN 3	CMC282349	420543	T44N	R18W	23, 26
TAN 4	CMC282350	420544	T44N	R18W	26
TAN 5	CMC282351	420545	T44N	R18W	23, 26
TAN 6	CMC282352	420546	T44N	R18W	26
TAN 7	CMC282353	420547	T44N	R18W	23, 26
TAN 8	CMC282354	420548	T44N	R18W	26
TAN 9	CMC282355	420549	T44N	R18W	23, 26
TAN 10	CMC282356	420550	T44N	R18W	26
TAN 11	CMC282357	420551	T44N	R18W	23, 26
TAN 12	CMC282358	420552	T44N	R18W	26
TAN 13	CMC282359	420553	T44N	R18W	23, 26
TAN 14	CMC282360	420554	T44N	R18W	26
TAN 15	CMC282361	420555	T44N	R18W	25, 26
TAN 16	CMC282362	420556	T44N	R18W	26
TAN 17	CMC282363	420557	T44N	R18W	23
TAN 18	CMC282364	420558	T44N	R18W	26
TAN 19	CMC282365	420559	T44N	R18W	23, 24, 25, 26
TAN 20	CMC282366	420560	T44N	R18W	25, 26
TAN 21	CMC282367	420561	T44N	R18W	23
TAN 63	CMC282368	420596	T44N	R18W	29
TAN 64	CMC282369	420597	T44N	R18W	29
TAN 65	CMC282370	420598	T44N	R18W	29, 32

TAN 66	CMC282371	420599	T44N	R18W	29, 32
TAN 67	CMC282372	420600	T44N	R18W	32
TAN 68	CMC282373	420601	T44N	R18W	32

Claim Name	BLM #	County Ref #	Township Range	Section
BJT 11	CMC279539	822072	R16W	7
BJT 12	CMC279540	822073	R16W	7, 18
BJT 13	CMC279541	822074	R16W	7
BJT 14	CMC279542	822075	R16W	7, 18
BJT 15	CMC279543	822076	R16W	7
BJT 16	CMC279544	822077	R16W	7, 18
BJT 17	CMC279545	822078	R16W	7
BJT 18	CMC279546	822079	R16W	7, 18
BJT 19	CMC279547	822080	R16W	7
BJT 20	CMC279548	822081	R16W	7, 18
BJT 21	CMC279549	822082	R16W	7
BJT 22	CMC279550	822083	R16W	7, 18
BJT 23	CMC279551	822084	R16W	6, 7
EVA 11	CMC278741	819463	R17W	2/35
EVA 12	CMC278742	819464	R17W	2/35
EVA 13	CMC278743	819465	R17W	2/35
EVA 14	CMC278744	819466	R17W	35
EVA 15	CMC278745	819467	R17W	35
EVA 16	CMC278746	819468	R17W	35
EVA 17	CMC278747	819469	R17W	35

MEMORANDUM OF URANIUM MINING LEASE

STATE OF COLORADO §
§ **KNOW ALL MEN BY THESE PRESENTS:**
COUNTY OF SAN MIGUEL §

THAT URenergy, LLC, whose mailing address is 1388 Meyerwood Lane, Highlands Ranch, Colorado, 80129, (hereinafter referred to as "Lessor"), have executed and delivered to Uranium Energy Corp. whose address is 500 N. Shoreline Blvd., Suite 800N, Corpus Christi, Texas, 78401, a Nevada Corporation, (hereinafter referred to as "Lessee"), a Uranium Mining Lease covering the lands described in attached Exhibit "A" situated in San Miguel and Montrose County, Colorado.

Under the terms of the Lease, Lessor has granted to Lessee, certain rights, to the extent that the Lessor has said rights in the lands covered in attached Exhibit "A", for the purposes of investigating, exploring, prospecting, drilling, mining (including, but not limited to open pit, and underground, mining), producing, extracting, milling, treating, processing, upgrading, removing, transporting, stockpiling and storing uranium, thorium, vanadium and other fissionable or spatially associated substances similar to and produced in conjunction with those mentioned above (hereinafter referred to individually or collectively as "Leased Substances") by methods deemed desirable by Lessee; but excluding sand, gravel and caliche unless produced in connection with those mentioned. Lessor further grants, leases and lets unto Lessee the Leased Land for the purposes of conducting all types of recovery operations for the Leased Substances; establishing and using facilities for the disposition of salt water, solution, tailings and other waste materials produced in the extraction of the Leased Substances, laying pipeline, building roads, bridges, tanks, power and telephone lines, electric and distribution lines, mills, processing plants, mine shafts, pits, haulage ways, and other utilities together with the maintenance and removal thereof deemed reasonably necessary by Lessee to conduct mining, recovery and restoration operations granted under this lease.

WHEREAS, it is the desire of the parties that public notice of said Lease be given by the execution and recordation of this Memorandum of Uranium Mining Lease;

NOW, THEREFORE, in consideration of the sum of Ten and No/100 Dollars and other good and valuable consideration in hand paid by Lessee, the receipt and sufficiency of which is hereby acknowledged, Lessor has GRANTED, exclusively unto Lessee, subject to the terms and provisions of said Uranium Mining Lease (the original of which is in the possession of Lessor) for such period of time as Lessee continues to pay the renewal fees to keep mining claims described in attached Exhibit "A" in good standing and so long thereafter as uranium or any of the other Leased Substances are produced from the said Leased Land, and/or as long thereafter as the Lease may be maintained in

BSC 5/23/12

force and effect under any of the other provisions contained within the Lease from the effective date of November 30, 2011.

EXECUTED this 23 day of May, 2012, but made effective as of the date of said Uranium Mining Lease.

LESSOR:

URenergy, LLC
by its Manager: Bill S. Thompson

By: _____

LESSEE:

Uranium Energy Corp.

By: _____

ACKNOWLEDGEMENTS

STATE OF COLORADO :

COUNTY OF DOUGLAS :

SUBSCRIBED AND SWORN TO before me this 23RD day of May, 2012 by Bill S. Thompson, the Manager of URenergy, LLC.

Notary Public

My Commission Expires:

09/09/2013

SARA ANNE WILSON
NOTARY PUBLIC
STATE OF COLORADO
My Commission Expires 09/09/2013

STATE OF ~~TEXAS~~ New Mexico :

COUNTY OF Bernalillo :

SUBSCRIBED AND SWORN TO before me this 11 day of June, 2012 by Clyde Yancey as VP Exploration of Uranium Energy Corp.

Notary Public

My Commission Expires:

Oct 7, 2015

OFFICIAL SEAL
Talitha D. Williams
Notary Public
State of New Mexico
My Commission Expires Oct 7, 2015

EXHIBIT "A"

This Exhibit "A", attached to and made a part of that Uranium Mining Lease by and between UREnergy, LLC, and Uranium Energy Corp.

Claim Name	BLM Reference	Claim Name	BLM Reference
MCT #38	CMC255837	MCT #10	CMC282322
MCT #39	CMC255838	MCT #11	CMC282323
MCT #40	CMC255839	MCT #12	CMC282324
MCT #41	CMC255840	MCT #13	CMC282325
MCT #42	CMC255841	MCT #14	CMC282326
MCT #43	CMC255842	MCT #15	CMC282327
MCT #44	CMC255843	MCT #16	CMC282328
MCT #45	CMC255844	MCT #17	CMC282329
MCT #46	CMC255845	MCT #18	CMC282330
MCT #47	CMC255846	MCT #19	CMC282331
MCT #48	CMC255847	MCT #20	CMC282332
MCT #49	CMC255848	MCT #21	CMC282333
MCT #50	CMC255849	MCT #22	CMC282334
MCT #51	CMC255850	MCT #23	CMC282335
MCT #52	CMC255851	MCT #24	CMC282336
MCT #53	CMC255852	MCT #25	CMC282337
MCT #54	CMC255853	MCT #26	CMC282338
MCT #55	CMC255854	MCT #27	CMC282339
MCT #56	CMC255855	MCT #28	CMC282340
MCT #35	CMC256458	MCT #29	CMC282341
MCT #36	CMC256459	MCT #30	CMC282342
MCT #37	CMC256460	MCT #31	CMC282343
EVA #11	CMC278741	MCT #32	CMC282344
EVA #12	CMC278742	MCT #33	CMC282345
EVA #13	CMC278743	MCT #34	CMC282346
EVA #14	CMC278744	TAN#1	CMC282347
EVA #15	CMC278745	TAN #2	CMC282348
EVA #16	CMC278746	TAN #3	CMC282349
EVA #17	CMC278747	TAN #4	CMC282350
BJT #11	CMC279539	TAN #5	CMC282351
BJT #12	CMC279540	TAN #6	CMC282352
BJT #13	CMC279541	TAN #7	CMC282353
BJT #14	CMC279542	TAN #8	CMC282354
BJT #15	CMC279543	TAN #9	CMC282355
BJT #16	CMC279544	TAN #10	CMC282356
BJT #17	CMC279545	TAN #11	CMC282357
BJT #18	CMC279546	TAN #12	CMC282358
BJT #19	CMC279547	TAN #13	CMC282359

SSE

5/23/12

EXHIBIT "A"
Continued

Claim Name	BLM Reference	Claim Name	BLM Reference
BJT #20	CMC279548	TAN #14	CMC282360
BJT #21	CMC279549	TAN #15	CMC282361
BJT #22	CMC279550	TAN #16	CMC282362
BJT #23	CMC279551	TAN #17	CMC282363
MCT #1	CMC282313	TAN #18	CMC282364
MCT #2	CMC282314	TAN #19	CMC282365
MCT #3	CMC282315	TAN #20	CMC282366
MCT #4	CMC282316	TAN #21	CMC282367
MCT #5	CMC282317	TAN #63	CMC282368
MCT #6	CMC282318	TAN #64	CMC282369
MCT #7	CMC282319	TAN #65	CMC282370
MCT #8	CMC282320	TAN #66	CMC282371
MCT #9	CMC282321	TAN #67	CMC282372
		TAN #68	CMC282373

Approximate Location of Mining Claims in Exhibit "A"

MCT #1-34 Claims, San Miguel County, Colorado
T44N, R18W, NMPM, Sections 21 and 22

TAN #1-21 Claims, San Miguel County, Colorado
T44N, R18W, NMPM, Sections 22, 23, 25 and 26

MCT #35-56
T44N, R18W, NMPM, Sections 15, 16, 21, 22, and 23

TAN #63-68 Claims, San Miguel County, Colorado
T44N, R18W, NMPM, Sections 29 and 32

BJT Claims 11-23, Montrose County, Colorado
T46N, R16W, NMPM, Sections 6, 7, and 18

EVA Claims 11-17 Montrose County, Colorado
T46N, R17W, NMPM, Section 2
T47N, R17W, NMPM, Section 35

APPLICANT'S CERTIFICATION OF COMPLIANCE WITH THE PUBLIC NOTICING REQUIREMENTS OF THE SAN MIGUEL COUNTY LAND USE CODE SECTION 3-9

Alex Kreile (Agent), Applicant, or the duly designated agent(s) of Applicant, has applied to San Miguel County for approval of a land use application. Applicant recognizes that the provisions of the San Miguel County Land Use Code (LUC) Section 3-9 require public notice by First Class mail and posting of the property not less than twenty (20) days before the date scheduled for a public meeting or hearing.

Applicant or Applicant's agent(s) have examined the current tax records of San Miguel County as they appeared either in the records of the San Miguel County Assessor or under the San Miguel County Geographic Information Systems* (GIS) mapping program no more than sixty (60) days prior to the date of the public meeting or hearing. Applicant or Applicant's agent(s) hereby certifies that: (Applicant must check all.)

☒ Following an examination of the records in the San Miguel County Assessor or under the San Miguel County GIS* mapping program, the Applicant has provided public notice, in compliance with LUC § 3-903C not less than twenty (20) days before the date scheduled for a public meeting or hearing, by First Class mail to every property owner and condominium unit owner within 500 feet of the perimeter of the subject property. **I hereby certify that I have attached a copy of this public notice letter and mailing list to this certification.**

AND

☒ Not less than twenty (20) days before the date scheduled for a public meeting or hearing, I hereby certify that, in compliance with LUC § 3-903B, public notice has also been provided by posting a sign in a conspicuous place on the property that is the subject of the land use application.

I understand that San Miguel County requires completion and delivery of this Certification of Compliance to the San Miguel County Planning Department at least ten (10) days prior to the initial public meeting or hearing on a land use application. I further understand that failure to submit the required Certification of Compliance to the County Planning Department at least ten (10) days prior to the initial public meeting on a land use application will result in the public meeting or hearing being rescheduled to a later date.

Alex Kreile
Name

Highbury Resources Inc.
(Insert Applicant's name if executed by agent)

6th PM T44N R18W (Parts of) Sections: 21, 22, 23, 26, 27, 28, 29, 33, and 34
Physical location of Property and/or legal description

P.O. Box 700, 28151 DD Road, Nucla, CO 81424
Mailing Address (if different from above)

Date: 3/1/2024

Signature: Alx Kreile

[text/luc/certification.property.owner]

* GIS data may not accurately or completely reflect owners in multi-unit, multi-floor buildings in San Miguel County. In such instance, the applicant must examine the Assessor's information in addition to the GIS data in order to provide the required public notice.

Highbury Resources, Inc.
P.O. Box 700
28151 DD Road
Nucla, CO 81424

Slick Rock Project Private Landowner Mailing List:

Cachuma Ranch Co. LLC
P.O. Box 479
Dolores, CO 81323-0479

February 15, 2024

NOTICE TO PROPERTY OWNERS,

The San Miguel County (SMC) Planning Commission has been asked to consider an application submitted by Alex Kreile, Project Geologist on behalf of Highbury Resources Inc (Applicant). The applicant proposes Mineral Exploration on Bureau of Land Management (BLM) lands for its Slick Rock drilling program accessed from SMC County Roads T11, 12S and 14R, and located in S23, 26, 27, 28, 29, 33 and 34 T44N R18W, and West End (WE) zone district, in San Miguel County. The proposed limited exploratory drill program will involve the selection of 20 drill pads, each measuring about 25 feet by 40 feet for the purpose of exploring for Uranium and Vanadium, and the use of existing BLM two track roads and trails only. An application for Mining Special Use Permit for Conditional Uses on Federal Lands in the WE zone district requires Two-step review by the County Planning Commission and Board of County Commissioners pursuant to Land Use Code Section 5-319 G VII.

A public meeting on the above application will be held by the San Miguel County Planning Commission at 9:15 a.m. or later Thursday, April 4, 2024. This public meeting is the first step of a two-step review process by the Planning Commission and Board of County Commissioners. This meeting will be held online and in person in Telluride, 333 W Colorado Ave, 2nd Flr. To provide comment or ask questions regarding the proposal, please join the meeting: https://zoom.us/join, Meeting ID: 965 1288 5206, Password: 534277; Audio only: Dial 1-301-715-8592 or 1-253-215-8782 (long distance rates may apply).

Written comments of more than one page may not receive complete consideration if not received by March 22, 2024. Send written comments to: San Miguel County Planning Department, P.O. Box 548, Telluride, CO 81435 or to planning@sanmiguelcountyco.gov Please call the Planning Department at 970-728-3083 for more information on the application. A copy of this pending land use application may be viewed at https://www.sanmiguelcountyco.gov/490/Other-Resources

The official designated posting place for all meeting notices is online at https:www.sanmiguelcountyco.gov/liveagenda.

The meeting on this proposal is not limited to those receiving copies of this notice. If you know of any neighbor or potentially affected property owner who, for any reason, has not received a copy of this notice, it would be appreciated if you would inform them of this public hearing.

Respectfully,

Alex ~~Kriele~~ Kreile

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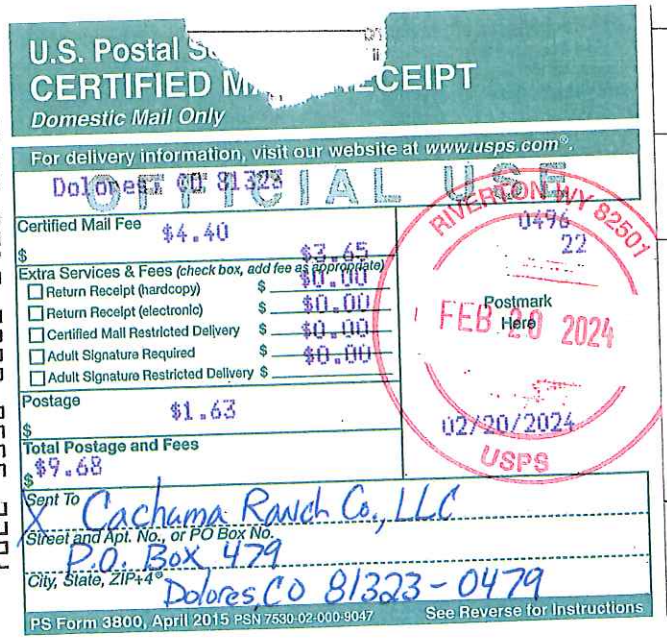
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P.O. Box 479
Dolores, CO 81323-0479

9590 9402 6966 1225 1684 66

2. Article Number (Transfer from service label)

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X [signature] ☐ Agent ☐ Addressee

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SAN MIGUEL COUNTY
PUBLIC HEARING NOTICE

Please publish the following Legal Ad in the:

NORWOOD POST AND TELLURIDE DAILY PLANET on FRIDAY MARCH 15, 2024

Please bill: San Miguel County Planning Department
P.O. Box 548
Telluride, CO 81435

PUBLIC MEETING NOTICE

The San Miguel County (SMC) Planning Commission has been asked to consider an application submitted by Alex Kreile, Project Geologist on behalf of Highbury Resources Inc (Applicant). The applicant proposes Mineral Exploration on Bureau of Land Management (BLM) lands for its Slick Rock drilling program accessed from SMC County Roads T11, 12S and 14R, and located in S23, 26, 27, 28, 29, 33 and 34 T44N R18W, and West End (WE) zone district, in San Miguel County. The proposed limited exploratory drill program will involve the selection of 20 drill pads, each measuring about 25 feet by 40 feet for the purpose of exploring for Uranium and Vanadium, and the use of existing BLM two track roads and trails only. An application for Mining Special Use Permit for Conditional Uses on Federal Lands in the WE zone district requires Two-step review by the County Planning Commission and Board of County Commissioners pursuant to Land Use Code Section 5-319 G VII.

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Written comments of more than one page may not receive complete consideration if not received by March 22, 2024. Send written comments to: San Miguel County Planning Department, P.O. Box 548, Telluride, CO 81435 or to planning@sanmiguelcountyco.gov

Please call the Planning Department at 970-728-3083 for more information on the application. A copy of this pending master plan amendment application may be viewed at https://www.sanmiguelcountyco.gov/490/Other-Resources

The official designated posting place for all meeting notices is online at https:www.sanmiguelcountyco.gov/liveagenda.

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Public Notices

THE MEETING OF THE TELLURIDE REGIONAL AIRPORT AUTHORITY WILL BE HELD ON THURSDAY, MARCH 21, 2024 AT 12:00 P.M. LOCATION: OBSERVATION LOUNGE, 2ND FLOOR, TELLURIDE REGIONAL AIRPORT.

SEE www.tellurideairport.com FOR AGENDA

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Administrative Assistant
Finance/Human Resources

To view the complete job descriptions, compensation, benefits and to officially apply for any of the County's open career opportunities, please visit: www.sanmiguelcountyco.gov/jobs

San Miguel County is an Equal Opportunity Employer (EOE).

TELLURIDE REGIONAL AIRPORT

TELLURIDE REGIONAL AIRPORT (KTEX) IS HIRING A CSR!

How would you like to work in aviation providing high quality customer service for aircraft operators? TEX Fixed Based Operator (FBO) is ranked the Top FBO in the Rocky Mountain Region because we have great people.

We are seeking a FULL-TIME/YEAR-ROUND CUSTOMER SERVICE REPRESENTATIVE (CSR) to join our small dedicated team.

Telluride Airport Pay & Benefits Include:
-Starting Pay: $20/hour
-Holiday & Overtime Pay - Time 1 ½ per hour
-Health/Dental/Vision insurance available after 60 days. No employee match (paid 100% by Authority)
-Annual Profit Sharing
-Retirement plan with 5% match after 1 year of employment
-Paid vacation time
-Work shift schedule alternates 3-4 days per week.
-Airport Authority transportation options available.

We are looking for a team-player with a great work ethic, strong multitasking, customer service and communication skills. Success in this position includes the ability to work holidays; work one (1) weekend day per week (alternating 3–4-day work week); pass security/background checks; and drug free.

Details and To Apply:
https://tellurideairport.com/employment-opportunities/

Help Wanted

WILD IRIS GREENHOUSE & GARDENS NORWOOD, COLORADO

Spend the summer outside!

Hiring P/T and F/T gardeners, irrigation techs, and Team Lead.

Will train, transportation provided, housing available. $22-26 DOE.

Email marti@wildirisplants.com
www.wildirisplants.com

SAN MIGUEL COUNTY COLORADO

San Miguel County is Hiring!

The following positions are full-time, year-round and include a comprehensive benefits package!

Deputy Clerk

Lead Mechanic

Light Equipment Operator

Heavy Equipment Operator

Deputy Sheriff - Operations

Correctional Officer/Emergency Dispatcher

To view the complete job descriptions, compensation, benefits and to officially apply for any of the County's open career opportunities, please visit: www.sanmiguelcountyco.gov/jobs

San Miguel County is an Equal Opportunity Employer (EOE).

SAN MIGUEL COUNTY COLORADO

San Miguel County is hiring one of the following positions DOQ:

Position is full-time, year-round and includes a comprehensive benefits package!

Data Collector

Appraiser I

Appraiser II

To view the complete job descriptions, compensation, benefits and to officially apply for any of the County's open career opportunities, please visit: www.sanmiguelcountyco.gov/jobs

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Legal Notices

The San Miguel County Assessor reminds all persons owning, possessing, or controlling taxable personal property (furnishings, equipment and other movable personal property) that the deadline for filing a Personal Property Declaration Schedule is April 15. All persons who own, possess, or control taxable personal property with a total actual value greater than $52,000 per owner, per county, are required to report the personal property to the county assessor. Failure to declare your personal property each year by the deadline will result in the assessor valuing your property using the "best information available" and attaching a penalty to your tax bill. If you did not receive a declaration schedule, please contact the county assessor at (970) 728-3174.

All personal property with a total actual value in excess of $52,000 (per owner, per county) is taxable unless specifically exempt by law.
Taxable personal property includes:
· All residential household furnishings used to produce income
· Equipment, furniture, and machinery used by commercial, industrial, and natural resource operations
· Property used in an agribusiness that does not qualify as agricultural pursuant to § 39-1-102(1.6)(a), C.R.S.
· Expensed assets with a life greater than one year
· Fully depreciated assets still in use
· Personal property in storage that is subject to IRS depreciation
· Leasehold improvements

Equipment that is licensed as a motor vehicle (SMM plate or Z-Tab) is not reported on the Personal Property Declaration Schedule.

If you have questions about the Personal Property Declaration Schedule, please contact the assessor's office at (970) 728-3174.

PUBLIC MEETING NOTICE

The San Miguel County (SMC) Planning Commission has been asked to consider an application submitted by Alex Kreile, Project Geologist on behalf of Highbury Resources Inc (Applicant). The applicant proposes Mineral Exploration on Bureau of Land Management (BLM) lands for its Slick Rock drilling program accessed from SMC County Roads T11, 12S and 14R, and located in S23, 26, 27, 28, 29, 33 and 34 T44N R18W, and West End (WE) zone district, in San Miguel County. The proposed limited exploratory drill program will involve the selection of 20 drill pads, each measuring about 25 feet by 40 feet for the purpose of exploring for Uranium and Vanadium, and the use of existing BLM two track roads and trails only. An application for Mining Special Use Permit for Conditional Uses on Federal Lands in the WE zone district requires Two-step review by the County Planning Commission and Board of County Commissioners pursuant to Land Use Code Section 5-319 G VII.

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The Norwood Post has the largest reach of any media
in the region and is the only newspaper dedicated to news
and information about the Norwood area.

HOROSCOPE

By SALLY BROMPTON
www.sallybrompton.com

BIRTHDAY FRIDAY:
Why be aggressive in your dealings with other people when you can turn on the charm and get everything you desire at the flash of a smile? The year ahead will bring opportunities to make friends with people whose support can take you higher than ever before.

BIRTHDAY SATURDAY:
It may seem as if everyone but you is on top of their game over the coming year but that is an illusion. If you acknowledge that you are less than perfect it will give you a huge advantage over those who see failure as something shameful.

ARIES (March 21 - April 20):
Go out of your way to help someone who has lost their way and don't count the cost even when you know your resources are being stretched. The universe always looks kindly on those who give more thought to other people's needs than to their own.

TAURUS (April 21 - May 21):
If you put a friend's needs first today they will return the compliment later on when it is you who requires assistance. Group activities are under excellent stars at the moment, so the more you do with other people the more you will benefit as well.

GEMINI (May 22 - June 21):
It is sometimes said that who you know is more important than what you know and you will be reminded of that today when a senior colleague steps in to back you up on the work front. You can never have too many friends in high places.

CANCER (June 22 - July 23):
You may be finding it hard to stay in one place for any length of time but why would you want to when there is a world out there waiting to be explored? Drop what you are working on and follow your heart wherever it may lead you.

LEO (July 24 - Aug. 23):
Someone whose outlook on life is very different to your own seems to be exerting a strange fascination over you. You may be spellbound by their captivating personality but don't lose contact with reality – and certainly don't strive to be like them.

VIRGO (Aug. 24 - Sept. 23):
Now that Venus is moving through the partnership area of your chart you can expect one-to-one relationships of all kinds to go well. But they will go even better if you stop trying to micro-manage their lives. Give them some breathing space.

LIBRA (Sept. 24 - Oct. 23):
You have pushed yourself hard in recent weeks and need to take things easy for a while. With Venus, your ruler, moving through the wellbeing area of your chart this would be a good time to start a new health kick – but it must be relaxing!

SCORPIO (Oct. 24 - Nov. 22):
Cosmic activity in the most loving area of your chart will bring the romantic side of your nature to the fore. If you are single then a new affair will be a lot of fun. If you are partnered-up already your relationship will reach new heights of passion.

SAGITTARIUS (Nov. 23 - Dec. 21):
Don't waste any more time on a feud that can never be won. Even if you believe you are entirely in the right you will only hurt yourself if you allow it to continue. There is no sense holding a grudge, so forgive and forget and move on.

CAPRICORN (Dec. 22 - Jan. 20):
Someone you meet on your travels will open your mind to possibilities that had not occurred to you before. They could also open your heart to a degree that allows you to see positive things about colleagues and strangers that you were previously unaware of.

AQUARIUS (Jan. 21 - Feb. 19):
If you find yourself tempted to go on a spending spree today it would be a good idea to set yourself a budget and stick to it resolutely. If you go even one cent over the top you could find it impossible to stop until there is nothing left!

PISCES (Feb. 20 - Mar. 20):
You seem much happier lately about your place in the world and that's great but don't get so self-satisfied that you neglect to take on challenges that can stretch you above and beyond your normal capabilities. Never stop striving. Never stop learning.

Missed any of our papers this week?
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... and follow us on social media!

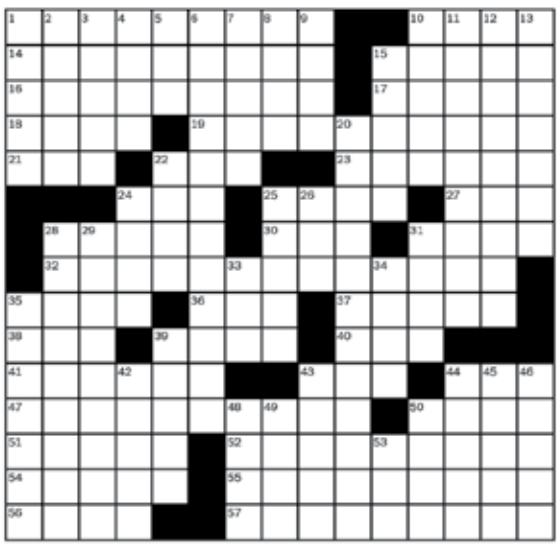
NEW YORK TIMES CROSSWORD

ACROSS

1 Beaming
10 Sounds of melodrama
14 Wind up alone?
15 Mideast capital
16 Fuzzy exotic pet
17 Performed by the whole ensemble, in music
18 Ruler often seen in a robe
19 Classified in levels
21 Word with tie or fly
22 Sign by a highway exit
23 Hens, but not roosters
24 Big container
25 Yoga pose with arms extended and legs folded over the head
27 Where a flask might be kept
28 High-speed commuter option
30 Court ruling?
31 Like the Lilliputians
32 Trend for unengaged employees
35 Twist
36 O, on a letter
37 Hall mate?
38 Social media influencer Addison ___
39 Stephen Sondheim's "The Worst ___ in London"
40 Frequent conspiracy subject
41 Pops
43 Invention originally used as a yellow dye, in brief
44 Baby bat
47 The Traveling Wilburys or Crosby, Stills, Nash & Young
50 Track selection
51 Conceited sorts
52 In concert
54 Match up
55 It makes a spin around a dance floor
56 Disdainful sounds
57 One-sided dice?

DOWN

1 Caption in a comparison ad
2 "Me ___ ..." (Spanish for "My name is ...")
3 Sensational
4 Lead
5 "___ Explain Things to Me," influential 2014 essay collection by Rebecca Solnit
6 Question of legitimacy
7 "___ and the Good Book" (1958 jazz album)
8 Monthly with a palindromic name
9 Fly
10 Like some teenagers and pasta
11 At stake
12 DC Comics weapons, one of which can be seen at the Smithsonian
13 Passes with ease
15 Suck it!
20 Overwhelming and needing time for consideration
22 It's a blast
24 Facial concealer
25 Good words, so to speak
26 Natural necklace
28 These might help people take deep breaths
29 Bacon or pancetta
31 One of the Jackson brothers
33 "___ pasa?"
34 First president to own a car
35 Grumpy toward
39 Break into bits
42 Gives (out)
43 Southern city that was once home to Black Wall Street
44 Philippine island that's home to Iloilo
45 Scrooge, to Donald Duck
46 Some spa treatments
48 Exposure units
49 Lena of "Alias"
50 Place for a ring
53 Place for a ring



PUZZLE BY CHRISTINA IVERSON

ANSWER TO PREVIOUS PUZZLE

U	M	P	I	R	E	■	C	H	I	L	I	■	F	D	R
R	O	O	T	E	R	■	L	U	C	I	D	■	L	E	A
L	A	L	A	L	A	L	A	L	O	L	A	■	Y	A	M
S	T	O	L	I	■	O	M	A	N	I	■	G	I	F	S
■	■	■	I	S	A	W	■	■	I	T	S	O	N	■	■
■	C	H	C	H	C	H	C	H	C	H	A	N	G	E	S
P	R	E	■	■	M	I	L	E	■	■	T	E	S	L	A
R	A	M	A	■	E	T	E	R	N	E	■	R	O	T	I
O	Z	O	N	E	■	■	A	V	O	W	■	■	L	O	L
M	Y	G	G	G	G	E	N	E	R	A	T	I	O	N	■
■	■	■	L	E	G	A	L	■	■	I	N	O	N	■	■
I	D	O	L	■	L	A	I	R	S	■	R	A	D	A	R
S	U	B	■	P	P	P	P	O	K	E	R	F	A	C	E
A	N	I	■	J	A	S	O	N	■	P	I	E	R	R	E
Y	E	N	■	S	L	E	D	S	■	A	D	W	E	E	K

Online subscriptions: Today's puzzle and more than 7,000 past puzzles, nytimes.com/crosswords ($39.95 a year).
Read about and comment on each puzzle: nytimes.com/wordplay.

Legal Notices

PUBLIC MEETING NOTICE

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PUBLIC HEARING NOTICE

The San Miguel County Planning Commission has been asked to consider an application submitted by Martinique Prohaska (Applicant) on behalf of Craig Prohaska, Sheila Wells Trust and James Wells Trust, (Property Owner), for a Greenhouse/Nursery with Retail Special Use Permit on the 5-acre parcel, Property Identification Number 429524200072, aka 772 County Road 44Z N, located in the Wrights Mesa (WM) zone district. A Greenhouse/Nursery with Retail is subject to One-step Review, i.e. review and action at a Public Hearing by the County Planning Commission (CPC) pursuant to Land Use Code Section 5-319 E XVII.

A Public Hearing on the above proposal will be held by the San Miguel County Planning Commission on Thursday, April 4, 2024 at 10: a.m. (or thereafter). This meeting will be held online and in person in Telluride, 333 W Colorado Ave, 2nd FL. To provide comment or ask questions regarding the proposal, please join the meeting: https://zoom.us/join, Meeting ID: 965 1288 5206, Password: 534277; Audio only: Dial 1-301-715-8592 or 1-253-215-8782 (long distance rates may apply).

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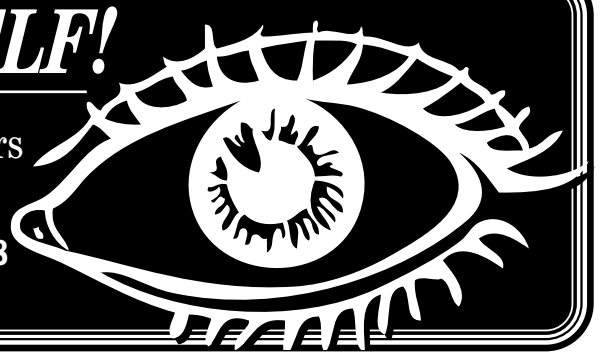
The Town of Mountain Village Housing Authority will begin allocating units for the East building of Village Court Apartments Phase IV to those on the VCA public waitlist and tenant transfer waitlist. If both waitlists are exhausted, the VCA public waitlist will be opened back up with community-wide noticing. Move-in is anticipated for April 2024. For more information, please email vcaphase4@mtnvillage.org.

El Departamento de Vivienda de Mountain Village comenzará a asignar unidades para el edificio Este Fase IV de Village Court Apartments a aquellas personas en las listas de espera pública y en la de transferencia. Si se agotan ambas listas, la lista de espera pública se abrirá y se notificará a toda la comunidad. La mudanza está prevista para abril de 2024. Para obtener más información, envíe un correo electrónico a vcaphase4@mtnvillage.org.

The Southwest Basins Roundtable is accepting applications for three at-large representatives. There are two voting seats that are currently vacant. An additional seat will be vacant in July. One of the current vacant seats shall represent environmental interests and shall be selected from nominees submitted by one or more regionally, state-wide, or nationally recognized environmental conservation organizations that have operated in Colorado for at least five years.

Applicants should submit a letter describing their qualifications. Please note in your letter if you own water rights, share in a ditch or reservoir company, or represent an agent with a Reclamation contract. Letters of support for your application are welcome, but not required. Please submit your letter to Ed Tolen, etolen@laplawd.org and Wendy Weygandt, contact@swbasinsroundtable.org no later than Friday, April 12, 2024. Elections will be held Thursday, April 25, 2024 at the DoubleTree by Hilton Durango (and via Zoom) at 3 pm at which applicants will have an opportunity to address the Roundtable. Please contact Ed Tolen, Roundtable Chair, at 970-442-1303 for specific questions. Additional information may be found on the website: https: //waterinfo.org/resources/southwest-basin-roundtable.

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–Henry Ford
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PLANNING DEPARTMENT

KAYE SIMONSON, PLANNING DIRECTOR

M E M O R A N D U M

TO: Mike Bordogna, County Manager
Amy Markwell, County Attorney
Ryan Righetti, County Road and Bridge Director
Starr Jamison, County Natural Resources and Special Projects
Janet Kask, County Parks and Open Space
Bill Masters, County Sheriff
Lucas West, Colorado Division of Reclamation, Mining and Safety
Mike Cosby, Colorado Department of Public Health & Environment
Mark Caddy, Colorado Parks and Wildlife
Ryan Joyner, US BLM-Tres Rios Field Office
Mason Osgood, Sheep Mountain Alliance
Jennifer Thurston, INFORM
Sally Sharp, Great Old Broads for Wilderness

FROM: John Huebner, Senior Planner

RE: Mining Special Use Permit- Slick Rock Exploratory Drill Program

APPLICANT: Alex Kriele, BRS Engineering

DATE: February 15, 2024

Please find the attached application submitted by the Alex Kriele for your review and comment. The County Planning Commission meeting date is Thursday, April 4, 2024. Please provide your review comments by March 15, 2024 to John Huebner, Senior Planner, johnh@sanmiguelcountyco.gov in the County Planning Department. Please contact the Planning Department if you have any questions.

COLORADO
Parks and Wildlife
Department of Natural Resources

Montrose Service Center
2300 South Townsend Avenue
Montrose, Colorado 81401
P 970.252.6000 | F 970.252.6053

March 6, 2024

John Huebner - Senior Planner
San Miguel County Planning Department
333 W Colorado Ave, 3rd Floor
P.O. Box 548
Telluride, CO 81435

RE: Mining Special Use Permit- Highbury Resources Slick Rock Drilling Program

Dear Mr. Huebner,

Colorado Parks and Wildlife has reviewed the Mining Special Use Permit application for the Highbury Resources Slick Rock Drilling Program (Highbury Resources Inc.). Colorado Parks and Wildlife (CPW) has a statutory responsibility to manage all wildlife species in Colorado; this responsibility is embraced and fulfilled through CPW's mission to protect, preserve, enhance, and manage the wildlife of Colorado for the use, benefit, and enjoyment of the people of the State and its visitors.

The proposed project is located in Disappointment Valley, in portions of sections 23, 36, 27, 28, 29, 33 and 34 of T44N:R18W, in western San Miguel County. The applicant seeks a permit to drill up to 20 exploratory mining samples within public lands owned and managed by the Bureau of Land Management. Drilling and pad construction exploration activities, as described by the applicant, are largely core samples with a total of approximately .46 acres of above ground disturbance. Drill pads would be no larger than 25' x 40', for a maximum size of 1000'sq per pad. CPW would like to offer the following recommendations to avoid and minimize impacts that would result from this proposal.

<u>Wildlife</u>

The project area lies within mapped winter range and severe winter range for both mule deer and elk. Desert bighorn sheep also use the area, and CPW has mapped portions of the proposed project as winter concentration and severe winter range. These mapped areas are identified by CPW as High Priority Habitats (HPH). The area also provides habitat for numerous species that include but not limited to mountain lions, bobcats, coyotes, cotton-tailed rabbits, jack rabbits and numerous non-game species.

Mule deer and elk use in the area is primarily during the winter months and until the end of April when migration to summer range begins. Desert bighorn sheep occupy this area and common movements

Jeff Davis, Director, Colorado Parks and Wildlife
Parks and Wildlife Commission: Dallas May, Chair • Richard Reading, Vice-Chair • Karen Bailey, Secretary • Jessica Beaulieau
Marie Haskett • Jack Murphy • Gabriel Otero • Duke Phillips, IV • Gary T. Skiba • James Jay Tutchton • Eden Vardy

occur along the Dolores River canyon and along the lower reaches of Disappointment creek. During the winter, ungulates are more vulnerable to disturbance due to reduced body condition and fitness. Disturbance during this time frame can impact individual animals and herd health.

CPW appreciates that the application avoids exploration activities during the time frame of December 1-May 1. This timing restriction aligns with HPH recommendations for mule deer, elk, and desert bighorn sheep winter ranges. Given the high animal use during this time frame, impacts to wildlife would be reduced if the drilling activities occur outside of this time frame. This timing limitation would also reduce the potential for motor vehicle/wildlife collisions for workers commuting to the work site. CPW's recommendations listed above for avoiding, minimizing, and mitigating potential impacts to these High Priority Habitats can be found here.

Golden eagles are historically known to nest in Disappointment Valley and Big Gypsum Valley. Section 4.3 of the project narrative states that no suitable nesting habitat occurs within the project area. However, since cliffs which may provide nesting sub-straight exist within ½ mile from the proposed activities, CPW recommends that eagle nest surveys be conducted during the breeding season before the proposed activities take place. CPW recommendation to avoid impacting active golden eagle nest locations is no permitted or authorized activities within ½ mile radius from the period of December 15 through July 15. All CPW raptor nest buffer zone and seasonal restrictions can be found here.

Surface Disturbance and Invasive Weeds

Due to historic mineral exploration and extraction, there are numerous roads and trails that have resulted in a high level of habitat fragmentation in this area. The low yearly precipitation rate in addition to soil characteristics contributes to overall slow recovery of range health. CPW recommends that the historic and county roads be utilized to the greatest extent possible. CPW also recommends that Highbury Resources Inc. reclaim all surface disturbance, specifically the 20 drill sites proposed and associated access roads. One of the most visible and immediate threats to ecosystem health in the area is non-native/invasive weeds. Invasive weeds typically flourish following surface disturbance, and active weed management should be incorporated during and after the lifespan of the proposed project. In regards to post-mining reclamation, native drought tolerant revegetation is recommended.

CPW would like to thank San Miguel County for the opportunity to comment on such land use actions that have direct impact on our natural resources. If you have any questions, please feel free to contact District Wildlife Manager Tony Bonacquista at 970-209-2374.

Sincerely,

Tony Bonacquista
Nucla District Wildlife Manager

Colorado Parks and Wildlife
tony.bonacquista@state.co.us

CC: Area 18 File; SW Region File

March 18, 2024

RE: Mining Special Use Permit- Slick Rock Exploratory Drill Program

Reviewing the Slick Rock Exploratory Drill Program special use permit, *Rare Plant and Wildlife Survey Report,* San Miguel County would like to acknowledge the concerns due to the occurrence of the rare Naturita Milkvetch. We would request avoidance of ground-disturbing activity that would affect the Naturita Milkvetch and Gypsum Valley Cateye. We support the report recommendation, "Should ground-disturbing activities be proposed outside of the existing botanical survey area, then additional rare plant surveys for the Naturita milkvetch and the Gypsum Valley Cateye should be conducted in spring, prior to June 1st."

According to the Natural Heritage Assessment San Miguel and Western Montrose Counties, Colorado, that was prepared for San Miguel County, "Recognizing that rare and imperiled species are more likely to become extinct than common ones, the Natural Heritage Methodology ranks species according to their rarity or degree of imperilment. The ranking system is based upon the number of known locations of the species as well as its biology and known threats."

> Naturita milkvetch
> The species is restricted to the Four Corners area (Utah, Arizona, and Montrose, San Miguel, and Montezuma counties in Colorado) and Mesa County, Colorado. It is found in pinyon-juniper woodlands, in areas with shallow soils over exposed bedrock. Usually it is in small soil pockets or rock crevices in sandstone pavement along canyon rims. Sometimes it is found nearby in deeper sandy soils with or without soil crusts. Associated species include Townsend's Easter daisy and fineleaf Hymenopappus. The milkvetch seems to tolerate and even thrive on some disturbance. The plants have been found around power poles and in the compacted tracks of dirt roads. Ten new occurrences of the Naturita milkvetch were located in 1999, bringing the total from 27 to 37 known locations. This resulted in a rank change from G2G3S2S3 to G3S3. It is included in the Dolores Canyon Slick Rock to Bedrock, Slick Rock Hill, Highway 141 and 145, Little Gypsum Valley, Mailbox Park, McIntyre Canyon, Naturita South, Silvey's Pocket, Slickrock, and Summit Canyon PCAs.[1]

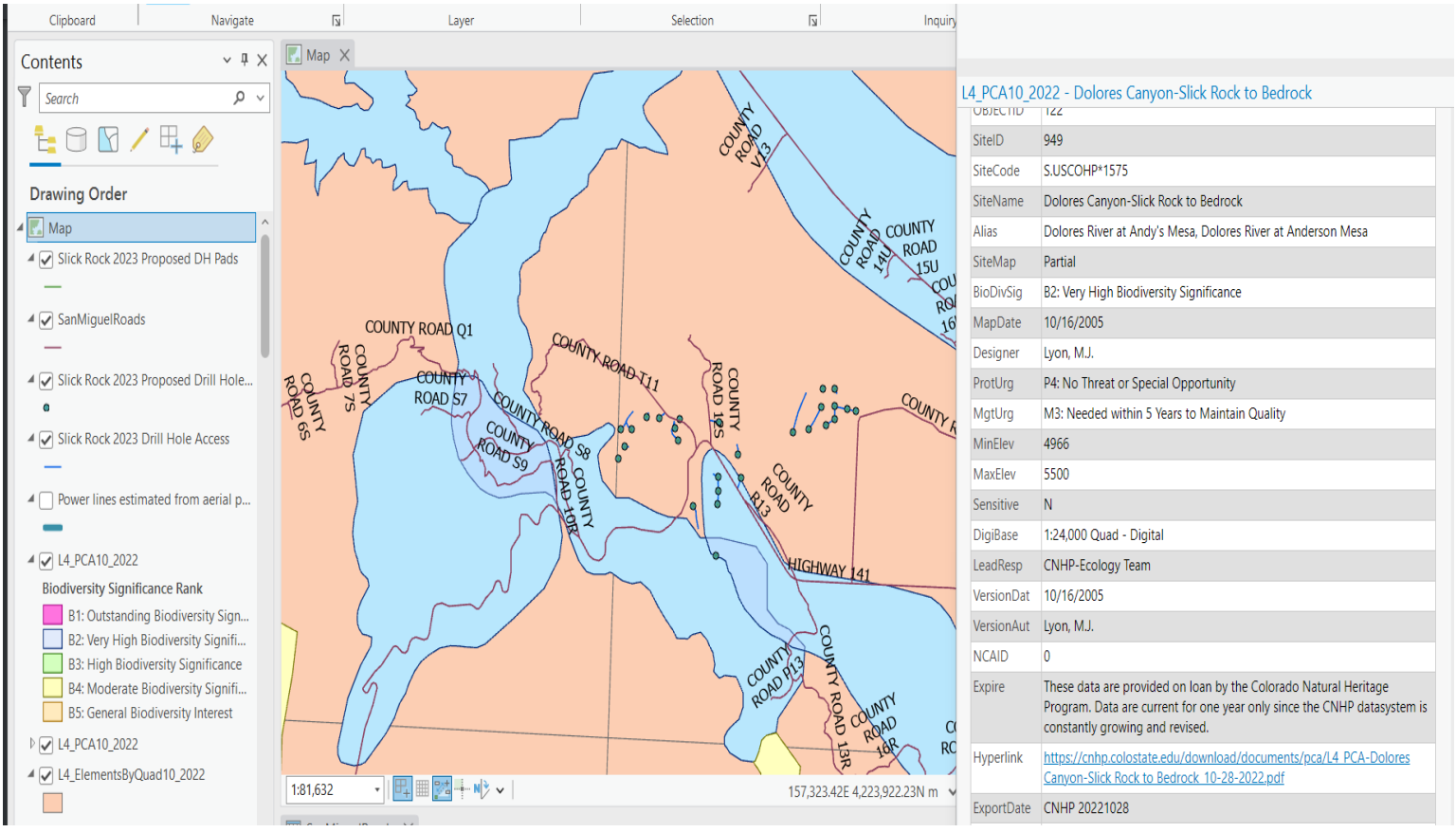
[1] Peggy Lyon and John Sovell, Colorado Natural Heritage Program. https://cnhp.colostate.edu/wp-content/uploads/download/documents/2000/San_Miguel_and_Western_Montrose.pdf 2000

In the Natural Heritage assessment, Slick Rock was suggested as a Conservation area due to the following occurrences;

Natural Heritage element occurrences at the Slick Rock PCA.

Element	Common Name	G rank	S rank	Federal/State	EO* rank
Gila robusta	**Roundtail chub**	**S2S3**	**S2**	**BLM/SC**	**B**
Astragalus naturitensis	**Naturita milkvetch**	**G3**	**S3**	**BLM, USFS**	
Catosromus latipinnis	Flannelmouth sucker	G3G4	S3	BLM/SC	B
Cnemidophorus velox	Plateau striped whiptail	G5	S4		B

*EO=Element Occurrence



This map includes the drill holes, access and CNHP data (B2 Very High Biodiviversity). See the CNHP report attached.

Slick Rock

Biodiversity Rank: B3 (High Biodiversity Significance) The Slick Rock PCA has a good occurrence of Naturita milkvetch, a plant that is vulnerable on a global scale.

Protection Urgency Rank: P4 No threat is known for the forseeable future.

Management Urgency Rank: M4 Although not currently threatened, management may be needed in the future to maintain the current quality of element occurrences.

Location: The Slick Rock PCA circumscribes the old townsite of Slick Rock, Colorado in western San Miguel County.
U.S.G.S. 7.5 minute quadrangles: Horse Range Mesa

Legal description: T44N R18W Sections 29-31; T44N R19W Sections 25, 36.

Elevation range: 5,440 to 5,800 feet.

Size: 918 acres

General Description:

Canyon rims above the Dolores River near the old town of Slickrock were the site of three sub-populations of the Naturita milkvetch. The plants were growing in red sandy soils with some soil crust, in pockets of gray slickrock. They were found in both disturbed sites along the road and in undisturbed areas. Vegetation of the area is pinyon-juniper woodland with big sagebrush, galleta, prickly-pear cactus, Indian ricegrass, needle-and-thread grass, banana yucca and blue grama. The slickrock also provides habitat for the Plateau striped whiptail, which appears to be abundant in the area. Approximately 70% of the PCA is held in private ownership with the remainder owned by the BLM. Geologic features of the area include Jurassic Morrison, Summerville, and Entrada formations, Jurassic/Triassic Glen Canyon Group, and Chinle Formation.

The Slick Rock Potential Conservation Area contains a good occurrence of the Naturita milkvetch, a globally vulnerable plant. San Miguel County asked for this to be considered and protected throughout the Slick Rock Exploratory Drill Program.

Sincerely,

Starr Jamison

Starr Jamison
San Miguel County
Natural Resources and Climate Resilience Director

Level 4 Potential Conservation Area (PCA) Report

Name Dolores Canyon-Slick Rock to Bedrock **Site Code** S.USCOHP*1575

IDENTIFIERS

Site ID 949 **Site Class** PCA

Site Alias Dolores River at Andy's Mesa

Site Alias Dolores River at Anderson Mesa

Network of Conservation Areas (NCA)

NCA Site ID	NCA Site Code	NCA Site Name
-		No Data

County

Montrose (CO)

San Miguel (CO)

SITE DESCRIPTION

Site Description

The Dolores River has carved a spectacular, deep canyon through Jurassic and Triassic sandstones. Steep vertical cliffs dominate the canyonsides, broken only when tributaries enter the canyon. Major geologic formations in the canyon are Wingate, Kayenta, Navajo and Entrada sandstones. The Morrison Formation appears near the southern end. This site includes the riparian zone and adjacent uplands along the Dolores River for approximately fifty miles, from Slick Rock north to Bedrock. Most of this area is roadless and accessible only by raft, canoe or kayak. The canyon bottoms support a nearly continuous occurrence of the riparian plant association known as New Mexico privet foothills riparian shrubland. Typical vegetation along the river includes a band of coyote willow, mixed with giant reed at the water's edge between the low and high water marks. On slightly higher ground is a band of New Mexico privet, often accompanied by skunkbrush, big sagebrush, giant reed and wild rose. Cottonwoods and box elders are occasional. Most of this area has few weeds, and surprisingly little tamarisk compared with other parts of the river. In an alcove seep at river mile 77.5, CNHP researchers found a hanging garden community with Eastwood's monkeyflower and Mancos columbine. While the columbine was abundant, the monkeyflower was represented by only six plants. Adjacent species were Utah juniper, Mormon tea, skunkbrush, single leaf ash, New Mexico privet, and two ferns, purple cliffbrake and slender lip-fern. Kachina daisy, historically documented in the area, was not present. Several other alcoves in this stretch were investigated, but did not contain any of the targeted species. A cliff base just upstream of Spring Creek was the site of a good population of helleborine orchids. Another smaller occurrence was found below the seep at mile 77.5. Uplands in this area have pinon - juniper woodlands, sagebrush, or barren sandstone cliffs. Naturita milkvetch was found in the pinon - juniper community at a campsite at mile 72. Benches sometimes have patches of native grasslands. Relic patches of high quality grasslands were identified by BLM in 1980. Formerly known as "*Stipa comata* - West", this community is now called *Hesperostipa comata*, or "needle and thread Great Basin herbaceous vegetation". The species composition of the communities varies. It usually includes, in addition to needle-and-thread grass, galleta, Indian ricegrass, and blue grama. In the occurrences in this site, needle-and-thread was the dominant grass, ranging from 6% to 20% cover and blue grama accounted for 1% to 11% cover. This area also has a number of occurrences of animal species with conservation significance, the rarest of which is the roundtail chub.

Key Environmental Factors

No Data

Climate Description

No Data

Land Use History

No Data

Cultural Features

No Data

Minimum Elevation	4,966.00	**Feet**	1,513.64	**Meters**
Maximum Elevation	5,500.00	**Feet**	1,676.40	**Meters**

SITE DESIGN

Site Map P - Partial **Mapped Date** 10/16/2005

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Level 4 Potential Conservation Area (PCA) Report

Name Dolores Canyon-Slick Rock to Bedrock **Site Code** S.USCOHP*1575

Designer Lyon, M.J.

Boundary Justification

The boundary is drawn to include the riparian zone of the Dolores Canyon, as well as upland benches that contain relic grassland communities. It encompasses both the river itself, containing the chub population, and cliffsides that provide habitat for Peregrine Falcons. Although not drawn for this species, peregrine eyries occur along the cliff tops to approximately 100 feet below the cliff tops of the Dolores River Canyon. Hydrological processes originating upstream, and not included within the boundary, particularly the regulation of water flows at McPhee Reservoir, have a profound effect on this site. The health of the riparian vegetation as well as the endangered fish is dependent on the timing and adequacy of flows. Likewise, upland diversions of water could have a detrimental effect on the hanging garden communities.

Primary Area 18,083.22 **Acres** 7,318.05 **Hectares**

SITE SIGNIFICANCE

Biodiversity Significance Rank B2: Very High Biodiversity Significance

Biodiversity Significance Comments

The site supports two excellent (A-ranked) occurrences of a globally imperiled (G1G2/S1) New Mexico privet riparian shrub community (*Forestiera pubescens*) along the Dolores River. This plant community is known only from the major rivers in the Four Corners area. A good (B-ranked) occurrence of the Naturita milkvetch (*Astragalus naturitensis*), considered to be imperiled to vulnerable both globally and in Colorado (G2G3/S2S3) was located. Hanging garden communities (*Aquilegia micrantha - Mimulus eastwoodiae*), imperiled to vulnerable on a global scale (G2G3/S2S3), contained small populations of the globally vulnerable (G3/S1S2) Eastwood monkeyflower (*Mimulus eastwoodiae*). Paradox breadroot (*Pediomelum aromaticum*) was located near Bedrock in 1981. Excellent to good (AB-ranked) occurrences of the globally common (G5/S5) coyote willow / mesic graminoids (*Salix exigua* / mesic graminoids) were identified in 1991. A fair (C-ranked) occurrence of the state rare (G5/S2S3) Yuma Skipper (*Ochlodes yuma*) has been documented. Additionally, the Dolores River throughout the length of the site supports populations of the globally vulnerable (G3/S2) roundtail chub (*Gila robusta*). Colorado populations of the chub are at the upstream margin of the species' range and comprise the majority of occurrences for this species. Paradox stickleaf (*Mentzelia paradoxensis*) is a globally imperiled plant species (G2/S2) that is historically known from this area (H-ranked occurrence).

Other Values Rank No Data

Other Values Comments

No Data

ASSOCIATED ELEMENTS OF BIODIVERSITY

Element State ID	State Scientific Name	State Common Name	Global Rank	State Rank	Driving Site Rank
19709	*Forestiera pubescens* Wet Shrubland	Foothills Riparian Shrubland	G1G2	S2	Y
24872	*Salix exigua* / Mesic Graminoids Western Wet Shrubland	Coyote Willow/Mesic Graminoid	G5	S5	N
18115	*Pediomelum aromaticum*	Paradox Breadroot	G3	S2	N
21230	*Mimulus eastwoodiae*	Eastwood Monkeyflower	G3G4	S1S2	N
24552	*Aquilegia micrantha - Mimulus eastwoodiae* Hanging Garden	Hanging Gardens	G2G3	S2	N
21647	*Astragalus naturitensis*	Naturita Milkvetch	G3	S3	N
20765	*Gila robusta*	Roundtail Chub	G3	S2	N
21939	*Pellaea glabella* ssp. *simplex*	Smooth Cliff-brake	G5T4?	S2	N
17626	*Epipactis gigantea*	Giant Helleborine	G4	S1S2	N
19709	*Forestiera pubescens* Wet Shrubland	Foothills Riparian Shrubland	G1G2	S2	Y
24872	*Salix exigua* / Mesic Graminoids Western Wet Shrubland	Coyote Willow/Mesic Graminoid	G5	S5	N
22094	*Ochlodes yuma*	Yuma Skipper	G4	S2S3	N
44603	*Mentzelia paradoxensis*	Paradox Blazingstar	G2	S2	N

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Level 4 Potential Conservation Area (PCA) Report

Name Dolores Canyon-Slick Rock to Bedrock **Site Code** S.USCOHP*1575

LAND MANAGMENT ISSUES

Land Use Comments
No Data

Natural Hazard Comments
No Data

Exotics Comments
No Data

Offsite
The surrounding landscape includes a highway and grazed areas.

Information Needs
No Data

REFERENCES

Reference ID	Full Citation
192792	Lyon, P. and J. Sovell. 2000. Final Report: A Natural Heritage Assessment, San Miguel and Western Montrose Counties, Colorado. Colorado Natural Heritage Program, Fort Collins, CO.
160208	Woodling, J. 1985. Colorado's Little Fish: A Guide to the Minnows and Other Lesser Known Fishes in the State of Colorado. Colorado Division of Wildlife, Denver.

ADDITIONAL TOPICS

Additional Topics
Original site design by Loar, A.M. 1996-09-25.

LOCATORS

Nation United States **Latitude** 380914N

State Colorado **Longitude** 1085252W

Quad Code	Quad Name
38108-B8	Anderson Mesa
38108-A7	Hamm Canyon
38108-C8	Paradox
38108-A8	Horse Range Mesa
38108-B7	Bull Canyon
37108-H7	Joe Davis Hill

Watershed Code	Watershed Name
14030002	Upper Dolores

VERSION

Version Date 10/16/2005

Version Author Lyon, M.J.

DISCLAIMER

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John Huebner <johnh@sanmiguelcountyco.gov>

Re: SMC Agency Referral: Mining Special Use Permit for Highbury Resources, Slick Rock Drilling program

1 message

Sally Sharp <sally@greatoldbroads.org> Tue, Mar 12, 2024 at 1:41 PM
To: John Huebner <johnh@sanmiguelcountyco.gov>

Hi John,
Thank you for your quick reply. I appreciate it. Please include the attached online petition with the public comments you requested. We collected signatures from all over Colorado. I will let you know if I ave any comments.

Wildly grateful,

Sally Sharp
Grassroots Regional Coordinator
(She, her, hers)
555 Rivergate Lane B1-110
Durango, CO 81301
Preferred Option - Cell: (818) 667-5130
Office: (970) 385-9577
www.greatoldbroads.org
Facebook | Instagram

Join us as we celebrate our 35th Anniversary!

https://www.greatoldbroads.org/events/oct-14-17-wilderness-beyond-conference/

On Tue, Mar 12, 2024 at 8:45 AM John Huebner <johnh@sanmiguelcountyco.gov> wrote:

Hi Sally,
Yes, there will be time allotted for public comment within the review of this item. It occurs after staff and the applicant have made their presentations. You may simply "raise your hand" on zoom at the appropriate time and the chair will recognize you to speak for 3-5 minutes. Please let me know if you have any questions. Best regards,

John Huebner, AICP
Senior Planner
San Miguel County Planning Department
Office: (970)728-3083
www.sanmiguelcountyco.gov

San Miguel County
East End | Master Plan

AICP CERTIFIED

For information about the San Miguel County East End Master Plan Update, go to www.sanmiguelcountyco.gov/eastendmasterplan

Click **HERE** to go to the **SmartGov** public portal to apply for permits, check permit status, or view permit history.

On Mon, Mar 11, 2024 at 1:53 PM Sally Sharp <sally@greatoldbroads.org> wrote:

Hi John,
Will there be an opportunity for public comment and/or testimony at the April 4th BOCC meeting? If so, how do we arrange this?

Thank you,

Sally Sharp
Grassroots Regional Coordinator
(She, her, hers)
555 Rivergate Lane B1-110
Durango, CO 81301
Preferred Option - Cell: (818) 667-5130
Office: (970) 385-9577
www.greatoldbroads.org
Facebook | Instagram

Join us as we celebrate our 35th Anniversary!

https://www.greatoldbroads.org/events/oct-14-17-wilderness-beyond-conference/

On Fri, Feb 16, 2024 at 8:41 AM John Huebner <johnh@sanmiguelcountyco.gov> wrote:

Attached for your review and comment is an Application received from Alex Kriele, on behalf of Highbury Resources. The applicant seeks approval of a Mining Special Use Permit for Slick Rock Drilling program located off State Highway 141 in the west end of San Miguel County. Please provide comments by March 12, 2023 and let me know if you have any questions.

John Huebner, AICP
Senior Planner
San Miguel County Planning Department
Office: (970)728-3083
www.sanmiguelcountyco.gov

San Miguel County
East End | Master Plan

AICP CERTIFIED

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Click **HERE** to go to the **SmartGov** public portal to apply for permits, check permit status, or view permit history.

Uranium petition (1).pdf
148K

No Uranium Exploration or Mining in Slick Rock Canyon
Petition

To: San Miguel County Commissioners

Please reject Permit # P-2023-018 NOI

We oppose exploratory drilling and uranium mining in Slick Rock Canyon for these reasons.

- **Uranium possesses both chemical toxicity and radioactivity. The effects of low-level radioactivity include cancer, shortening of life, subtle changes in fertility or viability of offspring for decades or generations. Four Corners is still a cancer cluster from 1940's uranium mining.**
- **All phases of uranium development- exploration, mining, and milling- can pose unique threats to species, ecosystems, and human communities.**
- **Dolores River Canyon is a special place for recreation- allowing exploratory drilling or mining increases exposure of water to potential contamination. All mining activities require thousands of gallons of water, which is wasteful considering our 22+ year drought.**
- **White Mesa Ute Mountain Ute People have been protesting White Mesa Mill for years because of the air and water pollution, land health, and human health effects.**
- **Don't let Disappointment Valley and the Dolores River watershed turn into another Uravan Superfund site.**

Timestamp	What is your name?	What is your address?	What city do you live in?	What county do you live in?	What is your zip code?
1/18/2024 16:35:04	Tripp	Arnold	Denver	Denver	80206
1/18/2024 17:42:23	Derek Uhey	1112 W Overland Pass Dr	Flagstaff	Coconino	86005
1/18/2024 18:05:57	Carl Houser	320 S Pine St #9	Telluride	San Miguel	81435
1/19/2024 12:25:11	Jay Loschert	19760 Road W	Lewis	Montezuma	81327
1/19/2024 14:10:25	Jan Winfree	1581 Balsam St	Cortez	Montezuma	81321
1/19/2024 15:11:39	Barbara Evert	PO BOX 224	Pleasant View	Montezuma	81331
1/19/2024 15:50:55	Grace fullmer	2320 w 2nd ave	Durango	La plata	81301
1/19/2024 15:53:26	LaDonna Darland	134 Ridge Top Cir, Bayfie	Bayfield	Laplata	81122
1/19/2024 16:05:48	Rose Chilcoat	2914 Junction St	Durango	La Plata	81301
1/19/2024 16:25:46	Jan Tankersley	472 Angel Way	Mancos	Montezuma	81328
1/19/2024 16:47:56	Marcus Thackston	457 N 8th St	Carbondale	Garfield	81623
1/19/2024 19:13:59	William Berger	2912 Junction Street	Durango	LaPlata	81301
1/19/2024 20:34:28	Adam Duhs	1460 Florida Rd	Durango	LaPlata	81301
1/19/2024 22:20:47	Joyce Stevenson	10011 Road 23	Cortez	Montezuma	81321
1/20/2024 6:57:11	Carol Watt	1635 46X Rd	Norwood	San.Miguel	81423
1/20/2024 8:55:20	bettyann kolner	24453 Rd. S.6	Dolores	USA	81323
1/20/2024 9:57:31	Delia G. Malone	0111 Mountain Lion Way	Redstone	Colorado	81623
1/20/2024 10:16:39	Edie Engstrom	311 Bobcat Lane	Redstone	USA	81623
1/20/2024 10:21:58	Darlene Kobobel	PO box 713	Divide	Teller	80814
1/20/2024 10:27:50	Rhonda Dern	29049 western lane	Evergreen	Jefferson	80439
1/20/2024 10:31:05	Anne Benson	12761 Road 40.4	Mancos	Montezuma	81328
1/20/2024 10:42:07	Ellen	11957 Blacktail Mtn	Littleton	Jefferson	80127
1/20/2024 10:43:38	Charles Seymour	578 High Street	Denver	Denver	80218
1/20/2024 10:45:20	Shelley Coldiron	675 Beaver Lake Road	Whitefish	Flathead	59937
1/20/2024 10:49:00	John Emerick	111 Mountain Lion Way	Redstone, CO	Pitkin	81623
1/20/2024 11:32:18	david Hand	21310 la piedra pt	Fountain	El paso	80817
1/20/2024 11:59:22	Patricia McClenny	12880 Road 31	Mancos	Montezuma	81328
1/20/2024 13:40:06	Evelyn Ziegler	309 33rd st WPB Fl 3340	West Palm Beach	Palm Beach	33407
1/20/2024 14:35:32	RAINER W GERBATSCH	6872 Juniper Court	Arvada	Jefferson	80007-7037
1/20/2024 14:58:28	Karen Gerbatsch	6872 Juniper Ct.	Arvada	Jefferson	80007
1/20/2024 19:09:33	Debra Taylor	5237 E Dakota Ave	Denver	Denver	80246

Timestamp	What is your name?	What is your address?	What city do you live in?	What county do you live in?	What is your zip code?
1/21/2024 5:58:29	Brian Westphal	18510 Road 26	Dolores	Montezuma	81323
1/21/2024 8:47:49	suzanne	13943 rd g	cortez	Montezuma	81321
1/21/2024 9:53:45	Rose Pray	422 Idlewild Drive	Dillon	US	80435
1/21/2024 11:31:12	MARY HARRIS	345 COLORADO AVE UN	CARBONDALE	GARFIELD	81623
1/22/2024 1:04:29	Michael Wenzl	816 W 11th St	Pueblo	Pueblo	81003
1/22/2024 8:27:21	Rebecca Burkhalter	325 S Cedar St	Colorado Springs	El Paso	80903
1/22/2024 8:33:43	Tierra Bishop	120 N Chestnut St	Colorado Springs	El Paso	80905
1/22/2024 10:10:09	Kate Hudson	266 Cherokee Lane, Carb	Carbondale	Pitkin	81623
1/22/2024 10:44:02	Aileen Scarim	6230 Waco Mish Rd	Colorado City	Pueblo	81019
1/22/2024 18:26:15	Everett	400 whashington	Salmon	Lemhi	83467
1/22/2024 18:47:00	Leslie Glustrom	4492 Burr Place	Boulder	Boulder	80303
1/22/2024 20:19:35	Marcia Beachy	4229 Crestview Dr.	Pueblo	Pueblo	81008
1/22/2024 20:45:27	Martha Osborn	30 Robertson Rd	Pueblo	Pueblo	81001
1/22/2024 21:13:52	Barry Rich	1416 cypress st.	Pueblo	Pueblo	81004
1/22/2024 21:30:39	Chris Allred	Longmont, CO	Longmont	Boulder	80501
1/22/2024 21:46:13	Debora Rich	1416 cypress st. Pueblo,C	Pueblo	Pueblo	81004
1/23/2024 3:13:33	Angie Gridley	858 S Greenway Ave	Pueblo West	Pueblo	81007
1/23/2024 5:06:06	J. McFarland	1631 Belero St	Broomfield	Broomfield	80020
1/23/2024 7:18:56	Amanda Quattrocchi	154 El Paso Blvd	Manitou Springs	El Paso	80829
1/23/2024 7:59:15	Carrie Krickbaum	568 Paso de Pablo	Near Ridgway, CO	Oura;y	81403
1/23/2024 12:44:16	Mark Holmes	2728 Withers Ave	Pueblo	Pueblo	81003
1/23/2024 14:30:14	Ciara	4422 Millburn Dr	Colorado Springs	El Paso	80906
1/23/2024 17:57:21	Velma Campbell	504 Starlite Dr	Pueblo	Pueblo	81005
1/26/2024 9:39:56	Gail Bell	19523 E 54th Ave	Denver	Denver	80249
1/27/2024 14:10:41	Deanna Booms	1915 N Grand Ave	Pueblo	Pueblo	81003
1/27/2024 14:53:43	Donald Bruestle	260 Lamar Avenue #808	Pueblo	Pueblo	81004
1/27/2024 16:34:05	Donna Mack	2105 N Greenwood St	Pueblo	Pueblo	81003
1/28/2024 10:45:58	Pam Chipman	36320 Rd N	Mancos	Montezuma	81328-9118
1/28/2024 11:57:54	David Uhey	7735Red Rock Circle	Larkspur	Douglas	80118
1/28/2024 14:34:01	Melissa Uhey	7735 Red Rock Circle	Larkspur	Douglas County	80118
1/29/2024 12:31:44	Rane Dickerson	rane@sanjuancitizens.org	Durango	La Plata County	81301

Timestamp	What is your name?	What is your address?	What city do you live in?	What county do you live in?	What is your zip code?
1/30/2024 13:31:48	Brad	827 Sierra Drive	Durango	La Plata	81301
1/30/2024 13:33:02	Anthony Miely	521 Sawmill Rd.	Durango	La Plata	81303
1/30/2024 13:33:08	Nancy Yarosis	2375 Godwin Lake Road	Benson	Johnston	27504
1/30/2024 13:33:56	Stacie Slay	45 Road 1304	La Plata	San Juan	87418
1/30/2024 13:36:48	Shelby Robinson	12375 Rd. 38.7	Mancos	MOntezuma	81328
1/30/2024 13:38:04	Gary Simpson	3742 Towango Point St	Las Vegas, NV	Clark	89147
1/30/2024 13:39:37	John Mace	105 wood haven way	durango	la plata	81303
1/30/2024 13:43:26	Karen Bellerose	522 Society Drive	Telluride	San Miguel	81435
1/30/2024 13:44:04	Natalie	11998 County Rd 240	Durango	La Plata	81301
1/30/2024 13:44:51	Norman Norvelle	3510 Kayenta Dr.	Farmington	San Juan	87402
1/30/2024 13:45:43	Greg Mantell-Hecathorn	152 Calico Trail	Durango	LaPlata	81301
1/30/2024 13:46:51	Yolanda Griswold	75 Spring Creek Village P	Durango	La Plata	81301
1/30/2024 13:47:04	ruthie boyd	PO Box 1651	Telluride	San Miguel	81435
1/30/2024 13:47:17	Mary Robins	85 Folsom Place	Durango	La Plata	81301
1/30/2024 13:48:07	Michael Stillman	303 Oak Dr	Durango	La Plata	81301
1/30/2024 13:49:17	Timothy Jones	1 E 6th Ave Unit 20	Durango	La Plata	81301
1/30/2024 13:49:47	Melissa Homann	11013 elvin ave ne	Albuquerque	Bernalillo	87112
1/30/2024 13:50:13	Victoria Bell	6400 Tahawash St	Cochiti Lake	Sandoval	87083
1/30/2024 13:52:17	Victoria Whitaker	45 Road 3141	Aztec	United States	87410
1/30/2024 13:53:51	Nathan Knecht	nathanlknecht@gmail.cor	Boulder	Boulder	80304
1/30/2024 14:00:36	Penny Holmes	1046 CR 977	Ignacio	Archuleta	81137
1/30/2024 14:01:12	Angelo Stancampiano	2903 Richard Dr unit B	Durango	La plata	81301
1/30/2024 14:01:18	Dr. Susan Kennedy	24 Little Bear Dr	Bayfield	La Plata	81122
1/30/2024 14:01:39	bettyann kolner	24453 Rd S.6	Dolores	Montezuma	81323
1/30/2024 14:02:51	Alex Dappen	316 Aspen Dr.	Durango	La Plata	81301
1/30/2024 14:05:23	evan	3772 Barnard Lane	johnstown	weld	80534
1/30/2024 14:07:10	Eileen Dawson	118 Rosemary Lane	Durango	La Plata	81301
1/30/2024 14:07:30	Donald H Smith	PO Box 1344	Capitan	Lincoln	88316
1/30/2024 14:09:23	Stephen Johnson	1700 S. Market St.	Norwood	San Miguel	81423
1/30/2024 14:10:11	Bob Kuhnert	10 Town Plaza #59	Durango	La Plata	81301
1/30/2024 14:11:39	Donna Jones	1120 Canyon Dr	Ridgway	Ouray	81432

Timestamp	What is your name?	What is your address?	What city do you live in?	What county do you live in?	What is your zip code?
1/30/2024 14:13:12	Michael Gregory	789 E HWY 145 Spur, Tel	Telluride	San Miguel	81435
1/30/2024 14:14:30	Mary Irby	2749 Rim Drive	Durango	LaPlata	81301
1/30/2024 14:16:06	David Lien	3615 Cranswood Way	Colorado Springs	El Paso	80918
1/30/2024 14:17:40	Jeffrey Clayton	P.O. Box 2351	Fraser	Grand County	80442
1/30/2024 14:18:23	Marjorie Xavier	3oo Pythian Road	Santa Rosa	us	95409
1/30/2024 14:19:50	E Heyman	300 Hillside Drive	Castle Rock	Douglas	80104
1/30/2024 14:22:01	Britt Bassett	2613 Rim Dr	Durango, CO	La Plata	81301
1/30/2024 14:24:28	Lee Lanzen	1600 Electra West Rd	Durango	La Plata	81301
1/30/2024 14:27:57	Perry Gx	14312 Franklin Avenue	Tustin	Orange	92780
1/30/2024 14:26:53	Moe Bellerose	522 society drive	Telluride	San Miguel	81435
1/30/2024 14:33:21	Hart Pierce	30 Road 2395	Aztec	San Juan	87410
1/30/2024 14:33:23	Lara Derasary	PO Box 445	Moab	Grand	84532
1/30/2024 14:34:11	Susan Peirce	18 paseo de aguila	santa fe	santa fe	87506
1/30/2024 14:34:27	chris	pobx652	abiquiu	usa	87510
1/30/2024 14:34:32	Lori Bryan	P.O. Box 2353	Durango	CO	81302
1/30/2024 14:38:32	Michael Ellis	180 Alpine Drive	Durango	La Plata	81301
1/30/2024 14:42:29	LYnne	2817 W. 2nd Avenue	Durango	La Plata	81301
1/30/2024 14:43:09	John Stephenson	2311CR 526	Bayfield	La Plata	81122
1/30/2024 14:46:32	Kyle Hunderman	1094 Animas View Drive	Durango	La Plata	81301
1/30/2024 14:49:39	Susan Davies	P.O. Drawer F	Durango,	La Plata	81302
1/30/2024 14:51:05	Bobbie Johnson	P.O. Box 943	Ouray	Outay	81427
1/30/2024 14:51:47	Anthony Castelli	2806 Hardwood Loop	Hartsel	Park	80449
1/30/2024 14:51:48	Greta Binzen	2907 East 4th Avenue	Durango	La Plata	81301
1/30/2024 14:52:36	Doug Henderson	312 Arlene Dr	Ft Collins	Larimer	80521
1/30/2024 14:54:48	Cordell J. Brown	925 E. 5th Ave	Durango	La Plata	81301
1/30/2024 14:54:49	Anthony Castelli	3309 Rd. 31	Dolores	Dolores	81323
1/30/2024 14:55:50	Merida	PO Box 3454	Durango	La Plata	81301
1/30/2024 14:56:03	Heather Quick	547 6th Street	Saguache	Saguache	81149
1/30/2024 14:59:34	Marilyn Scarborough	927 Crown Court	Fruita	Mesa	81521
1/30/2024 14:59:44	Ken DeFrancia	68 Boulder View Dr	Durango	La Plata	81301
1/30/2024 15:00:34	Josh Kuhn	908 Jasmine Place	Lafayette	Boulder	80026

Timestamp	What is your name?	What is your address?	What city do you live in?	What county do you live in?	What is your zip code?
1/30/2024 15:10:09	Jarret Childers	15172 Road 35	Mancos	Montezuma	81328
1/30/2024 15:14:01	Joe Munley	11013 elvin ave ne	Albuquerque	Bernalillo	87112
1/30/2024 15:15:42	Carla Behrens	904 Little Leaf Court	Longmont	Boulder	80503
1/30/2024 15:15:52	Emma Donharl	300 w 32nd st #207	Durango	La Plata	81301
1/30/2024 15:17:48	Matt Young	72 Timber Dr.	Durango	La Plata	81303
1/30/2024 15:19:06	Tim Fimpler	296 1st st.	Solvang	Santa Barbara county	93463
1/30/2024 15:22:02	Jim Boone	3112 Ivory Coast Dr.	Las Vegas	United States	89117-2346
1/30/2024 15:27:18	Charlotte Fischer	P.O. Box 1523	Durango	LaPlata	85118
1/30/2024 15:28:30	Steve Krest	498 CR 132	Marvel	La Plata	81329
1/30/2024 15:32:31	Julie Beer	334 College Avenue Apar	Palo Alto	Santa Clara	94306
1/30/2024 15:47:11	Phil May	PO Box 2802	Durango	La Plata	81302
1/30/2024 15:48:18	Joan MacEachen	PO Box 2802	Durango	La Plata	81302
1/30/2024 15:49:13	Jim Loveland	2500 54th Ave N Lot 100	St Petersburg	United States	33714-1970
1/30/2024 15:56:49	Cathy Cowles	1448 CR 250	Durango	La Plata	81301
1/30/2024 16:01:35	David Groenfeldt	1021 Camino Santander	Santa Fe	Santa Fe	87505
1/30/2024 16:08:27	Daniel Morgenstern	41743 Hwy 160	Bayfield	La Plata	81122-0937
1/30/2024 16:11:10	Polly Morgenstern	41743 Hwy 160	Bayfield	La Plata	81122-0937
1/30/2024 16:18:08	Janet Wyatt	235 Drumlin Circle, Fruita	Fruita	Mesa	81521
1/30/2024 16:20:13	Alan Carlton	408 Sunset Rd	Alameda	USA	94501
1/30/2024 16:21:42	Maria Spero	7235 CR 203	Durango	La Plata	81301
1/30/2024 16:25:24	Richard Grossman	richard@population-matte	Bayfield, CO	La Plata	81122
1/30/2024 16:30:42	Marilyn Brown	4559 S Taft Way, Morrisor	unincorporated Jeffco	Jefferson County	80465
1/30/2024 16:31:37	Mary Childers	15172 Road 35	Mancos	Montezuma	81328
1/30/2024 16:33:05	David Hatcher	12 Habitat Drive	Boulder	Boulder	80301
1/30/2024 16:33:20	Laura Maclaurin	PO Box 1974	Bayfield	La Plata	81122
1/30/2024 16:35:38	Lisa Floyd-Hanna	426 Trail Road	Hesperus	Colorado	81326
1/30/2024 16:43:13	Deb Paulson	7852 CR 203	Durango	La Plata	81301
1/30/2024 16:45:10	Robin Richard	7707 County Road 203	Durango	La Plata	81301
1/30/2024 16:54:36	David Hanna	426 Trail Rd. Hesperus, C	Hesperus	La Platga	81326
1/30/2024 17:01:27	Corey M Nielsen	3068 E. 3rd Ave	Durango	La Plata	81301
1/30/2024 17:03:34	Deb Henriksen	5175 Dudley Street	Arvada	Jefferson	80002

Timestamp	What is your name?	What is your address?	What city do you live in?	What county do you live in?	What is your zip code?
1/30/2024 17:17:55	Joe Wells	6016 Spanish Oaks Club	Austin	Travis	787388
1/30/2024 17:30:11	Tim McGovern	743 E 8th St	Durango	United States	81301
1/30/2024 17:33:01	Helen Low	3302 E 3rd Ave	Durango	La Plata	81301
1/30/2024 17:40:49	Nadine Ancel	358 W. Los Ranchitos Dr.	Durango	La Plata	81301
1/30/2024 18:00:53	Neal Jones	PO Box 422	Ruidoso	Lincoln	88355
1/30/2024 18:10:43	Lenny Papineau	2320 CR 225	Durango	La Plata	81301
1/30/2024 18:23:35	Garry Adams	7950 county rd G	Cortez	Montezuma	81321
1/30/2024 18:24:43	Ming Adams	7950 county Rd G	Cortez	Montezuma	81321
1/30/2024 18:41:53	Nancy Holman	1100 Goeglein Gulch #11	Durango	La plata	81301
1/30/2024 18:54:07	walter ray davis jr	1604 Rainer Falls Dr	Atlanta	USA	30329
1/30/2024 19:06:19	Genie Shupe	PO Box 17	Durango	La Plata	81302
1/30/2024 19:11:26	Michael Rendon	640 E. 4th Ave.	Durango	La Plata	81301
1/30/2024 19:18:41	Fiona King	17380 Road G	Cortez	Montezuma	81321
1/30/2024 19:19:42	Randy Willis	40 Bear Crossing	Durango	La Plata	81301
1/30/2024 19:22:06	Matt Dodson	620 n Gladeview dr	Farmington	San juan	87401
1/30/2024 19:42:06	Jennifer Dewey	Box 591	Ridgway	Ouray	81432
1/30/2024 19:52:29	Daniel King	252 Oxbow Circle	Durango	La Plata	81301
1/30/2024 19:55:01	Lauren Chapple	2912 1/2 junction street	Durango	La plata	81301
1/30/2024 20:00:02	John Farley	58 Palm Crt	Pagosa Springs	Archuleta	81147
1/30/2024 20:23:14	Trish Friant	3321 E 4th Ave	Durango	La Plata	81301
1/30/2024 20:44:00	Frederick J. Mackey	1480 N High St Apt 12	Denver	Denver	80218
1/30/2024 20:47:45	Sandra Bielenberg	67 Rio Vista Circle	Durango	La Plata	81301
1/30/2024 20:52:36	Susan Cotton	40771 German Creek Dr.	Paonia	Delta	81428
1/30/2024 20:57:59	Kim Messmer	2599 Amethyst	Santa Clara	United States of America	95051
1/30/2024 21:21:03	Marina Muzzell	38 Lobo Dr.,	Durango	La Plata County	81301
1/30/2024 21:21:10	Debra J Webb	125 Fir Dr	Durango	La Plata	81301
1/30/2024 21:29:22	Jim Banks	334West Golf Place	Pagosa Springs	Archuleta	81147
1/30/2024 21:42:36	Erika Brown	16 Artisan Court	Durango	La Plata	81301
1/30/2024 22:36:17	Susan Delles	2801 Sykes Creek Rd	Rogue River	Jackson	97537
1/30/2024 23:35:29	Elizabeth T Farrar	P. O. Box 4168	Telluride	San Miguel	81435
1/31/2024 3:49:11	Tom sykes	Po box 1122 Dolores Colo	Dolores	Montezuma	81323

Timestamp	What is your name?	What is your address?	What city do you live in?	What county do you live in?	What is your zip code?
1/31/2024 5:31:54	Jo Young	326 Aztec Street	Mancos	Montezuma	81328
1/31/2024 6:36:32	Rick Ryan	502 N. Ash St.	Cortez	Montezuma	81321
1/31/2024 6:50:03	Mary Laura Meuser	800 Heartwood Lane #5	Bayfield	La Plata	81122
1/31/2024 6:52:22	Ralph Kisberg	1736 Almond St.	Williamsport	Lycoming	17701
1/31/2024 7:11:32	Penelope Powell	322 S 9th St	Montrose	Montrose	81401
1/31/2024 7:25:34	Kourtney Ridenour	17287 Road 24	Dolores	Montezuma	81323
1/31/2024 8:33:30	Shirley J McNall	840 Navajo Dam Road	Aztec	San Juan	87410
1/31/2024 8:53:35	Reb Babcock	335 N Tamarack	Sisters	Deschutes	97759
1/31/2024 9:03:42	Linda Keehfuss	514 Jenkins Ranch Rd	Durango	La Plata	81301
1/31/2024 9:20:21	Mary	Msrypohorecki@gmail.co	Ridgway	Ouray	81432
1/31/2024 9:21:08	Sarah Kirkland	1135 Florida Rd	Durango	La Plata	81301
1/31/2024 9:22:44	Please oppose uranium e	111 N Garfield St	Rico	Dolores	81332
1/31/2024 9:28:48	Anna Riling	3165 W 3rd Ave	Durango	La Plata	81301
1/31/2024 9:40:55	Kim Moultney	33073 Elk Ridge Trail	Trinidad	Las Animas	81082
1/31/2024 9:52:54	Isabelle Tedeschi	9665 Florida Road	Durango	La Plata	81301
1/31/2024 10:10:47	Brittany	Brittany.leffel@gmail.com	Hesperus	La plata	81326
1/31/2024 10:24:43	Jeffrey Solon	111 Riverview Drive	Durango	La Plata	81301
1/31/2024 10:25:32	Karyn Gabaldon	111 Riverview Drive	Durango	La Plata	81301
1/31/2024 10:52:33	Zach Smith	3210 S Logan St.	Englewood	Arapahoe	80113
1/31/2024 10:55:23	Elena Hausser	747 W Pacific Ave	Telluride	San Miguel	81435
1/31/2024 11:08:13	Jeff Boltom	558 E 4th ave	Durango	La Plata	81301
1/31/2024 11:41:07	linda Bunk	251 E 7th Ave	Durango	La Plata	81301
1/31/2024 11:55:51	Brad Groves	777 e 8th ave	Durango	La plata	81301
1/31/2024 11:58:15	Wendy Pollak	2955 West 3rd Ave	Durango	La plata	81301
1/31/2024 12:43:39	Holly Hasenbuhler	65 Bluebell Ct.	Pagosa Springs	Archuleta	81147
1/31/2024 13:05:43	Claire	3176 w4th ave	Durango	La plata	81301
1/31/2024 13:47:33	John Miller	155 w. pacific ave unit 305	telluride	san miguel	81435
1/31/2024 14:05:38	Anne Farris	656 Eight Mile Loop	Pagosa Springs	Archuleta	81147
1/31/2024 14:21:44	Jeff oglesbee	101 bobtail st	Ophir	San Miguel	81426
1/31/2024 14:24:28	Anna Bridges	1463 Pierce Street	Denver	Denver	80214
1/31/2024 14:32:29	Pauline Sherry	12 Spring Creek	Mountain Village	USA	81435

Timestamp	What is your name?	What is your address?	What city do you live in?	What county do you live in?	What is your zip code?
1/31/2024 14:38:06	Elizabeth Dickerson	PO Box 2044	Ridgway	Ouray	81432
1/31/2024 14:42:41	Gage A Norris	611 W 33rd st	Durango	La Plata	81301
1/31/2024 14:45:28	Chase Ellsperman	14 Maroon Dr	Carbondale	Garfield	81623
1/31/2024 14:54:16	Janet Monell	1004 Oak Drive	Durango	La Plata	81301
1/31/2024 15:24:53	Zachary Butler	602 E 1st Street	Durango	La Plata	80906
1/31/2024 15:56:33	Ben Schlappi	164 Adams st	Naturita	Montrose	81422
1/31/2024 16:05:40	Veronica v von Allworden	214 Far View Road	Durango	CO	81303
1/31/2024 16:09:04	Annette Leverett	P O Box 18042	Boulder	Boulder	80308
1/31/2024 16:36:23	Courtney Liebich	PO Box 3948	Telluride	San Miguel	81435
1/31/2024 17:30:22	Lee An Bennett	421 Rock Fence Pl.	Lawrence	Douglas	66049
1/31/2024 17:35:07	Caroline Kulesza	217 Jenkins Ranch Rd. U	Durango	La Plata	81301
1/31/2024 17:59:35	Daniel matallana	Danielmatallanamejia@gr	New york	United states	11221
1/31/2024 18:54:12	Tim Thomas	658 E. 5th Ave.	Durango	LaPlata	81301
1/31/2024 19:03:22	Kristin Maas	9846 Kiowa Rd	Parker	Douglas	80138
1/31/2024 19:07:42	Paul Wilkins	674 E 5th Ave	Durango	La Plata	81301
1/31/2024 19:40:33	Craig Wood	243 W 21st Street	Durango	La plata	81301
1/31/2024 20:12:02	Dale	425-1/2 depot ally	Telluride	Usa	81435
1/31/2024 20:53:58	Iris Devlin	332 Deer Run	South Fork	Rio Grande	81154
1/31/2024 21:29:58	Christine Capaldo	908 Two Rivers Drive	Telluride	San Miguel	81435
1/31/2024 21:32:33	Edward	4348 Heather St	Moab	Grand	84532
1/31/2024 21:33:15	Amber	81435	Telluride	USA	81435
1/31/2024 22:10:24	Vaughan Kendall	2620 S Fillmore St	Denver	Denver	80210
1/31/2024 23:02:28	Mary Zaun	527 E 4th Ave #5	Durango	La Plata	81301
2/1/2024 7:27:50	Amy McClintock	146 Chapman Lane	Durango	La Plata	81301
2/1/2024 7:39:35	Brooke Johnson	4515 S 22nd St	Omaha	Douglas	68107
2/1/2024 8:09:58	Rhonda Schoenecker	15 Bell Ave	Alamosa	US	81101
2/1/2024 8:27:05	Erika Casorso	2920 E. 5th Ave.	Durango	La Plata	81301
2/1/2024 8:34:09	Marcel Gaztambide	258 Pioneer Ave, Apt 320	Durango	La Plata	81301
2/1/2024 8:41:15	sabine	6847 county road 203	durango	la plata	81301
2/1/2024 9:53:47	Joseph Gray	2610 N. Nelson Dr. 86001	Flagstaff	Coconino	86001
2/1/2024 13:59:54	Jennifer Dewey	Box 591	Ridgway	Colorado	81432

Timestamp	What is your name?	What is your address?	What city do you live in?	What county do you live in?	What is your zip code?
2/1/2024 14:40:02	Andrew Butler	248 S Squaw Canyon Pl	Pagosa Springs	Archuleta	81147
2/1/2024 14:50:30	Marcia Hoodwin	8236 Shadow Pine Way	Sarasota	USA	34238
2/1/2024 15:25:46	Kathleen Howell	145 Sunny Ridge Pl Unit I	Telluride	San Miguel	81435
2/1/2024 15:28:36	Linda Corwin	820 Bertie Lane	Bloomfield	San Juan, NM	87413
2/1/2024 16:03:02	Elisabeth Gick	POBox 1954	Telluride	San Miguel	81435
2/1/2024 19:34:30	Meredith Nemirov	PO Box 312	Ridgway	Ouray	81432
2/2/2024 6:57:34	Tony Daranyi	PO Box 963	Norwood	San Miguel	81423
2/2/2024 8:09:17	Nancy Robinson	100 Alamo Drive	Durango	La Plata	81301
2/2/2024 8:14:14	Eric Pierson	210A Jenkins Ranch Rd	Durango	La Plata	81301
2/2/2024 10:00:06	Paul LOMBARDI	14650 Road 30.2	Dolores	Montezuma	81323
2/2/2024 10:15:00	Jane McGovern	58 Vallecito Rd	Santa Fe	Santa Fe	87506
2/2/2024 11:43:16	Patricia McClenny	12880 Road 31	Mancos	Montezuma	81328
2/2/2024 14:53:56	Kent Ford	550 riverbend ct Durango	Durango	La Plata	81301
2/3/2024 6:58:50	Steve Smith	6 Calle De Rincon	Durango	La Plata	81301
2/3/2024 7:58:06	Jason Browne	13471 w 25th ave	Golden	Jefferson	80401
2/3/2024 9:50:33	Judith Kohin	106 Redtail Rd.	Telluride	San Miguel	81435
2/3/2024 12:23:15	Norman Norvelle	3510 Kayenta Drive, Farm	Farmington	San Juan	87402
2/3/2024 18:19:20	Tim Wheeler	189 Verde Lane	Durango	La PLata	81301
2/3/2024 18:30:44	Marty Pool	212 Halto Via Cir.	Durango	La Plata	81301
2/5/2024 8:28:40	Drew Rozean	2527 Columbine Dr	Durango	La Plata	81301
2/5/2024 8:29:23	Angela Sell	groovemistress76@gmail	Durango	La Plata	81301
2/5/2024 10:19:40	Brian Rogers	214 E 6th Ave	Durango	La Plata	81301
2/5/2024 11:14:13	Victoria Calvert	3674 CR 125	Hesperus	La Plata	81326
2/5/2024 11:14:45	Steve Kramer	3674 CR 125	Hesperus	La Plata	81326
2/5/2024 14:30:23	Liza Cooney	1100 Black Bear Rd Tellur	Telluride	San Miguel	81435
2/5/2024 14:32:30	Mollie Theis	122 n oak st. Telluride Co	Telluride	San Miguel	81435
2/5/2024 14:32:38	Mollie Theis	122 n oak st. Telluride Co	Telluride	San Miguel	81435
2/5/2024 15:12:40	John Henry	291 Rio Vistas Telluride C	Telluride	San Miguel	81436
2/5/2024 15:26:48	Domenic DiGregorio	88 Aspen Ln	Crested Butte	Gunnison	81224
2/5/2024 16:21:24	Jacey DePriest	P.O. Box 757	Ophir	San Miguel	81426
2/5/2024 16:33:19	Jenny Russell	1001 East Colorado Ave,	Telluride & Norwood	San Miguel	81435

Timestamp	What is your name?	What is your address?	What city do you live in?	What county do you live in?	What is your zip code?
2/5/2024 16:41:38	Pam East	1382 Aspen Dr.	Ridgway	Ouray	81432
2/5/2024 16:58:51	Reina	41651 needlerock rd	Crawford	Delta	81415
2/5/2024 18:02:51	Elitza Mladenova	960 1/2 East Columbia	Telluride	San Miguel	81435
2/5/2024 18:02:52	Theresa Koenigsknecht	100 Beaver Pond Lane	Telluride	San Miguel	81435
2/5/2024 18:05:34	Robert Whiting	Beaver Pond Lane	Telluride	San Miguel	81435
2/6/2024 9:19:30	Cheryl Brumbaugh-Cayfo	125 Wilcox Ave.	Elgin	Kane	60123
2/6/2024 9:28:16	Tyler Lausten	Dolores	Dolores	Montezuma	81323
2/6/2024 15:10:52	Matthew Allen	10 Beeslack Ln.	Ophir	San Miguel	81435
2/6/2024 17:26:10	Richard Simonson	3535 Peninsula Drive	Placerville	San Miquel	81430
2/7/2024 7:11:01	Lucy McGuffey	1422 Animas View Drive #	Durango	USA	81301
2/7/2024 10:55:23	Daniel Peha	828 E. 6th Ave	Durango	La Plata	81301
2/8/2024 6:01:31	Diana Davis	45 Ptarmigan Ridge	Durango	La Plata	81301
2/8/2024 12:09:15	Stacie Slay	45 Road 1304	La Plata	San Juan	87418
2/8/2024 12:13:51	Jana Richman	347 S 300 W	Escalante	Garfield	84726
2/8/2024 12:34:04	Heather	2909 w 3rd ave	durango	la plata	81301
2/8/2024 12:46:56	Kim Messmer	2599 Amethyst	Santa Clara	Santa Clara County	95051
2/8/2024 12:55:06	Zachary Butler	602 E 1st Street, Unit 2	Durango	La Plata	81301
2/8/2024 12:58:18	Seth Furtney	11 Molas Drive	Durango	La Plata	81301
2/8/2024 13:21:25	Bobbie Johnson	1294 Oak St	Ouray	Ouray	81427
2/8/2024 13:43:45	Jim Loveland	2500 54th Ave N Lot 100	St Petersburg	United States	33714-1970
2/8/2024 14:42:39	Lee	1600 Electra West Rd	Durango	La Plata	81301
2/8/2024 15:18:53	Robin Richard	7707 County Road 203	Durango	La Plata	81301
2/8/2024 15:25:59	Dorothy Burns	16 Wood Rose Lane	Durango	La Plata	81301
2/8/2024 15:29:53	Lucy McGuffey	1422 Animas View Drive	Durango	USA	81301-9516
2/8/2024 17:48:27	Clifford and Pearl Bove	688 Cow Pasture River R	Head Waters	Highland Count, Virginia	24442
2/8/2024 18:19:39	Brittany	8620 County Road 141	Hesperus	La Plata	81326
2/8/2024 20:08:40	Nancy Robinson	100 Alamo Drive	Durango	La Plata	81301
2/8/2024 21:50:46	Julie Beer	334 College Avenue Apar	Palo Alto	Santa Clara	94306
2/8/2024 22:57:58	Marnie Gaede	772 Caldera Curve	Sout Fork	Mineral	81154
2/8/2024 23:16:15	Timothy Thomas	658 E. 5th Ave.	Durango	LaPlata	81301
2/9/2024 10:48:49	Marianne Mate	301 Abeyta Drive Dolores	Dolores	Montezuma	81323

Timestamp	What is your name?	What is your address?	What city do you live in?	What county do you live in?	What is your zip code?
2/9/2024 11:17:15	Lara Derasary	PO Box 445	Moab	Grand County	84532
2/10/2024 11:15:13	Rose Marie Cecchini	340 Norumbega Drive	Monrovia	San Gabriel	91016
2/10/2024 11:18:46	Janet Greenwald	box 485	Dixon	Rio Arriba	87527
2/10/2024 11:25:42	Patricia Sheely	604 Jeff King Street	Gallup	McKinley	87301
2/10/2024 12:29:28	Jana Gunnell	423 Valverde Commons D	Taos, NM	Taos	87571
2/10/2024 13:00:02	Paul Ferris	5160 Buckingham Rd.	Boulder	Boulder	80301
2/10/2024 13:01:03	Hope Fatt	8845 S Sun Leaf Dr	West Jordan City	Salt Lake	84088
2/10/2024 14:37:27	Tony Lowe	Tonytonetones@gmail.co	Taos, NM	Taos	87571
2/10/2024 16:45:09	Shayla Blatchford	1000 Cordova Place	Santa Fe	Santa Fe	87505
2/10/2024 17:34:36	Jazell Jenkins	8014 Sunnyside Ave N Se	Seattle	King	98103
2/11/2024 21:12:41	Jan Boudart	1132 W. Lunt Ave #D-7	Chicago	Cook	60626
2/12/2024 6:29:41	L. Watchempino	PO Box 407	Pueblo of Acoma	Cibola County	87034
2/12/2024 8:43:33	Tim Wheeler	189 Verde Lane	Durango	La Plata	81301
2/12/2024 9:51:50	Neema Caughran	2101 West St	Pueblo	Pueblo	81003
2/12/2024 14:22:57	Chase LaCroix	39 E Animas Village Ln.	Durango	La Plata	81301
2/13/2024 7:21:35	Don Hyde	1736 Camino del Sol	Gallup	McKinley	87301
2/13/2024 9:39:04	Caroline Kulesza	217 Jenkins Ranch Rd, U	Durango	La Plata	81301
2/16/2024 7:57:48	Jessica anaruk	4088 car 203	Durango	La plata	81301
2/17/2024 20:12:28	Annie Shifflette	1284 N Ardmore Ave	Los Angeles	Los Angeles	90029
2/23/2024 10:09:58	Cheryl Clement	322 Jenkins Ranch Rd	Durango	LaPlata	81301
3/7/2024 13:51:43	Tim thomad	658 e. 5th ave	Durango	LaPlata	81301

Nicola Kerr <nicolak@sanmiguelcountyco.gov>

Slick Rock drilling program

Kat Wilder <wilderwaters@earthlink.net> Fri, Mar 22, 2024 at 9:23 PM
To: planning@sanmiguelcountyco.gov

Dear SMC Planning Commission--

I am writing as the landowner of the "one parcel of private land [that] lies within 1500 feet of the proposed drill holes." I am the owner of Cachuma Ranch Co. LLC and a resident of Disappointment Valley.

Your map shows drill hole sites very close to our northern and western fencelines. We run cattle in this pasture, and use it as our calving pasture when moisture has given us a good feed year. The cattle water in ponds south of the proposed drill sites. My children, grandchildren, and I frequent this property, doing cattle work, recreating, camping, and writing (I am both a rancher and a writer).

My primary concern is the health of my family, my cattle, my land. The whole idea of this project makes me very nervous. I need to know more, especially about the history of cancer and death due to proximity to the mining of toxic uranium and vanadium.

I am also concerned about how the land disturbance will impact water flow, as well as how the traffic and noise will impact both the cattle and human occupants of the surrounding land. I bought this parcel to use as part of the ranch, and for the peace and tranquility it offers. It is also the base property for our BLM Salt Arroyo Allotment up-valley.

Thank you for the opportunity to write. I will attend the April 4 meeting online.

Sincerely,

Kathryn Wilder
Disappointment Valley and Dolores, Colorado

March 26th, 2024

San Miguel County Planning Commission
333 W Colorado Avenue
Telluride, Colorado 81435
cc: John Huebner, senior planner, San Miguel County
via email to johnh@sanmiguelcountyco.gov

Re: San Miguel County Mining Special Use Permit–Slickrock Exploratory Drill Program

Dear Members of the San Miguel County Planning Commission:

Thank you for the opportunity to comment on the Special Use Permit application submitted by BRS Engineering, Highbury Resources, Uranium Energy Corp, and Anfield Energy Inc. These comments are submitted on behalf of the Information Network for Responsible Mining and Sheep Mountain Alliance. INFORM is a statewide nonprofit organization that addresses the impacts of hardrock mining in Colorado. Sheep Mountain Alliance is a citizen's conservation organization that works to protect the greater Telluride region of Southwestern Colorado. Great Old Broads for Wilderness is a women-led national grassroots organization that engages and inspires activism to preserve and protect wilderness and wild lands.

The undersigned organizations and individuals are opposed to inappropriate mine development in the Dolores River basin when it creates conflicts with broader regional conservation goals. The general area of Disappointment Valley, Slickrock and the Dolores River, where uranium exploration is proposed, is a valuable recreational area that attracts visitors and supports local economies. Our organizations strongly believe that the motorized and non-motorized recreation opportunities and the value of the important ecosystems in the permit area far outweigh the limited benefits of mining in this region.

The conservation value of the region is reflected in the introduction of legislation this year to create the proposed Dolores River National Conservation Area (NCA), the result of a decade of local and regional planning and stakeholder efforts to preserve the Dolores River corridor and the adjacent landscape. The Slickrock exploratory project lies adjacent to the boundary of the proposed Dolores River NCA. This federal legislation is supported by all three San Miguel County Commissioners, and has widespread support in Southwest Colorado. The legislation introduced in Congress states in Section 101(b), "The purpose of the Conservation Area is to conserve, protect, and enhance the native fish, whitewater boating, recreational and scenic, cultural, archaeological, natural, geological, historical, ecological, watershed, wildlife, educational and scientific resources of the Conservation Area." Our organizations strongly believe that the natural, scenic and recreational values of the Slick Rock area enhance and support the regional recreation economy and far outweigh the limited benefits of uranium mining. Currently one of the project drilling locations is within the Dolores NCA boundaries. A recent study of the Dolores River watershed found that "the public lands within the Dolores River Canyon Country represent the largest and most biologically diverse unprotected publicly-owned landscape in

Colorado" [1]The impacts of a potentially fully operational mining project should be considered in context of these described benefits of the proposed conservation area.

The Slick Rock and Disappointment Valley areas adjacent to the general location of the proposed drilling activity are abundant in natural values and provide important habitat for wildlife, and any impacts to wildlife must be minimized. Activities should be restricted to the non-winter months when nesting or brooding species are not present. The Naturita Milkvetch (*Astragalus naturitensis*) and Gypsum Valley Cat Eye (*Oreocarya revealii*) have been located in the vicinity and are notable rare flora species. The Division should require that the specific drill sites be surveyed for these species and measures taken to prevent any specimens that are identified. Before any surface disturbances occur, it would be beneficial to survey the project area for any cultural, historical or paleontological resources, which are abundant in the area, and take measures to halt operations and protect them if any are inadvertently discovered during drilling operations.

The Slick Rock area is a treasured resource for the residents and visitors of San Miguel County and the operator should be required to be especially vigilant in its care for the landscape should exploration be approved. However, authorizing exploratory drilling in this location cannot be uncoupled from a consideration of the future potential for uranium mining in the same location. That would be an unacceptable outcome and an incompatible use of the land. The undersigned organizations and individuals appreciate your consideration of these comments.

Respectfully submitted,

Mason Osgood
Executive Director
Sheep Mountain Alliance
P.O. Box 389
Telluride, CO 81435
(970) 728-3729
mason@sheepmountainalliance.org

Jennifer Thurston
Director
Information Network for Responsible Mining
2205 W. 136th Ave. Ste. 106-311
Broomfield, CO 80023
(303) 586-1437
jennifer@informcolorado.org

Jennifer Singer
4Corners Broadband leader
Great Old Broads for Wilderness
29134 Rd M.4

[1]https://46913af6-4945-45d0-8f6a-1ffc6aa33055.usrfiles.com/ugd/46913a_257d6d0b8be74d5cbba9bd0f675bdebe.pdf

Dolores, CO 81323
(970)570-7792
jennifer4cornersbroadband@gmail.com

No Uranium Exploration or Mining in Slick Rock Canyon Petition

To: San Miguel County Commissioners

Please reject Permit # P-2023-018 NOI

We oppose exploratory drilling and uranium mining in Slick Rock Canyon for these reasons.

- **Uranium possesses both chemical toxicity and radioactivity. The effects of low-level radioactivity include cancer, shortening of life, subtle changes in fertility or viability of offspring for decades or generations. Four Corners is still a cancer cluster from 1940's uranium mining.**
- **All phases of uranium development- exploration, mining, and milling- can pose unique threats to species, ecosystems, and human communities.**
- **Dolores River Canyon is a special place for recreation- allowing exploratory drilling or mining increases exposure of water to potential contamination. All mining activities require thousands of gallons of water, which is wasteful considering our 22+ year drought.**
- **White Mesa Ute Mountain Ute People have been protesting White Mesa Mill for years because of the air and water pollution, land health, and human health effects. Don't let Disappointment Valley and the Dolores River watershed turn into another Uravan Superfund site.**

I oppose the Slick Rock Exploratory Uranium Mining Permit # P2023018.

Date	Name	Complete Address	Signature
12-14-23	Cynthia Robsion	25567 Road T.5 Dolores CO 81323	Cynthia Robsion
12/14/23	Madeline Stephens	24981 Rd. V.4 Dolores, CO 81323	
12/14/23	Lynn Sakup	415 N Chestnut Cortez, CO 81321	
12/14/23	Liz Brown	35505 Rd H5 Mancos, CO 81328	
12/14/23	Lynn Dyer	14760 Hwy 145 Dolores, Co 81324	
12/14/23	Donna Teller	17893 Road S.8 Cortez Co 81321	
12/14/23	Carla Daino	17915 Rd S.8 Cortez 81321	Carla Daino
12/14/23	Mary Quinn	19583 Rd. 14 Yellow Jacket, 81335	Mary K Quinn

I oppose the Slick Rock Exploratory Uranium Mining Permit # P2023018.

Date	Name	Complete Address	Signature
12/14/23	Paul Koops	27555 Rd. N Dolores, CO 81323	
12/14	Margie Connolly	85A Rd 40.1 Mancos, CO	
12/15	Fred Harder	"	
12/14	Sandi Valencia	10400 Hwy 491 Cortez, CO	
12/14	Jim Stivers	1102 E. CARPENTER CORTEZ, CO 81321	
12/14	JOHN PERDUE	36315 RD G.9 MANCOS CO 81328	
12/14/2023	Frances Wisner	27963 Rd H.6 Cortez CO	
12/14/2023	Donald Wisner	27963 Rd H.6 Cortez CO	

I oppose the Slick Rock Exploratory Uranium Mining Permit # P2023018.

Date	Name	Complete Address	Signature
12/14	Herb Folsom	PO Box 716 Mancos CO 81328	Herb Folsom
12/14	Jan Winfree	1581 Balsam St. Cortez, CO 81321	Jan Winfree
12/14	Kathrine McClenny	1605 Rivera St Cortez, CO 81321	Kathrine McClenny
12/14	Dorothy Banks	14545 CD 35.9 Mancos, CO 81328	Dorothy Banks
12/14/2023	Mary E. McAfee	22277 Rd. 20 PO Box 7 Lewis CO 81327	Mary E. McAfee
12/14/2023	Rebeeca R Brennan	700 East 2nd St Apt 7 Cortez CO 81321	Rebecca R Brennan
12/14/2023	Sascha Steinberg	326 E 1st St Cortez, CO 81321	
12/14/2023	Thaddeus Wilkerson	30 N Beech Cortez, CO 81321	

I oppose the Slick Rock Exploratory Uranium Mining Permit # P2023018.

Date	Name	Complete Address	Signature
12/14/23	Amanda Benson	6468 RD24 Cortez CO 81321	Amanda Benson
12/14/23	Matthew Keefauver	226 N Market Cortez Co 81321	Matthew Keefauver
12/14/23	Mary Schaefele	29078 Rd M Dolores, Co 81323	Mary Schaefele
12/14/23	Arlina Yazzie	851 W. Brookside Drive Cortez, CO 81321	Arlina Yazzie
12/14/23	Adrina Richardson	15250 road 21 Cortez, Co	
12/14/23	WILSON HICKS	1001 BALSAM CORTEZ	
12/14/23	Derek Beckman	202 N. 7th Street Dolores	
12/14/23	Beth Jans	P.O. Box 474 Cortez, CO 81321	

I oppose the Slick Rock Exploratory Uranium Mining Permit # P2023018.

Date	Name	Complete Address	Signature
12/14/23	Susan Gallagher	1001 Balsam St. Cortez Co. 81321	Susan B Gallagher
12/14/23	Josh Stewart	168 Red Rocks St. Fruita 81521	
12/14/23	Kate St. Onge	12815 Rd. 42 Mancos 81328	Kate St. Onge
12/14/23	Amanda Miller	PO Box 1125 Cortez, CO 81321	
12.14.23	Kay Barnett	438 E Montezuma Ave Cortez Co 81321	Kay Barnett
12/15/23	Megan Waterman	1422 Aldridge Rd. Cortez, CO 81321	Megan Waterman
12/15/2023	Jennifer Singer 4Corners Broadband Leader / Great Old Broads for Wilderness	29134 Rd. M.4 Dolores, CO 81323	Jennifer Singer
1/5/24	Terri Helm	22755 Rd. N CORTEZ, CO 81321	Terri Helm

I oppose the Slick Rock Exploratory Uranium Mining Permit # P2023018.

Date	Name	Complete Address	Signature
1/5/24	Jonnie Godbey	10592 Road BB Pleasant View, CO 81331	
1/5/24	Betty Ann Kolnek	24453 R. 5.6 Dolores	

AGENDA ITEM

TITLE:
Amending Land Use Code Section 5-324 Community Housing (CH) zone district / MOTION

Presented by:
Time needed:

PREPARED BY:
John Huebner, Planning

RECOMMENDED ACTION/MOTION:

INTRODUCTION/BACKGROUND:

FISCAL IMPACT:

ATTACHMENTS:
CPC Packet CH Zone 040424.pdf
Public Comments After Packet.pdf

Description:

PUBLIC HEARING RECORD

County Planning Commission
Application: Amendment to the San Miguel County Land Use Code – Section 5-324, Community Housing (CH) Zone District

Date: April 4, 2024

1. San Miguel County Land Use Code (Adopted 11/30/90) with all amendments to date (By Reference Only)

2. San Miguel County Comprehensive Development Plan (Adopted 8/3/78) with all amendments to date (By Reference Only)

3. Memorandum to the San Miguel County Planning Commission from Kaye Simonson, Planning Director, dated April 4, 2024

AGENCY COMMENTS

4. Memo from Kaye Simonson to Referral Agencies dated March 4, 2024

5. Draft Land Use Code Amendment, Section 5-324 Community Housing (CH) Zone District

6. Letter from Town of Mountain Village dated March 17, 2023

7. Letter from Aldasoro Ranch Homeowners Company dated March 25, 2024

8. Email from K.C. Murphy, Elk Run HOA received March 25, 2024

9. Email from Chipper Dippel, Gray Head Property Owners Association received March 25, 2024

10. Letter from Lawson Hill Property Owners Company received March 25, 2024

11. Letter from Meadows at Deep Creek Mesa Homeowners Company dated March 24, 2024

12. Email from Catherine Winchester, Raspberry Patch HOA received March 25, 2024

13. Email from Tom Treder, San Bernardo HOA received March 25, 2024

14. Letter from Telluride Ski Ranches HOA dated March 24, 2024

PUBLIC COMMENT

15. Email from Jim Farrar received March 24, 2024

16. Email from Pam Bennett received March 25, 2024

17. Email from Scott Bennett received March 25, 2024

18. Email from Sarah and Tye Jensen received March 28, 2024

OTHER

None

M E M O R A N D U M

TO: San Miguel County Planning Commission
FROM: Kaye Simonson, AICP, Planning Director
RE: Amendment to San Miguel County Land Use Code Section 5-324 Community Housing (CH) Zone District
DATE: April 4, 2024

BACKGROUND

The Community Housing (CH) zone district, LUC Section 5-324, was adopted by the Board of County Commissioners on December 8, 2021 (BOCC Resolution No. 2021-038). The intent of the new zone district was to streamline the permitting process, remove regulatory barriers, and facilitate higher density residential development in order to meet the housing needs of the community.

On January 24, 2024, a joint work session of the CPC and BOCC was held to gather public input and provide direction regarding possible amendments to the CH zone district. Key discussion points focused on the Purpose statement, Area and Bulk Requirements Permitted by Right, and Maximum Density. This draft LUC amendment is the outcome of that meeting.

Governor Polis signed House Bill 21-1117 into law on May 28, 2021, which amended C.R.S. § 29-20-104, adding (1)(e.5) and (1)(e.7). It encourages local governments to increase the overall number and density of housing units within its jurisdictional boundaries or to promote or create incentives to the construction of affordable housing units. This may be done by adopting changes to zoning or land use policies to increase the number of housing units allowed on a particular site, including granting density bonuses to development projects that incorporate affordable housing units. (See the attached County Attorney's memo)

The 2018 San Miguel County Housing Needs Assessment stated that the need for additional community housing is critical. At the time of the study, there was an estimated shortage of 441 units, and a projected shortage of an additional 325 units by 2026. The Trust for Community Housing's 2019 report, The Impacts of Workforce Housing on the Telluride Area Economy and Community, identified the importance of deed-restricted housing for retaining essential workers, emergency service workers and those who support the local economy. Having workers close to their jobs is critical to maintain the economy and community. Also, the lack of housing near employment centers results in significant expenditures related to transit, parking, roads, law enforcement and other county and local government services; stresses the already at-capacity road system; and adds to carbon emissions. The COVID pandemic highlighted the need for more housing, with local real estate sales and rental trends exacerbating the lack of available housing for local residents and causing increased displacement of local renters. The update of the Housing Needs assessment is getting underway, with SMRHA as the lead agency.

Prior to the creation of the CH zone, higher density housing could only be achieved as a Planned Unit Development (PUD). Requiring a five-step review process, LUC Section 5-1401 describes a PUD as "a subdivision procedure permitting variation of dimensional, permitted uses and parking standards to promote compliance with the County's Land Use Policies." (The Affordable Housing PUD [AHPUD] zone district continues to be an option within the Land Use Code.)

A PUD requires significant investment in detailed plans and studies up front, at the Sketch Plan step, but there is no certainty for the applicant until Preliminary Plan approval, the fourth step. An application for rezoning is usually considered concurrent with the Preliminary PUD (steps 3 and 4). The CH zone provides a path to development that is not a PUD, but there is still significant review, requiring both an application to rezone, a two-step process, and development plan approval, a two-step process (as proposed to be amended), followed by administrative approval of development and building permits.

With the CH zone, streamlining occurs because the level of detail builds as the project moves through the process. Rezoning, pursuant to LUC Section 5-1803, asks the applicant to demonstrate that the criteria regarding services, infrastructure, and impacts can be met. This is shown through preliminary studies and analysis. The applicant must do significant due diligence in order to successfully receive approval of the rezone. More detailed plans, studies and engineering are then required at the development plan phase, verifying that representations regarding ability to serve and develop a property are in fact feasible.

Throughout the East End Master Plan process, there has been significant public comment regarding the CH zone district. As proposed in the Future Land Use classifications, the CH zone district is listed as one of several that could be utilized within certain areas. Based on public comment, some people have taken that to mean that high-density housing would automatically be permitted in all areas where CH zoning is listed as a potential zone district. That is incorrect. The Master Plan does not change the zoning of any property; it does identify which zones could be considered for a property. Further, rezoning is initiated by the property owner. Owners could request any of the zone districts listed under the property's future land use classification; they are not obligated to apply to rezone the property to CH. Should someone seek to rezone property to CH and to obtain approval of development plans for housing, there would be significant public process, requiring the submission of detailed studies and reports, and a number of public meetings and hearings. Public notice is required at all steps, and there are opportunities for the public to provide comment and participate at both the rezone and development review stages. (Note: the CPC has recommended that the CH zone be removed from the Low Density future land use classification. Additionally, the PC C recommended that the Diamond Ridge future land use be changed to Low Density, where AHPUD would be a potential zone district but CH would not. Finalization of the plan is forthcoming, with consideration of adoption not yet scheduled.)

REZONING APPLICATIONS

Since amending the Code to add the CH zone, there have been two rezoning applications: Diamond Ridge, by San Miguel County and Town of Telluride, and a portion of the Alexander property in Ilium by the Town of Mountain Village. Litigation regarding the Diamond Ridge property resulted in a finding by the district court judge that the rezoning was not consistent with the 1989 Telluride Regional Area Master Plan, so that rezoning approval is effectively null. The Mountain Village rezone of the Alexander parcel was approved. Therefore, in preparing and evaluating any amendments to the CH zone, consideration must be given to the fact that there are stakeholders with an established property interest in the zone district.

PROPOSED AMENDMENT

(The Land Use Code text is shown in Times New Roman font. Proposed additions are shown in red underline. Proposed deletions are shown in ~~strike-through~~.)

Section 5-324 A. Purpose outlines the intent of the zone district, along with where it might apply. The proposed amendment clarified the County's intent, adds service by wastewater systems to the characteristics of areas considered appropriate, and revises the statement regarding compatibility with surrounding areas to be more consistent with the rezoning standards of Section 5-1803. The bold, underlined statement would be deleted. Also, references to particular zone districts suited for rezoning are deleted. Rather, suitable areas for rezoning will be identified in the Master Plan, by listing potential zone districts according to each future land use classification.

5-324 A. Purpose

It is the position of the County that housing for people who live and work in the local communities is a high priority. The purpose of the Community Housing zone district is to provide for the development of high-density, clustered housing for people who live and work within San Miguel County. Housing may be in attached or detached single-family homes, duplexes, multi-family buildings, or rooming houses. Development may also include alternative living units such as spaces for RVs, tiny homes or yurts. Dwelling units shall be subject to the County's R-1 Housing Deed Restriction (see Section 5-1304 and 5-1305), unless free-market units are allowed within the development.

Properties that may be considered for rezoning to the Community Housing (CH) zone district shall be located within the Telluride R-1 School District boundaries. Properties ~~Zone districts~~ that are most appropriate for rezoning to CH are those that can be served by municipal water and wastewater systems, ~~including Low Density (LD), Low Density Residential (LDR), Medium Density (MD), and High Density (HD). The Forestry, Agriculture, and Open (F) zone district may be considered~~ or those where water and wastewater systems can be developed. Properties that are zoned High Country Area (HCA) or Rangeland Grazing (RG) shall not be considered for rezoning to CH. ~~The maximum density of twenty (20) units per acre may be higher than that found in surrounding areas.~~ **~~It is the position of the County that housing for people who live~~**

~~and work in the local communities is a high priority. When rezoning land to the CH zone district, the higher density that may be achieved in that zone shall not be considered incompatible with surrounding land uses, neighborhood characteristics or community character.~~ It is recognized that development in the CH zone district may have densities and intensities of uses that are different from surrounding areas.

Clustered development is encouraged to maintain open space, to be efficient in design and construction of infrastructure, and to mitigate impacts on adjacent properties. Recreational, civic and public uses may be part of the development where appropriate. All development shall include appropriate guarantees for the protection of public health, safety and welfare, which shall include, but are not limited to, provision of water and wastewater treatment; mitigation of geohazards; site access; and any other applicable site-specific considerations.

All development in the Community Housing zone district is encouraged to include energy efficient design and alternative energy generation such as solar power. Net zero development – producing enough energy through the use of measures such as solar panels, passive design, and other means to offset the energy consumed on an annual basis – is strongly encouraged. Sites that are not suited to net-zero development should strive to be as energy efficient as possible, through design, construction, and building systems.

Sections 5-324 B-F identifies the uses that may be considered, subject to specific review processes. Aside from the limited uses allowed by right or subject to Administrative Review, development review would be a two-step process, with a recommendation from the CPC and final decision by the BOCC. Day care centers would be moved from Administrative Review to Two-Step Review. Certain uses, such as higher amounts of free-market housing, which is intended to help finance development, and neighborhood-serving commercial uses, would continue to be subject to the PUD process.

5-324 B. Uses Allowed by Right

I. Customary residential accessory buildings and uses;

II. Day care homes; and

III. Home occupations.

5-324 C. Uses Allowed Subject to Administrative Review

I. Temporary Alternative Living Space sites;

~~II. Day care centers;~~

III~~I~~. Public transportation facilities primarily serving the development; and

III~~V~~. Public utilities and infrastructure to primarily serve the development.

~~**5-324 D. Uses Allowed Subject to One-Step Planning Commission Review**~~

~~I. Dwelling units on parcels five (5) acres or less:~~

~~a. Single-family dwellings, attached and/or detached;~~

~~b. Duplexes;~~

~~c. Multi-family dwellings;~~

~~d. Rooming houses;~~

~~e. RV, tiny home, yurt and other Alternative Living Spaces (no more than twenty (20) percent of total units);~~

~~II. Churches, community meeting halls, libraries, and other civic and community-serving facilities;~~

~~III. Parks, playgrounds, playing fields, and other recreational facilities to serve residents of the development; and~~

~~IV. One (1) Free-market (not deed restricted) dwelling unit.~~

5-324 ~~E~~D. Uses subject to Two-Step Special Use Permit Review

I. Dwelling units~~ on parcels greater than five (5) acres~~:

a. Single-family dwellings, attached and/or detached;

b. Duplexes;

c. Multi-family dwellings;

d. Rooming houses;

e. RV, tiny home, yurt and other Alternative Living Spaces ~~(twenty one (21) percent or more of total units)~~;

II. Churches, community meeting halls, libraries, and other civic and community-serving facilities;

III. Day care centers;

IV~~I~~. Parks, playgrounds, playing fields, and other recreational facilities to serve residents of the development and regional residents;

V~~III~~. Fire stations, schools, and other public facilities and uses; and

~~I~~VI. Free-market (not deed restricted) dwelling units:
a. Comprising ten (10) percent or less of the total units for a development that is not net zero on an annual basis; or
b. Comprising twenty (20) percent or less of the total units for a development that is net zero on an annual basis.

5-324 ~~F~~E. Uses Allowed Subject to Board of County Commissioner Approval Pursuant to Planned Unit Development (PUD) Procedure

I. Free-market (not deed restricted) dwelling units:
a. Comprising eleven (11) percent or more of the total units for a development that is not net zero on an annual basis; or
b. Comprising twenty-one (21) percent or more of the total units for development that is net zero on an annual basis;

II. Neighborhood Commercial Uses that offer goods and services needed by residents of the PUD on a daily or frequent basis, including convenience store, drug store, liquor store, self-service laundry, medical and dental offices and clinics, and postal service substation; and

III. Flex Space.

Section 5-324 F, Density Permitted Subject to Board of County Commissioner Approval, separates Density from the Area and Bulk Requirements, does not include "by right" in the section title and states that the density is "up to" twenty units per acre. At the prior work session, there was some discussion regarding changing the maximum density, for example to 15 units per acre to align with the AHPUD maximum density, but ultimately, the respective bodies chose to keep it at 20 units per acre, which falls within the range of the High Density zone district.

5-324 F. Density Permitted Subject to Board of County Commissioner Approval

I. Maximum Density – up to twenty (20) units per acre

Section 5-324 G, Area and Bulk Requirements Permitted by Right, is proposed to be amended to move Density to Section 5-324 F, as described above, and to remove "By Right" from the section title. There are no other changes proposed to the development standards. There was some discussion in the work session regarding reducing the height; 35 feet is the maximum height in all other zone districts, and as such, staff does not recommend this district have a reduced standard. The allowance of a 45-foot height was intended to provide an incentive for and facilitate development of projects that are net zero on an annual basis.

5-324 G. Area and Bulk Requirements ~~Permitted by Right~~

~~I. Maximum Density – twenty (20) units per acre~~

~~I~~I. Minimum Lot Area – None

~~II~~II. Setbacks

a. Setbacks from any development to property lines of any abutting parcel zoned other than Community Housing and to any right-of-way – twenty (20) feet;

b. Front yard – ten (10) feet to adjacent buildings; otherwise, to allow flexibility in the design process, there is no minimum internal front yard setback;

b. Rear yard – ten (10) feet to adjacent buildings; otherwise, to allow flexibility in the design process, there is no minimum internal rear yard setback;

c. Side yard:

i. Detached Principal buildings – ten (10) feet to adjacent buildings;

ii. Attached Principal buildings – zero (0) feet on the attached side(s) and ten (10) feet to adjacent buildings on the detached side.

d. Accessory buildings – five (5) feet to the nearest building(s), all sides.

III~~V~~. Maximum Building Height:

a. Thirty-five (35) feet;

b. For development that is net zero on an annual basis, forty-five (45) feet.

IV. Minimum Common Open Space – thirty (30) percent, to be developed as either Active or Passive Open Space

V~~I~~. Minimum Off-street Parking

Clustered parking areas are encouraged. Off-street parking shall be provided for each principal use as required in Section 5-702, with the

following exceptions:

a. Studio and one (1) bedroom dwelling units: one (1) parking space per unit;

b. All other dwelling units: two (2) spaces per unit;

c. Rooming house: one (1) parking space per sleeping room, except where the property is served by public transit, in which case the parking requirement shall be two (2) spaces for every three (3) sleeping rooms;

d. Alternative Living Spaces: one (1) parking space per unit.

Section 5-324 H Review Standards provides the key criteria that must be addressed in any development proposal. This includes the provision of water, wastewater, access to roads, and public safety. The environmental suitability of the property for development must also be demonstrated. There are no changes proposed in this section. Other sections of the Land Use Code may apply, including Section 5-4, Areas of Local or State Interest; Section 5-5, Roads; Section 5-6, Services, and Section 5-7, Improvements.

5-324 H. Review Standards

An applicant seeking approval for a development in this zone district must demonstrate to the satisfaction of the Decision Maker substantial compliance with the applicable standards of LUC Sections 5-5, 5-6 and 5-7, and with the standards in this section:

I. Adequate public services such as roads, water, wastewater, public safety and fire protection are available to serve the proposed use;

II. There shall be adequate water supply to serve the development that meets the standards of Section 5-605. If the water service provider has a lower per capita standard than that specified by Section 5-605, or the developer can demonstrate lower water demand for the development, the average daily demand per capita may be reduced. Water shall be treated by a method determined by the County or state health department to conform to minimum local and state requirements;

III. The wastewater treatment system shall meet the standards of Section 5-607;

IV. The property shall have direct access to a state highway or a County road that is maintained year-round;

V. A traffic study may be required to determine the adequacy of the access and

surrounding road network, and to identify any needed improvements;

VI. Fencing shall be "wildlife friendly fences," in compliance with Colorado Parks and Wildlife fencing standards, as described in LUC Section 5-407;

VII. In areas where development is proposed that has been or may be designated as being in any area of local or state interest or being an activity of local or state interest, the requirements of Section 5-4 shall be met;

VIII. The use minimizes or mitigates any materially adverse environmental impacts and generally utilizes the most environmentally suitable area of the site;

IX. Any proposed structures are located outside the Scenic Foreground Overlay Zone District or are designed consistently with the Scenic Foreground Overlay standards; and

X. A development agreement or covenants may be required to ensure there is a responsible homeowners association or entity to maintain the systems and infrastructure.

PUBLIC NOTICE

The meeting agenda was published on the County website and in the Telluride Daily Planet on March 29, 2024. Display ads were also published.

REFERRAL AGENCIES

The proposed Land Use Code text amendment was sent to the County Manager, County Attorney, County Special Projects Director, SMRHA, Mountain Village Housing Authority, Telluride Housing Authority, Town of Mountain Village, Town of Norwood, Town of Ophir, Town of Sawpit, and Town of Telluride. (Underlined agencies responded.)

> Town of Mountain Village, Marti Prohaska, Mayor and Scott Pearson, Mayor Pro Tem, submitted a letter noting that they have already received rezoning approval for the Alexander Property in Ilium Valley and ask that any changes to the LUC preserve their rights to develop the property as they understood them at the time of purchase of the property, including a density of 20 units per acre (to be applied to the entire parcel acreage), the ability to develop a percentage of free-market units to offset project costs, and the ability to create some neighborhood commercial uses through the PUD process.

Additionally, the amendment was sent to the following Homeowner Associations: Aldasoro Ranch HOC, Brown Homestead HOA, Deep Creek Ranches, Eider Creek Condo Association, Elk Run HOA, Falls Subdivision, Golden Ledge, Gray Head

Property Owners Association, Hidden Lake Estates Owners Association, Hillside of Telluride, Idarado Legacy, Ilium Park Owners Association, Lake Fork Junction, Last Dollar Condominium Association, Last Dollar PUD Association, Lawson Hill Property Owners Association, Lizard Head Land Company, Meadows at Deep Creek Mesa, Raspberry Patch HOA, Rio Vista Homeowners Association-Phase II, San Bernardo HOA, San Miguel Ridge Homeowners Association, Ski Ranches HOA, Sunnyside Ranch at Telluride East Homeowners Association, Sunnyside Ranch at Telluride West Homeowners Association, Sunshine Valley Condominiums Association, The Preserve, Telluride Ski Ranches, Trout Lake Owners Association, Trout Lake Land Company, and West Meadows Core HOA.

Responding HOAs are underlined. Meadows at Deep Creek Mesa Homeowners Company and Aldasoro Ranch HOC submitted an alternative draft amendment, proposing to change the Community Housing zone to "Community Housing Small Scale." It proposes connecting density to the East End Master Plan future land use classifications, with a maximum of 2 units per acre in the Residential Medium areas, and 10 units per acre in the Residential High/Mixed Use and Public/Institutional areas. It also proposes a maximum number of units per lot based on the future land use.

Several of the HOA responses are in support of the alternate proposal. They also ask questions regarding housing needs and regional plans for housing, and continue to have issues with the statement regarding neighborhood compatibility. Other HOAs request that the CH zone be repealed in its entirety.

Note: Major changes to the CH zone, as proposed by the HOAs, or its repeal, would have significant impacts for the property already zoned Community Housing, substantially affecting the expected development rights that the owner relied upon while completing due diligence analysis.

PUBLIC COMMENT

Letters from individuals received since the draft Code Amendment was issued have are included in the packet. They all state they do not support the Community Housing zone district and ask that the zone district be eliminated. Some also reference the "Community Housing Small Scale" concept raised by most of the HOAs and discussed above.

REVIEW STANDARDS

Review Standards for Land Use Code Amendments are contained in LUC Section 5-1802 and state, "Land Use Code Amendments may be initiated by the County or by persons who are residents of, or own property in, San Miguel County subject to compliance with the following standard." This amendment was requested by the BOCC and CPC. The only review standard, LUC Section 5-1802 A., states "Land Use Code Amendments shall be drafted in a form consistent with the organizational format and

style of the code." The proposed amendment has been drafted in the format and style of the code.

In addition, Section 1-4, Purposes of the Land Use Code, should be considered.

> 1-402 Implement Policies
>
> To implement the policies of San Miguel County regarding land use and development, housing, growth and related issues, as adopted and amended from time to time.
>
> 1-403 Create Common System of Administration and Regulation
> To combine the regulation of all aspects of land use and development and the use of land and natural resources into a common system of administration and regulation.
>
> 1-404 Simplify the Land Use Regulatory Process
> To simplify the application and review process for such regulatory system.
>
> 1-405 Protect Health, Safety and Welfare
> To protect the health, safety and public welfare of San Miguel County.

The Land Use Policies for Housing are contained in LUC Section 2-29. The proposed amendment is intended to implement several Policies, including:

> **Section 2-29: Housing**
> Resident and tourist speculative investment and the utilization of an increasing percentage of the housing stock as short-term accommodations or vacation homes are economic factors contributing to high housing costs and a contraction of the housing stock available for permanent and seasonal residents. Real estate market forces spur developers to create an exclusionary, homogenous, high income, second-home housing market absent of low and moderate income housing opportunities. It is the policy of the County to *(the following is quoted in part)*:
>
> **2-2901**
> Alleviate overcrowding, excessive commuting, and social instability prevalent in the permanent resident community resulting from speculative, second home and tourist influences in the permanent resident housing market;
>
> **2-2902**
> Provide a wider choice of housing alternatives for persons of low or moderate incomes living in the community;
>
> **2-2903**
> Insure that future development alleviates rather than contributes to problems of

inadequate housing for persons residing or working within the County;

2-2905
Assist the private sector in providing new affordable housing throughout San Miguel County, but primarily in the Telluride Region, to reduce the critical shortage of affordable housing;

2-2910
It is the policy of the County to provide affordable employee housing for persons working in the County. This policy has been reiterated by the Board of County Commissioners and is formally recognized in this Code and by the establishment of the multi-jurisdictional housing authority created by San Miguel County and Towns of Mountain Village and Telluride. Revisions to this Code are necessary to further the goal of the County to provide housing that is affordable to the average person employed in the County so that further degradation of our community character is prevented and that the County continues to be a viable residential community.

San Miguel County has set the following priorities to further the goal of providing affordable housing:

1. Onsite construction of affordable housing units
2. Off-site construction of affordable housing units
3. Dedication of improved lots within a subdivision
4. Dedication of (raw or unimproved) land
5. Conversion of existing free market housing to deed restricted, appreciation Capped units in a manner acceptable to the Board of County Commissioners
6. Payment in-lieu (employee housing Impact Fees), to apply to development that has not otherwise fully mitigated its employee housing impacts.

SAMPLE MOTION:

I move to recommend the Board of County Commissioners approve the amendments to Land Use Code Section 5-324 Community Housing Zone District, as presented, based on the finding that the proposed amendment complies with the standards of Land Use Code Section 5-1802, Land Use Code Amendments, is consistent with Land Use Code Section 1-4, Purposes of the Land Use Code, and implements the Land Use Code Policies for Housing as contained in Section 2-29.

PLANNING DEPARTMENT

KAYE SIMONSON, PLANNING DIRECTOR

M E M O R A N D U M

TO:
Review Agencies:

County Manager
County Attorney
County Special Projects Director
SMRHA
Mountain Village Housing Authority
Telluride Housing Authority
Town of Mountain Village
Town of Norwood
Town of Ophir
Town of Sawpit
Town of Telluride

HOAs:

Aldasoro Ranch HOC
Brown Homestead HOA
Deep Creek Ranches
Eider Creek Condo Assoc.
Elk Run HOA
Falls Subdivision
Golden Ledge
Gray Head Property Owners Association
Hidden Lake Estates Owners Association
Hillside of Telluride
Idarado Legacy
Ilium Park Owners Association
Lake Fork Junction
Last Dollar Condominium Association
Last Dollar PUD Association
Lawson Hill Property Owners Association
Lizard Head Land Company
Meadows at Deep Creek Mesa
Raspberry Patch HOA
Rio Vista Homeowners Association-Phase II
San Bernardo HOA
San Miguel Ridge Homeowners Association
Sunnyside Ranch at Telluride
East Homeowners Association
Sunnyside Ranch at Telluride
West Homeowners Association
Sunshine Valley Condominiums Association
The Preserve
Telluride Ski Ranches
Trout Lake Owners Association
Trout Lake Land Company
West Meadows Core HOA

FROM: Kaye Simonson, Planning Director

RE: Land Use Code Amendment – Section 5-324, Community Housing Zone District

DATE: March 4, 2024

Please find attached the draft Land Use Code Amendment for Section 5-324, Community Housing Zone District. The Planning Commission meeting date is April 4, 2024. The tentative BOCC hearing date is May 1, 2024. Please provide your review comments by March 25, 2024 to the Planning Department at planning@sanmiguelcountyco.gov. Contact the Planning Department if you have any questions. Thank you.

P.O. Box 548 • 333 W Colorado Ave, 3rd Flr • Telluride, Colorado 81435 • (970) 728-3083
email: kayes@sanmiguelcountyco.gov website: www.sanmiguelcountyco.gov

5-324 COMMUNITY HOUSING (CH)

5-324 A. Purpose

It is the position of the County that housing for people who live and work in the local communities is a high priority. The purpose of the Community Housing zone district is to provide for the development of high-density, clustered housing for people who live and work within San Miguel County. Housing may be in attached or detached single-family homes, duplexes, multi-family buildings, or rooming houses. Development may also include alternative living units such as spaces for RVs, tiny homes or yurts. Dwelling units shall be subject to the County's R-1 Housing Deed Restriction (see Section 5-1304 and 5-1305), unless free-market units are allowed within the development.

Properties that may be considered for rezoning to the Community Housing (CH) zone district shall be located within the Telluride R-1 School District boundaries. Properties ~~Zone districts~~ that are most appropriate for rezoning to CH are those that can be served by municipal water and wastewater systems, ~~including Low Density (LD), Low Density Residential (LDR), Medium Density (MD), and High Density (HD). The Forestry, Agriculture, and Open (F) zone district may be considered~~ or those where water and wastewater systems can be developed. Properties that are zoned High Country Area (HCA) or Rangeland Grazing (RG) shall not be considered for rezoning to CH. ~~The maximum density of twenty (20) units per acre may be higher than that found in surrounding areas.~~ ~~**It is the position of the County that housing for people who live and work in the local communities is a high priority. When rezoning land to the CH zone district, the higher density that may be achieved in that zone shall not be considered incompatible with surrounding land uses, neighborhood characteristics or community character.**~~ It is recognized that development in the CH zone district may have densities and intensities of uses that are different from surrounding areas.

Clustered development is encouraged to maintain open space, to be efficient in design and construction of infrastructure, and to mitigate impacts on adjacent properties. Recreational, civic and public uses may be part of the development where appropriate. All development shall include appropriate guarantees for the protection of public health, safety and welfare, which shall include, but are not limited to, provision of water and wastewater treatment; mitigation of geohazards; site access; and any other applicable site-specific considerations.

All development in the Community Housing zone district is encouraged to include energy efficient design and alternative energy generation such as solar power. Net zero development – producing enough energy through the use of measures such as solar panels, passive design, and other means to offset the energy consumed on an annual basis – is strongly encouraged. Sites that are not suited to net-zero development should strive to be as energy efficient as possible, through design, construction, and building systems.

5-324 B. Uses Allowed by Right

I. Customary residential accessory buildings and uses;

II. Day care homes; and

III. Home occupations.

5-324 C. Uses Allowed Subject to Administrative Review

I. Temporary Alternative Living Space sites;

~~II. Day care centers;~~

III~~I~~. Public transportation facilities primarily serving the development; and

III~~V~~. Public utilities and infrastructure to primarily serve the development.

~~**5-324 D. Uses Allowed Subject to One-Step Planning Commission Review**~~

~~I. Dwelling units – on parcels five (5) acres or less:~~

~~a. Single-family dwellings, attached and/or detached;~~

~~b. Duplexes;~~

~~c. Multi-family dwellings;~~

~~d. Rooming houses;~~

~~e. RV, tiny home, yurt and other Alternative Living Spaces (no more than twenty (20) percent of total units);~~

~~II. Churches, community meeting halls, libraries, and other civic and community-serving facilities;~~

~~III. Parks, playgrounds, playing fields, and other recreational facilities to serve residents of the development; and~~

~~IV. One (1) Free-market (not deed restricted) dwelling unit.~~

5-324 ~~E~~D. Uses subject to Two-Step Special Use Permit Review

I. Dwelling units~~ – on parcels greater than five (5) acres~~:

a. Single-family dwellings, attached and/or detached;

b. Duplexes;

c. Multi-family dwellings;

d. Rooming houses;

e. RV, tiny home, yurt and other Alternative Living Spaces ~~(twenty one (21) percent or more of total units)~~;

II. Churches, community meeting halls, libraries, and other civic and community-serving facilities;

III. Day care centers;

IVI. Parks, playgrounds, playing fields, and other recreational facilities to serve residents of the development and regional residents;

V~~III~~. Fire stations, schools, and other public facilities and uses; and

~~I~~VI. Free-market (not deed restricted) dwelling units:
a. Comprising ten (10) percent or less of the total units for a development that is not net zero on an annual basis; or
b. Comprising twenty (20) percent or less of the total units for a development that is net zero on an annual basis.

5-324 ~~F~~E. Uses Allowed Subject to Board of County Commissioner Approval Pursuant to Planned Unit Development (PUD) Procedure

I. Free-market (not deed restricted) dwelling units:
a. Comprising eleven (11) percent or more of the total units for a development that is not net zero on an annual basis; or
b. Comprising twenty-one (21) percent or more of the total units for development that is net zero on an annual basis;

II. Neighborhood Commercial Uses that offer goods and services needed by residents of the PUD on a daily or frequent basis, including convenience store, drug store, liquor store, self-service laundry, medical and dental offices and clinics, and postal service substation; and

III. Flex Space.

5-324 F. Density Permitted Subject to Board of County Commissioner Approval

I. Maximum Density – up to twenty (20) units per acre

5-324 G. Area and Bulk Requirements ~~Permitted by Right~~

~~I. Maximum Density – twenty (20) units per acre~~

~~II.~~ Minimum Lot Area – None

~~III.~~ Setbacks

a. Setbacks from any development to property lines of any abutting parcel zoned other than Community Housing and to any right-of-way – twenty (20) feet;

b. Front yard – ten (10) feet to adjacent buildings; otherwise, to allow flexibility in the design process, there is no minimum internal front yard setback;

b. Rear yard – ten (10) feet to adjacent buildings; otherwise, to allow flexibility in the design process, there is no minimum internal rear yard setback;

c. Side yard:

i. Detached Principal buildings – ten (10) feet to adjacent buildings;

ii. Attached Principal buildings – zero (0) feet on the attached side(s) and ten (10) feet to adjacent buildings on the detached side.

d. Accessory buildings – five (5) feet to the nearest building(s), all sides.

VI. Maximum Building Height:

a. Thirty-five (35) feet;

b. For development that is net zero on an annual basis, forty-five (45) feet.

~~IV.~~ Minimum Common Open Space – thirty (30) percent, to be developed as either Active or Passive Open Space

VI. Minimum Off-street Parking

Clustered parking areas are encouraged. Off-street parking shall be provided for each principal use as required in Section 5-702, with the following exceptions:

a. Studio and one (1) bedroom dwelling units: one (1) parking space per unit;

b. All other dwelling units: two (2) spaces per unit;

c. Rooming house: one (1) parking space per sleeping room, except where the property is served by public transit, in which case the parking requirement shall be two (2) spaces for every three (3) sleeping rooms;

d. Alternative Living Spaces: one (1) parking space per unit.

5-324 H. Review Standards

An applicant seeking approval for a development in this zone district must demonstrate to the satisfaction of the Decision Maker substantial compliance with the applicable standards of LUC Sections 5-5, 5-6 and 5-7, and with the standards in this section:

I. Adequate public services such as roads, water, wastewater, public safety and fire protection are available to serve the proposed use;

II. There shall be adequate water supply to serve the development that meets the standards of Section 5-605. If the water service provider has a lower per capita standard than that specified by Section 5-605, or the developer can demonstrate lower water demand for the development, the average daily demand per capita may be reduced. Water shall be treated by a method determined by the County or state health department to conform to minimum local and state requirements;

III. The wastewater treatment system shall meet the standards of Section 5-607;

IV. The property shall have direct access to a state highway or a County road that is maintained year-round;

V. A traffic study may be required to determine the adequacy of the access and surrounding road network, and to identify any needed improvements;

VI. Fencing shall be "wildlife friendly fences," in compliance with Colorado Parks and Wildlife fencing standards, as described in LUC Section 5-407;

VII. In areas where development is proposed that has been or may be designated as being in any area of local or state interest or being an activity of local or state interest, the requirements of Section 5-4 shall be met;

VIII. The use minimizes or mitigates any materially adverse environmental impacts and generally utilizes the most environmentally suitable area of the site;

IX. Any proposed structures are located outside the Scenic Foreground Overlay Zone District or are designed consistently with the Scenic Foreground Overlay standards; and

X. A development agreement or covenants may be required to ensure there is a responsible homeowners association or entity to maintain the systems and infrastructure.

OFFICE OF THE MAYOR & MAYOR PRO TEM
TOWN OF MOUNTAIN VILLAGE
455 Mountain Village Blvd. Suite A
Mountain Village, CO 81435
970-728-8000
970-728-4342 Fax

TO: Kaye Simonson, Planning Director
RE: Land Use Code Amendment – Section 5-324, Community Housing Zone District
DATE: March 19, 2024

Dear Ms. Simonson, Planning Commission & Board of County Commissioners,

This letter is in response to proposed changes to Section 5-324 of the San Miguel County Land Use Code, Community Housing Zone District. As you are aware the Town of Mountain Village is the owner of the Alexander Property in the Ilium Valley "PARCEL 1 ACC TO ALEXANDER ILIUM PROPERTY SUBD EXMPTN PLAT FOR LOT LINE ADJ REC 06 28 2023 AT 481406 SMC CO." Prior to the purchase of the property, in partnership with the previous owners, we went through the process of rezoning this property from Forestry, Agriculture and Open (F) to Community Housing (CH). This approval was granted by the BOCC on August 16, 2023. We finalized the purchase of this property with the intention of increasing affordable housing inventory within the region and also with the understanding of what would be allowed per the CH Zoning approval at that time.

We have reviewed the edited version of the CH Zoning language provided on March 4, 2024 "edited per 1/24/24 direction. We also understand that there was discussion at the March 14, 2024 Planning Commission Meeting regarding CH Zoning that contemplated the addition of language that could potentially restrict CH Zoning to parcels under a certain size or further restrict densities allowed per CH Zoning.

We understand that there are concerns related to CH zoning among various county residents. We also feel that we did our due diligence in relation to our property in the Ilium valley, that we demonstrated that our proposed project was in line with county standards as it relates to the CH Zoning, and we intend to demonstrate continued diligence as we work through the planning processes required per the code as we work toward future vertical development. As the only currently CH zoned property owner in the county, we ask that with any changes to the code you preserve our rights to develop as we understood them to be at the time of our purchase of the property, specifically:

- Up to 20 units per acre of density. If this amount is reduced, then we ask an interpretation be formalized that the entire lot acreage is considered in order to derive the maximum allowable density subject to the BOCC review. Otherwise, we are unclear whether the Planning Commission will determine a maximum lot size if it is determined to be less than our acreage of 56 acres and how that impacts our development.
- The ability to develop a percentage of free market units to help offset costs.
- The ability to create some neighborhood commercial uses through a PUD or AHPUD process if desired.

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TOWN OF MOUNTAIN VILLAGE
455 Mountain Village Blvd. Suite A
Mountain Village, CO 81435
970-728-8000
970-728-4342 Fax

Thank you for considering our comments, and we look forward to further discussions with county staff and the BOCC as we work towards our mutual goal of creating more affordable housing in the Mountain Village, Telluride Region and San Miguel County.

Regards,

Marti Prohaska
Mayor
Town of Mountain Village

Scott Pearson
Mayor Pro Tem
Town of Mountain Village

ALDASORO RANCH
HOMEOWNERS COMPANY

March 25, 2024

To: San Miguel County Planning Commission
Re: Land Use Code Amendment – Section 5-324, Community Housing Zone District

The Aldasoro Ranch Homeowners Company (HOC), received the County's request for comment regarding red-line changes to the Community Housing Zone District (CH Zone) language in Section 5-324 of the Land Use Code.

For purposes of background, it is important to understand the reasons for the County proposed changes which is the direct result of significant opposition from HOA's and hundreds of community members to the CH Zone for the following reasons.

1. The original CH Zone Land Use Code provision was created and approved by the County back in 2021 with virtually no public outreach or involvement at the time.
2. The CH Zone includes development opportunity of 20 units per acre and does not consider surrounding land uses or neighboring characteristics to be incompatible to the CH Zone.

The County's proposed red-line changes as presented still do not reflect the concerns referenced above and therefore the HOC requests that the CH Zone and all associated 2021 Land Use Code amendments be repealed in their entirety.

We strongly believe the County Planning Commission is acting prematurely to include the CH Zone as currently written in either the East End Master Plan or Land Use Code. Do not lose control over high-density projects in the future without having an understanding on the Telluride carrying capacity, regional housing needs, and whether the Wastewater Treatment Plant can support high-density opportunities in the future.

The HOC supports an alternative approach for your consideration. Attached is a red-line to Section 5-324, Community Housing, outlining the details of a new "Community Housing Small Scale (CHS)" Land Use Code opportunity.

This small-scale CH Zone approach is a reasonable substitute which allows the County to utilize the existing AH-PUD (Affordable Housing Planned Unit Development) process for high density projects while allowing for smaller in-fill projects that facilitates a more streamlined process.

HOA's want an opportunity to help solve the workforce housing shortfall, however the existing County Land Use Code cumbersome process prevents many property owners from doing so. Encourage small-scale projects only which include incentives available through Local, State and Federal housing programs. Repeal the existing CH Zone and replace it with the attached Community Housing Small Scale.

Sincerely,

Shellie Duplan
Director of Operations

~~**5-324 COMMUNITY HOUSING (CH)**~~

5-324 COMMUNITY HOUSING SMALL SCALE (CHS)

5-324 A. Purpose

It is the position of the County that housing for people who live and work in the local communities is a high priority. The purpose of the Community Housing Small Scale zone district (CHS) is to provide for the development of high-density, clustered housing for people who live and work within San Miguel County via small-scale developments throughout all areas of the County, scattered to provide separation and unimposing presence in areas otherwise defined by lower density. The intent of the CHS is to facilitate development via a streamlined process as compared to the Affordable Housing Planned Unit Development (AH)(PUD) – a zone district that is subject to review via the PUD procedure. Since density allowed by the CHS may contrast with densities otherwise allowed on a property or in neighboring areas, the CHS caps the number of allowable units per area to ensure developments are more closely compatible with existing surround land uses, neighborhood characteristics or community character.

Housing may be in attached or detached single-family homes, duplexes, or multi-family buildings up to four units~~, or rooming houses~~. Subject to review standards and compliance with local neighborhood covenants, conditions and restrictions, development ~~Development~~ may also include alternative living units such as spaces for RVs, tiny homes or yurts. Dwelling units shall be subject to the County's R-1 Housing Deed Restriction (see Section 5-1304 and 5-1305), unless free-market units are allowed within the development.

Properties that may be considered for rezoning to the Community Housing (CHS) ~~zone district~~ shall be located within the Telluride R-1 School District boundaries. Zone districts that are most appropriate for rezoning to CHS are those that ~~can be served by municipal water~~ have adequate water supply to service the proposed higher density, can self-sufficiently handle added wastewater demands, and whose higher density impact can be demonstrated to not create an adverse impact on neighborhood roads and arterial connections. ~~, including Low Density (LD), Low Density Residential (LDR), Medium Density (MD), and High Density (HD). The Forestry, Agriculture, and Open (F) zone district may be considered where water can be developed. Properties that are zoned High Country Area (HCA) or Rangeland Grazing (RG) shall not be considered for rezoning to CH. The maximum density of twenty (20) units per acre may be higher than that found in surrounding areas.~~ ~~**It is the position of the County that housing for people who live and work in the local communities is a high priority. When rezoning land to the CH zone district, the higher density that may be achieved in that zone shall not be considered incompatible with surrounding land uses, neighborhood characteristics or community character.**~~

Clustered development is encouraged to maintain open space, to be efficient in design and construction of infrastructure, and to mitigate impacts on adjacent properties. Recreational, civic and public uses may be part of the development where appropriate. All development shall include appropriate guarantees for the protection of public health, safety and welfare, which shall include, but are not limited to, provision of water and wastewater treatment; mitigation of geohazards; site access; and any other applicable site-specific considerations.

DRAFT - REV 2

All development in the CHS ~~Community Housing zone district~~ is encouraged to include energy efficient design and alternative energy generation such as solar power. Net zero development – producing enough energy through the use of measures such as solar panels, passive design, and other means to offset the energy consumed on an annual basis – is strongly encouraged. Sites that are not suited to net-zero development should strive to be as energy efficient as possible, through design, construction, and building systems.

5-324 B. Uses Allowed by Right

I. ~~Customary residential accessory buildings and uses~~ Single-family dwellings and multi-family dwellings up to four units (i.e. maximum fourplex);

II. Day care homes; and

III. Home occupations.

5-324 C. Uses Allowed Subject to Administrative Review

I. ~~Temporary Alternative Living Space sites;~~ Dwelling units – Developments of 2 units or less:

a. Single-family dwellings, attached and/or detached, including Accessory Dwelling Units;

b. Duplexes.

~~II. Day care centers;~~

~~III. Public transportation facilities primarily serving the development; and~~

~~IV. Public utilities and infrastructure to primarily serve the development.~~

5-324 D. Uses Allowed Subject to One-Step Planning Commission Review

II. ~~Dwelling units on parcels five (5) acres or less~~ Dwelling units – Developments of 10 units or less:

a. Single-family dwellings, attached and/or detached;

b. Duplexes;

c. Multi-family dwellings up to four units;

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d. Rooming houses;

e. RV, tiny home, yurt and other Alternative Living Spaces (no more than twenty (20) percent of total units);

III. Temporary alternative living space sites;

IV. Day care centers;

~~V. Churches, community meeting halls, libraries, and other civic and community-serving facilities;~~

VI. Parks, playgrounds, playing fields, and other recreational facilities to serve residents of the development; and

VII. One (1) Free-market (not deed restricted) dwelling unit.

5-324 E. Uses subject to Two-Step Special Use Permit Review

I. ~~Dwelling units – on parcels greater than five (5) acres~~ Dwelling units – Developments of greater than 10 units:

a. Single-family dwellings, attached and/or detached;

b. Duplexes;

c. Multi-family dwellings up to four units;

d. Rooming houses;

e. RV, tiny home, yurt and other Alternative Living Spaces (twenty one (21) percent or more of total units);

II. Parks, playgrounds, playing fields, and other recreational facilities to serve residents of the development and regional residents;

III. Fire stations, schools, and other public facilities and uses; and

IV. Free-market (not deed restricted) dwelling units:
a. Comprising ten (10) percent or less of the total units for a development that is not net zero on an annual basis; or
b. Comprising twenty (20) percent or less of the total units for a development that is net zero on an annual basis.

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~~**5-324 F. Uses Allowed Subject to Board of County Commissioner Approval Pursuant to Planned Unit Development (PUD) Procedure**~~

~~I. Free-market (not deed restricted) dwelling units:~~

~~a. Comprising eleven (11) percent or more of the total units for a development that is not net zero on an annual basis; or~~
~~b. Comprising twenty-one (21) percent or more of the total units for development that is net zero on an annual basis;~~

~~II. Neighborhood Commercial Uses that offer goods and services needed by residents of the PUD on a daily or frequent basis, including convenience store, drug store, liquor store, self-service laundry, medical and dental offices and clinics, and postal service substation; and~~

~~III. Flex Space.~~

5-324 ~~G~~F. Area and Bulk Requirements ~~Permitted by Right~~

I. ~~Maximum Density – twenty (20) units per acre~~ **Maximum Density**: Maximum density varies depending on the Land Use Categorization assigned to the property in the subsection East End Master Plan to the San Miguel County Comprehensive Development Plan. The below table summarizes East End Master Plan Future Land Use Categories and associated maximum densities for CHS zoning.

East End Master Plan Future Land Use Category	CHS Maximum Density (Per Acre)*
Residential Low	N/A
Residential Medium	2 units/acre
Residential High/Mixed Use	10 units/acre
Public/Institutional	10 units/acre

* Acreage of area zoned CHS, not entirety of property in cases of partial area rezones or subdivided properties

II. Minimum Lot Area – None

III. Maximum Lot Area – None

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IV. **Maximum Number of Units Per Lot Area:** Irrespective of maximum allowable density per 5-324 F. I., the maximum number of units allowable per Lot Area varies depending on the Land Use Categorization assigned to the property in the subsection East End Master Plan to the San Miguel County Comprehensive Development Plan. The below table summarizes maximum allowable units per Lot Area.

East End Master Plan Future Land Use Category	Maximum Number of Units Per Lot Area
Residential Low	N/A
Residential Medium	50
Residential High/Mixed Use	75
Public/Institutional	50

* Lot Area is defined as the acreage of area zoned CHS

V. Lot Contiguity: CHS is limited to non-contiguous properties that demonstrate adequate separation to meet the scattered intent of the CHS.

VI. Lot Ownership: CHS is limited to one area or property per owner, unless areas or properties are non-contiguous and demonstrate adequate separation to meet the scattered intent of the CHS.

VII. Setbacks

a. Setbacks from any development to property lines of any abutting parcel zoned other than Community Housing and to any right-of-way – twenty (20) feet;

b. Front yard – ten (10) feet to adjacent buildings; otherwise, to allow flexibility in the design process, there is no minimum internal front yard setback;

b. Rear yard – ten (10) feet to adjacent buildings; otherwise, to allow flexibility in the design process, there is no minimum internal rear yard setback;

c. Side yard:

i. Detached Principal buildings – ten (10) feet to adjacent buildings;

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ii. Attached Principal buildings – zero (0) feet on the attached side(s) and ten (10) feet to adjacent buildings on the detached side.

d. Accessory buildings – five (5) feet to the nearest building(s), all sides.

VIII. Maximum Building Height:

a. Thirty-five (35) feet;

b. ~~For development that is net zero on an annual basis, forty-five (45) feet~~.

IX. Minimum Common Open Space – thirty (30) percent, to be developed as either Active or Passive Open Space

X. Minimum Off-street Parking

Clustered parking areas are encouraged. Off-street parking shall be provided for each principal use as required in Section 5-702, with the following exceptions:

a. Studio and one (1) bedroom dwelling units: one (1) parking space per unit;

b. All other dwelling units: two (2) spaces per unit;

c. Rooming house: one (1) parking space per sleeping room, except where the property is served by public transit, in which case the parking requirement shall be two (2) spaces for every three (3) sleeping rooms;

d. Alternative Living Spaces: one (1) parking space per unit.

5-324 ~~H~~G. Review Standards

An applicant seeking approval for a rezone or development in this zone district must demonstrate to the satisfaction of the Decision Maker substantial compliance with the applicable standards of LUC Sections 5-5, 5-6 and 5-7, and with the standards in this section:

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I. Adequate public services such as roads, water, wastewater, public safety and fire protection are available to serve the proposed use;

II. There shall be adequate water supply to serve the development that meets the standards of Section 5-605. If the water service provider has a lower per capita standard than that specified by Section 5-605, or the developer can demonstrate lower water demand for the development, the average daily demand per capita may be reduced. Water shall be treated by a method determined by the County or state health department to conform to minimum local and state requirements;

III. The wastewater treatment system shall meet the standards of Section 5-607;

IV. The property shall have direct access to a state highway or a County road that is maintained year-round;

V. A traffic study may be required to determine the adequacy of the access and surrounding road network, and to identify any needed improvements;

VI. Fencing shall be "wildlife friendly fences," in compliance with Colorado Parks and Wildlife fencing standards, as described in LUC Section 5-407;

VII. In areas where development is proposed that has been or may be designated as being in any area of local or state interest or being an activity of local or state interest, the requirements of Section 5-4 shall be met;

VIII. The use minimizes or mitigates any materially adverse environmental impacts and generally utilizes the most environmentally suitable area of the site;

IX. Any proposed structures are located outside the Scenic Foreground Overlay Zone District or are designed consistently with the Scenic Foreground Overlay standards; and

X. A development agreement or covenants may be required to ensure there is a responsible homeowners association or entity to maintain the systems and infrastructure.

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Nicola Kerr <nicolak@sanmiguelcountyco.gov>

Comment on Land Use Section 5-324 Community Housing Zone District, as requested

KC Murphy <KCmurphy@mindspring.com> Mon, Mar 25, 2024 at 8:58 AM
To: planning@sanmiguelcountyco.gov

San Miguel County Planning Commission

Elk Run reviewed the documents forwarded and our comments are offered below.

Overall, we find these are difficult documents to judge, since there is still no target. Wording was changed, but as far as we can tell, the intent remains the same. The challenge that you are facing is that the community see heavy handed and broadbrush changes to a law that to date has no direction. We all recognize and support the need for low income housing. But the bludgeon does not beat a scalpel. As we have reviewed these documents, as well as attended the meetings, there are many questions which keep getting posed, but still have no answers.

1. How many people are you trying to house in addition to what already exists? (Growth plan)

2. What is your break out in units? (Singles, doubles, triples, dorms) (this goes to parking and public transportation)

3. If you look at the land already owned or designated for this type of housing, how many of the above units can you already accommodate?

4. Have you reviewed the towns plan and the Mountain village plan to blend this into a county plan? (Overall county plan)

5. Please show specific water and sewage plans to address the growth proposed.

If the answers to these questions are known, it might be useful to communicate them, since most of the community discussion is around why the county is trying to do something with no target in mind.

With answers to the above exercise, this would allow us to understand how much more land is actually required. From there, it might be easier to understand the breadth of the CH zoning required. Also, it might help address the concerns over the incredible high density numbers that the planning commission is pushing.

Also, some of the language in this red line seems to actually go in the WRONG

direction. The change outlined was:

~~**It is the position of the County that housing for people who live and work in the local communities is a high priority. When rezoning land to the CH zone district, the higher density that may be achieved in that zone shall not be considered incompatible with surrounding land uses, neighborhood characteristics or community character.**~~

Changed to:

It is recognized that development in the CH zone district may have densities and intensities of uses that are different from surrounding areas.

This seems to indicate to us that the county has no interest in preserving the rural nature of San Miguel county. Priority will be given to low income housing over all else. I think the existing residence, realtors and the historical society will be very opposed to this. If you are saying that the county planning board wants Telluride to become Vail, then say it. But I think that the push back will be severe. Telluride is the growing and vibrant community that it is because it is different. It has charm. It has a heart beat. Yes, we face growth problems, but please do not kill the patient with the cure.

In our HOA discussions, there have been several seemingly very viable plans suggested that I think the Planning Commission should consider. I believe that you will receive these from those authors for this session.

But until the 5 simple questions at the top have been answered, I don't think you are going to get support for the present plan. There are too many questions, and too much distrust.

Our request is to halt the process, do the work to understand your target, then see if the alternatives might fit. If the residents of the county have quantified numbers to react to, I think you will get more support for a plan.

Regards

K.C. Murphy

President, Elk Run HOA

408-828-5510

Nicola Kerr <nicolak@sanmiguelcountyco.gov>

Repeal

Chipper Dippel <chipper@whisperingwater.com> Mon, Mar 25, 2024 at 3:41 PM
To: "planning@sanmiguelcountyco.gov" <planning@sanmiguelcountyco.gov>

Gray Head Property Owners request that the CH Zone and all associated 2021 Land Use Code amendments be repealed in their entirety. If unwilling to do that, suggest to the County to abandon their current CH Zone red-line version and replace it with a "small-scale CH Zone". I am attaching an updated version of the small-scale CH Zone red-line which clearly shows:

- Section 5-324C (Pg 2) Allows administrative review for projects smaller than 2 units, including ADU's (Accessory Dwelling Units) which may allow for an easier process for in-fill opportunities in existing communities
- Section 5324F (Pg 4-5) Low density is identified as not applicable to CH Zone (already agreed to by the County)

Thank you for your consideration,

Chipper Dippel
President
Gray Head Property Owners Association

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Sent via email to: planning@sanmiguelcountyco.gov.

TO: San Miguel County Planning Commission and Board of County Commissioners
RE: Lawson Hill Property Owners Company East End Master Plan Comments

Dear Planning Commission and BOCC,

The Lawson Hill Property Owner's Company ("LHPOC") Board appreciates the work of the county and its staff, advisory board and Planning Commission to study and prepare the draft Master Plan amendment - East End Master Plan (EEMP). As a volunteer board ourselves, we sincerely appreciate and respect the Planning Commission's and advisory board's voluntary time and work on the EEMP as well as the time and effort of the commissioners and staff. We appreciate good planning for our region that supports our quality of life and our shared values.

The POC Board is supportive of the EEMPs transportation options to better connect Lawson Hill to Telluride, Mountain Village and the region as a whole. The Board is also supportive of the proposed commercial and industrial standards to accommodate community serving commercial uses such as but not limited to food and beverage establishments, entertainment, retail sales and office uses. The Lawson Hill PUD has the highest zoned residential density and actual population of any PUD in San Miguel County. We are home to many light industrial and commercial uses. It's time to also support neighborhood commercial uses to serve our community, reduce trips to Telluride and decrease our carbon footprint.

The board does have concerns related to the Community Housing Zone particularly as it may be applied in Lawson Hill in the future. Although your documents clarify that CH Zone is not being considered "at this time" as an overlay in existing PUDs with established density caps such as Lawson, you do go on to state "the County would be open to proposals from property owners that increase density for housing for local residents and employees." Although it is possible that there could be some appropriate properties or circumstances in the future for which additional density might be considered in Lawson, this should not just be a decision made unilaterally by the County and imposed on our PUD. In fact, it is Lawson's position that we are actually entitled to a seat at the table in any contemplated change in land use in our community because we are a party to the water agreement with the Town of Telluride. Any future changes in zoning would require Lawson to sign off before the changes could be approved and adopted.

Lawson Hill is the biggest source of deed restricted housing in the County. We support the development of more deed restricted projects in the region. These should be well vetted through a comprehensive review process similar to the AH PUD one that made Lawson so successful years ago. The County should first take into consideration our region's limited infrastructure capabilities and prioritize properties along established highway and utility corridors while always considering economic viability. There is a carrying capacity for our fragile valley and mesas and at some point (now), we cannot house everyone who wants to live here and expect to retain our quality of life, both urban and rural.

Thank you for the opportunity to comment.

Sincerely

Laura Ellison, President
Lawson Hill POC Board

Date: 3/24/24

To: San Miguel County Planning Commission ("CPC") & Board of County Commissioners ("BOCC")

Sent via E-mail: planning@sanmiguelcountyco.gov

Re: **CH Zone District / MDCM Referral Comments**

Dear Commissioners:

On behalf of the homeowners of the Meadows at Deep Creek Mesa and the M.D.C.M. Homeowners Company (collectively "MDCM"), please accept the following referral comments for the draft Land Use Code ("LUC") amendments to Section 5-324 prepared by County Staff in advance of the 4/4/24 CPC meeting and the 5/1/24 BOCC hearing.

At the risk of being blunt, the County draft amendments do little to nothing to address the underlying concerns of MDCM, if not the greater community. If the CH Zone district is ever going to achieve the genuinely good intent and goals the CPC has with respect to workforce housing, it needs to be revamped in an entirely different way than the token wordsmithing and hollow concessions of the present draft amendments.

Back on 1/22/24, I personally issued a letter to the BOCC and CPC which contained a draft amendment to LUC §5-324 to tangibly demonstrate "how" such goals can be achieved. In that letter I also outlined the basic ideologies that led to the specific mechanics of the drafted amendment. Reiterating, the County needs to take a step back from the present amendment trajectory and acknowledge that the CH Zone as a "one size fits all" zone for both large-scale and small-scale development is a fatally flawed approach.

Large-Scale Zone District: Swinging for the fences with a zone district that allows ***large-scale*** projects to proceed without due-diligence, studies, development planning, community engagement and yes, time, is a recipe for stalled efforts every time. Should a new large-scale development concept be introduced in an area of unincorporated San Miguel County otherwise contemplated for lower density, a rigorous process is necessary and vital to vetting and implementing such a concept. While no zone district is perfect, the LUC already contains a zone district tailored for such large-scale concepts, one which maintains the necessary land use regulatory checks and balances that safeguard against departures from historical visions and master plan aspirations: LUC §5-305, Affordable Housing Planned Unit Development (AH)(PUD).

Small-Scale Zone District: What is needed at this time is a zone district that facilitates ***small-scale*** projects, and does so in the spirit and good intent of the CPC to minimize obstacles and pave a clear and navigable path to application approvals. The objective of this zone district should be to facilitate/encourage many small-scale developments scattered throughout County, and the effect of this zone district should be to solidify the County as a secondary contributor to new housing stock in the regional inventory, while the Towns of Telluride and Mountain Village properly retain their role as primary contributors of new large-scale developments.

While a few changes have been made to the previously submitted amendments to CH Zone – changes that have evolved due to community input – please find attached as Exhibit A proposed amendments to LUC §5-324 for your consideration. With this template in front of you, and the above said, MDCM sees only two appropriate paths forward at this juncture, both of which involve abandoning the path staff has taken with LUC amendments that are before you:

- Repeal the CH Zone, including all accompanying LUC amendments made at the time the CH Zone was crafted and adopted.

  or

- Amend the CH Zone in a substantive, creative and meaningful way with the intent of it being a designated zone district for small-scale housing projects. These amendments can be nearly identical or very similar to the provided template.

As also stated previously, the thought behind a small-scale CH Zone district is clearly focused on "new development". However, there are innumerable other regulatory and non-regulatory avenues to address housing issues – alternatives that paired with "building more" will be essential to maintaining regional vision AND solving housing issues sustainably into the future. This belief also stems from conviction that we should uniquely buck state and national trends which accept an inevitability of growth being synonymous with traffic, congestion, diminished natural resources, environmental impacts, and all pressures that ultimately alter the way our region "performs" and the quality of life this exceptional community enjoys.

Respectfully,

Nick Farkouh
President
M.D.C.M. Homeowners Company

Cc: Dirk dePagter, Vice President
Jamey Schuler, Secretary/Treasurer

~~**5-324 COMMUNITY HOUSING (CH)**~~

5-324 COMMUNITY HOUSING SMALL SCALE (CHS)

5-324 A. Purpose

It is the position of the County that housing for people who live and work in the local communities is a high priority. The purpose of the Community Housing Small Scale zone district (CHS) is to provide for the development of high-density, clustered housing for people who live and work within San Miguel County via small-scale developments throughout all areas of the County, scattered to provide separation and unimposing presence in areas otherwise defined by lower density. The intent of the CHS is to facilitate development via a streamlined process as compared to the Affordable Housing Planned Unit Development (AH)(PUD) – a zone district that is subject to review via the PUD procedure. Since density allowed by the CHS may contrast with densities otherwise allowed on a property or in neighboring areas, the CHS caps the number of allowable units per area to ensure developments are more closely compatible with existing surround land uses, neighborhood characteristics or community character.

Housing may be in attached or detached single-family homes, duplexes, or multi-family buildings up to four units~~, or rooming houses~~. Subject to review standards and compliance with local neighborhood covenants, conditions and restrictions, development ~~Development~~ may also include alternative living units such as spaces for RVs, tiny homes or yurts. Dwelling units shall be subject to the County's R-1 Housing Deed Restriction (see Section 5-1304 and 5-1305), unless free-market units are allowed within the development.

Properties that may be considered for rezoning to the Community Housing (CHS) ~~zone district~~ shall be located within the Telluride R-1 School District boundaries. Zone districts that are most appropriate for rezoning to CHS are those that ~~can be served by municipal water~~ have adequate water supply to service the proposed higher density, can self-sufficiently handle added wastewater demands, and whose higher density impact can be demonstrated to not create an adverse impact on neighborhood roads and arterial connections. ~~, including Low Density (LD), Low Density Residential (LDR), Medium Density (MD), and High Density (HD). The Forestry, Agriculture, and Open (F) zone district may be considered where water can be developed. Properties that are zoned High Country Area (HCA) or Rangeland Grazing (RG) shall not be considered for rezoning to CH. The maximum density of twenty (20) units per acre may be higher than that found in surrounding areas.~~ ~~**It is the position of the County that housing for people who live and work in the local communities is a high priority. When rezoning land to the CH zone district, the higher density that may be achieved in that zone shall not be considered incompatible with surrounding land uses, neighborhood characteristics or community character.**~~

Clustered development is encouraged to maintain open space, to be efficient in design and construction of infrastructure, and to mitigate impacts on adjacent properties. Recreational, civic and public uses may be part of the development where appropriate. All development shall include appropriate guarantees for the protection of public health, safety and welfare, which shall include, but are not limited to, provision of water and wastewater treatment; mitigation of geohazards; site access; and any other applicable site-specific considerations.

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All development in the CHS ~~Community Housing zone district~~ is encouraged to include energy efficient design and alternative energy generation such as solar power. Net zero development – producing enough energy through the use of measures such as solar panels, passive design, and other means to offset the energy consumed on an annual basis – is strongly encouraged. Sites that are not suited to net-zero development should strive to be as energy efficient as possible, through design, construction, and building systems.

5-324 B. Uses Allowed by Right

I. ~~Customary residential accessory buildings and uses~~ Single-family dwellings and multi-family dwellings up to four units (i.e. maximum fourplex);

II. Day care homes; and

III. Home occupations.

5-324 C. Uses Allowed Subject to Administrative Review

I. ~~Temporary Alternative Living Space sites;~~ Dwelling units – Developments of 2 units or less:

a. Single-family dwellings, attached and/or detached, including Accessory Dwelling Units;

b. Duplexes.

~~II. Day care centers;~~

~~III. Public transportation facilities primarily serving the development; and~~

~~IV. Public utilities and infrastructure to primarily serve the development.~~

5-324 D. Uses Allowed Subject to One-Step Planning Commission Review

II. ~~Dwelling units on parcels five (5) acres or less~~ Dwelling units – Developments of 10 units or less:

a. Single-family dwellings, attached and/or detached;

b. Duplexes;

c. Multi-family dwellings up to four units;

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d. Rooming houses;

e. RV, tiny home, yurt and other Alternative Living Spaces (no more than twenty (20) percent of total units);

III. Temporary alternative living space sites;

IV. Day care centers;

~~V. Churches, community meeting halls, libraries, and other civic and community-serving facilities;~~

VI. Parks, playgrounds, playing fields, and other recreational facilities to serve residents of the development; and

VII. One (1) Free-market (not deed restricted) dwelling unit.

5-324 E. Uses subject to Two-Step Special Use Permit Review

I. ~~Dwelling units – on parcels greater than five (5) acres~~ Dwelling units – Developments of greater than 10 units:

a. Single-family dwellings, attached and/or detached;

b. Duplexes;

c. Multi-family dwellings up to four units;

d. Rooming houses;

e. RV, tiny home, yurt and other Alternative Living Spaces (twenty one (21) percent or more of total units);

II. Parks, playgrounds, playing fields, and other recreational facilities to serve residents of the development and regional residents;

III. Fire stations, schools, and other public facilities and uses; and

IV. Free-market (not deed restricted) dwelling units:
a. Comprising ten (10) percent or less of the total units for a development that is not net zero on an annual basis; or
b. Comprising twenty (20) percent or less of the total units for a development that is net zero on an annual basis.

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~~**5-324 F. Uses Allowed Subject to Board of County Commissioner Approval Pursuant to Planned Unit Development (PUD) Procedure**~~

~~I. Free-market (not deed restricted) dwelling units:~~

~~a. Comprising eleven (11) percent or more of the total units for a development that is not net zero on an annual basis; or~~
~~b. Comprising twenty-one (21) percent or more of the total units for development that is net zero on an annual basis;~~

~~II. Neighborhood Commercial Uses that offer goods and services needed by residents of the PUD on a daily or frequent basis, including convenience store, drug store, liquor store, self-service laundry, medical and dental offices and clinics, and postal service substation; and~~

~~III. Flex Space.~~

5-324 ~~G~~F. Area and Bulk Requirements ~~Permitted by Right~~

I. ~~Maximum Density – twenty (20) units per acre~~ **Maximum Density**: Maximum density varies depending on the Land Use Categorization assigned to the property in the subsection East End Master Plan to the San Miguel County Comprehensive Development Plan. The below table summarizes East End Master Plan Future Land Use Categories and associated maximum densities for CHS zoning.

East End Master Plan Future Land Use Category	CHS Maximum Density (Per Acre)*
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Public/Institutional	10 units/acre

* Acreage of area zoned CHS, not entirety of property in cases of partial area rezones or subdivided properties

II. Minimum Lot Area – None

III. Maximum Lot Area – None

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IV. **Maximum Number of Units Per Lot Area:** Irrespective of maximum allowable density per 5-324 F. I., the maximum number of units allowable per Lot Area varies depending on the Land Use Categorization assigned to the property in the subsection East End Master Plan to the San Miguel County Comprehensive Development Plan. The below table summarizes maximum allowable units per Lot Area.

East End Master Plan Future Land Use Category	Maximum Number of Units Per Lot Area
Residential Low	N/A
Residential Medium	50
Residential High/Mixed Use	75
Public/Institutional	50

* Lot Area is defined as the acreage of area zoned CHS

V. Lot Contiguity: CHS is limited to non-contiguous properties that demonstrate adequate separation to meet the scattered intent of the CHS.

VI. Lot Ownership: CHS is limited to one area or property per owner, unless areas or properties are non-contiguous and demonstrate adequate separation to meet the scattered intent of the CHS.

VII. Setbacks

a. Setbacks from any development to property lines of any abutting parcel zoned other than Community Housing and to any right-of-way – twenty (20) feet;

b. Front yard – ten (10) feet to adjacent buildings; otherwise, to allow flexibility in the design process, there is no minimum internal front yard setback;

b. Rear yard – ten (10) feet to adjacent buildings; otherwise, to allow flexibility in the design process, there is no minimum internal rear yard setback;

c. Side yard:

i. Detached Principal buildings – ten (10) feet to adjacent buildings;

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ii. Attached Principal buildings – zero (0) feet on the attached side(s) and ten (10) feet to adjacent buildings on the detached side.

d. Accessory buildings – five (5) feet to the nearest building(s), all sides.

VIII. Maximum Building Height:

a. Thirty-five (35) feet;

b. ~~For development that is net zero on an annual basis, forty-five (45) feet~~.

IX. Minimum Common Open Space – thirty (30) percent, to be developed as either Active or Passive Open Space

X. Minimum Off-street Parking

Clustered parking areas are encouraged. Off-street parking shall be provided for each principal use as required in Section 5-702, with the following exceptions:

a. Studio and one (1) bedroom dwelling units: one (1) parking space per unit;

b. All other dwelling units: two (2) spaces per unit;

c. Rooming house: one (1) parking space per sleeping room, except where the property is served by public transit, in which case the parking requirement shall be two (2) spaces for every three (3) sleeping rooms;

d. Alternative Living Spaces: one (1) parking space per unit.

5-324 ~~H~~G. Review Standards

An applicant seeking approval for a rezone or development in this zone district must demonstrate to the satisfaction of the Decision Maker substantial compliance with the applicable standards of LUC Sections 5-5, 5-6 and 5-7, and with the standards in this section:

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I. Adequate public services such as roads, water, wastewater, public safety and fire protection are available to serve the proposed use;

II. There shall be adequate water supply to serve the development that meets the standards of Section 5-605. If the water service provider has a lower per capita standard than that specified by Section 5-605, or the developer can demonstrate lower water demand for the development, the average daily demand per capita may be reduced. Water shall be treated by a method determined by the County or state health department to conform to minimum local and state requirements;

III. The wastewater treatment system shall meet the standards of Section 5-607;

IV. The property shall have direct access to a state highway or a County road that is maintained year-round;

V. A traffic study may be required to determine the adequacy of the access and surrounding road network, and to identify any needed improvements;

VI. Fencing shall be "wildlife friendly fences," in compliance with Colorado Parks and Wildlife fencing standards, as described in LUC Section 5-407;

VII. In areas where development is proposed that has been or may be designated as being in any area of local or state interest or being an activity of local or state interest, the requirements of Section 5-4 shall be met;

VIII. The use minimizes or mitigates any materially adverse environmental impacts and generally utilizes the most environmentally suitable area of the site;

IX. Any proposed structures are located outside the Scenic Foreground Overlay Zone District or are designed consistently with the Scenic Foreground Overlay standards; and

X. A development agreement or covenants may be required to ensure there is a responsible homeowners association or entity to maintain the systems and infrastructure.

DRAFT - REV 2

Nicola Kerr <nicolak@sanmiguelcountyco.gov>

Comments on Section 5-324

'raspberrypatchhoa' via SMC Planning <planning@sanmiguelcountyco.gov> Mon, Mar 25, 2024 at 9:06 AM

Reply-To: raspberrypatchhoa <raspberrypatchhoa@protonmail.com>
To: "planning@sanmiguelcountyco.gov" <planning@sanmiguelcountyco.gov>

Planning Commissioners,
Raspberry Patch HOC thanks you for returning our density to Low Density without CH zoning. We are still engaged in the future of EEMP for the community and would like to respond to Section 5-324.

You should be SPECIFIC when assigning density to be CONSISTENT. Every subdivision/HOA/HOC should be considered independently. To assign areas as swaths of red, yellow and green could include areas that were not meant to be that density.

When reviewing all of the units built to date for affordable housing it was noted that CH zoning was not part of the Land Use Code/Master Plan at the time. Yet housing was built that was tasteful, affordable and had thoughtfulness in the plans. Affordable Housing Public Unit Development (AH PUD) approved those units, yet your commission wants to "fast track" this process to a two step process. Subsidized/Affordable housing has been addressed in this community for years--fast tracking is not needed, especially on a large scale project. Thoughtful consideration and planning is needed.

The CH zoning is very contentious and has been met with significant pushback from the Community. The reasonable solution is to abandon CH zoning. The CH zone classification needs to be deleted as well as all 2021 Land Use Code Amendments in their entirety. If higher density is needed in an area, then going through rezoning procedures and AH PUD approval is what is needed to assure subdivisions/homeowners that the housing will be appropriate for the area.

20 Units/acre is overreach. Never has Telluride ever built such density; and to require only a 2 step approval process is just setting that development up for disaster. On big developments there should be responsible oversight (5 step process) and a cap on total units for the project. The two step process rushes architects, developers and builders into projects with little oversight. Does the commission want to be responsible for this?

In support of our neighbors, Ski Ranches has stated for months that Irregular Parcels A and B (14 acres) have always been zoned Forestry/AG/Open with no development rights associated. This has fallen on deaf ears. Yet the new EEMP has the parcels zoned Medium Density/CH requirements. This means that the county/private developer could build as many as 280 units on these parcels. Be consistent. Increasing to medium density on property zoned Forestry/AG/Open with no development rights currently, is suspicious and homeowners in Ski Ranches are concerned with the inconsistency. Is this because the owner requested these changes? If so, then the owner needs to apply for rezoning and changes so the public can be informed. Be forthright . Until this occurs, the EEMP states 7-35 acres is considered LOW DENSITY without CH requirements-- for these parcels to be otherwise makes for distrust and brings up the question of motivation/conflict of interest.

We request that the changes made be reflective in the EEMP and Land Use Code that are consistent.

In Summary Raspberry Patch supports the following:

1. Dissolve CH zoning.
2. Ski Ranches Irregular Parcels A&B should be returned to low density as it meets the requirements of 7-35 acres for low density. Currently it is Ag/Forestry/open with no development rights. Be consistent with rules of EEMP.
3. 2 Step Process for large projects does not have a place in that development. AH PUD must be a part of large projects to ensure safety, tastefulness, and incorporate the input from the surrounding community. Each project should have a cap on number of units built.
4. 20 Units per acre is overreach. Be thoughtful in your planning. Our community has never built that dense of a development. Be respectful of the land and surrounding community and homeowners.

5. EEMP and LUC should read the same and reflect these changes.
6. As stated multiple times: If an owner wants to have a zoning change, they must apply for that change.

We appreciate you allowing input from the HOA/HOC/Subdivisions; as we are more than willing to be a part of what happens to our future. We are all in this together.

Respectfully Submitted,
Catherine Winchester
Sent with Proton Mail secure email.

Nicola Kerr <nicolak@sanmiguelcountyco.gov>

Fwd: HOA letter to PLANNING/ BOCC regarding CH zone district in EEMP

Carmen Warfield <carmenw@sanmiguelcountyco.gov> Tue, Mar 26, 2024 at 10:41 AM
To: Nicola Kerr <nicolak@sanmiguelcountyco.gov>

FYI. CH Zone

Carmen L. Warfield

Chief Deputy Clerk - BOCC

San Miguel County

333 W. Colorado Ave, 3rd Floor

PO Box 1170

Telluride, CO 81435

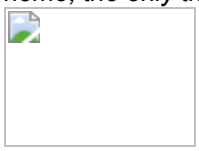
970-369-5429

970-708-8399 cell

E:carmenw@sanmiguelcountyco.gov

W:www.sanmiguelcountyco.gov

In painting, you have unlimited power. You have the ability to move mountains. You can bend rivers. But when I get home, the only thing I have power over is the garbage. Bob Ross



---------- Forwarded message ---------
From: **San Bernardo Board** <san.bernardo.board@gmail.com>
Date: Mon, Mar 25, 2024 at 11:22 AM
Subject: Fwd: HOA letter to PLANNING/ BOCC regarding CH zone district in EEMP
To: <planning@sanmiguelcounty.gov>, bocc@sanmiguelcountyco.gov <bocc@sanmiguelcountyco.gov>

---------- Forwarded message ---------
From: **Tom Treder** <treder.tom@gmail.com>
Date: Mon, Mar 25, 2024 at 11:10 AM
Subject: HOA letter to PLANNING/ BOCC regarding CH zone district in EEMP
To: San Bernardo Board <san.bernardo.board@gmail.com>

"We are submitting this letter as the Board of directors for San Bernardo HOA, which was the first deed restricted neighborhood approved in San Miguel County. While we fully support similar scaled local working class neighborhoods and opportunities for more affordable housing within the unincorporated areas of the East end of San Miguel County, we

do NOT support the language of the proposed CH zone district in the EEMP / 2024 LUC, specifically the language that allows a developer to upzone to 20 units per acre with NO consideration of compatibility with surrounding land uses, neighborhood characteristics, or community character.

We feel the language of this proposed zone district is not intended to provide Lawson Hill or San Bernardo style local neighborhoods, nor to protect the quality of life for these existing local neighborhoods, but but to benefit outside developers by offering massive up zoning and the ability to exceed the County height limits as well as the ability to sell up to 21% of units as free market.

We feel that this section of the proposed EEMP should be removed completely, as it has not been necessary for the creation of any of the existing local housing projects to date. We do not feel that developers should be given such abilities to drastically change the character of any parcel in the unincorporated County.

Many of our residents need to place the entirety of their financial resources into the upkeep and maintenance of their homes situated at an elevation of 9600 feet in a harsh climate zone. To allow developers to potentially introduce VCA (Village Court Apartments) densities to their projects with no review of compatibility is disrespectful to the locals and simply absurd. We respectfully request the BOCC and County Planning Commission to remove the proposed CH zone district language from the EEMP.

sincerely,
San Bernardo HOA

TELLURIDE
SKI RANCHES

March 24, 2024

Dear Commissioners,

I am writing this letter on behalf of the Ski Ranches HOA in preparation for the April 4, 2024, Joint BOCC/CPC meeting on the Community Housing Zone. Due to the nature of their interrelated relationship, the comments below address our position on the CH Zone and the of EEMP Future Land Use Opportunities Map. Since the EEMP is near completion and in final form, we feel it is imperative to address our concerns here and now.

After reviewing the most recent Community Housing (CH Zone) LUC 5-324, our position is unchanged. We do not support the CH Zone as it is written and respectfully request that you repeal it from the County Land Use Code. The bullet points below provide clarity and insight into our position.

- The EEMP is more than "advisory". Partnered with the SMC Land Use Code, the EEMP enables legally binding rezoning. *Section 30-28-106(3)(a), C.R.S. (a master plan "may be made binding by inclusion in the county's or region's adopted subdivision, zoning, platting, planned unit development, or other similar land development regulations…").*

- High Density is not compatible with the Ski Ranches neighborhood. The Residential Medium status of our neighborhood on the EEMP FLU Opportunities Map, permits rezoning of high-density workforce housing of 20 units/acre in the Ski Ranches. Our HOA is 86% built out and zoned single family residential with ADUs. High density housing is incompatible with our zoning and CC&R's. Furthermore, our infrastructure does not have the capacity to handle high density development.

- The Future Land Use Map in the EEMP misidentifies "Opportunities". The Zoline property is designated as Residential Medium/Orange yet it has no development rights as noted on the 2005 plat. It is zoned Forestry, Agriculture and Open (F), which is consistent with the West Meadows sub-division it is associated with. The Residential Medium status of the Zoline property on the EEMP FLU Opportunities Map, suggests that there is an "opportunity" to rezone of high-density workforce housing of 20 units/acre on that parcel.

- Furthermore, the Residential Medium designation of the Zoline Irregular Merged Parcels A and B along Highway 145 and Fox Farm Road, is contradictory to the county's own definition of Residential Medium. At 14 + acres, the property aligns with what the county defines as Residential Low, properties that are 7-35 acres.

- Lastly, we feel that the 14 acre Merged Irregular Parcels A and B should be identified comparably to the historically owned Zoline properties along Highway 145. The land is adjacent to the Ski Ranches yet is part of West Meadows. The county zoning and history of the property reflect that. For continuity, and clarity on the proper status of the Zoline parcel, it requires the same classification as Raspberry Patch, Elk Run and West Meadows: A Residential Low designation in the FLU Opportunities Map.

Thank you for your well-intentioned hard work. We appreciate you taking our concerns into consideration. For the reasons summarized above, our requests are to repeal the CH Zone from County Land Use Code and for the county to properly identify all zones in the FLU Opportunities Map. Parcels that do not have future development opportunities, like merged Irregular Parcels A and B, require proper identification on the FLU Opportunities Map. Accurate and consistent FLU Mapping will improve the clarity of the content and directive of the EEMP. Repealing the CH zone will force a much-needed revision of the AH PUD process. Both actions will restore trust in our government and lay the groundwork for sound future development of the county.

Sincerely,
Fran Berg, President Telluride Ski Ranches Association

Nicola Kerr <nicolak@sanmiguelcountyco.gov>

Public Input to CPC Work Session on CH Zone

'Jim Farrar' via SMC Planning <planning@sanmiguelcountyco.gov> Sun, Mar 24, 2024 at 7:42 AM
Reply-To: Jim Farrar <jimfarrar2001@yahoo.com>
To: planning@sanmiguelcountyco.gov

The CH zone was created for only one reason: to obstruct public awareness of the provocative Diamond Ridge project in order to suppress public opposition to it. We see no productive purpose for the CH zone because it will forever be associated with your abusive treatment of Deep Creek Mesa residents. Consequently, we believe the best course of action is to eliminate it from the land use code.

We do not support your amended version because it fails to acknowledge and reconcile the impact that high-density clustered housing will have on adjacent communities.

If you insist on having a streamlined development process for high-density, clustered housing our residents strongly support Aldasoro Ranch HOC's recommended Community Housing Small Scale (CHS) to replace the existing CH zone.

James W. Farrar
President, Deep Creek Ranches HOA

Kaye Simonson <kayes@sanmiguelcountyco.gov>

Comments on the CH Zone District and How we got to where we are today.

1 message

Pam Bennett <pam@aldasoro.com> Mon, Mar 25, 2024 at 9:24 PM
To: Lee Taylor <lee@tellword.com>, Ian Bald <ibald841@gmail.com>, MJ Schillaci <maryjo.schillaci@gmail.com>, Josselin Lifton-Zoline <josselin.lz@gmail.com>, Galena Gleason <galenagleason@gmail.com>, Matt Bayma <mbayma08@gmail.com>, Lance Waring <lancew@sanmiguelcountyco.gov>, Kris Holstrom <krish@sanmiguelcountyco.gov>, Anne Brown - Personal <annebrown24@gmail.com>, Kaye Simonson <kayes@sanmiguelcountyco.gov>

Dear Commissioners,

Thank you for choosing to discuss the Community Housing (Ch Zoning) section 5-324 of the Land Use Code.

When the CH Zoning was approved back in December of 2021 it was with no or one public comment. This whole new zone district was
done to facilitate the County's future development of Pathfinder which is talked about openly and Diamond Ridge, which was discussed behind closed doors.

The following are excepts from work sessions that show the confusion and uncomfortable process that was pushed by Hillary Cooper
and became the CH Zoning.

Planning Commission and BOCC Work session #1 -Affordable Housing 10-11-2021 there was one public member Amy Levek who suggested
the Planning Commission look at the AHPUD to see if it could be streamlined instead of coming up with a new zone district. That was a great suggestion, one that continues to be brought up.

Planning Commission and BOCC Work session #2-Affrdable Housing 11-4-2021 both commissions and various staff members were present.
Other than Amy Levek I didn't see any public, maybe Doug Tooley. However, neither made comments

Kaye Simonson Planning Director suggested that a maximum density be set when rezoned and depending upon the size of the project
the review process increases with the size
which will hopefully avoid a lot of the negatives. This is another topic that is being discussed currently Large Scale VS Small Scale Develpment.

Lee Taylor Planning Commission Chair said at this same meeting that "this has nagged in the back of my mind; I think we would benefit
from some input from some property owners or prospective users of this new zone district and this new process. I don't know if it is possible to extend to them an invitation that can't be refused to come join us for a conversation at our next work session.
But I think that I would like to hear from someone that has property of that size, and ask what are the pain points for them." Kaye responded that "she sent this out to a number of property owners who might benefit from this but they are at the point where
they are reluctant to go out into the public right now and start building the NIMBYism ahead of time, so that's the tricky part is as you know showing your cards to soon shall we say. "

I, am very interested in which property owners Kaye reached out to....

One of Hillary Coopers comments was made at the 11-4-2021 joint Planning and BOCC Work Session at 1:13:05 into the meeting, "How
do we get there without going through a full blown to Mike's (Bordogna) point public process allowing the neighbors to say no. The way we get there I discovered through my conversations with the state is you make density a use by right." This was completely
opposed by most of the region, this proposition comes with too many unintended consequences.

I bring up a few of the comments that were made during those joint work sessions to illuminate that the Planning Commission had
motives that were generally more aligned with inclusivity and public involvement. Even Lane Waring and Kris Holstrom were uncomfortable with not having a more inclusive process.

The CH Zone was bullied into the Land Use Code by Hillary Cooper in her role as a County Commissioner with Lance McDonald from the
Town of Telluride in the back ground. The Planning Commission and 2 of the Board of County Commissioners tried to honor a more inclusive process.

Don't take my word(s) for it take time to listen to the deliberations that took place on:

10-11-2021 Planning Commission and BOCC Work Session-Affordable Housing #1

https://sanmiguelcountyco.granicus.com/player/clip/103?view_id=1&redirect=true

11-04-2021 Planning Commission and BOCC Work Session-Affordable Housing #2

https://sanmiguelcountyco.granicus.com/player/clip/112?view_id=1&redirect=true

Both of these Video's can be found on the San Miguel County Website under the - Committee Meetings 2021 Tab

Rather than trying to wordsmith a bad code, please delete it entirely from the Land Use Code.
Continue your collaboration with the public, we are fully vested and ready for some healing.

Thank you,



Pamela Bennett
(970)729-0335
pam@aldasoro.com

Kaye Simonson <kayes@sanmiguelcountyco.gov>

April 4 2024 CPC / BOCC CH Zone meeting Comments

1 message

Scott Bennett <scott@telluride-home.com> Mon, Mar 25, 2024 at 4:31 PM
To: Lee Taylor <lee@tellword.com>, "lancew@sanmiguelcountyco.gov" <lancew@sanmiguelcountyco.gov>, John Huebner <johnh@sanmiguelcountyco.gov>, Kaye Simonson <kayes@sanmiguelcountyco.gov>

San Miguel County Planning Commission and Board of County Commissioners,

Thank you for taking the time to review the CH zone language in the Land Use Code. The unintended consequences of the CH zone being applied on large projects are too great for our region. The review requirements may work on small projects (less than 5 acres or 10 units) where the impacts can more easily be mitigated, however larger projects need to have a broader and more detailed review standard.

The Telluride Regional Boundary was updated in 2006 extending to and including Pathfinder and the Alexander Property with an AH zone overlay with the expectation of larger affordable housing projects to be built on them. Those projects are still in the works and the AH PUD is still the most appropriate process for those larger projects to be reviewed under. Additionally, there were no Affordable Housing Projects blocked or stalled because of the AH PUD, there were simply no applications.

There was a lot of time taken to assure the CH Zone district would hold up in court and live the passing of time and future boards, however as we know it was poorly drafted and has caused a great deal or mistrust with the Public.

Please consider removing the CH Zone in its entirety or at least amending the CH Zone to be only for small projects on parcels up to 5 acres and/or up to 10 units. Any project larger than 5 acres and/or 10 units should be considered under the AH PUD to ensure that Public input, natural resources, protection of the environment, traffic and all other concerns are considered along with public input and consideration of surrounding land uses, neighborhood characteristics and community character. Additionally, the following items should be considered to repair the CH Zone language.

- The underlined bold statement in the purpose statement should be deleted in its entirety.
- “Permitted by Right” should be deleted from the CH zone section heading.
- The EEMP Future Land Use Classifications for CH zone should only be applied to Residential High/Mixed Use designations with maximum densities not to exceed 15 units/acre.

Please also consider the memos and changes proposed by Morgan Smith and Nick Farkouh in the packet for the January 24, 2024 meeting.

Thank You for your consideration,

Scott Bennett

San Miguel County Resident

Kaye Simonson <kayes@sanmiguelcountyco.gov>

CH Zone Comments for 4/4/24 CPC/BOCC Work Session

1 message

Sarah Klaben <sarahklaben@gmail.com> Thu, Mar 28, 2024 at 12:44 PM
To: planning@sanmiguelcountyco.gov

Hello,

As homeowners in the ski ranches, we would like to submit an email that we echo and endorse the letter attached written and submitted by the Telluride Ski Ranches Association EEMP Sub Committee.

We would like to ensure our comment as an owner is submitted prior to the CPC/BOCC meeting on 4/4 .

Along with agreeing with the position taken in the attached letter, we would like to note request for:

1. Repeal the CH Zone, including all accompanying LUC amendments made at the time the CH Zone was crafted and adopted.
2. Revise the designation of the 14-acre Zoline property adjacent to the Ski Ranches from Residential Medium to Residential Low in the Future Land Use Map.

Thank you,
Sarah & Tye Jensen
60 Sunrise Cir, Telluride, CO 81435

Public Comments 3/29 – 4/3

Community Housing Land Use Code Update

1. Grayhead HOA (Chipper Dippel), 4/2/2024
2. Adam Bruck, 4/2/2024
3. Cindy Smith, 4/1/2024
4. Dan Whitacre, 4/2/2024
5. Dave Gerber, 4/2/2024
6. Dave O'leske, 4/2/2024
7. David Lavender, 4/2/2024
8. Emily Masson, 4/1/2024
9. Harvey Roisman, 4/1/2024
10. Hill Hastings, 4/1/2024
11. Kelly Kramer, 4/2/2024
12. Ken Roberts, 4/2/2024
13. Laura Marchal, 4/2/2024
14. Lukas Scheibler, 4/2/2024
15. Lynn Crawford, 4/1/2024
16. Michael Saftler, 4/2/2024
17. Morgan Smith, 4/2/2024
18. Nick Kennedy, 4/2/2024
19. Ruth Homan, 4/3/2024
20. Sarah Weyerhaeuser, 4/3/2024
21. Scott Andrew, 4/3/2024
22. Steve Catsman, 4/1/2024
23. Sueanne Kim, 4/2/2024
24. Todd Creel, 4/3/2024
25. Virginia Lucarelli, 4/2/2024

Nicola Kerr <nicolak@sanmiguelcountyco.gov>

Comments for the CH Zone Meeting of the County Planning Commision

Chipper Dippel <chipper@whisperingwater.com> Tue, Apr 2, 2024 at 10:40 AM
To: "planning@sanmiguelcountyco.gov" <planning@sanmiguelcountyco.gov>

The owners in the Gray Head development know this meeting will focus entirely on the problematic and controversial CH zone district adopted during COVID at the end of 2021 with no community input. While the CH Zone was specifically created with Diamond Ridge in mind, it has region-wide ramifications and repercussions and is included within the East End Master Plan (EEMP).

Gray Head does not approve of these changes and, like since the beginning, has suggested constructive, intelligent, creative, win-win modifications, involving the public, to the Land Use Code (and EEMP) to solve this regional housing issue.

Thank you,

Chipper Dippel
President
Gray Head Property Owner's Association

Nicola Kerr <nicolak@sanmiguelcountyco.gov>

CH Zoning

adam bruck <adambruck66@hotmail.com> Tue, Apr 2, 2024 at 11:03 AM
To: "planning@sanmiguelcountyco.gov" <planning@sanmiguelcountyco.gov>

To whom it may concern;

This type of rezoning is not beneficial to our community, instead it will create problems, such as traffic in areas that are not able and will never be able to accommodate this type of density. Also, the rezoning, and resulting higher density housing, doesn't help our situation, it just ratchets up the utility needs, and infostructure needs in these areas, as well as, fire, first aide, policing, water treatment, etc... The spaces should be left as there are.

Thank you,

Adam Bruck

Nicola Kerr <nicolak@sanmiguelcountyco.gov>

CH zoning

'Cindy Smith' via SMC Planning <planning@sanmiguelcountyco.gov> Sat, Mar 30, 2024 at 10:11 AM
Reply-To: Cindy Smith <skicindy77@yahoo.com>
To: Planning@sanmiguelcountyco.gov

Dear Planning Committee,

I am writing to remind you of my support to repeal the CH Zone, including all accompanying LUC amendments made at the time the CH Zone was crafted and adopted. I am a resident in the Telluride Ski Ranches and I am in support of revising the designation of the 14 acre Zoline property adjacent to the Ski Ranches from Residential Medium to Residential Low in the future Land Use Map.

I know things change but we built our house at 150 Fox Farm Road with the then knowledge that these parcels would never be built on. It is a huge family investment and for it to change is alarming.

I also think that Ms Zoline should not vote on these issues. I believe she has a family conflict of interest in owning these parcels next to the Ski Ranches.

Thank you for your attention,
Cindy Smith
Doug Morrison
Sent from my iPad

Nicola Kerr <nicolak@sanmiguelcountyco.gov>

Removal of CH and LUC amendments from the EEMP

Don Whitacre <dawhitacre1@outlook.com> Tue, Apr 2, 2024 at 11:42 AM
To: "planning@sanmiguelcountyco.gov" <planning@sanmiguelcountyco.gov>

Hello CPC,

Please listen to and properly address to what is being laid out by the HOA's and others that are opposing the CH zoning in the East End Master Plan.

I believe the words "housing crisis" are a bit strong. Housing is a challenge now just as it has been since the 70's. This challenge may be a governor to unsustainable growth. We need to be careful of Vail type growth in our special and unique county.

To summarize and punctuate comments:

"There is a carry capacity for our fragile Valley, Mesa's and surrounding areas and at some point (now) we cannot house everyone who wants to live here and expect to retain our quality of life, both urban and rural."

"The county needs to take a step back from the present amendment trajectory and acknowledge that the CH Zone as a "one size fits all" zone for large-scale development is a fatally flawed approach."

"Repeal the CH Zone, including all accompanying LUC amendments made at the time the CH zone was crafted and adopted or amend the CH zone for small scale housing projects."

If an owner wants a zoning change they must apply for that change.

Please restore public trust in the CPC and the system in general.

Thank you,

Don Whitacre

San Miguel County property owner

Nicola Kerr <nicolak@sanmiguelcountyco.gov>

CH ZONE Comments for 4/4/24 CPC/BOCC Work Session.

Dave Gerber <dave@gerber-construction.com> Tue, Apr 2, 2024 at 10:43 AM
To: PLANNING@sanmiguelcountyco.gov

Planning Commission

We support the attached letter from the Ski Ranches HOA and request you consider the following:

1) Repeal the CH Zone, including all accompanying LUC amendments made at the time the CH Zone was crafted and adopted.

2) Revise the designation of the 14-acre Zoline property adjacent to the Ski Ranches from Residential Medium to Residential Low in the Future Land Use Map.

Regards,

--
David Gerber
President
Gerber Construction, Inc.
238 E Colorado Ave., Suite 3
POB 2578
Telluride, CO 81435
P 970 728-5205
C 970 708-9577
F 970 728-2948
www.gerber-construction.com

Nicola Kerr <nicolak@sanmiguelcountyco.gov>

EEMP

Dave O'Leske <daveoleske@hotmail.com> Mon, Apr 1, 2024 at 5:27 PM
To: planning@sanmiguelcountyco.gov

We oppose the current language in the EEMP regarding the blanket change of RL and RM zoning to CH zoning. Please consider revisiting this proposed zoning change which if approved has the potential to open the floodgates for over development and not solve the issues at hand. Over development will not only stress the infrastructure to a breaking point in the east end of San Miguel County but forever alter the county's biggest asset, the natural beauty of our region. The east end can't handle the potential density increases that a complete change of RL and RM to CH could bring. Changing the zoning designations in this manner is not the best answer to address the need for affordable housing in our region.

Thank you,
Dave & Natty O'Leske

Nicola Kerr <nicolak@sanmiguelcountyco.gov>

CH Zone

David Lavender <lavdawg@gmail.com> Tue, Apr 2, 2024 at 10:56 AM
To: planning@sanmiguelcountyco.gov

Dear Planning Commission,

I once again want to voice my objection to the proposed (adopted?) CH Zone.

Was just listening to the Town Council meeting on KOTO after a couple of laps on 12, and during the presentation by Torro Blanco (a telecom infrastructure consultant) it was noted that these telecommunications companies legally have the option of installing whatever towers they desire "by right"--regardless of their impact on the natural aesthetics of our region. (Of course, I hope this upgrade to 5G will be implemented more thoughtfully).

It is this "by right" clause that most concerns me about the CH Zone currently under discussion (along with the notion that density cannot be challenged by existing residents). I'm not sure why the SMCPC does not simply scratch the existing language altogether and come up with a new ordinance, something other than a Community Housing Zone, that facilitates the construction of ADU's without potentially allowing for (encouraging?) the sort of inappropriate 'sprawl' that is represented by the hopefully abandoned Diamond Ridge proposal.

Best,

---David Lavender

Nicola Kerr <nicolak@sanmiguelcountyco.gov>

Comment For April 4 meeting regarding CH Zone Revision

Emily Masson <emasson@mac.com> Mon, Apr 1, 2024 at 2:54 PM
To: planning@sanmiguelcountyco.gov
Cc: nicolak@sanmiguelcountyco.gov

The Planning Director's memo for April 4 says: "*Based on public comment, some people have taken that to mean that high-density housing would automatically be permitted in all areas where CH zoning is listed as a potential zone district.*"

That is absolutely untrue. The public is well aware that:

"*The Master Plan does not change the zoning of any property; it does identify which zones could be considered for a property. Further, rezoning is initiated by the property owner.*"

We also understand that the future property owner of any parcel could be anyone, and there is no guarantee that our natural setting will be protected by any future owners nor by any future BOCC or County Planning Commissions unless we keep our zoning protections and the full rezone process in place. Furthermore, we understand that the *"Master Plan becomes binding once it is incorporated into the zoning regulations".*

The state does not mandate that we take away our zoning protections, nor does it mandate that we streamline the process in favor of the high density development be they public or private, deed restricted or free market.

The drafted changes to the master plan expand the options for the properties for which the high density CH Zone ***could be applied.***

The CH zone is purposely high density for deed restricted housing but as we see in 5-324 F, now E, there is a 5 step **high density free market option plus** with no cap.

*a. Comprising eleven (11) percent **or more** of the total units for a development that is not net zero on an annual basis; or*
*b. Comprising twenty-one (21) percent **or more** of the total units for development that is net zero on an annual basis;*
*II. Neighborhood Commercial Uses that offer goods and services needed by residents of the PUD on a daily or frequent basis, including **convenience store, drug store, liquor store, self-service laundry, medical and dental offices and clinics, and postal service substation;***

Here, the CH Zone in combination with the EEMP (if adopted) makes a **whole high density town** in areas (depending on their final color in the FLU in the EEMP, if adopted) away from employment centers within the unincorporated areas of the Telluride R-1 school district ***possible.***

And when coupled with the language from the current revision of 5-324 A:
"It is recognized that development in the CH zone district may have densities and intensities of uses that are different from surrounding areas."

And 5-1803 III. as amended Dec. 2021: ***"with the understanding that different density and intensity of uses are not in and of themselves incompatible".***

And coupled with a streamlined REZONE process which keeps the public in the dark about the full intentions of the developer at least until the rezone to CH Zone is approved.

You are favoring the high density Community Housing Zone by taking away the right to dispute what is compatible. You are taking away from existing residents the right to know the intentions of the developer during the streamlined, low info. Rezone to CH Zone process.

You are favoring subsidized newcomers and high density developers (private equity, investment groups, and large corporations with preferential access to capital) **over our current, local community.**

You understand it, if you did not, you would not be making concessions parcel by parcel to the most insistent neighborhoods on the FLU Map, ahem, ***opportunities***, in the draft EEMP.

This is pandora's box. None of you will be gatekeepers forever.

And the punch line? None of this impairment of protections and process is mandated. This is environmentally reckless.

Please present the **correct FLU map and Table 8** at the next EEMP meeting so the public knows where the potential high density is **actually a potential opportunity.**

And finally, Please **repeal the CH Zone entirely**, this will not impact future affordable housing PUD's. Only one parcel is zoned high density CH Zone currently, the Alexander property, and the Mountain Village has indicated they would/could pursue the AH PUD which would be the right thing to do.

Sincerely,
Emily Masson

Nicola Kerr <nicolak@sanmiguelcountyco.gov>

Concerns about CH Zones

Harvey Roisman <hbroisman@gmail.com> Mon, Apr 1, 2024 at 5:22 PM
To: planning@sanmiguelcountyco.gov

Dear members of the County Planning Commission,

Recently, many property owners just got hit with a give or take 50 percent increase in taxes. And, a recent article in the Planet referred to a possible 5 mil tax levy increase related to supporting the gondola. The bottom line is that while property owners pay the taxes, commercial property owners also pass the increase in taxes on to everyone - in the form of higher costs for food, materials and very significantly rent.

In my opinion, creating housing in east end CH zones will necessitate a far greater cost than developing properties in town. A vicious cycle - ipso facto, increasing taxes for affordable housing - will create a greater number of those in need of affordable housing.

Sincerely,
Harvey Roisman

Sent from my iPad Pro

Nicola Kerr <nicolak@sanmiguelcountyco.gov>

Land Use Code Community Housing Zone District meeting...voicing concerns/objections

'Hill Hastings II' via SMC Planning <planning@sanmiguelcountyco.gov> Mon, Apr 1, 2024 at 2:50 PM
Reply-To: Hill Hastings II <hhastings@me.com>
To: planning@sanmiguelcountyco.gov

As residents of Ski Ranches, we oppose any changes that negatively influence our open spaces and the Colorado Scenic Corridor set backs along Ski Ranches.
Ski Ranches is hobbled by an outdated insufficient water system..that currently functions very poorly and certainly cannot support more density.
Any vote on this should exclude Ms. Zoline for obvious reasons of conflict of interest.
Our development planning was to ensure adequate open space, and the obvious desire to preserve lower density.
Respectfully
Hill and Bettie Hastings

Nicola Kerr <nicolak@sanmiguelcountyco.gov>

CH Zone

Kelly Kramer <kramerkellyb@gmail.com> Mon, Apr 1, 2024 at 7:20 PM
To: planning@sanmiguelcountyco.gov

Ladies and Gentlemen —

We write to express our opposition to the proposed Community Housing Zone as it relates to the Ski Ranches.

Everyone who lives in the region appreciates the need for additional affordable housing. But housing for the sake of housing isn't a solution. Rather, as a community, we should support thoughtful projects that expand the opportunities for home ownership that don't degrade the qualify of our communities. To that end, we support higher-density housing opportunities in places that have the infrastructure to support them—namely, in the Town of Telluride and the Mountain Village.

It's important to remember that there are no jobs in Ski Ranches. There are no restaurants in Ski Ranches. There are no stores in Ski Ranches. And that's because Ski Ranches is a bedroom community that has been developed over roughly 40 years as an adjunct to the Telluride community. The people who live in Ski Ranches chose this community because it is close to Telluride yet far enough to be quiet, secluded, and at peace with the natural environment.

Re-zoning to create the opportunity for high-density community housing between the two entrances to Ski Ranches would undermine all of that. Moreover, it would impose substantial costs on the surrounding community. Driving to town during the morning rush hour already takes upwards of 30 minutes. Adding dozens of units — again, in place where there are neither jobs nor services — will add to the daily traffic and will create significant additional pollution. Indeed, one of the reasons that the Gondola system exists is to minimize the number of cars that drive every day between the Town and the Village. Forcing development to regions outside of the Town or the Village would be counter-productive to the long term health of the community.

Re-zoning to create the opportunity for high-density community housing is also impractical. It would strain if not break the Ski Ranches's infrastructure. As it is, electrical service is dodgy, the water distribution system is inadequate, and there is no sewerage. Piling a high-density housing project on top of an already strained infrastructure is an invitation to failure.

If the County is intent on forcing development outside of the Town and the Village — which, respectfully, it should not do — it should at least do so in a way that is respectful of the communities into which that development is pushed. To that end, the County should consider purchasing lots within the Ski Ranches and building housing stock that would complement the existing neghborhood. There are several lots in the community that, under current zoning, could support houses and EDUs. Proceeding in that way would expand housing opportunities without damaging the existing neighborhood.

From our perspective, the re-zoning process has been driven largely by landowners and developers without proper regard for the people who have chosen to live here. We urge the County to re-think that approach, to reengage with local constituents, and to develop a smarter plan that helps to put housing in the places with the infrastructure and jobs to support it.

Respectfully,

Kelly and Marija Kramer
165 Quakey Lane
Telluride, CO 81435

Nicola Kerr <nicolak@sanmiguelcountyco.gov>

Proposed Community Housing Zoning

ken roberts <kennethjamesroberts@gmail.com> Tue, Apr 2, 2024 at 7:26 AM
To: planning@sanmiguelcountyco.gov

I've seen nothing that addresses the concerns raised in my past letters to the planning effort on CH zoning and the EEMP. The effort has been flawed from the beginning and remains so. The 2018 "needs assessment" does not adequately determine actual need and demand for affordable housing - without understanding what the demand actually is and will be, there is no rationale basis for proceeding.

Ken Roberts
210 Basque Rd.
Telluride CO 81435

Begin forwarded message:

From: ken roberts <kennethjamesroberts@gmail.com>
Subject: **Proposed Community Housing Zoning**
[Quoted text hidden]

Nicola Kerr <nicolak@sanmiguelcountyco.gov>

EEMP

Laura Marchal <lalamarchal@hotmail.com> Tue, Apr 2, 2024 at 11:38 AM
To: "PLANNING@SANMIGUELCOUNTYCO.GOV" <PLANNING@sanmiguelcountyco.gov>

April 3, 2024

Dear Commissioners,

After reviewing the most recent Community Housing (CH Zone) LUC 5-324, my position is that I do not support the CH Zone as it is written and respectfully request that you repeal it from the County Land Use Code. The bullet points below provide clarity and insight into my position.

· The EEMP is more than “advisory”. Partnered with the SMC Land Use Code, the EEMP enables legally binding rezoning. Section 30-28-106(3)(a), C.R.S. (a master plan “may be made binding by inclusion in the county’s or region’s adopted subdivision, zoning, platting, planned unit development, or other similar land development regulations…”).

· High Density is not compatible with the Ski Ranches neighborhood. The Residential Medium status of our neighborhood on the EEMP FLU Opportunities Map, permits rezoning of high-density workforce housing of 20 units/acre in the Ski Ranches. Our

HOA is 86% built out and zoned single family residential with ADUs. High density housing is incompatible with our zoning and CC&R’s. Furthermore, our infrastructure does not have the capacity to handle high density development.

· The Future Land Use Map in the EEMP misidentifies “Opportunities”. The Zoline property is designated as Residential Medium/Orange yet it has no development rights as noted on the 2005 plat. It is zoned Forestry, Agriculture and Open (F), is consistent with the West Meadows sub-division that it is associated with. The Residential Medium status of the Zoline property on the EEMP FLU Opportunities Map, suggests that there is an “opportunity” to rezone of high-density workforce housing of 20 units/acre on that parcel.

· Furthermore, the Residential Medium designation of the Zoline Irregular Merged Parcels A and B along Highway 145 and Fox Farm Road, is contradictory to the county’s own definition of Residential Medium. At 14 + acres, the property aligns with what the county defines as Residential Low, properties that are 7-35 acres.

· Lastly, I feel that the 14 acre Merged Irregular Parcels A and B should be identified comparably to the historically owned Zoline properties along Highway 145. The land is adjacent to the Ski Ranches yet has always been a parcel connected to West Meadows. The county zoning and history of the property reflect that. For continuity, and clarity on the proper status of the Zoline parcel, it requires the same classification as Raspberry Patch, Elk Run and West Meadows: a Residential Low designation in the FLU Opportunities Map.

Thank you for your well-intentioned hard work. I appreciate you taking my concerns into consideration. For the reasons summarized above, my requests are to repeal the CH Zone from County Land Use Code and for the county to properly identify all zones in the FLU Opportunities Map. Parcels that do not have future development opportunities, like merged Irregular Parcels A and B, require proper identification on the FLU Opportunities Map. Accurate and consistent FLU Mapping will improve the clarity of the content and directive of the EEMP. Repealing the CH zone will force a much-needed revision of the AH PUD process.

Both actions will restore trust in our government and lay the groundwork for sound future development of the county.

Sincerely,

Laura Marchal, Telluride Ski Ranches Resident and member of the Ski Ranches Home Owner's Association

Virus-free.www.avg.com

Nicola Kerr <nicolak@sanmiguelcountyco.gov>

CH Zoning

Lukas Scheibler <lukas.scheibler@gmail.com> Tue, Apr 2, 2024 at 2:42 AM
To: planning@sanmiguelcountyco.gov

Dear CPC

I would like to provide input to your scheduled planning meeting on 4/4/24.

Our family lives in the Ski Ranches and we would like to voice our concerns related to the CH Zone and all accompanying LUC amendments. We would like to see these repealed.

Also, we express our concerns to the proposed zoning of the 14-acres Zoline property adjacent to the Ski Ranches. We request to designate it as 'Residential Low' in the future land use map.

Thanks for your consideration.
Best
Lukas

Nicola Kerr <nicolak@sanmiguelcountyco.gov>

Eemp property designation

'Lynn Cranford' via SMC Planning <planning@sanmiguelcountyco.gov> Sat, Mar 30, 2024 at 2:33 PM
Reply-To: Lynn Cranford <lcran2709@yahoo.com>
To: PLANNING@sanmiguelcountyco.gov

I respectfully request that in the next public meeting that the 14 acre Zoline property adjacent to The Ski Ranches be revised to it's official designation of residential low or forest/ag not developable. It is important to get this correct now to avoid confusion in the future.

Lynn Cranford

Nicola Kerr <nicolak@sanmiguelcountyco.gov>

Comment for the Planning Commission

msaftler@montrose.net <msaftler@montrose.net> Tue, Apr 2, 2024 at 10:45 AM
To: planning@sanmiguelcountyco.gov

Please include in the Planning Commission packet for the April 4th meeting
Thank you

Dear Planning Commission

I appreciate all the hard work you have put into the creation of the San Miguel County CH Zone as part of your planning and Master Plan update process. It is an ambitious concept that might be well received in a more Urban setting and possibly even in a Mountain town close to an Urban area with multi lane highways and access roads and infrastructure. But we here in San Miguel County are neither Urban nor Urban proximate. We do not wish to create that type of density and congestion in our region.

As you have explained many times in your meetings and pop ups, CH zoning is a simpler/easier way to gain County approval without having to prove up front that the property is develop-able or that the density is compatible to the neighbors. That is defeating the purpose of having zoning and having review processes. The zoning process currently works as zoning processes are intended to work and it has served us well. Ideas are proposed, the evidence is presented, the ideas and evidence are analyzed and evaluated. That is how a thorough and inclusive process is conducted. Cutting the required number of meetings excludes people from participating as can be seen by counting the number of attendees at your inital meetings on this very same topic. There is no need to simplify a comprehensive process that is intended to protect the public. The existing approval process requires public hearings and proof of essential services that give the public assurances that the development will be done properly and the property is appropriate for that use and density and the process is thorough and transparent.

The proposed CH zone shortcuts and, in ways, removes the protections for the public. Denying the public the right to challenge a proposed development takes away the publics civil rights. It is a disservice to those you serve.

Please remove the unnecessary CH zone from all San Miguel County zoning documents including but not limited to the EEMP, the LUC.

Thank you,

Michael Saftler

Nicola Kerr <nicolak@sanmiguelcountyco.gov>

CH Zone Discussion April 4, Planning Commission

Morgan Smith <morgancsmith99@gmail.com> Mon, Apr 1, 2024 at 7:01 PM
To: planning@sanmiguelcountyco.gov

First, I ask the Planning Commission to consider simply repealing the CH Zone and then working to amend other sections of the Land Use Code to encourage more affordable housing.

If the Planning Commission does not repeal the CH Zone, please consider the following general concept amendments:

1. Limit the project size of the CH Zone to something reasonable for fast-track rezoning, such as 10-15 units maximum.

2. Consider adding a requirement that sketch plans be included in the CH rezoning application so everyone knows what the owner will propose later for development.

3. Clarify the ***development*** application procedure. If a subdivision is included in the development plans, does that require five steps or two? If there is no subdivision plan, is it five steps or two?

4. Clarify what documents must be submitted and when during the development approval process. Currently, there is no link to any LUC document submission requirements regarding development.

5. Revise the development review standards to include consistency with the Master Plan and surrounding uses as a review factor.

Regardless of the CH Zone, the best way to obtain more housing is to modify other sections of the Land Use Code to allow for the following:

1. Increase density allowed by right from single-family homes in *all* residential LUC sections to allow duplexes or greater.

2. Remove any new construction ADU or caretaker units from paying the affordable housing fee if the unit is rented to locals for more than half the year and is never rented as a short-term rental.

3. Consider fast-track approval of ADUs and caretaker units if they meet certain criteria.

4. Develop a “model amendment” for discussion and approval with all the HOAs. This amendment would allow greater density than currently allowed under their CC&Rs but be on a voluntary basis.

Thank you for your time.

Morgan Smith

Nicola Kerr <nicolak@sanmiguelcountyco.gov>

CH zoning change East end SM Co

'nick kennedy' via SMC Planning <planning@sanmiguelcountyco.gov> Mon, Apr 1, 2024 at 4:09 PM
Reply-To: nick kennedy <nkavalancheranch@yahoo.com>
To: "planning@sanmiguelcountyco.gov" <planning@sanmiguelcountyco.gov>

To whom it may concern
46 yr San Miguel Co. resident here.
I am 100% against the CH potential zoning change.
If will completely change E San Miguel Co.
How much is enough?
More
More
More
Is NOT the answer.
We still have a special place here
DON'T RUIN IT!
PLEASE.

Nicholas P. Kennedy
Kennedy Contracting Inc.
207 East Serapio Drive
PO Box 1026
Telluride Colorado 81435
970 728 3905 ofc
970 708 1199 mobile
Building a World of Difference
with Integrity, Knowledge and Value.

Nicola Kerr <nicolak@sanmiguelcountyco.gov>

CH zone comments for 4/4/24 CPC/BOCC work session

Ruth Homan <gregnruth@msn.com> Wed, Apr 3, 2024 at 11:58 AM
To: "planning@sanmiguelcountyco.gov" <planning@sanmiguelcountyco.gov>

Hello-
Please consider the **attached letter** as well as the following points in your decisions regarding the CH zone discussion.

1) **Repeal the CH Zone, including all accompanying LUC amendments made at the time the CH Zone was crafted and adopted.**
2) **Revise the designation of the 14-acre Zoline property adjacent to the Ski Ranches from Residential Medium to Residential Low in the Future Land Use Map.**

The proposed CH Zone is over-reach, and not productive in truly solving our housing needs in a sustainable, thoughtful, and responsible manner. Preserving the beauty and minimizing man's impact of the area should be a protected value when planning for future development, and not something that can be taken away when convenient for the2 entities (Town of Telluride and Mountain Village) that are contributing to the overgrowth to begin with.

Thank you,
Ruth Homan
Ski Ranches resident since 2006

040424 final HOA Letter .pdf
125K

Nicola Kerr <nicolak@sanmiguelcountyco.gov>

CH Zone comments for 4/4/24 CPC/BOCC work session

s weyerhaeuser <sweyerhaeuser@gmail.com> Wed, Apr 3, 2024 at 11:18 AM
To: planning@sanmiguelcountyco.gov
Cc: kay Mabie <kay.mabie@gmail.com>

Dear committee…… My family owns a home in the Ski Ranches. We have been there for over 30 years now. We love Telluride obviously and are very saddened by the conflict and strife caused by the proposed CH zone happening now. Please listen to residents who want to preserve the wonderful environment that we have in our canyon.

Our family is in full support of the position letter that you received from the Ski Ranches HOA. We strongly support repeal of the CH Zone, including all accompanying LUC amendments made at the time of CH Zone was crafted and adopted. Also we want to see revision of the designation of the 14-acre Zoline property adjacent to the Ski Ranches from Residential Medium to Residential Low in the Future Land use Map.

I think the message of preservation has been sent loudly and clearly but the vast majority of residents. Please heed the voices.

Thank you.

Sarah Weyerhaeuser (for the Jim and Kay Mabie family)
271 Saddle Horn Lane
Ski Ranches
Telluride, CO

Nicola Kerr <nicolak@sanmiguelcountyco.gov>

Master plan

Scott Andrews <siattc@gmail.com> Mon, Apr 1, 2024 at 5:56 PM
To: planning@sanmiguelcountyco.gov

Community input is essential when creating Master plans. There is a creative and highly intelligent citizenry in San Miguel County whose input will assist the government in creating an intelligent solution to housing needs in the future.
Scott Andrews

Scott Andrews
Historic Preservation Services, LLC
3515 Terry Point Dr.
Fort Collins, CO 80524
970-708-1526

Nicola Kerr <nicolak@sanmiguelcountyco.gov>

CH Zone

Steve Catsman <Steve@catsman.com> Mon, Apr 1, 2024 at 3:46 PM
To: planning@sanmiguelcountyco.gov

U newbies need to move on and stop trying to fix unbroken region , working fine until the sh… dribbled in ….., Newby !

Steve Catsman
Gray Head Dev. Corp., Pres.

Managing Director
Team Catsman
Telluride Real Estate Corp.
232 W. Colorado
Telluride, Colorado 81435
970-729-0100
970-728-1605

http://www.visittelluride.com/

www.catsman.com

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Nicola Kerr <nicolak@sanmiguelcountyco.gov>

Comments for CPC Meeting on CH Zone in LUC

Sueanne Kim <sueannekim@gmail.com> Tue, Apr 2, 2024 at 11:57 AM
To: planning@sanmiguelcountyco.gov

To the San Miguel County Planning Commission:

Following the outcome of the recent CPC EEMP work session on March 14, please repeal the current “CH Zone” language in the LUC and remove the draft “CH Zone” language in the EEMP. I believe there is broad support for following the existing AH-PUD process when it comes to large-scale developments such as that which was hoped for with the Diamond Ridge property. The AH-PUD process is an existing, familiar and transparent process that is trusted by residents to stringently assess such development proposals.

Let us use that familiar and rigorous process to focus as a community on workforce housing - rather than a nebulous and self-serving definition of affordable housing. I believe we can all agree on the need to benefit and retain our most essential workers.

Finally, in follow-up to the decision to restore Diamond Ridge to a future land use category of “Residential Low” - please make a similar correction to the Zoline property adjacent to Ski Ranches. There is no reason for any exception - besides pure conflict of interest - to designate that parcel as anything other than “Residential Low.”

Sincerely,
Sueanne Kim
Telluride, CO

Nicola Kerr <nicolak@sanmiguelcountyco.gov>

CH Zone

Todd Creel <todd@telluriderealestate.net> Wed, Apr 3, 2024 at 7:40 AM
To: planning@sanmiguelcountyco.gov

Dear Respected Planning Commissoners,

Thank you for taking the time to discuss the CH zone district.
While many of us in the community applaud, your efforts to streamline the construction of affordable housing, this subject has become a contentious one due to the fact that it is establishing two different sets of rules, depending on the applicant. It is not really a matter of a specific location or use. It is more of an issue of fairness. There should be one set of rules that are applied to all PUDs and development in the region. The perception in the community is that the CH zone is simply a method for the local governments to skirt the processes that everyone else is required to complete.

I have attended the planning commission meetings, and I know that each of you is only trying to do the right thing. The CH zone was a sincere effort to get housing built quickly and efficiently. I believe this is your opportunity to engage with the public and show that you are listening to their input.
In fairness, the CH zone should be abolished. If the zoning is allowed to go forward, it should be limited specifically in terms of parcel size to 5 acres or less. New communities with potentially hundreds of residents should most certainly be required to go through a complete, detailed and transparent approval process.

Thank you for your time and consideration.

Todd Creel

218 North Spruce Street
Telluride, CO

Nicola Kerr <nicolak@sanmiguelcountyco.gov>

CH Zone

Virginia Lucarelli <virginialucarelli@gmail.com> Tue, Apr 2, 2024 at 10:51 AM
To: SMC Planning <planning@sanmiguelcountyco.gov>

Date: 4/2/2024

To: San Miguel County Planning Commission (“CPC”)

via E-mail: planning@sanmiguelcountyco.gov

Re: Land Use Code Amendment – Section 5-324, Community Housing Zone District April 4, 2024 Meeting

Dear Commissioners:

I’d like to begin by applauding the County Planning Commission for taking the time to listen to the public and initiate this discussion. As we all know the CH zone district has become the root of many divisive community discussions and a remarkable lack of trust between the community and local government.

As you approach reworking this zone district please don’t rush to simply “bandaid” existing Land Use Code Language. Please take the time to really think through the impacts (intended and otherwise) of the original CH Zone District language and take the time to work to craft something better.

There must be a way to honor what has already been approved and craft better guidelines and guardrails for future projects. It may take more than one meeting to accomplish this.

I understand the Aldasoro HOC, with other HOAs, has submitted an alternative small scale CH Zone district. Please consider these changes.

Thank you.

Virginia Lucarelli

--
****
Virginia Lucarelli
970-728-6394 home
970-708-0753 cell

AGENDA ITEM

TITLE:
Adding new Land Use Code Section 5-712 Mining Hazards to provide standards for the proposed development on lands with remnants from past mining activities / MOTION

Presented by:
Time needed:

PREPARED BY:
John Huebner, Planning

RECOMMENDED ACTION/MOTION:

INTRODUCTION/BACKGROUND:

FISCAL IMPACT:

ATTACHMENTS:
CPC Packet Materials Mining hazards LUCA 040424.pdf

Description:

PUBLIC HEARING RECORD

County Planning Commission
Application: Amendment to the San Miguel County Land Use Code - Section 5-712 – Mining Hazards

Date: April 20, 2023

1. San Miguel County Land Use Code (Adopted 11/30/90) with all amendments to date (By Reference Only)

2. San Miguel County Comprehensive Development Plan (Adopted 8/3/78) with all amendments to date (By Reference Only)

3. Memorandum to the San Miguel County Planning Commission from John Huebner, Senior Planner, dated April 4, 2024

4. Public Hearing Notice published March 15, 2024.

AGENCY COMMENTS

5. Email from John Huebner to Referral Agencies dated February 14, 2024

6. Email from Amy Markwell, County Attorney dated February 26, 2024

7. Email From Matt Gonzales, County Building Official dated February 26, 2024

8. Email from Mike Bordogna, County Administrator dated February 26, 2024

PUBLIC COMMENT

9. Email from Camille Price, County resident dated March 25, 2024
   None

OTHER

None

M E M O R A N D U M

TO: San Miguel County Planning Commission
FROM: John Huebner, AICP, Senior Planner
RE: Amendment to the San Miguel County Land Use Code: New Section 5-712 – Mining Hazards
DATE: April 4, 2024

Background
Pursuant to LUC Section 5-1802, Amendments to the Land Use Code may be initiated by the County (staff, CPC or BOCC), or by persons who are residents of or own property in San Miguel County. Planning staff has identified the need for regulations regarding development of properties containing mining hazards and remnants.

As single-family development continues in the unincorporated county, the availability of developable parcels has waned and the more difficult parcels to develop are being considered. This includes parcels that have mining remnants and that need additional standards in order to evaluate whether owners can safely build residences and structures on these properties. The proposed regulations are based in part on requirements in Section 5-321 High Country Area. Properties with mining remnants exist in other zones, including Forestry, Agriculture and Open (F) and West End (WE), and may include mine waste, mine openings and structures.

Section 2-8: Natural and Man-made Hazard and Resource Areas provide guidance regarding hazards as follows:

It is the policy of San Miguel County to prevent any use and development of land that may:

2-801

Unreasonably subject any person, or use, to natural or man-made hazards;

2-802

Unreasonably create or contribute to the danger of natural or man-made hazards that might affect lands or the use and development thereof;

2-803

Unreasonably subject other persons including the County to the risks and expenses necessary to mitigate hazardous conditions, respond to emergencies created by such conditions, or to rehabilitate any lands or improvements thereof;

2-804

Be unduly destructive to the natural resources of the County; or

2-805

Constitute a public or private nuisance.

Proposed Amendments
The proposed Mining Hazards section is new and would be added in its entirety.

5-712 Mining Hazards

I. The purpose of this Section is to provide standards for the proposed development on lands with remnants from past mining activities. Former mining lands may have physical hazards and environmental issues associated with past mineral exploration, production and processing. Development activities on these lands should be limited due to environmental sensitivity, geologic hazards, steep terrain, limited access, mining remnants, and other site constraints. The size, scale and location of proposed Single-family Dwellings, Accessory Structures, and other structures and uses are to be limited to avoid conflict with past and/or future mining.

II. Review of Proposed Uses and Structures.

At a minimum any proposed use or structure in areas with mining remnants is subject to Administrative Review. The purpose of the County Planning Department Administrative Review is to provide staff an opportunity to work with the owner or developer to consolidate and minimize the impacts associated with the development of dwellings, driveways or improvements, to ensure that the proposed development avoids hazards from past mining or does not conflict with future mining. As a part of an Administrative Review the Planning Director shall consider all relevant information and/or analysis provide by Referral Agencies concerning the potential impacts of the development proposal and may require the applicant to comply with any and all review comments deemed necessary to mitigate impacts.

III. Administrative Review.

All applications for Administrative Review shall include, at a minimum, the information and materials specified in Land Use Code Section 4-2 and/or as follows:

a. If the certificate of title indicates that the mineral estate and surface estate have been severed the applicant shall, as part of the applicant's submittal for Administrative Review, send written notice

of an application for approval of a development proposal to the owners of record of the severed mineral estate consistent with LUC Section 3-903.

b. Written notice of an application for Administrative Review shall be sent to the owners of properties located adjacent to the property subject to application and notice of the application shall be posted in a conspicuous place on the subject property.

c. The mailing of the written notice and posting of the property shall be made by the applicant, within five (5) days of submitting the application. The notice shall inform the owners of severed mineral estates and /or adjacent property owners that they have thirty (30) days from the time the notice is postmarked to notify the Planning Director in writing of any issue or objection to the proposed development.

IV. Referral Agencies.

The application shall be referred to the Colorado Division of Reclamation, Mining & Safety, Colorado Department of Public Health and Environment's Water Quality Control Division and Hazardous Materials & Waste Division, County Historical Commission, County Engineer, the Telluride Fire District, or other referral agencies, as deemed appropriate by the Planning Director to determine compliance with Land Use Code.

V. The following must be provided as part of any application:

a. Site Plan including:

1. The location of all existing and proposed improvements and uses on the property including the access to the property and driveway, if any;

2. The size, height, number of stories and basic design of the structure(s) and including the type of materials to be used in construction;

3. Information regarding all existing or proposed utilities or services that may or will serve the property, including the type and layout of the water supply and sewage treatment system;

4. The location of any and all existing mines, mine remnants, mine openings, structures and equipment, or mine waste located on the property to be developed;

5. Identification of Areas of State and Local Interest (1041 Environmental Hazard) as set forth in Section 5-4, and Wetland Areas as set forth in Section 5-22, and Watershed Protection Areas as set forth in Section 5-25, for all areas where development activity proposed.

6. The location of existing roads and Trails on the property to be developed.

b. Mining Resource Report that addresses the following:

1. Demonstrate compliance with all applicable state and federal requirements, if any, for reclamation, stabilization, bonding, storm water drainage and any other requirements that are deemed necessary by the Colorado Division of Reclamation, Mining & Safety, and/or Colorado Department of Public Health and Environment's Water Quality Control Division and Hazardous Materials & Waste Division to protect the public health, safety and welfare of the owner, occupants and neighbors of the property where the development is to occur.

2. Provide a written report, stamped and sealed by a qualified Colorado registered professional engineer, knowledgeable of mining and mining hazards, identifying any and all surface or subsurface mining related hazards on the entire claim where the development is proposed. If mining related hazards are identified, the engineer's report shall include recommended measures to adequately mitigate such surface or sub-surface mining related hazards.

VI. Standards for all Administrative Reviews.

An applicant seeking to develop a property with Mining Hazards must demonstrate that all proposed structures and uses are:

a. Located to avoid hazards, from past mining or conflicts with potential future mining, and includes those measures recommended in the Mining Resources Report necessary to adequately mitigate surface or sub-surface mining related hazards.

b. Minimize adverse impacts on the surrounding area.

c. Designed, located and proposed to be operated so that the public health, safety and welfare will be protected.

d. Consistent with the County Land Use Policies in Article 2.

e. In compliance with Section 5-4 Areas and Activities of Local and State Interest/"1041" Environmental Hazard Review including Section 5-407A, General Standards for Wildlife Habitat Areas, and Section 5-2203 Development in Wetland Areas, and Section 5-25 Watershed Protection Areas.

f. Driveways may be constructed or improved to access property within a Mining Hazards area.

Public Noticing
The public meeting notice was published in the Telluride Daily Planet and Norwood Post on March 15, 2024.

Referral Agencies
The proposed Land Use Code text amendment was sent to the County Attorney; County Manager; County Building Official; County Road and Bridge Director; Town of Telluride; Town of Mountain Village; Town of Ophir; and Town of Sawpit.

County Manager, Mike Bordogna, asked how locations of future mining can be identified, and commented that the type and location of past mining will impact the allowable use of proposed structure and access roads.

County Attorney, Amy Markwell, and County Building Official, Matt Gonzales, provided editing suggestions.

Public Comments
Camille Price, county resident, suggested several edits that were incorporated into the proposed Land Use Code amendment.

Review Standards
Review Standards for Land Use Code Amendments are contained in LUC Section 5-1802 and state, "Land Use Code Amendments may be initiated by the County or by persons who are residents of, or own property in, San Miguel County subject to compliance with the following standard." This amendment was initiated by the County Planning Director.

The only review standard, LUC Section 5-1802 A., states "Land Use Code Amendments shall be drafted in a form consistent with the organizational format and style of the code." The proposed amendment has been drafted in the format and style of the code.

In addition, Section 1-4, Purposes of the Land Use Code, should be considered.

1-402 Implement Policies

To implement the policies of San Miguel County regarding land use and development, housing, growth and related issues, as adopted and amended from time to time.

1-403 Create Common System of Administration and Regulation

To combine the regulation of all aspects of land use and development and the use of land and natural resources into a common system of administration and regulation.

1-404 Simplify the Land Use Regulatory Process

To simplify the application and review process for such regulatory system.

1-405 Protect Health, Safety and Welfare

To protect the health, safety and public welfare of San Miguel County.

The proposed Land Use Code amendment implements in part the policies of Section 2-8, Natural and Man-made Hazard and Resource Areas.

Sample Motion:
I move to recommend to the Board of County Commissioners to adopt the new Section 5-712, Mining Hazards to San Miguel County Land Use Code based on the finding that the proposed amendment complies with the standards of Land Use Code Section 5-1802, Land Use Code Amendments, and are consistent with Land Use Code Section 1-4, Purposes of the Land Use Code, and Section 2-8, Natural and Man-made Hazard and Resource Areas.

Please publish the following Legal Ad in the:

NORWOOD POST AND TELLURIDE DAILY PLANET on FRIDAY MARCH 15, 2024

Please bill: San Miguel County Planning Department
P.O. Box 548
Telluride, CO 81435

PUBLIC MEETING NOTICE

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Written comments of more than one page may not receive complete consideration if not received by March 22, 2024. Send written comments to: San Miguel County Planning Department, P.O. Box 548, Telluride, CO 81435 or to planning@sanmiguelcountyco.gov

Please call the Planning Department at 970-728-3083 for more information on the application. A copy of this pending master plan amendment application may be viewed at https://www.sanmiguelcountyco.gov/490/Other-Resources

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Notices

Public Notices

THE MEETING OF THE TELLURIDE REGIONAL AIRPORT AUTHORITY WILL BE HELD ON THURSDAY, MARCH 21, 2024 AT 12:00 P.M. LOCATION: OBSERVATION LOUNGE, 2ND FLOOR, TELLURIDE REGIONAL AIRPORT.

SEE www.tellurideairport.com FOR AGENDA

Jobs

Help Wanted
Work Wanted

Help Wanted

San Miguel County is Hiring!
Part-Time Positions
Norwood, CO

Administrative Assistant
Road & Bridge

Administrative Assistant
Finance/Human Resources

To view the complete job descriptions, compensation, benefits and to officially apply for any of the County's open career opportunities, please visit: www.sanmiguelcountyco.gov/jobs

San Miguel County is an Equal Opportunity Employer (EOE).

TELLURIDE REGIONAL AIRPORT (KTEX) IS HIRING A CSR!

How would you like to work in aviation providing high quality customer service for aircraft operators? TEX Fixed Based Operator (FBO) is ranked the Top FBO in the Rocky Mountain Region because we have great people.

We are seeking a FULL-TIME/YEAR-ROUND CUSTOMER SERVICE REPRESENTATIVE (CSR) to join our small dedicated team.

Telluride Airport Pay & Benefits Include:
-Starting Pay: $20/hour
-Holiday & Overtime Pay - Time 1 ½ per hour
-Health/Dental/Vision insurance available after 60 days. No employee match (paid 100% by Authority)
-Annual Profit Sharing
-Retirement plan with 5% match after 1 year of employment
-Paid vacation time
-Work shift schedule alternates 3-4 days per week.
-Airport Authority transportation options available.

We are looking for a team-player with a great work ethic, strong multitasking, customer service and communication skills. Success in this position includes the ability to work holidays; work one (1) weekend day per week (alternating 3–4-day work week); pass security/background checks; and drug free.

Details and To Apply:
https://tellurideairport.com/employment-opportunities/

Help Wanted

Spend the summer outside!

Hiring P/T and F/T gardeners, irrigation techs, and Team Lead.

Will train, transportation provided, housing available. $22-26 DOE.

Email marti@wildirisplants.com
www.wildirisplants.com

San Miguel County is Hiring!

The following positions are full-time, year-round and include a comprehensive benefits package!

Deputy Clerk

Lead Mechanic

Light Equipment Operator

Heavy Equipment Operator

Deputy Sheriff - Operations

Correctional Officer/Emergency Dispatcher

To view the complete job descriptions, compensation, benefits and to officially apply for any of the County's open career opportunities, please visit: www.sanmiguelcountyco.gov/jobs

San Miguel County is an Equal Opportunity Employer (EOE).

San Miguel County is hiring one of the following positions DOQ:

Position is full-time, year-round and includes a comprehensive benefits package!

Data Collector

Appraiser I

Appraiser II

To view the complete job descriptions, compensation, benefits and to officially apply for any of the County's open career opportunities, please visit: www.sanmiguelcountyco.gov/jobs

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Legal Notices

The San Miguel County Assessor reminds all persons owning, possessing, or controlling taxable personal property (furnishings, equipment and other movable personal property) that the deadline for filing a Personal Property Declaration Schedule is April 15. All persons who own, possess, or control taxable personal property with a total actual value greater than $52,000 per owner, per county, are required to report the personal property to the county assessor. Failure to declare your personal property each year by the deadline will result in the assessor valuing your property using the "best information available" and attaching a penalty to your tax bill. If you did not receive a declaration schedule, please contact the county assessor at (970) 728-3174.

All personal property with a total actual value in excess of $52,000 (per owner, per county) is taxable unless specifically exempt by law.
Taxable personal property includes:
· All residential household furnishings used to produce income
· Equipment, furniture, and machinery used by commercial, industrial, and natural resource operations
· Property used in an agribusiness that does not qualify as agricultural pursuant to § 39-1-102(1.6)(a), C.R.S.
· Expensed assets with a life greater than one year
· Fully depreciated assets still in use
· Personal property in storage that is subject to IRS depreciation
· Leasehold improvements

Equipment that is licensed as a motor vehicle (SMM plate or Z-Tab) is not reported on the Personal Property Declaration Schedule.

If you have questions about the Personal Property Declaration Schedule, please contact the assessor's office at (970) 728-3174.

PUBLIC MEETING NOTICE

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Classifieds ads are small but POWERFUL
The Norwood Post has the largest reach of any media in the region and is the only newspaper dedicated to news and information about the Norwood area.

HOROSCOPE

By SALLY BROMPTON
www.sallybrompton.com

BIRTHDAY FRIDAY:
Why be aggressive in your dealings with other people when you can turn on the charm and get everything you desire at the flash of a smile? The year ahead will bring opportunities to make friends with people whose support can take you higher than ever before.

BIRTHDAY SATURDAY:
It may seem as if everyone but you is on top of their game over the coming year but that is an illusion. If you acknowledge that you are less than perfect it will give you a huge advantage over those who see failure as something shameful.

ARIES (March 21 - April 20):
Go out of your way to help someone who has lost their way and don't count the cost even when you know your resources are being stretched. The universe always looks kindly on those who give more thought to other people's needs than to their own.

TAURUS (April 21 - May 21):
If you put a friend's needs first today they will return the compliment later on when it is you who requires assistance. Group activities are under excellent stars at the moment, so the more you do with other people the more you will benefit as well.

GEMINI (May 22 - June 21):
It is sometimes said that who you know is more important than what you know and you will be reminded of that today when a senior colleague steps in to back you up on the work front. You can never have too many friends in high places.

CANCER (June 22 - July 23):
You may be finding it hard to stay in one place for any length of time but why would you want to when there is a world out there waiting to be explored? Drop what you are working on and follow your heart wherever it may lead you.

LEO (July 24 - Aug. 23):
Someone whose outlook on life is very different to your own seems to be exerting a strange fascination over you. You may be spellbound by their captivating personality but don't lose contact with reality – and certainly don't strive to be like them.

VIRGO (Aug. 24 - Sept. 23):
Now that Venus is moving through the partnership area of your chart you can expect one-to-one relationships of all kinds to go well. But they will go even better if you stop trying to micro-manage their lives. Give them some breathing space.

LIBRA (Sept. 24 - Oct. 23):
You have pushed yourself hard in recent weeks and need to take things easy for a while. With Venus, your ruler, moving through the wellbeing area of your chart this would be a good time to start a new health kick – but it must be relaxing!

SCORPIO (Oct. 24 - Nov. 22):
Cosmic activity in the most loving area of your chart will bring the romantic side of your nature to the fore. If you are single then a new affair will be a lot of fun. If you are partnered-up already your relationship will reach new heights of passion.

SAGITTARIUS (Nov. 23 - Dec. 21):
Don't waste any more time on a feud that can never be won. Even if you believe you are entirely in the right you will only hurt yourself if you allow it to continue. There is no sense holding a grudge, so forgive and forget and move on.

CAPRICORN (Dec. 22 - Jan. 20):
Someone you meet on your travels will open your mind to possibilities that had not occurred to you before. They could also open your heart to a degree that allows you to see positive things about colleagues and strangers that you were previously unaware of.

AQUARIUS (Jan. 21 - Feb. 19):
If you find yourself tempted to go on a spending spree today it would be a good idea to set yourself a budget and stick to it resolutely. If you go even one cent over the top you could find it impossible to stop until there is nothing left!

PISCES (Feb. 20 - Mar. 20):
You seem much happier lately about your place in the world and that's great but don't get so self-satisfied that you neglect to take on challenges that can stretch you above and beyond your normal capabilities. Never stop striving. Never stop learning.

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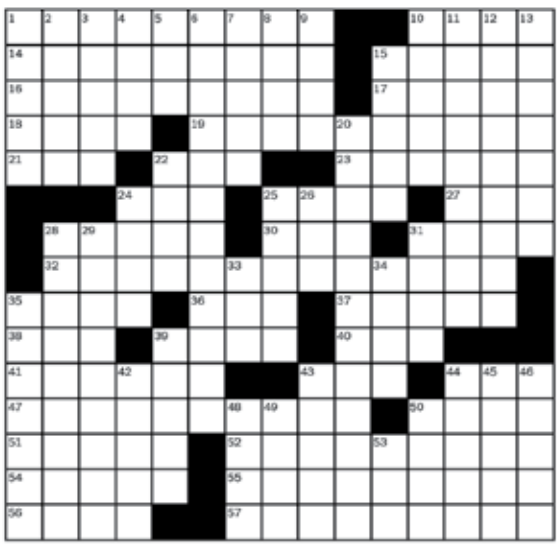
NEW YORK TIMES CROSSWORD

ACROSS

1 Beaming
10 Sounds of melodrama
14 Wind up alone?
15 Mideast capital
16 Fuzzy exotic pet
17 Performed by the whole ensemble, in music
18 Ruler often seen in a robe
19 Classified in levels
21 Word with tie or fly
22 Sign by a highway exit
23 Hens, but not roosters
24 Big container
25 Yoga pose with arms extended and legs folded over the head
27 Where a flask might be kept
28 High-speed commuter option
30 Court ruling?
31 Like the Lilliputians
32 Trend for unengaged employees
35 Twist
36 O, on a letter
37 Hall mate?
38 Social media influencer Addison ___
39 Stephen Sondheim's "The Worst ___ in London"
40 Frequent conspiracy subject
41 Pops
43 Invention originally used as a yellow dye, in brief
44 Baby bat
47 The Traveling Wilburys or Crosby, Stills, Nash & Young
50 Track selection
51 Conceited sorts
52 In concert
54 Match up
55 It makes a spin around a dance floor
56 Disdainful sounds
57 One-sided dice?

DOWN

1 Caption in a comparison ad
2 "Me ___ ..." (Spanish for "My name is ...")
3 Sensational
4 Lead
5 "___ Explain Things to Me," influential 2014 essay collection by Rebecca Solnit
6 Question of legitimacy
7 "___ and the Good Book" (1958 jazz album)
8 Monthly with a palindromic name
9 Fly
10 Like some teenagers and pasta
11 At stake
12 DC Comics weapons, one of which can be seen at the Smithsonian
13 Passes with ease
15 Suck it!
20 Overwhelming and needing time for consideration
22 It's a blast
24 Facial concealer
25 Good words, so to speak
26 Natural necklace
28 These might help people take deep breaths
29 Bacon or pancetta
31 One of the Jackson brothers
33 "___ pasa?"
34 First president to own a car
35 Grumpy toward
39 Break into bits
42 Gives (out)
43 Southern city that was once home to Black Wall Street
44 Philippine island that's home to Iloilo
45 Scrooge, to Donald Duck
46 Some spa treatments
48 Exposure units
49 Lena of "Alias"
50 Place for a ring
53 Place for a ring



PUZZLE BY CHRISTINA IVERSON

ANSWER TO PREVIOUS PUZZLE

U	M	P	I	R	E		C	H	I	L	I		F	D	R
R	O	O	T	E	R		L	U	C	I	D		L	E	A
L	A	L	A	L	A	L	A	L	O	L	A		Y	A	M
S	T	O	L	I		O	M	A	N	I		G	I	F	S
			I	S	A	W			I	T	S	O	N		
	C	H	C	H	C	H	C	H	C	H	A	N	G	E	S
P	R	E			M	I	L	E			T	E	S	L	A
R	A	M	A		E	T	E	R	N	E		R	O	T	I
O	Z	O	N	E			A	V	O	W			L	O	L
M	Y	G	G	G	G	E	N	E	R	A	T	I	O	N	
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I	D	O	L		L	A	I	R	S		R	A	D	A	R
S	U	B		P	P	P	P	O	K	E	R	F	A	C	E
A	N	I		J	A	S	O	N		P	I	E	R	R	E
Y	E	N		S	L	E	D	S		A	D	W	E	E	K

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Read about and comment on each puzzle: nytimes.com/wordplay.

Legal Notices

PUBLIC MEETING NOTICE

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PUBLIC HEARING NOTICE

The San Miguel County Planning Commission has been asked to consider an application submitted by Martinique Prohaska (Applicant) on behalf of Craig Prohaska, Sheila Wells Trust and James Wells Trust, (Property Owner), for a Greenhouse/Nursery with Retail Special Use Permit on the 5-acre parcel, Property Identification Number 429524200072, aka 772 County Road 44Z N, located in the Wrights Mesa (WM) zone district. A Greenhouse/Nursery with Retail is subject to One-step Review, i.e. review and action at a Public Hearing by the County Planning Commission (CPC) pursuant to Land Use Code Section 5-319 E XVII.

A Public Hearing on the above proposal will be held by the San Miguel County Planning Commission on Thursday, April 4, 2024 at 10: a.m. (or thereafter). This meeting will be held online and in person in Telluride, 333 W Colorado Ave, 2nd FL. To provide comment or ask questions regarding the proposal, please join the meeting: https://zoom.us/join, Meeting ID: 965 1288 5206, Password: 534277; Audio only: Dial 1-301-715-8592 or 1-253-215-8782 (long distance rates may apply).

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https:www.sanmiguelcountyco.gov/liveagenda.

The Town of Mountain Village Housing Authority will begin allocating units for the East building of Village Court Apartments Phase IV to those on the VCA public waitlist and tenant transfer waitlist. If both waitlists are exhausted, the VCA public waitlist will be opened back up with community-wide noticing. Move-in is anticipated for April 2024. For more information, please email vcaphase4@mtnvillage.org.

El Departamento de Vivienda de Mountain Village comenzará a asignar unidades para el edificio Este Fase IV de Village Court Apartments a aquellas personas en las listas de espera pública y en la de transferencia. Si se agotan ambas listas, la lista de espera pública se abrirá y se notificará a toda la comunidad. La mudanza está prevista para abril de 2024. Para obtener más información, envíe un correo electrónico a vcaphase4@mtnvillage.org.

The Southwest Basins Roundtable is accepting applications for three at-large representatives. There are two voting seats that are currently vacant. An additional seat will be vacant in July. One of the current vacant seats shall represent environmental interests and shall be selected from nominees submitted by one or more regionally, state-wide, or nationally recognized environmental conservation organizations that have operated in Colorado for at least five years.

Applicants should submit a letter describing their qualifications. Please note in your letter if you own water rights, share in a ditch or reservoir company, or represent an agent with a Reclamation contract. Letters of support for your application are welcome, but not required. Please submit your letter to Ed Tolen, etolen@laplawd.org and Wendy Weygandt, contact@swbasinsroundtable.org no later than Friday, April 12, 2024. Elections will be held Thursday, April 25, 2024 at the DoubleTree by Hilton Durango (and via Zoom) at 3 pm at which applicants will have an opportunity to address the Roundtable. Please contact Ed Tolen, Roundtable Chair, at 970-442-1303 for specific questions. Additional information may be found on the website: https: //waterinfo.org/resources/southwest-basin-roundtable.

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970.728.9788

John Huebner <johnh@sanmiguelcountyco.gov>

Agency Referral: San Miguel County Land Use Code Amendment

1 message

John Huebner <johnh@sanmiguelcountyco.gov> Mon, Feb 26, 2024 at 2:32 PM
To: Amy Markwell <amym@sanmiguelcountyco.gov>, Mike Bordogna <mikeb@sanmiguelcountyco.gov>, Matt Gonzales <mattg@sanmiguelcountyco.gov>, Starr Jamison <starrj@sanmiguelcountyco.gov>, RyanRighetti <ryanr@sanmiguelcountyco.gov>, Ron Quarles <rquarles@telluride-co.gov>, Paul Wisor <pwisor@mtnvillage.org>, Michelle Haynes <mhaynes@mtnvillage.org>, John Wontrobski <manager@ophir.us>, Mike Kimball <michaelnjoyce@msn.com>
Cc: Kaye Simonson <kayes@sanmiguelcountyco.gov>

All,

Please find attached draft Amendments to San Miguel County Land Use Code Section 5-712 Mining Hazards. Thank you for reviewing the draft amendments and please provide any comments.

The Planning Department requests that you please provide your review comments by March 20 to John Huebner, Senior Planner, johnh@sanmiguelcountyco.gov

The Code Amendment is scheduled for review and recommendation by the Planning Commission on April 4, 2024. The Board of CountyCommissioner review date TBD. Best Regards,

John Huebner, AICP
Senior Planner
San Miguel County Planning Department
Office: (970)728-3083
www.sanmiguelcountyco.gov

San Miguel County
East End | Master Plan

AICP CERTIFIED

For information about the San Miguel County East End Master Plan Update, go to www.sanmiguelcountyco.gov/eastendmasterplan

Click **HERE** to go to the **SmartGov** public portal to apply for permits, check permit status, or view permit history.

LUC Mining Hazards Sec 5-712.docx
28K

John Huebner <johnh@sanmiguelcountyco.gov>

Re: Agency Referral: San Miguel County Land Use Code Amendment

1 message

Mike Bordogna <mikeb@sanmiguelcountyco.gov> Mon, Feb 26, 2024 at 3:34 PM
To: John Huebner <johnh@sanmiguelcountyco.gov>

Thanks John,
Not much of a comment except, when it refers to past and future mining- how do you know where future mining will occur and doesn; the type and location of the past mining factor significantly to the allowable use of the proposed structure(s)? I also wonder about the use of mining roads on mine claims to become primary access points, given the potential instability of some of them.
Thanks, mike

On Mon, Feb 26, 2024 at 2:33 PM John Huebner <johnh@sanmiguelcountyco.gov> wrote:

> All,
>
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>
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> John Huebner, AICP
> Senior Planner
> San Miguel County Planning Department
> Office: (970)728-3083
> www.sanmiguelcountyco.gov
>
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>
> Click **HERE** to go to the **SmartGov** public portal to apply for permits, check permit status, or view permit history.

--
Mike Bordogna
San Miguel County Manager
www.sanmiguelcountyco.gov
970/708-8648 (cell)
(He/His/Him)
San Miguel County is hiring! Take a look at our open positions.

John Huebner <johnh@sanmiguelcountyco.gov>

Re: Agency Referral: San Miguel County Land Use Code Amendment

1 message

Amy Markwell <amym@sanmiguelcountyco.gov> Mon, Feb 26, 2024 at 2:56 PM
To: John Huebner <johnh@sanmiguelcountyco.gov>

John,
I think this looks good. My only comment is that V. a. and f. appear to be the same.

Regards,

Amy

On Mon, Feb 26, 2024 at 4:33 PM John Huebner <johnh@sanmiguelcountyco.gov> wrote:

> All,
>
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> Click **HERE** to go to the **SmartGov** public portal to apply for permits, check permit status, or view permit history.

John Huebner <johnh@sanmiguelcountyco.gov>

Re: Agency Referral: San Miguel County Land Use Code Amendment

1 message

Matt Gonzales <mattg@sanmiguelcountyco.gov> Mon, Feb 26, 2024 at 2:59 PM
To: John Huebner <johnh@sanmiguelcountyco.gov>

5-712, V a & f appear to be duplicates.

Thanks,

Matt Gonzales
Building Official
San Miguel County, CO
970-369-5440 (o)
970-708-8821 (c)

Click HERE to go to the SmartGov public portal to apply for permits, check permit status, or request inspections.
For view-only access to codes, click here!
San Miguel County is hiring! Check out our open positions.

On Mon, Feb 26, 2024 at 2:33 PM John Huebner <johnh@sanmiguelcountyco.gov> wrote:

> All,
>
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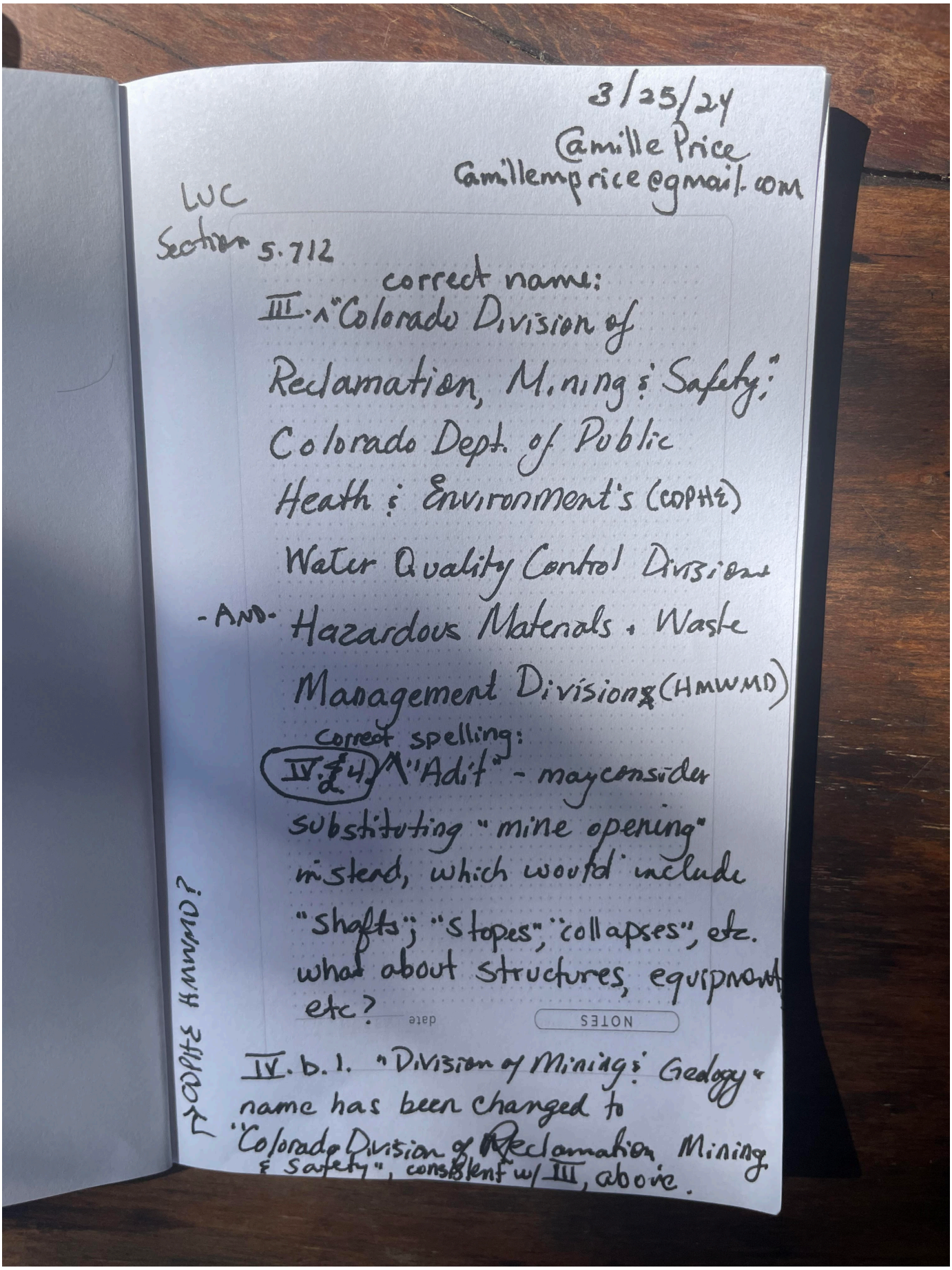
Nicola Kerr <nicolak@sanmiguelcountyco.gov>

Re: Mining Hazard LUC Amendment

Camille Price <camillemprice@gmail.com> Mon, Mar 25, 2024 at 6:59 AM
To: planning@sanmiguelcountyco.gov

Camille Price
(970) 708-7188

On Mon, Mar 25, 2024 at 9:56 AM Camille Price <camillemprice@gmail.com> wrote:



3/25/24

Camille Price
Camillemprice@gmail.com

LUC Section 5.712

correct name:

III. "Colorado Division of Reclamation, Mining & Safety;" Colorado Dept. of Public Health & Environment's (CDPHE) Water Quality Control Division -AND- Hazardous Materials & Waste Management Division (HMWMD)

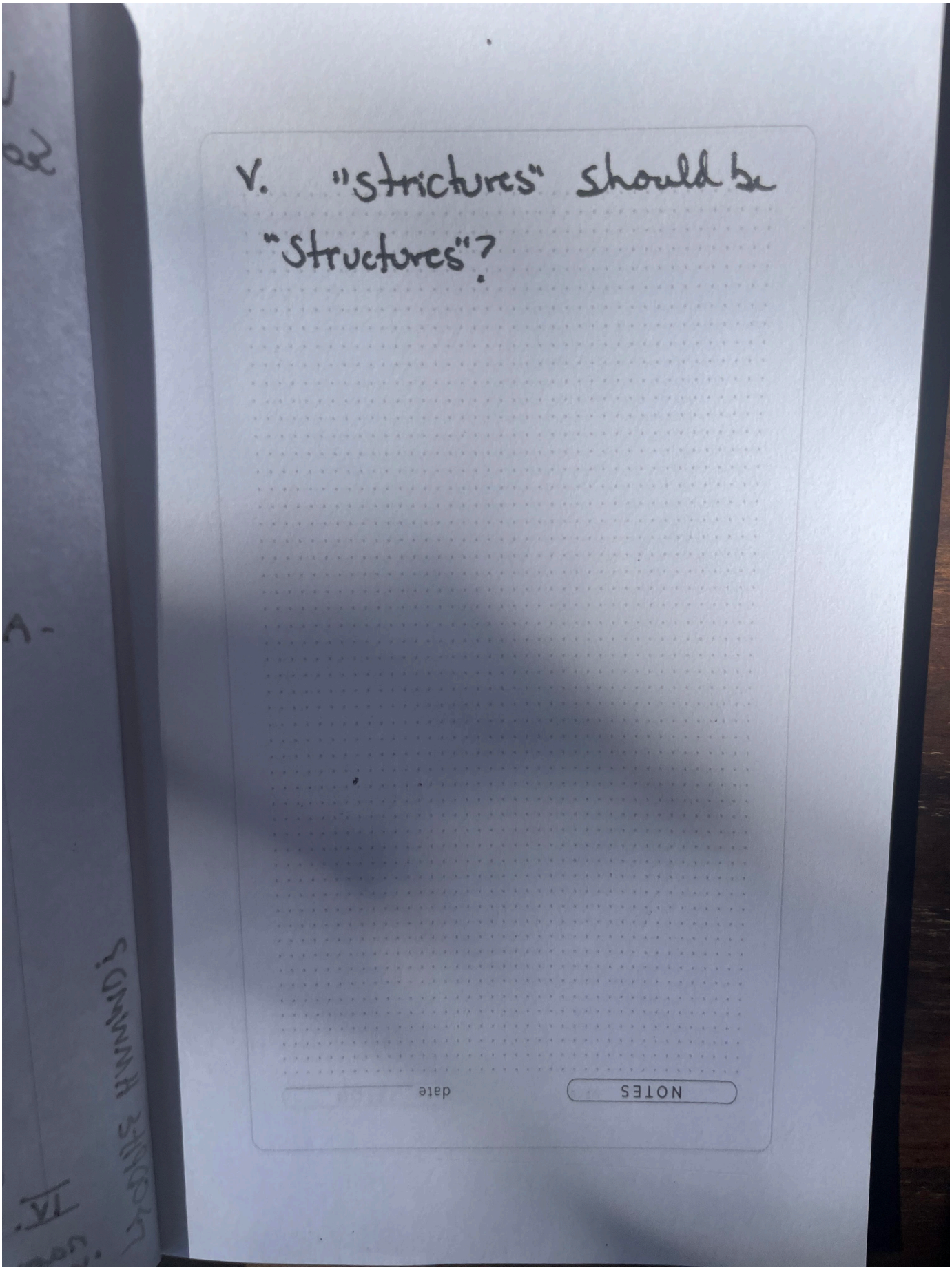
correct spelling:

IV. ~~4~~ 2 "Adit" - may consider substituting "mine opening" instead, which would include "shafts"; "stopes"; "collapses", etc. what about structures, equipment etc?

NOTES date

IV. b. 1. "Division of Mining & Geology" name has been changed to "Colorado Division of Reclamation Mining & Safety", consistent w/ III, above.

CDPHE HMWMD?



Dear San Miguel Planning Commission,

I took a moment to review the proposed mining hazard land used code amendment, and saw that some nomenclature adjustments are needed.

I have retired from having worked for the Colorado Division of Reclamation, Mining & Safety, as well as the Colorado Department of Public Health and Environment's Hazardous Materials and Waste Management dDivision, which oversees natural resource damage, and super fund sites in the state.

I have attached photos I took of my notes as I am away from town and do not have my computer with me.

I hope this is helpful.

Thank you,

Camille Price
(970) 708-7188