

**AGENDA
FOR THE BOARD OF TRUSTEES
OF THE TOWN OF BUENA VISTA, COLORADO**

May 10, 2016

Workshop regarding Airport Property Purchase at 6:00 PM

The Airport Advisory Board will present ideas related to future land acquisitions needed at the Central Colorado Regional Airport that will assist in economic development and airport facility expansion.

Regular Meeting at 7:00 PM

at the Buena Vista Community Center
Piñon Room – 715 East Main Street, Buena Vista, Colorado

**THE BOARD OF TRUSTEES MAY TAKE ACTION ON ANY OF THE FOLLOWING AGENDA
ITEMS AS PRESENTED OR MODIFIED PRIOR TO OR DURING THE MEETING, AND
ITEMS NECESSARY TO EFFECTUATE THE AGENDA ITEMS**

- I. **CALL TO ORDER**
- II. **ROLL CALL**
- III. **PLEDGE OF ALLEGIANCE**
- IV. **AGENDA ADOPTION**
- V. **CONSENT AGENDA**
 - A. **Minutes**
 - 1. Regular Meeting – April 26, 2016
 - 2. Beautification – April 14, 2016
 - 3. Trails Board – April 5, 2016
 - 4. Tree Board – April 7, 2016
 - B. **Police Chief Report**
 - C. **Fire Chief Report**
- VI. **POLICY DISCUSSION – Historic Preservation**
- VII. **PUBLIC COMMENT**
- VIII. **RESPONSE TO PUBLIC COMMENT**
- IX. **BUSINESS ITEMS**
 - A. **Fire Corp Presentation.**
The Buena Vista Fire Department along with Fire Corp volunteers will make a presentation to the Board related to the activities of Fire Corp and the community benefits have having a program in Buena Vista.
 - B. **Entertainment District Presentation.**
The Board of Trustees will consider a presentation by local businesses on the benefits of forming an entertainment district along East Main Street that will assist in local event planning.
 - C. **Trails Proposal for Midland Hills Bridge Presentation.**
The Board of Trustees will consider a proposal to improve trail conditions on BLM lands including maintenance and establishing trail routes.
 - D. **TransRockies Event CBS Sports Commercial.**
The Board of Trustees will consider funding for a CBS Sports commercial that will highlight the 10th annual TransRockies Run in Buena Vista in August.
 - E. **PUBLIC HEARING –** Should the Board of Trustees approve an application from Beer Base, LLC dba The Jailhouse Craft Beer Bar for a new Beer and Wine Liquor License at 412 East Main Street (formerly 414 East Main Street), Buena Vista, CO.
A public hearing is being held on the request for a beer and wine liquor license for the Jailhouse Craft Beer Bar located at 412 East Main Street.
 - F. Should the Board of Trustees approve adoption of Resolution #47 **A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO APPOINTING MCKENZIE LYLE AS A REGULAR MEMBER OF THE RECREATION ADVISORY BOARD.**?
The Board of Trustees will consider an appointment to the Recreation Advisory Board to fill a vacancy.

This Agenda may be Amended

Posted at Buena Vista Town Hall, www.buenavistaco.gov, Post Office, and Public Library on
Friday, May 6, 2015

- G. Should the Board of Trustees approve adoption of Resolution #48 **A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO APPOINTING TIM BLISS AS A REGULAR MEMBER OF THE PLANNING & ZONING COMMISSION.**”?
The Board of Trustees will consider an appointment to the Planning and Zoning Commission to fill a vacancy.
- H. Should the Board approve adoption of Resolution #49, Series 2016 entitled **“A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, ADOPTING THE SOURCE WATER PROTECTION PLAN.”**?
The Board of Trustees will consider adopting the Source Water Protection Plan that makes recommendations on how the Town can protect its watershed.
- I. **PUBLIC HEARING** - Should the Board approve adoption of Resolution #50 **“A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO APPROVING A MINOR DEVELOPMENT FOR THE PROPERTY LOCATED AT 723 YALE AVENUE, BUENA VISTA, CO.”**?
The Board of Trustees will consider a minor development at 723 Yale Street that proposes to divide one lot into two separate lots.
- J. Should the Board approve adoption of Ordinance #7 **“AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO AMENDING CERTAIN SECTIONS OF CHAPTERS 16 AND 18 OF THE BUENA VISTA MUNICIPAL CODE REGARDING THE OCCUPANCY, PARKING AND STORAGE OF RECREATIONAL VEHICLES; CAMPING ON PRIVATE PROPERTY AND STORAGE OF TRAILERS.”**?
The Board of Trustees will consider an amendment to Chapter 16 and 18 of the code regarding recreational vehicles, camping and storage of trailers in Town.
- K. Should the Board approve adoption of Ordinance #8 **“AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO REPEALING AND REINSTATING ARTICLES III AND IV, CHAPTER 8 AND AMENDING SECTIONS 7-39, 16-4, 16-611, AND 16-243 OF THE BUENA VISTA MUNICIPAL CODE REGARDING ABANDONED AND INOPERABLE VEHICLES ON PUBLIC AND PRIVATE PROPERTY.”**?
The Board of Trustees will consider an amendment to Chapter 8 of the code regarding abandoned and inoperable vehicles on public and private property.
- L. Should the Board approve adoption of Ordinance #9 **“AN ORDINANCE OF THE TOWN OF BUENA VISTA, COLORADO, REPEALING ARTICLES I, II, III, IV, V, VI, AND VII OF CHAPTER 7 AND REINSTATING ARTICLES I, II, III AND IV OF CHAPTER 7 OF THE BUENA VISTA MUNICIPAL CODE REGARDING NUISANCES AND NUISANCE ABATEMENT.”**?
The Board of Trustees will consider an amendment to Chapter 7 of the code regarding nuisances and abatement procedures
- M. Should the Board approve adoption of Ordinance #10 **“AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO REPEALING AND REENACTING ARTICLE III OF CHAPTER 6 OF THE BUENA VISTA MUNICIPAL CODE CONCERNING COMMERCIAL RIVER ACTIVITIES.”**?
The Board of Trustees will consider an amendment to Chapter 6 of the code regarding commercial river activities related to allowing for additional commercial boat launch locations in the River Park.
- N. Letter of Support for Chaffee County Application to Colorado Federal Lands Access Program for County Road 306.
The Board of Trustees will consider a letter of support for an application from Chaffee County to the Colorado Federal Lands Access Program for Cottonwood Pass Summit-East on CR 306.

X. STAFF REPORTS

1. Town Administrator
2. Town Treasurer
3. Public Works Director
4. Airport Manager

XI. TRUSTEE/STAFF INTERACTION

- XII. EXECUTIVE SESSION** - An Executive Session to consider the purchase, acquisition, lease, transfer or sale of real, personal or other property, pursuant to C.R.S. § 24-6-402(4)(a), and to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. § 24-6-402(4)(e).

XIII. ADJOURNMENT

This Agenda may be Amended

Posted at Buena Vista Town Hall, www.buenavistaco.gov, Post Office, and Public Library on
 Friday, May 6, 2015

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF TRUSTEES OF THE
TOWN OF BUENA VISTA, COLORADO**

April 26, 2016

WORK SESSION Regarding Colorado Creative District 6:00 PM

Present for the work session: Mayor Joel Benson, Trustees Lawanna Best, Eric Gibb, Mark Jenkins, Duff Lacy, Phillip Puckett, and David Volpe, Town Administrator Brandy Reitter, IT Director Larry Deffenbaugh, Assistant to the Town Administrator Emily Katsimpalis, Treasurer Michelle Stoke, Principal Planner Mark Doering and Town Clerk Janell Sciacca.

Reitter reminded the Board of the history of the program and the Town's desire to bolster these as an economic driver for the Town. She reviewed who Colorado Creative Industries is stating it is an arm of the Colorado Office of Economic development and International Trade. Reitter also reviewed their mission which is to promote, support and expand creative industries to drive Colorado's economy, grow jobs and enhance quality of life. Reitter also detailed some of the objectives, provided a definition and examples and reviewed benefits of creative districts. She discussed BV's creative scene stating some of the groups are South Main Arts and Parks Trust, Chaffee County Council on the Arts, BV Heritage, BV Events Complex and BV Main Street. She also reviewed emerging trends and stated the Town did apply in 2014 and was not awarded for multiple reasons. This year's application deadline is April 28, 2016. June is when certifications are made. She reviewed the amended map showing the area which extends down East Main and through South Main. She also reviewed the organization makeup. Reitter then reviewed the alternative volunteer program – Call Yourself Creative. She reported that there are 11 letters of support, 134 people have signed a petition of support, 50 people have made comments in support and the BV Main Street group and local businesses have also expressed support. The District aligns with the Trustees vision for community and economic development and it is an economic driver. She closed by stating Colorado Creative Industries is a great resource. Mayor Benson thanked Reitter and Ashley Ahlene for their work on this. He then asked Katsimpalis what Salida had to go through when awarded. Katsimpalis stated that Salida hired her based on her experience in Denver with the creative district. All Creative Districts have a dedicated Staff person who is responsible for reporting, establishing and promoting events, writing newsletters, marketing, etc. Typically, the grants are around \$10,000 with a similar match. Puckett asked if Reitter saw any conflicts with the Main Street program. Reitter replied that she thought they would complement one another. She believes this allows the community creatives to engage on a different level. Volpe felt this was more work and wondered if there was a way to have fewer meetings with the same people. Gibb applauded Staff for looking for opportunities and thinking creatively. He did have some of the same concerns as Volpe feeling all these add to the dilution of Staff's time. Reitter explained that there is a return on investment.

The Work Session ended at 6:52 PM.

CALL TO ORDER :00

A Regular meeting of the Board of Trustees was called to order at 6:59 PM on Tuesday, April 26, 2016, at the Buena Vista Community Center, Pinon Room, 715 E. Main Street, Buena Vista, Colorado by Mayor Joel Benson. Present were Mayor Joel Benson, Trustees Lawanna Best, Eric Gibb, Duff Lacy, Mark Jenkins, Phillip Puckett, and David Volpe, and Town Administrator Brandy Reitter, Town Attorney Jeff Parker, Principal Planner Mark Doering, Treasurer Michelle Stoke, Public Works Director Greg Maggard, Assistant to the Town Administrator Emily Katsimpalis, IT Director Larry Deffenbaugh, and Town Clerk Janell Sciacca.

ROLL CALL :11

Town Clerk Sciacca proceeded with the roll call and declared a quorum.

PLEDGE OF ALLEGIANCE :29

Mayor Benson led the Pledge of Allegiance.

PROCLAMATION – MUNICIPAL CLERKS WEEK 1:10

Mayor Benson read the proclamation into the record and signed it declaring May 1-7, 2016 as Municipal Clerks Week.

AGENDA ADOPTION 02:50

Benson noted a change to item D – Selection of Mayor Pro Tem moving it between J and K. Gibb suggested moving Consent Item B – Advisory Boards and Commissions Manual to Business Items stating he felt it not appropriate to vote on a policy document when the corresponding item of the Trustee role as a liaison is being discussed by the Board during the policy discussion. Lacy stated that the Board has seen the manual and has been providing feedback so the document should be up to date with the Trustees comments if they were being provided to Staff as requested.

Motion #1 by Trustee Lacy and seconded by Trustee Jenkins to approve the agenda as presented inclusive of moving Item D – Selection of Mayor Pro Tem to after Item J. **Motion carried, 5-1** with Gibb voting Nay.

CONSENT AGENDA 06:48

A. Minutes

1. Regular Meeting – April 12, 2016
2. Planning & Zoning Commission – April 6, 2016
3. Recreation – March 9, 2016
4. Trails – March 1, 2016

B. Advisory Boards and Commissions Manual

Mayor Benson asked that the April 12 meeting minutes be amended on page 4 to add the word "could" in 5th full paragraph to clarify the "Board could have two Resolutions in each packet."

Motion #2 by Trustee Lacy and seconded by Trustee Puckett to approve the Consent Agenda as amended. **Motion carried, 5- 1** with Gibb voting Nay.

POLICY DISCUSSION – Role of Trustee Liaison. 07:57

Mayor Benson noted the Staff memorandum in the packet and gave a brief introduction. He asked Reitter to provide an overview. Reitter reviewed and noted the policy questions that the Board needs to address. Puckett felt this gives clarity to the role and he appreciated the clarification about member attendance. Lacy also felt it answered questions and helped with an understanding that a board will contact the Trustee if they need something. Volpe was good with it. Jenkins asked how the liaison communicates back to the Trustees. Benson replied it would vary. He stated that he will often talk with Staff or send an email while other Trustees will provide a general update at the regular meetings. Puckett felt it was good to participate and interject on processes or provide guidance and perspective. He also felt the role was to ensure the Staff liaison was participating as well. Reitter stated that Staff put a lot of time and effort into this and she complimented Katsimpalis on putting the manual together.

PUBLIC COMMENT 21:30

Lois Walton, 33960 Surrey Lane, representing the Trails Advisory Board. She stated that the board heard about the proposed launch site in South Main and were concerned about the trails in that area. The Board was concerned about social trails being cut and potential erosion and felt the Town should monitor the situation. There are no restrooms in that area which could be a problem. Walton also addressed the pocket park proposal in Sunset Vista IV stating the Trails Board is completely in support of. She reminded the Trustees of the cash-in-lieu proposal years ago for development of a trail on the north side of that subdivision and it still sits a weeded, rutted area. The paving of Rodeo Road Trail this year will connect with Peaks View Trail and it would be nice to include the continuous trail on the easement. Approximately \$50,000 was set aside for open space in that subdivision and they would like to see some improvements of grading or a light surface. She also distributed the brand new trails brochure which includes park and recreational facilities.

Marcus Trusty, 137 Windwalker, representing the Recreation Advisory Board. He addressed an RFP the board received at their last meeting regarding four proposals for community parks, the potential baseball field and the community garden. The members felt each deserved attention and the board would like to operate on past process with a set budget for the builds. The priority ranking is 1. Community Center Parks, 2. Sunset Vista, 3. Baseball Field and the 4. Community Garden. The board would like to separate out 1 and 2 to allow for a lot of community input and participation. The board felt that if the Baseball Field is a big ticket item, maybe other designs could be looked at to expand the facility for multi-use within the Mastering planning already done for the River Park. Regarding the Community Garden, the board would like to further discussion with the middle school and the Turner Farm. Both groups have been contacted and the board hopes to provide feedback to the Trustees at a later date. He noted the RFP is scheduled to go out tomorrow which does not leave a lot of time to talk about them, but the Rec board would like all these projects to be considered for funding in the 2017 budget.

Dan Hamme, 29383 CR 358, addressed Ordinance 3 regarding marijuana signage. He and his wife felt the ordinance should be revisited. They are full agreement to be in compliance with State statutes, but questioned the word "symbol" in the proposed ordinance and felt it should be clarified to industry standard.

Lenny Eckstein, 119 Meadow Lane, appeared representing East Main businesses. They would like Board to consider an ordinance to form an Entertainment District similar to Salida on East Main in order to bring more vitality to Main Street. He submitted a list of 30 businesses with 19 signatures in support of the proposal stating he did not get a chance to meet with everyone.

RESPONSE TO PUBLIC COMMENT 34:17

Mayor Benson thanked Walton for her comments about the social trails, staging, restrooms and for the reminder about the Dean Hyatt money for the trail and also for the brochures and pulling those together. He also thanked Trusty for the RFP points and stated the RFP date can be changed. Reitter stated the process should be started sooner rather than later in order to meet fall grant deadlines. Puckett asked if an RFP was done now, how are the public process details settled later. Reitter replied the architect would gather community input and incorporate that in to design. Gibb was concerned about the process stating his comments dovetailed into some earlier expressed concerns that Advisory Boards are not being paid respect to allow them to advise on projects in their purview. Benson felt there was good feedback tonight and he was inclined to wait with the RFP and possibly the discussion could be continued later in the evening. Benson advised Hamme the Board would be taking a look at the ordinance and thanked him for bringing up the point about the symbol. Benson also thanked Eckstein and the others in attendance for bringing up the Salida district and stated if the Trustees want to explore that the Board can direct Staff to do that. The Board agreed to address the Entertainment District matter later in the evening.

BUSINESS ITEMS

Boat Launch Presentation by Recreation Advisory Board. 40:24

Recreation Advisory Board Co-Chair Earl Richmond and Recreation Supervisor Emily Osborn, and Adventure Hub owners Kevin Meadows and Jon Donaldson presented. Richmond stated the board was contacted 4 weeks ago about access issues at South Main boat ramp by Meadows. Last year the area was used by another company as a put-in and take-out area. The board met with them last week and following a detailed presentation recommends the Trustees allow this location as a second commercial launch site and also allow commercial access for kayaking and sup instruction and rafting trips. Both Meadows and Donaldson felt they could address any issues that were raised by the Town. Osborn reviewed the Town Code requirements and noted the current Town launch application form can easily be amended to accommodate the addition. She felt this could be good for multiple recreation related reasons as long as it does not negatively impact trail users. Richmond noted the addition of this site would decrease congestion at the current site and the filtration of companies using it will occur naturally. Benson noted this would require a code change as the proposed location is not a designated launch site.

Kevin Meadows, 34000 Surrey Lane with Jon Donaldson, 15670 Birdie Lane, stated they have been doing this for 15 years. They are not talking about launching all boats from this location and from a practicality standpoint most other companies would not be using it. They felt it was a positive thing to see users in the area and stated their company will have policies to address trail use. Puckett appreciated them addressing trail concerns and conflicts. Gibb felt the Town should do this and was appreciative of their sensitivity to use of Whipple Bridge. Donaldson felt clearer guidelines at the permitting process would be helpful. Lacy really liked the whole idea but was concerned about the size of vehicles trying to make it through Front Loop. Benson clarified this could be part of the permitting process. Lacy gave a head nod but felt further process was needed. Benson then asked that Staff come back with a code amendment for this as a launch/take out site as well as clean up other assorted loose ends in the code working with the Recreation Advisory Board. Parker recommended that the code be amended to allow for the site or designation of sites and the regulations and restrictions be part of the permitting process which could be updated whenever necessary.

Motion #3 by Trustee Lacy and seconded by Trustee Best to direct Staff to clean up the code and work with the Recreation Advisory Board and Recreation Department to clean up the regulations for use of the area for ratification by the Board of Trustees. **Motion carried, 6-0.**

Discussion Regarding Appointment of Trustee Liaisons to Advisory Boards and Designation of Official Town Representatives to Community Based Boards and/or Activities. 58:35

Benson stated this item gets to the earlier conversation and noted the comprehensive list of boards and community groups with meeting times and dates. The Board went through each board and the following appointments were made:

Recreation Advisory Board – Jenkins
Trail Advisory Board – Volpe
Tree Advisory Board – Puckett
Beautification Advisory Board – Gibb
Airport Advisory Board – Best
UAACOG – Benson
Heritage Board – Jenkins
Economic Vitality Advisory Board – Volpe
Transportation Advisory Board – None
Transportation Planning Region – None
Upper Arkansas Water Conservancy District – None
Chamber of Commerce – Best
Water Advisory Board – Lacy
BV Main Street – Volpe
Chaffee County Economic Development Council – Benson
CML Policy Committee – Jenkins
Arkansas River Basin Roundtable – Salida Representative Jay Moore

Should the Board approve adoption of Resolution #31, Series 2016, entitled "A RESOLUTION OF THE BOARD OF TRUSTEE OF THE TOWN OF BUENA VISTA, COLORADO DENYING A SPECIAL USE PERMIT FOR 102 BROOKDALE AVENUE, BUENA VISTA, COLORADO."? 01:04:45

Lacy recused himself and left the dais. Parker reviewed the process to date and then clarified the process for the evening being for the Board to decide if the proposed resolution accurately reflects the decision of the last meeting. He noted the applicant can bring forth another application as nothing in the code prevents that. Benson suggested that number 2 under Section 1 needed amended as there is no hotel as an adjacent use. Parker replied that could be amended to read "used for businesses and single family residences." Benson questioned number 5 and did not recall if that was discussed. Puckett agreed. Gibb felt that based upon the evidence and discussions, this accurately represents the concerns

Motion #4 by Trustee Gibb and seconded by Trustee Jenkins to adopt Resolution #31 subject to the changes announced. **Motion carried, 5-0.**

Selection of Mayor Pro Tem. 01:09:55

Benson read the applicable code section of the Mayor Pro Tem duties and stated the position signs checks and other documents and facilitates meetings when the Mayor is not available and also carries out the Town Officer evaluations. Trustee Lacy stated that he believed it was time for someone else to get their feet wet. Both he and Benson will be term limited in 2 years and it is important to bring in someone else to learn the process and get comfortable to help a new Mayor.

Motion #5 by Trustee Lacy and seconded by Trustee Gibb to appoint Trustee Puckett as Mayor Pro Tem.
Motion carried, 6-0.

Benson stated the Board needs to update the duties of the Mayor in policy documents. Gibb suggested that the Board should look at this with Reitter's comments about whether the description should be expanded or contracted. Reitter agreed and felt if the duties were in the Policy Document then the code did not have to be amended when updates were needed

Should the Board approve adoption of Resolution #35, Series 2016, entitled "**A RESOLUTION OF THE BOARD OF TRUSTEE OF THE TOWN OF BUENA VISTA, COLORADO REAPPOINTING BRANDY REITTER AS TOWN ADMINISTRATOR.**"? 01:15:10

Motion #6 by Trustee Gibb and seconded by Trustee Lacy to approve Resolution #35 as presented.
Motion carried, 6-0.

Should the Board approve adoption of Resolution #36, Series 2016, entitled "**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO, REAPPOINTING JEFFERSON PARKER AS TOWN ATTORNEY.**"? 01:15:30

Motion #7 by Trustee Puckett and seconded by Trustee Lacy to approve Resolution #36 as presented.
Motion carried, 6-0.

Should the Board approve adoption of Resolution #37, Series 2016, entitled "**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO, REAPPOINTING JANELL SCIACCA AS TOWN CLERK.**"? 01:15:45

Motion #8 by Trustee Volpe and seconded by Trustee Lacy to approve Resolution #37 as presented.
Motion carried, 6-0.

Should the Board approve adoption of Resolution #38, Series 2016, entitled "**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO, REAPPOINTING NEIL REYNOLDS AS MUNICIPAL COURT JUDGE.**"? 01:16:06

Motion #9 by Trustee Jenkins and seconded by Trustee Lacy to approve Resolution #38 as presented.
Motion carried, 6-0.

Should the Board approve adoption of Resolution #39, Series 2016, entitled "**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO, REAPPOINTING MICHELLE STOKE AS TOWN TREASURER.**"? 01:16:25

Motion #10 by Trustee Lacy and seconded by Trustee Volpe to approve Resolution #39 as presented.
Motion carried, 6-0.

Should the Board approve adoption of Resolution #34, Series 2016, entitled "**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO REAFFIRMING THOSE PERSONS WHO ARE AUTHORIZED TO SIGN ON TOWN BANK ACCOUNTS.**"? 01:16:43

Benson noted this item was moved on the agenda and the blank could not be filled in with Phillip Puckett.

Motion #11 by Trustee Lacy and seconded by Trustee Jenkins to approve Resolution #34 as amended.
Motion carried, 6-0.

CONTINUED FROM APRIL 12, 2016 - PUBLIC HEARING – Consideration of Application for Change of Location for Retail Liquor Store License for the Little Daisy Company dba Little Daisy Company, 302 US Highway 24 North, Buena Vista, CO. 01:17:25

Applicant Seldon Turnbull addressed the Board and advised he was withdrawing his application due to the earlier decision to deny the Special Use Permit for 3D Auto at the location he was proposing to move in to. Parker advised that the Board needed to take no further action.

PUBLIC HEARING – Should the Board approve adoption of Resolution #40, Series 2016, entitled “A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO, APPROVING A MINOR DEVELOPMENT FOR THE PROPERTY LOCATED AT 724 N. HIGHWAY 24, BUENA VISTA, COLORADO.”? 01:19:24

Doering presented reviewing the Staff memo and a PowerPoint presentation detailing the project analysis. He reported that both Staff and the Planning Commission recommended approval.

Mayor Benson opened the Public Hearing. Alex Hoime, 6163 East CR 16, Loveland, CO representing applicant stated there was a lot of great stuff going on and he loved the Town. Hoime elaborated that O'Reilly bought their property based on a metes and bounds description and this plat is resolving miscommunication. The process has been followed with Staff to ensure this is a legal plat and process. This is for O'Reilly Auto Parts which will be constructed this summer to include a 7,000 sf building. There being no further comment, the Public Hearing was closed.

Motion #12 by Trustee Best and seconded by Trustee Gibb to approve Resolution #40 as presented.
Motion carried, 6-0.

PUBLIC HEARING – Should the Board approve adoption of Resolution #41, Series 2016, entitled “A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, APPROVING AN AMENDED PRELIMINARY PLAN, FILING 1 FOR THE COLORADO CENTER PUD.”?

PUBLIC HEARING – Should the Board approve adoption of Resolution #42, Series 2016, entitled “A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, APPROVING A PRELIMINARY PLAT FOR FILING 3 OF THE COLORADO CENTER PUD.”? 01:29:02

Doering informed the Board he would be making one presentation for Resolutions 41 and 42. He presented reviewing the Staff memo and a PowerPoint presentation detailing the project analysis. He reported that both Staff and the Planning Commission recommended approval of the Filing #1 Amended Preliminary Plan and Filing #3 Preliminary Plat for Colorado Center with the respective conditions. Parker that the plan shows the east/west road as an easement and we generally request they be dedicate in fee for more rights. An easement does not divide ownership of the lots. If it is a dedicate right-of-way it would split the lots. The Planning Commission recommended the roadway be dedicated in fee and then the southern parcels would have to be separate lots. Regarding the drainage pond issue, the Town cannot put a note on a plat to requiring property not subject to the plat to do something. They would have to get an easement from the northern property for the drainage property and there would be a separate easement document. Puckett asked if condition 5 was appropriate since it does not control sanitation. Parker felt that a subdivision does require adequate sanitation and it can be a reason to deny. Gibb asked if the reason for the easement is to eventually access the park land. Doering replied it was proposed for regional connections for the overall PUD and the Planning Commission is recommending it be a dedicated right-of-way.

Mayor Benson opened the Public Hearing. Lois Walton, 33960 Surrey Lane, stated this was presented to the Trail Board many years ago and they stated they would be interested about a trail along the main part of the road and she asked what was considered for the right-of-way and felt if there was a public park they would certainly like to have access. Benson closed the Public Hearing.

Syd Schieren, Landmark Surveying, representing applicant. Stated the road being discussed is not required or necessary for Filing 3 and is not needed and there aren't any improvements proposed for road construction or trails for this filing. It is reserved for when and if the southwest area is developed. He clarified there are not streets proposed for Filing #3 because the lots have access on to the County Road. He noted that part of the challenge for the easement versus right-of-way is that the Sanitation District has limited them to 4 on-site systems and this limits what the lots can be used for in the future. This is the real reason they are resistant to dedication of the road.

Ron Southard, owner/developer, stated the street could easily be moved to the North side of the parcels and would keep the lots together as well as put a potential future path through the park. The subdivision has about 4 miles of bike paths and trails with 3 trails crossing the open park in various patterns for circulation through the park. There are no wells allowed but in the original approval of the open space/park there was provision made for an irrigation well which would be dedicated to the Soccer Club and that didn't happen but he assumed the Town would want that for the Town Park. There is an existing hand dug well and could be used for this. Putting the road in serves no lots and could be omitted or be put on the north boundary in the final plat, that would increase the park space and decrease the lots and would not split them.

After discussion about an alternate road location and parks, Parker stated that the Town could provide with the condition that Preliminary Plan be modified to provide an access but he was concerned the Public Works Department had not had a chance to review this. Schieren clarified that engineering is part of the final plat. Parker drafted an additional condition for the Trustees to consider.

Motion #13 by Trustee Lacy and seconded by Trustee Puckett to approve Resolution #41 as presented with conditions. **Motion carried, 6-0.**

Motion #14 by Trustee Gibb and seconded by Trustee Lacy to approve Resolution #42 as amended with condition 3 to read "The southern road shall be moved to the north and dedicated as a public right-of-way or it shall be relocated to the southern boundary of the property and dedicated as a public right-of-way. **Motion carried, 6-0.**

The Board of Trustees took a 5-minute break at 9:08PM and the meeting reconvened at 9:13PM.

Should the Board approve adoption of Resolution #43, Series 2016, entitled "**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH SCHEUBER+DARDEN ARCHITECTS, LLC FOR THE HISTORICAL STRUCTURE ASSESSMENT OF MCGINNIS GYMNASIUM.**"? 02:14:01

Katsimpalis reported this is to formally approve Scheuber+Darden as the architect to perform the McGinnis Gymnasium HSA grant assessment awarded by History Colorado. There is no match required and the \$10,150 is expected to cover expenses. Gibb asked about the delivery date. Katsimpalis replied the full assessment and all reports must be completed by January 2018.

Motion #15 by Trustee Best and seconded by Trustee Lacy to approve Resolution #43 as presented. **Motion carried, 6-0.** Best, aye; Gibb, aye; Jenkins, aye; Lacy, aye; Puckett, aye; and Volpe, aye.

Should the Board approve adoption of Resolution #44, Series 2016 entitled "**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, AUTHORIZING AND APPROVING A LEASE AGREEMENT FOR THE ST. ROSE OF LIMA PARK CHAPEL WITH THE BUENA VISTA AREA CHAMBER OF COMMERCE.**"? 02:17:12

Reitter reported this is something the Town does every year with the Chamber. The property is owned by the Town and the Chamber takes care of the property and it is a good relationship. Lacy inquired about the insurance requirements due to the revised floodplain maps. Reitter replied the Town has actually been covering the building for years. Lacy stated the insurance provision should be removed from the agreement.

Motion #16 by Trustee Lacy and seconded by Trustee Jenkins to approve Resolution #44 as presented with number 3 of the lease being stricken. **Motion carried, 6-0.**

Should the Board approve adoption of Resolution #45, Series 2016 entitled "**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, DESIGNATING A CREATIVE DISTRICT TO BE NAMED THE BUENA VISTA ARTS COMMUNITY.**"? 02:19:55

Reitter reported this is a requirement of the application. Benson questioned if this was approved in 2014 does the Board have to do it again. Reitter replied yes and in 2014 the Town applied to the candidacy program which is no longer required.

Motion #17 by Trustee Lacy and seconded by Trustee Puckett to approve Resolution #45 as presented. **Motion carried, 6-0.**

Should the Board approve adoption of Resolution #46, Series 2016 entitled "**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, APPROVING A QUIT CLAIM DEED TO THE BUENA VISTA SCHOOL DISTRICT R-31.**"? 02:26:25

Benson stated this is somewhat of a cleanup measure from some time ago. Doering presented reviewing the Staff memo and a PowerPoint presentation detailing the specifics of the proposal. He noted that the Town never received title to the property because it was never actually deeded over. The School District is now seeking to expand the middle school facilities and needs to clear up the title.

Motion #18 by Trustee Gibb and seconded by Trustee Jenkins to Resolution #46 as presented. **Motion carried, 6-0.**

TABLED FROM JANUARY 12, 2016 – Should the Board approve adoption of Ordinance #3, Series 2016, entitled "**AN ORDINANCE OF THE TOWN OF BUENA VISTA, COLORADO, AMENDING SECTION 6-65 OF THE BUENA VISTA MUNICIPAL CODE REGARDING SIGNAGE REQUIREMENTS FOR MEDICAL MARIJUANA BUSINESSES.**"? 02:30:30

Benson reminded that this was tabled in January until after the Election. Parker clarified that the way it is written now, no symbols including the green cross would be allowed. Lacy stated that he asked for a clarification between retail and medicinal, but in his opinion the code should be whichever is the less restrictive of the two and symbols are a non-issue because they were accepted before. Benson clarified that the Board did not actually need to make any changes. Lacy felt the Trustees could realistically review the code to fine tune it bring something cleaner back to the Board. The resolution died for lack of a motion.

Should the Board approve adoption of Ordinance #6, Series 2016, entitled "**AN ORDINANCE OF THE TOWN OF BUENA VISTA, COLORADO, AMENDING SECTION 17-26 OF THE TOWN OF BUENA VISTA MUNICIPAL CODE REGARDING SUBDIVISION EXEMPTIONS.**"? 02:36:05

Doering presented stating this is another interim fix until the Unified Development Code is adopted. In the current subdivision ordinance there are four (4) different provisions for exemptions. He explained that this gives Staff the ability to administratively move property lines if an application meets criteria. Doering clarified that properties that have never been part of a subdivision are not eligible for the process. This speeds up the process for some changes and corrections as well as moving and adjusting lot lines, but does not allow for the creation of more lots. Benson clarified that through this process an applicant can realign things. Doering replied he was correct. Gibb felt it was great that the Town is looking at administrative ways to streamline processes, but questioned whether an applicant could manipulate the lots to change the essence of a neighborhood. Doering replied zoning standards require minimum sizes. Jenkins believes this is a good idea as he recalled a few Planning & Zoning meetings where they questioned why they were reviewing such an application.

Motion #19 by Trustee Volpe and seconded by Trustee Lacy to approve Ordinance #6 as presented. **Motion carried, 6-0.**

Motion #20 by Trustee Best and seconded by Trustee Lacy to put the Entertainment District discussion on the agenda prior to the Strategic Objective Quarterly Monitoring Report. **Motion carried, 6-0.**

Entertainment District Discussion 02:46:25

Benson stated that the Board would need to direct Staff to draft an ordinance for an Entertainment District. Lacy would like to see the Salida Ordinance and how they are using and controlling it. He sees room for this in certain instances, but wants to see how its controlled. Puckett agreed. Gibb stated he would be interested in how it is controlled. Lenny Eckstein, stated they had spoken to downtown businesses and they found they don't have the details yet, but want to get it in place. They don't want bulldoze anyone and he thinks reviewing Salida's ordinance was very informative and would be good for the Town to look at it as well. Benson inquired if an event triggers this. Eckstein replied ongoing events would give the framework. Reitter stated this makes sense if it can be done with the necessary parameters. Lacy reminded that there was kick-back from business owners when South Main discussed an umbrella type approval, but he could not say that would happen again. Gibb also felt it was a great thing to explore, but asked if the group would be willing to do some of that and having champions for some of these things is a good idea. Benson felt that perhaps the group could be given a head nod to make available to the Board the Salida information and then go more in to depth at a future meeting. Reitter felt a collaborative presentation would be a good idea to cover both the community and regulatory issues. Lacy felt Sciacca could send the Salida ordinance to the Trustees to begin reviewing.

Strategic Objectives Quarterly Monitoring Report. 02:56:36

Reitter presented reviewing the Staff memo. She noted the Treasurer report was not included due to Hickman's retirement. She reviewed the list of changes.

She reported that Staff met with CDOT today and the Arizona Trail project is still alive. They said that if the Town does not do something it will have to pay back the Federal Government almost \$70,000. The Town will be working with new property owners to hopefully get this finished as soon as possible. The design is already 75% done and bids can be sought soon. The permits have been obtained.

The upcoming park design RFP was discussed. Reitter stated the Town RFP process is very much administrative. Following discussion about holding up the RFP to allow the Recreation Board to have input, Lacy felt the Town should go ahead with the RFP. Benson felt a meeting with necessary with the Recreation Advisory Board and the RFP should be held. Reitter stated she would hold the RFP. Puckett suggested someone meet with Trusty and others from the Recreation Board about the Town processes on RFPs. Lacy disagreed and felt holding off was hurting the Town.

Puckett stated that he really likes the report and it helps the Trustees to get a feel for how things are going. He reported he is getting a vibe to develop and bring business and house to Town. He wanted to hear how things are going and maybe what is coming as well if process changes were helping development move forward

Gibb asked when the Town would hear about an award from Urban, Inc. if the Town applies in June. Reitter replied the last time the Town heard within 30 days, so maybe July. Reitter stated Urban, Inc would be coming to a Trustee meeting to provide an update. Gibb asked if the design was similar as well. Reitter replied she had not seen the design. Gibb felt there should be a backup plan.

Benson thanked Reitter for her thoroughness.

STAFF REPORTS

Town Administrator 03:29:22

- Board retreat will be moved to May 3 at 5:30PM at the Airport
- Code Enforcement Officer starts next Tuesday, May 3
- Summer Rec programs are starting
- Economic Vitality Board meets Thursday, April 28 at the Community Center at 6PM

Town Treasurer **03:31:30**

- Page 185 shows revenue and expenses and where Town is at
- All other pages are detail supporting last two pages
- Auditors finished field work in April, but Town still owes them some items
- Requested and received approval from Board to put off quarterly report for one-two more meetings so she can make more accurate after adjustments
- Trustees are to send Stoke information by email as to what they want to see in the future reports
- Gibb asked if Stoke has any concerns and Stoke replied she did not and felt the Town was well within budget and nothing was causing concern at this time

Town Clerk **03:41:08**

- Noted report in packet and available for questions

Principal Planner **03:41:23**

- Looking at 2016 total revenue the Town is already half way to what was done last year
- Working on 2nd module of UDC, taking a look at it and will run through the steering committee and Planning & Zoning Commission before bringing back to the Board
- Jill Abrell is new Planning Tech and is being trained by Scott Reynolds
- FEMA meeting is tomorrow and was advertised in paper, put on web and FAQ letters were mailed
- Lacy inquired about the Minor Subdivision Final Plat for 102 Brookdale and Doering said the applicant still knows that needs to be done

Motion #21 by Trustee Lacy and seconded by Trustee Best to approve the facility rental fee waiver requests for the Boys and Girls Club, Chaffee County EMS and United States Forest Service. **Motion carried, 6-0.**

TRUSTEE/STAFF INTERACTION 03:49:35

Volpe asked about a trigger or mechanism for additional access to South Main. Benson stated that there was discussion about this approximately 2 years ago to require maintenance on the non-road known as River Park Road. Discussions stalled and there is no real trigger, but maybe it can be included in Phase 2. There was also suggestions that it could possibly be included with the boat launch discussions.

Volpe reported that the next week is Bike and Walk to school week.

ADJOURNMENT 03:53:00

Motion #22 by Trustee Puckett, seconded by Trustee Lacy, noting that there being no further business to come before the Board, declared that the meeting be adjourned at 10:53 PM. **Motion carried, 6-0.**

Respectfully submitted:



Janell Sciacca, CMC
Town Clerk

Joel Benson, Mayor

Minutes
TOWN BEAUTIFICATION BOARD MEETING
Thursday, April 14, 2016

The meeting was called to order at 5:07 p.m. at Collegiate Peaks Realty.

Present: Members Joy Duprey, Sue Kuklin, Diane Look, Tom Rollings, Donna Schaeffer, Jennifer Wright; Emily Katsimpalis, Assistant to the Town Administrator; Greg Maggard, Public Works Director.

APPROVAL OF MINUTES

The minutes from the March 3, 2016 meeting were approved.

OLD BUSINESS

Funds

- We haven't spent any funds in the past month.

Student Bench

- Dillon Tanner, a junior at BVHS, is building a bench for us this year. It will be sprayed again by Custom Linings before being placed on Main St.

Planting Day/Railroad Track Fix-Up Day

- Date set for Friday, June 3rd.
- Clean up planters, including scuff marks (w/Magic Erasers).
- Volunteers should trash bags, broom & dust pan, trowels, gloves for the planters; rakes and shovels for the parking area.
- Still planning on cleaning up the north railroad parking area at the same time.

Xeric Deer-Resistant Curbside Educational Gardens

- Marcia Brown and Michael Fisher are the master gardeners working on the design.
- Town will prepare an RFP for design and installation of these educational gardens.
- Town Beautification will be responsible for educational signage.

Adopt-A-Planter

- Joy has created a draft of the flyer. We'll distribute these in May. This year, we'll include adopting an educational signage for the xeric gardens.

Light Pole Banners

- Joy will work with the town brand designer to get the design put onto banners. The budget for this is \$1000. The remainder of the necessary funds will come out of the sign budget.

Optimist Park Planters

- The landscaper was in the planters working on the irrigation system.
- Greg will have kids on Bless BV days finish building the one incomplete day.
- We won't use mulch or rocks in planters – they get in the drain, or kids could throw them; instead, we'll plant ground cover.
- Planting day set for Saturday, June 11th.
- We'll contact the Optimists to see if they want to help.

New Bees Workday

- It's possible that New Bees will want our help to clean up their front area. We'll keep in touch to determine how we can help.
- We set a tentative date of Saturday, July 9th.

Tree Trunk Light Wraps

- We're putting this on hold – the streetlamp project may need to be phased, meaning we won't have power to the light poles for awhile.

NEW BUSINESS

Thank Yous

- We will write notes for the master gardeners, Marcia and Michael, who created the xeric plant plan. Nancy will do this.

Anything we should know from the Town?

- Emily suggests we start thinking about the budget early – to be ready by August.

Discussion Items for Next Meeting

- We'll consider re-introducing the curb appeal award this summer.

Next Meeting

- The next meeting will be Thursday, May 5th at 5 p.m. at Collegiate Peaks Realty.

Adjournment

- The meeting was adjourned at 6:45.



Buena Vista Trails Advisory Board Minutes

Public Works Building

April 5, 2016

Present: Lois Walton, Nancy Anderson, Kathy Hoerlein, Ed Eberle, Greg Maggard, Emily Osborn, Emily Katsimpalis, Ryan Cole (Arizona St. Homeowner)

I. **Meeting called to order 9:03am**

II. **Agenda approved** with the addition of Ryan Cole

III. **Minutes approved** as corrected

IV. OLD BUSINESS

● **Public Works Director's report (Greg):**

- a) CDOT's involvement with the Arizona Trail project is officially ended due to lack of progress. The project will continue via Town of BV, using plans originating with CDOT.
 - b) Ryan Cole discussed his willingness, as the affected homeowner, to work with Town to help make the Arizona Trail happen. He stated his preference to minimize the impact on his property (ie: refrain from cutting property in half). Noting the ineffectiveness of the current culvert during high water, he expressed the hope that a part of the trail project could include improving the culvert to alleviate flooding issues. Ryan provided Greg copies of culvert flow capacities and agreed to work with Greg in planning the project. Review of the existing plans show that the trail, itself, will be on Town right-of-way, requiring only a temporary easement during construction. Ryan mentioned the potential of a FEMA Floodplain Grant. Kathy expressed her desire for a site visit, which everyone agreed is a good idea.
 - c) Rodeo Rd. will be paved Summer 2016
 - d) Gregg Dr. will be paved Summer 2017 and will use all available funds in 2017
 - e) DOC is slated to extend RR Trail to Baylor Summer 2016. Crew scheduling is in progress
 - f) The Trails Maintenance employee has been hired from current seasonal crew. He is experienced and will start April 11th, 2016 as a FT Seasonal employee.
 - g) The new Striping Machine arrives today (April 5th) and research is being done regarding the use of green paint to define bike lanes.
 - h) The CR 317 paving contract has been approved by the County, but no date for completion has been set.
 - i) The well has been installed at the River Park and the irrigation line is being installed today (April 5th).
 - j) The shade structure for the Dog Park has been located and will be installed soon. Patrons have reported a need for "dog bags" at the park. Budget funding of \$10,000 has been allotted for Dog Park Amenities (earmarked for "agility equipment"). Emily O., Greg and Ed will meet to determine purchases. Emily O. remarked that the Dog Park will remain right where it is, no plans are being made for relocation. Emily K. reported that the 2nd stage of the Brownsfield Study will occur Summer 2016.
 - k) The Colorado Center is looking at developing 3 lots next to an Open Space area, but is not ready for TAB involvement.
 - l) This evening (April 5th) is the Hwy 24 CDOT project public meeting. The meeting is to explain and answer questions regarding the project.
- **Brochures (Ed):** The brochures are in print this week and should be done within 2 weeks. The Denver printing company that prints the FoF maps & printed ours last year (@ 3,000 maps/\$1,500) matched the Aspen Leaf quote of 10,000 maps/\$1,500. Ed asked for input regarding payment for Kathy McCoy's design work. After discussion, it was agreed that there needs to be a formal agreement between Town & Kathy to cover her work for Town, rather than the current practice of work being done, payment established afterward.. Emily O. offered to take the issue to the Town lawyer. A list of tourist-based locations for map

placement is being made and it was decided that there needs to be a central location for business owners to re-supply. The Chamber of Commerce is the logical location. Ed and Emily O. will do the initial distribution by May. Remaining money from the \$3,200 maps budget will be used to purchase materials for new boxes.

- **CMA Committee Report (Emily):** Emily distributed copies of the draft proposal for the trail connecting the Midland Hills Bridge to the Whipple Trail. She will e-mail the proposal to TAB members for corrections and suggestions. The proposal will go to the Rec. Board on April 13th, then to the BLM. The goal of the proposal is to utilize the current CMA to bringTown and the BLM to the table to collaborate in expediting the process for new trail design and construction. Questions were asked re: BLM's plans to mitigate the Whipple erosion issues; Emily O. was not aware of such plans.
- **Other:** None

V. NEW BUSINESS

- Upcoming Events: None
- Other: Emily O. presented as FYI that River Runners has purchased the South Main Buffalo Joe's rafting company. Kevin, River Runner's owner approached Emily with the concept of utilizing the area by the "outdoor living room" to take out 1/2 day trips, instead of the Town boat landing. She discussed trail disruption issues with him and let him know that she, as Town Rec Director, can't make the decision to approve the proposal. His request is not on the April 12th Trustee agenda, but he is planning to make a public comment at that meeting. It was decided that TAB can not address the issue without knowing the details, but if once plans are known, we may make a recommendation to the Trustees. Good idea for TAB representation at April 12 Trustee meeting to hear and learn about River Runners' proposal.

VI. Adjournment 10:35am

Next Meeting: May 3, 2016

Minutes submitted by Nancy Anderson

Minutes approved as written (Date) 05/03/16 by



Buena Vista Tree Advisory Board

Minutes of April 7, 2016

The meeting called to order by Tom Liverman at 3:07 pm.

In attendance were: Tom Liverman, Roy Gertson , Kathryn Hardgrave. & Greg Maggard
Agenda adoption by Chairman Tom Liverman .

Minutes from the March 3, 2016 meeting were approved by motion from Tom and 2nd
by Roy

Volunteer Time Ledger , 11 hrs for administration , trade show, & tree order

Work plan reviewed , on schedule , Arbor day upcoming

Citizen Earl Richmond approached the Board on a planting project for 2017 along Cedar
Ave. Continuation of the tree scape similar to the concept of tree lined streets. Board will
evaluate planting sites and costs.

Public Works Report

Greg reported that Brady's Nursery only warranted the E. main Trees for 6 months,
which is not even a growing season. Gregg will contact Brady's again and request a
longer warranty time. The Board is concerned with several trees that were distressed
during planting.

Arbor day proclamation approved by Town Council .

Set-up inspection of large Spruce trees at 895 Yale Ave. Homeowner concerned with
their condition.

Colorado State Forest Service Report : Kathryn presented the Tree City USA Award
and Growth award for the 28th year.. A presentation by CSFS on recognizing tree's
health , April 5 12 noon at BV Library was well attended and informative.

Business;

1. Discussion of upcoming Arbor day on May 20th and the award for the CTC grant. The
planting consists of 7 new trees and an irrigation system along east side of Evans St.
Trees have been ordered through Little Valley Wholesale Nursery and will be
delivered the week before our planting date. Staking will be conducted after the May 5
meeting. Public Works and other Town employees are invited to help with planting
and installing the irrigation system. Greg to prepare a press release and notification for
volunteers. An educational discussion will start off the day at 0900.
2. Trade Show on April 2. with Tom, Greg, & Dan was very successful. with several
public visits and giving away 50 Ponderosa Pine seedlings.
3. GIS tree update is on hold until a new planning intern is assigned.
4. Rodeo Rd tree snow-fence maintenance project is being scheduled w DOC work
crews. Project involves trimming branches around base, removing some topsoil to the
expose the weed fabric and cut it back from tree trunks.
5. Tree order for this years planting has been ordered from Little Valley Nursery, twenty
trees will be delivered for the Arbor day plantings and adopt a tree program.

6. **Other Business:** Planting Guide to be adopted by Town Council at their April 12th meeting

Final Comments: Prepared agenda for May meeting

The next meeting will be May 5, 2016, 2 PM at Public Works.

Adjournment

The meeting was adjourned at 3:20 PM by motion by Roy and 2nd from Tom.

Respectfully submitted,



Roy Gertson

Secretary



Buena Vista Police Department

713 E. Main St.
P.O. Box 1310
Buena Vista CO 81211
719) 395-8654
719) 395-8655 fax
bvpd@buenavistaco.gov

Chief's Report April 2016

We want to welcome the two new Trustees, Lawanna Best & Mark Jenkins. We can assure you that this will be an adventure of a life time, just ask the Mayor & the other Trustees!

Our body cameras are one of the best investments our tax dollars could make. We had a use of force complaint from a citizen & 3 minutes of one of our officer's video & audio recording took care of that complaint. When we first purchased our body cameras we made a statement to our news media the day we issued them; "Wearing a body camera makes a good cop better and a bad cop gone". This still stands true.

We had a really good Team Meeting the 20th. Phillip Rodriguez our Assistant Fire Chief came and re-certified all of our officers and staff in CPR/First Aid & AED. Phillip did an awesome job and we appreciate the time that he spent in this training.

We decided that we would celebrate "420 Day" by taking our drug dog, Jax, to our schools for a little "sniffing". Jax loves to work! 95% of our school students love him but for some strange reason the other 5% aren't quite as enthusiastic about the job he does. The good news is that no drugs were found!

On April 27th & 28th we had firearms qualifications at the DOC range. Sgt. Livingston put us through a great round of qualification targets and scenarios despite the "adverse" weather conditions both days. Sam does an awesome job as our firearms instructor. We are always grateful to DOC for allowing us to use their range.

We would like to extend an invitation to all of our Trustees & the Mayor to come do a Ride Along with one of our officers. If you would like to do so, stop by the PD or call & we will get one set up for you!

Please see attached calls for service & stats.

THERE IS NO "I" IN THE WORD TEAM!



BVPD CALLS FOR SERVICE FOR THE MONTH OF APRIL 2016

2	911 MISC. (NON-EMERGENCY; HANGUP CALLS ETC)
1	ABANDONED VEHICLE
7	ACCIDENTS
57	ADMINISTRATIVE CALLS (OUT AT PD/TOWN HALL/MTGS)
0	ALARMS - INCLUDING FIRE
3	ANIMAL COMPLAINTS
0	ARSON
0	ASSAULTS
44	ASSIST OTHER AGENCY
1	AUTO THEFT
0	BOMB CALL
1	BURGLARY
10	BUSINESS CHECKS
1	CHILD ABUSE
1	CHINS (CHILD HAVING IMMEDIATE NEED OF SUPERVISION)
2	CITIZEN ASSIST
2	CIVIL DISPUTES
4	CIVIL PAPERS
1	CIVIL STANDBY
1	CODE VIOLATION
9	COMMUNITY RELATIONS
1	COURT SERVICES
7	CRIMINAL MISCHIEF
0	DEATH
0	DOMESTIC VIOLENCE
0	DISTURBANCE CALL - FIGHT
1	DISTURBANCE CALL - NOISE
1	DRUG INVESTIGATION
0	EMERGENCY MESSAGE
0	FIRE CALLS - MISC
1	FIRE CALLS - STRUCTURE & WILDFIRE
216	FOLLOW UP
3	FOOT PATROL
2	FORGERY/FRAUD
4	FOUND PROPERTY
6	HARASSMENT
0	HAZARDS - GENERAL
0	HAZARDS - MATERIAL
0	HOME TOWN SECURITY
0	HOUSE WATCH
11	INTERVIEW
6	INFORMATION ITEMS
2	INTOXICATED SUBJECT

0	LIQUOR VIOLATION
0	LIVESTOCK
2	LOST PROPERTY
3	MEDICAL ASSIST
6	MEETING
0	MISSING PERSON
5	MOTORIST ASSIST
1	PARKING VIOLATION
3	PHONE CALL
4	PBT - PORTABLE BREATH TEST
3	REDDI REPORT
29	REPORTS
9	ROADSIDES
0	RUNAWAY
14	SECURITY CHECKS
1	SEXUAL ASSAULT
0	SMOKE INVESTIGATION
0	SUICIDE ATTEMPT
4	SUSPICIOUS INCIDENT
6	SUSPICIOUS PERSON
4	SUSPICIOUS VEHICLE
8	THEFT
125	TRAFFIC STOPS (ALL CONTACTS)
8	TRAFFIC VIOLATIONS (CITATIONS WITH CASE #)
62	TRAFFIC MISC (VEHICLE INVESTIGATION)
6	TRAFFIC COMPLAINT
20	TRAINING
2	TRANSPORTS
2	TRESPASS
25	VIN INSPECTION
0	VEHICLE MAINTENANCE
0	VIOLATION OF PROTECTION ORDER
4	WARRANT ARREST (INCLUDING ATTEMPTED)
0	WEAPONS/GUN
28	WELFARE CHECK
1	WILDLIFE
793	TOTAL CALLS RECEIVED FROM CHAFFEE CTY. DISPATCH

Buena Vista Police Department

Statistics from: 4/1/2016 12:00:00AM to 4/30/2016 11:59:00PM

Citation Printout Report by Violation

Total Citations of (10-123 THEFT): 2
Total Mandatory Appearances: 2

Total Citations of (10-202 ILLEGAL POSSESSION/CONSUMPTION OF ALCOHOL BY UNDERAGE PERSON): 1
Total Mandatory Appearances: 1

Total Citations of (10-314 POSSESSION OF DRUG PARAPHERNALIA): 2
Total Mandatory Appearances: 1

Total Citations of (18-13-122 ILLEGAL POSSESSION OR CONSUMPTION OF ETHYL ALCOHOL OR MARIJUANA BY AN UNDERAGE PERSON): 2
Total Mandatory Appearances: 2

Total Citations of (18-13-122(2)(A) ILLEGAL POSSESSION/CONSUMPTION OF ETHYL ALCOHOL BY AN UNDERAGE PERSON): 1
Total Mandatory Appearances: 1

Total Citations of (18-18-428 POSSESSION OF DRUG PARAPHERNALIA): 1
Total Mandatory Appearances: 1

Total Citations of (18-3-204 ASSAULT IN THE THIRD DEGREE): 1
Total Mandatory Appearances: 1

Total Citations of (18-6-401 CHILD ABUSE): 1
Total Mandatory Appearances: 1

Total Citations of (31-10-1524 UNLAWFULLY GIVING OR PROMISING MONEY): 1
Total Mandatory Appearances: 1

Total Citations of (42-2-105.5(3) UNDER 18 NO SEATBELT): 1
Total Mandatory Appearances: 0

Total Citations of (42-2-138(1)(A) DROVE VEHICLE WHEN LICENSE UNDER RESTRAINT (SUSPENDED/REVOKED/DENIED)): 4
Total Mandatory Appearances: 4

Total Citations of (42-3-114 EXPIRATION OF VEHICLE REGISTRATION): 2
Total Mandatory Appearances: 1

Total Citations of (42-3-121 (1)(B) DISPLAYED FICTITIOUS LICENSE PLATES): 1
Total Mandatory Appearances: 1

Total Citations of (42-4-1007 DRIVING ON ROADWAYS LANED FOR TRAFFIC): 1
Total Mandatory Appearances: 1

Total Citations of (42-4-1101 SPEED LIMITS (EXCEEDING)): 16
Total Mandatory Appearances: 1

Total Citations of (42-4-1301(1)(A) DROVE VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOL OR DRUGS OR BOTH): 4
Total Mandatory Appearances: 4

Total Citations of (42-4-1301(1)(B) DROVE VEHICLE WHILE ABILITY IMPAIRED BY ALCOHOL OR DRUGS OR BOTH): 1
Total Mandatory Appearances: 1

Total Citations of (42-4-1301(2)(A) DROVE VEHICLE WITH BLOOD ALCOHOL CONTENT OF 0.08 OR MORE): 3
Total Mandatory Appearances: 3

Total Citations of (42-4-1305.5 OPEN MARIJUANA CONTAINER): 1
Total Mandatory Appearances: 1

Total Citations of (42-4-1402 CARELESS DRIVING): 2
Total Mandatory Appearances: 1

Total Citations of (42-4-1409 COMPULSORY INSURANCE): 3
Total Mandatory Appearances: 3

Total Citations of (42-4-1604 DUTY UPON STRIKING UNATTENDED VEHICLE OR OTHER PROPERTY): 1
Total Mandatory Appearances: 1

Total Citations of (42-4-205 HEAD LAMPS ON MOTOR VEHICLES): 1
Total Mandatory Appearances: 0

Total Citations of (42-4-236 CHILD RESTRAINT SYSTEMS REQUIRED): 1
Total Mandatory Appearances: 1

Total Citations of (42-4-237 SAFETY BELT SYSTEMS): 4
Total Mandatory Appearances: 0

Total Citations of (42-4-703 ENTERING THROUGH HIGHWAY - STOP OR YEILD INTERSECTION): 4
Total Mandatory Appearances: 0

Total Citations of (42-4-802 PEDESTRIAN RIGHT OF WAY IN CROSSWALKS): 1
Total Mandatory Appearances: 0

Grand Total

Total Number of Citations Reported: **63**
Total Fine Amounts Reported: \$0.00
Total Money Collected: \$0.00
Total Money Still Due: \$0.00
Total Mandatory Appearances: 34



BUENA VISTA FIRE DEPARTMENT

111 Linderman Avenue; PO Box 1692
Buena Vista, CO 81211
Phone: 719-395-8098
Fax: 719-395-2046

Buena Vista Fire Calls

From April 1 to 30, 2016

Total Month Calls: 28

Current Year to Date Calls: 105

2015 Year to Date Calls: 68

April 1- 30 Calls: 28

Fire Calls: 4

Medical Calls: 22

Accident Calls: 1

Hazardous calls: 0

Assist Other: 1

Missed Calls: 2 (1 – missed call & 1 - voided dispatch error)

Volunteer Firefighters: 14

Total Training hour for April: 206

April Highlights:

Firefighters Evans and Shoop successfully passed Firefighter 1 training and have started Hazardous materials Training.

We met and had photo shoot with a CPR survivor. Photos were published in the Chaffee County Times.

Assistant Chief Rodriguez is continuing to get the Town Employees CPR and First Aid Certified.



Town of Buena Vista 2016

Buena Vista Collective Vision Statement

(Developed from Citizens' direct wording, Comp Plan 1996, 2006, 2015. We want all components of this vision and must work to create all components. This is the Context within which Town must make decisions.)

General Community Character

We envision the town as a clean, safe, quiet and secure community that is a desirable place to live, work, and play.

Community Spirit

Our collective community consists of friendly, well-informed, and engaged people who feel they can make a difference and have an impact in determining their future and their quality of life and enjoy freedom of expression.

Community Appearance

The town we envision has a defined sense of place as expressed in its history and architecture.

Community Services

The town of our vision has high-quality education and medical and emergency response services, as well as quality, efficient, and well maintained parks and public buildings. The town's public servants exhibit an excellent level of public service, including approachability, honesty and helpfulness. Our town government and community leaders demonstrate accountability, consistency and visibility. We engage in a high level of cooperation with surrounding governmental and nongovernmental entities.

Environment

We desire a community where urban, rural and agricultural land uses can coexist in a well-planned pattern. Land use decisions are made with thoughtfulness and an eye toward sustainability. We want a healthy community with clean air and water.

Economy

We envision a community in which all citizens enjoy financial prosperity and can find an affordable place to live. The town has a bustling downtown community core with abundant and diverse retail establishments. We continually strive for economic diversity within the community. Our town government is economically stable and viable.

Mission of Buena Vista Town Government

The Town of Buena Vista is to provide high-quality, reliable services for the benefit of our citizens, guests, and employees, while being good stewards of public resources and our natural setting.

Town Government Key Outcome Areas

(These strategic objectives and policies lead toward the Collective Vision Statement, and seek to fulfill the Mission of Town Government. These are what we focus on to establish Goals.)

Economic Vitality

We want to increase prosperity for Buena Vistans via the long-term that encourages sustainability, smart growth, and diversification, capitalizes on our strengths and improves quality of life. We want to identify and address weaknesses.

Infrastructure

We want to ensure that we maintain existing infrastructure when considering new infrastructure.

Community

We want to create a community with a sense of pride and acceptance where all contribute to the social, economic, political life, and feel respected and safe.

Environment

We want to create an environment that is safe, healthy, encourages conservation, and makes for a friendly place where people want to live, work and play.

Water

We want a safe and reliable water supply that comes from diverse sources, and meets the needs of residents and business now and in the future.

Our priority list for 2016 includes, in no particular order:

- **Continued work on adequate and reliable water supply** - Joint Permit with Upper Ark and US Forest Service, St Charles Mesa, other.
- **Continued honing of Policy Governance** - quarterly meetings, Policies adopted, Collective Vision Revisit
- **Water infrastructure** - upper zone tank, right size water lines, HWY 24
- **Downtown Revitalization** - DDA
- **Hwy 24** - all that is involved
- **Historic Preservation** - CLG designation, funding options
- **Trail Improvements** - Assorted
- **Continued Airport “Sustainability” and/or “Independence”** - Financial planning, settle ground lease, through the fence resolution, snow equipment building
- **Land Use Code rewrite**
- **IGA with county on Growth Area**
- **Broadband Planning**
- **Software upgrades for flow in various departments**
- **Training New Board/Transition**
- **Affordable Housing/Infill**
- **Continue Fire Services up to Par** - fire upgrades, regional emergency management planning

Policy Discussion - Regular Agenda Item, Buena Vista Board of Trustees

Policy List:

- a. Historic preservation
- b. Sponsorships/advertising levels for support of town activities
- c. Rec Board role with private businesses, etc
- d. Community Support Criteria
- e. Parking/use of right of ways

Discussion should bear in mind the Collective Vision Statement, Strategic Objectives and Priorities for Buena Vista

Process:

Until the Board of Trustees desires otherwise, each trustee meeting begins with a time-limited discussion on a particular policy item.

These items come from a list produced and added to each week by the Board with suggested items from staff, the public, etc. We can discuss policies related to the items and use this to further define policy, give direction to staff, uncover further needs, etc.

The list will have 6 items, a-f. We start with item a, discuss until approximately 7:35. The item is then pulled from the list and b moves to a. Trustees can decide whether to continue the discussion of (a) later that meeting, put it back on the list, add it to a future agenda, or other action. A new item can be added to the list by a trustee.

Parking lot of items to be added as desired:

- Affordable Housing
- Mapping
- Religious symbols in town
- VRBO's
- Parklets in downtown



Town of Buena Vista
P.O. Box 2002
Buena Vista CO 81211
Phone: (719)395-8643
Fax: (719)395-8644

DATE: May 10, 2016
TO: Mayor and Board of Trustees
FROM: Emily Katsimpalis, Assistant to the Town Administrator
AGENDA ITEM: Historic Preservation Policy Discussion

Dear Mayor and Trustees,

Request

Please find included in your packet slides to accompany a historic preservation policy discussion.

Overview

The Town of Buena Vista's 2015 Comprehensive Plan as well as the 2013 Downtown Colorado, Inc. (DCI) study final report both recommended historic preservation ordinances should be adopted by the Board of Trustees. A historic preservation ordinance will protect the historic structures in town from demolition or neglect. The recommendations called for the creation of a historic preservation commission. The commission will be similar in function to the Planning and Zoning Commission.

By passing a historic preservation ordinance, the Town of Buena Vista can apply to become a Certified Local Government, or CLG.

There are many benefits to becoming a CLG. One of the more notable reasons is the access to no-match grants. The grants can be used for surveys of historic properties, planning, trainings and educational activities.

CLG status is also a requirement to move up in the Main Street program. Currently Buena Vista Main Street is at the "Candidate" level. If we move up to "Designated" and eventually "Graduate" we will unlock more grant money and technical support at each level.

Other tangible benefits of preserving historic properties include preserving our physical history into perpetuity. Preserving physical history means preserving the community's connection to place. People who love their place are: more likely to vote, more likely to volunteer, more likely to give charitably, and more likely to pay taxes (*Knight Foundation 'Soul of the Community' report*).

Additionally, there are generally smaller, locally owned businesses in neighborhoods with smaller, older buildings. More small businesses equals more jobs, more sales tax revenue, and the list goes on.

Policy Alignment

Comprehensive Plan, DCI study

BOT Action

Please provide direction on the questions provided.

1) Do you want a historic district? If yes, location?

- East Main Street down to River Park intersection; to include Cedar, Chestnut, and parts of Railroad Street picking up buildings behind town hall
- Only East Main Street from the Highway to River Park intersection
- West Main Street from Highway and continues to C.R. 306
- Hwy 24 N & S

How restrictive? Property owners of all buildings in district will sign off

Levels of approval in the district from property owners:

- 75%
- 60%
- 51%

2) Historic overlay?

- Vote of property owners not required
- Still have the ability to locally landmark
- Board of Trustees approves
- Still keeps historic preservation in mind
- Pros and cons to not asking for property owner consent to create historic overlay district

Next steps:

- With your direction, draft ordinance will be taken to associated groups:
 - Planning & Zoning
 - Heritage Board
 - Main Street
- The ordinance will then come before BOT for adoption
- History Colorado grants with no match for CLG communities. Once a year application. November 1 deadline.
- Need to apply for CLG by August in order to be in consideration

OVERVIEW

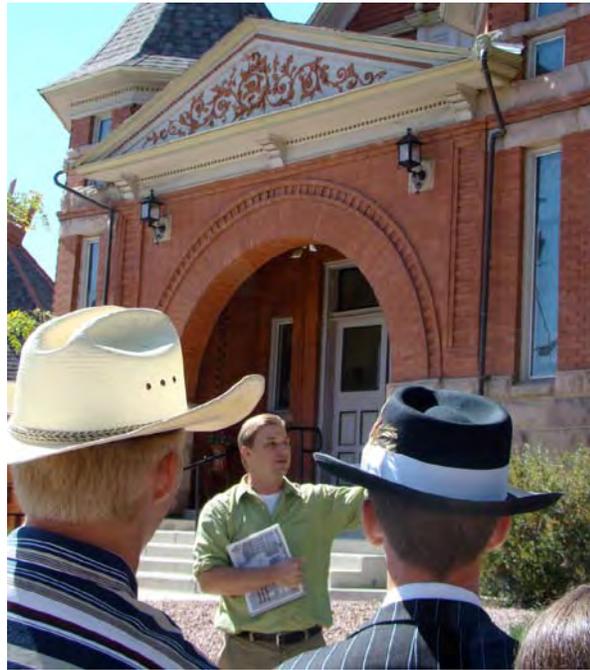
The Certified Local Government (CLG) Program seeks to encourage and expand local involvement in historic preservation activities through a partnership between local governments, the State Historic Preservation Office (SHPO), and the National Park Service (NPS).

BENEFITS

- ▶ CLG communities have access to grant funds available only to CLGs. These grants do not require a cash match and can be used for survey, planning, nomination, or educational activities.
- ▶ CLG communities receive technical support from SHPO and National Park Service staff in order to advance local preservation objectives.
- ▶ CLG communities have the ability to join national organizations, such as the National Alliance of Preservation Commissions, that provide informational resources and access to a 50-state preservation network.
- ▶ The SHPO offers CLG-exclusive training and networking opportunities throughout the state.
- ▶ The opportunity to participate in the review of tax credit projects.
- ▶ Local designation qualifies property owners for the 20 percent State Historic Preservation Tax Credit and provides access to the State Historical Fund preservation grant program.
- ▶ A strong local preservation program can increase property values, assist in promoting heritage tourism, and promote community heritage and identity.



St. James Episcopal Church, Lake City, CLG grant recipient



North Side Historic District, Pueblo

OBLIGATIONS

- ▶ Each CLG must enact and enforce a local ordinance that provides a legal framework for a preservation program that will achieve the purpose of designating and protecting significant historic buildings, sites, structures and districts.
- ▶ Each CLG must create a commission of at least five members that have a demonstrated interest, competence, or knowledge of preservation, and the commission must meet at least four times a year.
- ▶ At least one commission member must attend a SHPO-approved educational/training event each year.
- ▶ CLGs must maintain a system for survey and inventory of historic properties.
- ▶ CLGs must provide opportunities for public participation in local preservation efforts.
- ▶ CLGs must review and provide comment on National Register nominations submitted for properties within their jurisdiction.

For more information on the CLG program contact **Patrick Eidman** at patrick.eidman@state.co.us

Last updated October 2014



Historic Preservation Policy Discussion

Town of Buena Vista

Presented by:

Emily Katsimpalis, Assistant to the Town Administrator

May 10, 2016

What is historic preservation?

- Protecting our most historic properties into perpetuity
- Young people and future generations feel more connected to history when physical structures are preserved
- Need historic preservation ordinance/policy in order to become a Certified Local Government (CLG)
- Establish a historic preservation commission once the ordinance passes

What historic preservation IS NOT

- Requires property owner consent to landmark a structure
- Exteriors of buildings protected
- Interiors of building generally not protected
- Restrictions are up to you
- Contributing & non-contributing structures

Why is it important?

- Tabor Grand Opera House, Denver
- Opened 1881; 1,500 seats
- No expense spared. The finest woods were used including Japanese cherry and Honduras mahogany.



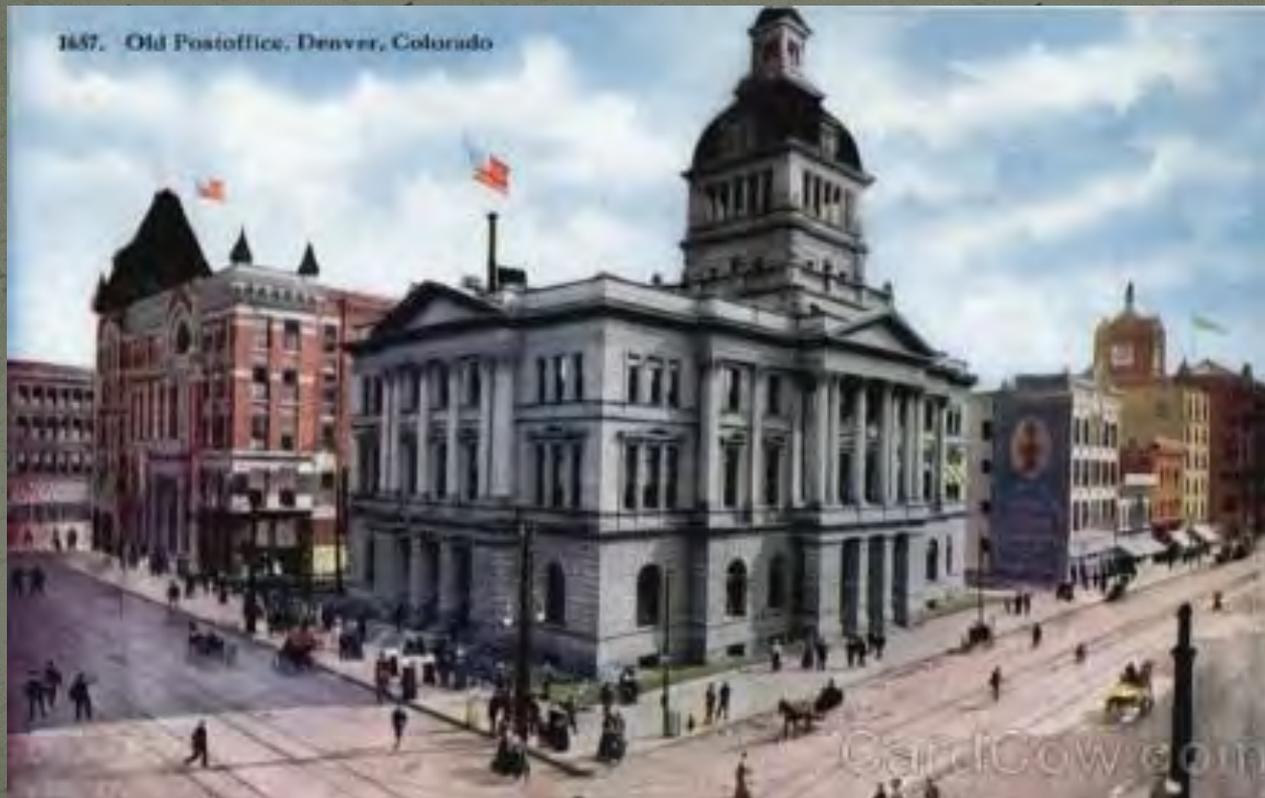
Why is it important cont.

Interior of Tabor Grand Opera House



Why is it important cont.

16th & Curtis block as it once was, with U.S. Post Office in foreground and Opera House in background



Why it is important cont.

Both buildings razed in 1964. The block today



Buena Vista's Lost Structures

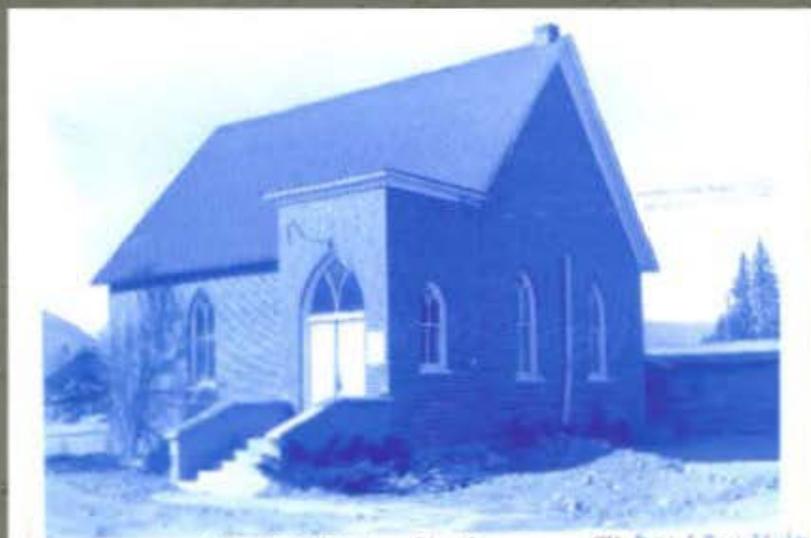
(photos courtesy of Buena Vista Heritage)

R.R.
Street
&
Cedar St
South of
Blossom
Park
Health
Building
Burned
1970's

Corner
was
Java
Katherine's
Torn
down
4-5 years
ago



Buena Vista's Lost Structures cont.



Congregational Church Buena Vista, Pa. 1880



St. Joseph's Roman Catholic Church Buena Vista, Pa. 1880

Buena Vista's Lost Structures cont.



Mt. Princeton Bar's Hotel, Buena Vista, Colo.

now Clifton County Times
1890-1920-30's

Judge Building

Cottonwood Ave

Buena Vista's Lost Structures cont.



B.V. Community House NW corner Main & Hwy 24
D. Cross

Buena Vista's Lost Structures cont.

Original Rio Grande Depot Buena 1950-51
Corner of RR St & Main St.



Benefits

- Main Street
 - CLG status required to move up in the program, from Candidate to Designated (and eventually to Graduate), more grant money at each level we move up.
- Certified Local Government (CLG) = access to free money, free training, tax credits for property owners
- Preserve Buena Vista's physical history into perpetuity
 - Preserve physical history = connection to place.
 - People who love their place are: More likely to vote, More likely to volunteer, More likely to give charitably, More likely to pay taxes (Knight Foundation 'Soul of the Community' report)
- Adaptive re-use: the greenest building of all is an existing building
- Jobs per \$10 Million in Sales in the US:
 - Independent Retailers: 110; Chain Retailers: 50; Amazon: 14 (Institute for Local Self Reliance)

Benefits cont.

- Property values increase significantly faster in historic districts, weather property downturns better, provide stability in housing market, etc.
- Where you find older, smaller buildings and mixed-vintage blocks, you see significantly:
 - More jobs, creative jobs, and businesses per square foot
 - More women and minority-owned businesses, non-chain businesses, small businesses, and new businesses
 - Greater walkability
 - Younger residents and a greater mix of people at different stages of life
 - Greater cultural vitality
- Areas with older, smaller buildings, areas with a mix of newer and older buildings, and historic districts all play important roles in supporting a more livable, socially diverse, and *economically resilient community*. (National Trust for Historic Preservation Green Lab study)

Policy Direction?

Options:

- Do you want a historic district? If yes, location?
 - East Main Street down to River Park intersection; to include Cedar, Chestnut, and parts of Railroad Street picking up buildings behind town hall
 - Only East Main Street from the Highway to River Park intersection
 - West Main Street from Highway and continues to C.R. 306
 - Hwy 24 N & S

If yes, How restrictive? Property owners of all buildings in district will sign off

Levels of approval in the district from property owners:

- 75%
- 60%
- 51%

Policy Direction? cont.

- Historic overlay district
 - Vote of property owners not required
 - Still have the ability to locally landmark
 - Board of Trustees approves
- Still keeps historic preservation in mind
- Pros and cons to not asking for property owner consent to create historic overlay district

Next steps

- With your direction, draft ordinance will be taken to associated groups
 - Planning & Zoning
 - Heritage Board
 - Main Street
- The ordinance will then come before BOT for adoption
- History Colorado grants with no match for CLG communities =
 - 1 x year application. November 1 deadline
- Need to apply for CLG by August in order to be in consideration.

Considerations:

- Once we become a CLG, historic preservation commission will receive a 4-hour CLG orientation.
- New CLG communities have a better shot with grant applications.
 - Possible grants:
 - Survey grant
 - Design guidelines for downtown
 - Context study – tells us why/purpose buildings were built for
 - Historic tours
 - Training sessions can easily be added to grants
 - Workshops. Ex: workshops on restoring windows/restoring wood windows
 - Historic preservation plan creation
- Lake City = pop. of 400 & La Veta = pop. of 800both are CLGs!

Fire Corps of Chaffee County needs Volunteers

A Few Ways You Can Help

General administrative support

Public Relations

Firefighter Rehab

Fundraising

Grant writing

Life safety education and Website support



Events Fire Corps may participate in:

Parades

MDA

Fire Prevention

Gold Rush

FibArk

County Fair

Contact Jackie Villers for more information via e-mail at dvillers01@msn.com or 719 966-2318

What is Fire Corps?

The Fire Corps program was launched in 2004 in an effort to help fire departments face increasing demands and inadequate funding. Fire Corps was started to compliment Citizen Corps and it's partners, Community Emergency Response Team (CERT), Medical Reserve Corps (MRC), Neighborhood Watch and Volunteers in Police Service (VIPS).

Citizen Corps and these partner programs share a common goal to have everyone in America help communities prevent, prepare for and respond to natural disaster, terrorism, crime, public health issues and other emergencies. Together these organizations work to create valuable resources and provide critical, much needed support to our nations fire and emergency services.



The Suzanne Paddock Memorial Scholarship

Scholarship Value- \$500

Number of scholarships available-one per year

This scholarship is available to the children of active firefighters of Buena Vista Fire Department, Chaffee County Fire Protection Districts, and volunteers of Fire Corps of Chaffee County.

DEADLINES

All completed applications must be submitted to either Chief Villers or Chief Bertram on or before April 30, 2016.

QUALIFICATIONS

- **Parent/Firefighter must be an active member in good standing with Buena Vista Fire Department, Chaffee County Fire Protection or Salida/South Ark Fire Department and that department must have an active member/members in Fire Corps of Chaffee County**
- **High School Senior, or Full-Time College Student enrolled in an accredited post-secondary institution. Also open to a member of one of the above mentioned fire departments who is attending a post-secondary institution full time as long as the first qualification is met.**
- **Applicant must furnish an up to date high school transcript or college transcript**
- **Recipient must provide proof of acceptance at accredited post-secondary institution before award is distributed or proof of attendance at an accredited post-secondary institution**
- **Provide a written essay (no less than 400 words or more than 600 words, typed) describing:**
 - **A Community Service and leadership experience and how this experience will help you in the future**
 - **What your degree will be in?**
 - **What are your future goals using your education?**
 - **How will the money from the scholarship assist in your education?**
- **Provide letters of recommendation from each of the following (do not include relatives and remember to plan ahead as those people you may ask for a letter are also busy and will need time to get a letter to you).**
 - **One member of either Buena Vista Fire Department, Chaffee County Fire Protection District, Salida/South Ark Fire Department or Fire Corps of Chaffee County**
 - **One Community representative (such as teachers, coaches or others who are familiar with activities the student has participated in)**
- **Complete the attached application**



The Suzanne Paddock Memorial Scholarship

Student's Name _____

Address _____

City _____ **State** _____ **Zip** _____

Telephone Number _____

Email Address _____

Name of High School _____

City _____ **Date of Graduation** _____

College I will attend _____

Parent's Name _____

Parent is an active member in good standing of (circle one):

Buena Vista Fire

Chaffee County Fire Protection District

Fire Corps of Chaffee County

Salida/South Ark Fire Department

Applications are due April 30, 2016



Town of Buena Vista
Parks and Recreation Department
P.O. Box 2002, Buena Vista CO 81211
Phone: (719)395-8643

DATE: May 10, 2016
TO: Board of Trustees
FROM: Emily Osborn, Recreation Supervisor
SUBJECT: Trail Presentation

Request

A request is being made for the trustees to provide feedback regarding the future planning of the Barbara Whipple trail network.

Overview

The Town of Buena Vista signed a Cooperative Management Agreement with the Bureau of Land Management for the Barbara Whipple trail network east of town. Trail traffic is increasing and crowding has been identified as an issue. There has been a recent agreement between Town and a local land owner that provides easier access to BLM land that has not historically been heavily used by trail enthusiasts. The Recreation Supervisor, in collaboration with various community groups, wrote a proposal for a new trail that will connect the South Whipple Trail, Midland Hills Bridge, and County Road 304.

Analysis

Trail stakeholders held a meeting on April 28th to communicate about trail maintenance needs and the future planning of our trail system. There are two trail maintenance training days scheduled for May 13th and June 11th. The training days will be led by Todd Loubsky who is a trail professional. Members of Ark Valley Vello, Friends of Fourmile, Adopt-a-trail program, Trails Advisory Board, Recreation Advisory Board, and Upper Arkansas Wilderness Volunteers will be present at the training. Trail volunteer work days will be scheduled to follow. After review by the Board of Trustees, the trail proposal will be sent to the BLM for approval.

Policy Alignment

Cooperative Management Agreement
Trails Master Plan
Sustainable trail standards
Economic vitality
Quality of Life

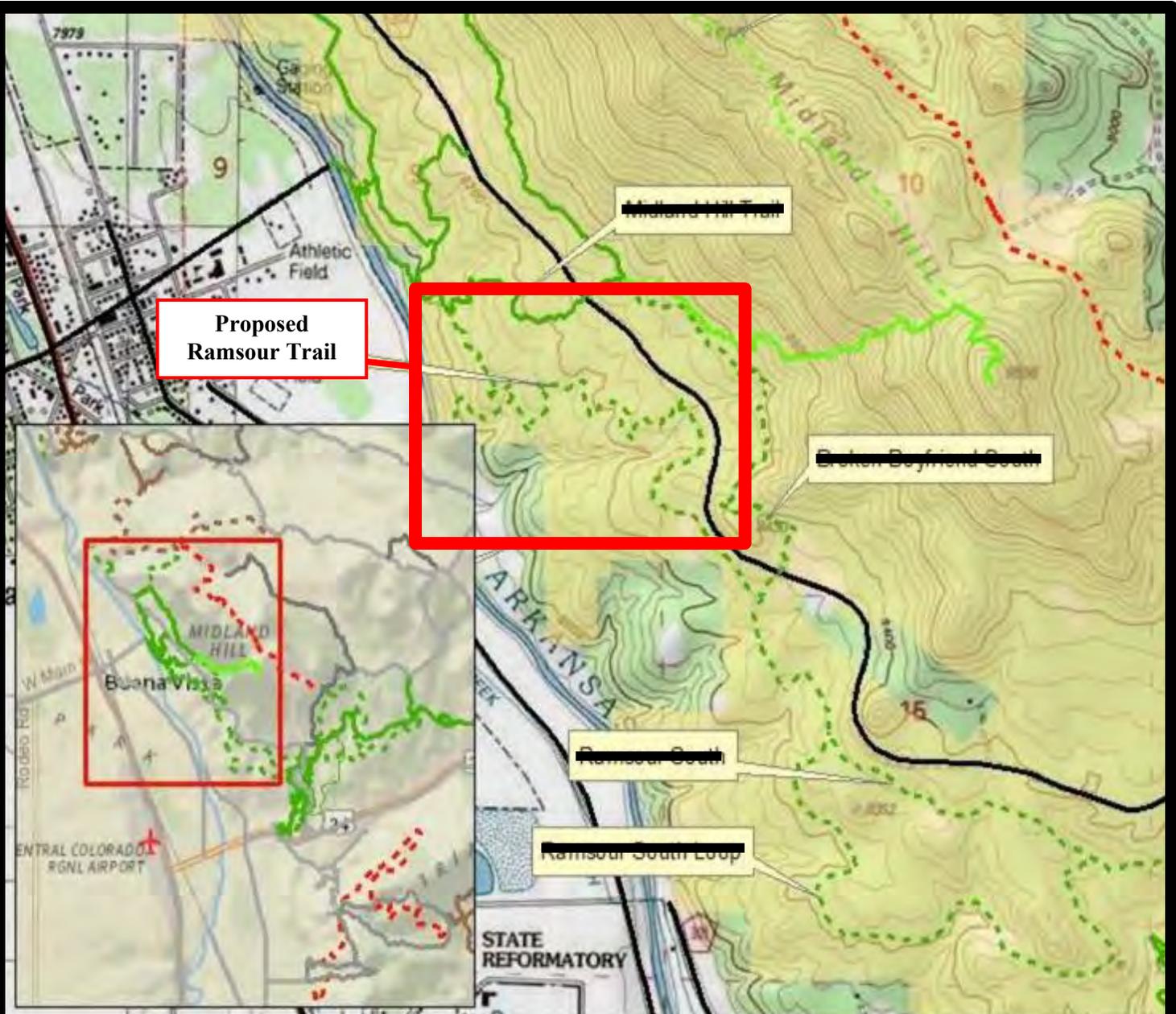
BoT Action

No action required but feedback is welcome!

Attached

Trail proposal

Trail presentation power point



**Proposed
Ramsour Trail**

Midland Hill Trail

Ricker Boyfriend South

Ramsour South

Ramsour South Loop

MIDLAND HILL
Buena Vista



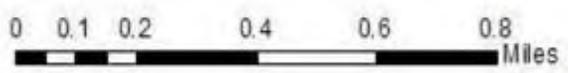
**Fourmile Trail System Expansion
-Barbara Whipple Zone-**

Proposed Trails	Designated Roads and Trails	Land Ownership
<ul style="list-style-type: none"> ATV Hiking Motorcycle bicycle 	<ul style="list-style-type: none"> 2wd Road 4wd-High Clearance Road Bicycle Trail Hiking Trail 	<ul style="list-style-type: none"> Bureau of Land Management Private US Forest Service



DOI-BLM-CO-F020-2015-0064 EA

6th PM, T13S, R78W Sections 32 and 33
T14S, R78W Sections 3, 4, 5, 10, 11, 24, 25, 26, 35



Scope: The intent of this proposal is to address the overcrowding issues on the Barbara Whipple trail system, and the increasing use of the BLM land north of the Midland Hills Bridge in Buena Vista, CO. This proposal stems from the community's desired goal of creating a safer, more diverse, accessible, non-motorized, and cohesive trail system that is connected directly with the town of Buena Vista.

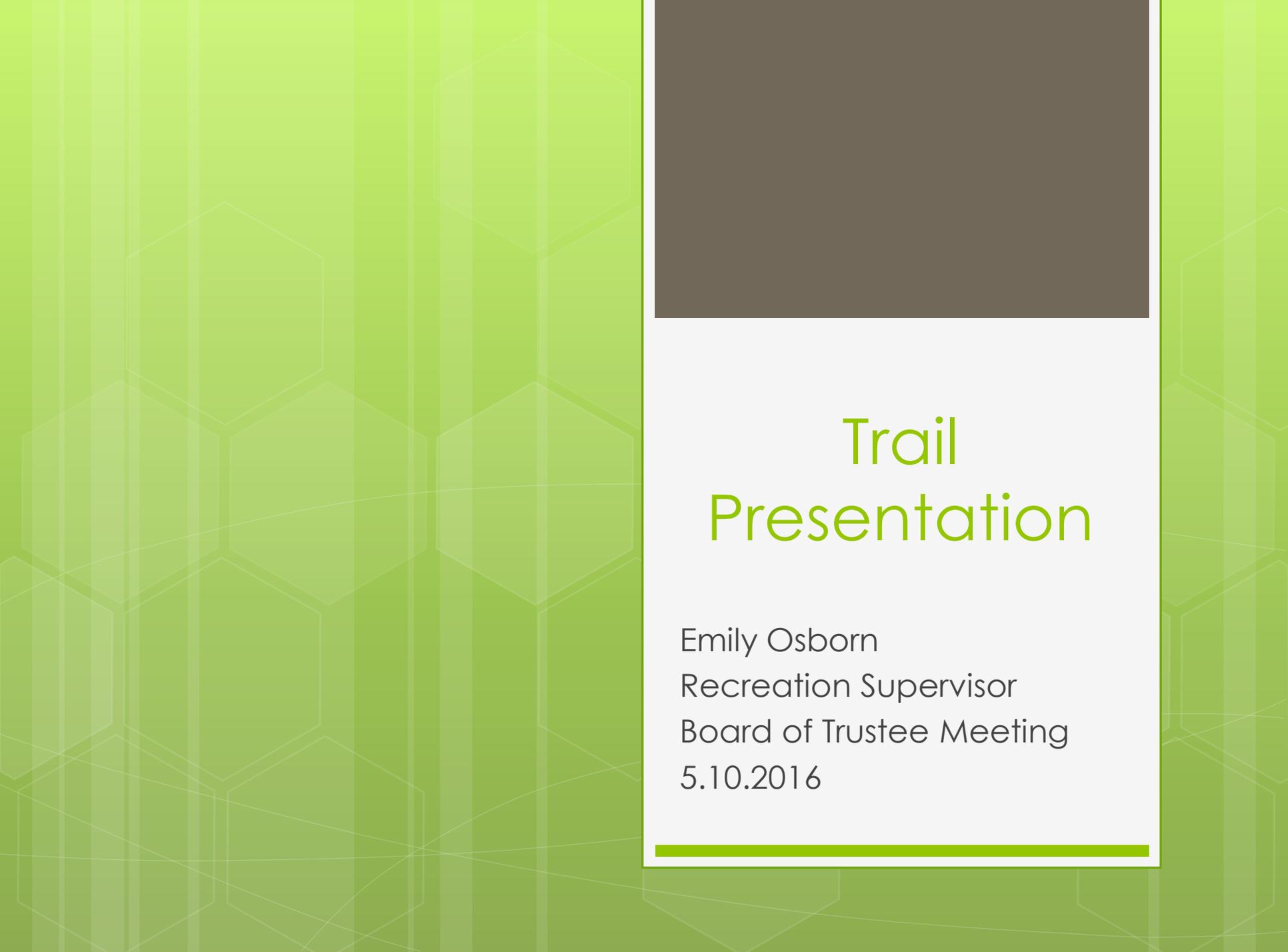
Background: The heavily trafficked Barbara Whipple Bridge has historically served as the most convenient access point for locals and tourists to enjoy the Barbara Whipple/ Midland Hill trail systems. Various user groups including hikers, trail runners, bikers, vacationers, school groups, rafters, and fishermen alike utilize the Barbara Whipple trail network. Due to a recent agreement between a local land-owner and the Town, trail users have been accessing the land north of the Midland Hills Bridge; terrain that lacks designated trails. This new point of access lets recreationists avoid the congestion that clogs up the River Park trailhead, but does nothing to alleviate the crowding on the Barbara Whipple trail system.

Safety: The Barbara Whipple Trails have been described as 'intermediate' for mountain bikers due to natural obstacles, blind corners, and narrow sections. The proposed Ramsour Trail is a beginner/intermediate trail that provides an alternate route to the Midland Grade and more options for mountain bikers and hikers who ride and hike from Buena Vista. Providing an access to County Road 304 by way of the Ramsour Trail will disperse trail enthusiasts and create a safer user experience.

Natural resource impacts: Without the designation of appropriate trails, "social trails" have been etched into the landscape that are inconsiderate of the terrain and trail sustainability standards. Many of these former game trails will soon become small ravines as a result of the dry and wet displacement taking place. Future trail rehabilitation efforts will be necessary to mitigate excessive erosion.

Future Planning: The community of Buena Vista's overall primary recreation management goal for the trail network is to enhance user experience of the Arkansas River Valley by creating an accessible and cohesive trail system connected directly with the community. According to the current Cooperative Management Agreement (CMA) between the town of Buena Vista and the BLM, the objective is to "construct and maintain features of the Whitewater Park and the Barbara Whipple trail... ..and participate in future trail planning needs." Including a broader trail network in the CMA will need to be considered in the future to accommodate the large growth in trail traffic. It should be noted that the CMA also states, "it is the intent of the cooperators to meet annually, in January, regarding this agreement." The Town is proposing to meet in May of 2016 in lieu of the January meeting which did not take place.

Resources: The town of Buena Vista has recently hired a full-time trail maintenance employee and purchased a UTV to assist with trail work. There is a passionate Trails Advisory Board, Recreation Advisory Board, and other partners including Ark Valley Vello, Friends of Fourmile, and local trail specialists who are committed to this project.



Trail Presentation

Emily Osborn
Recreation Supervisor
Board of Trustee Meeting
5.10.2016

Request

- A request is being made for the trustees to provide feedback regarding the future planning of the Barbara Whipple trail network.

Overview

- Cooperative Management Agreement



- The objective is to “construct and maintain features of the Whitewater Park and the Barbara Whipple trail... ..and participate in future trail planning needs.”

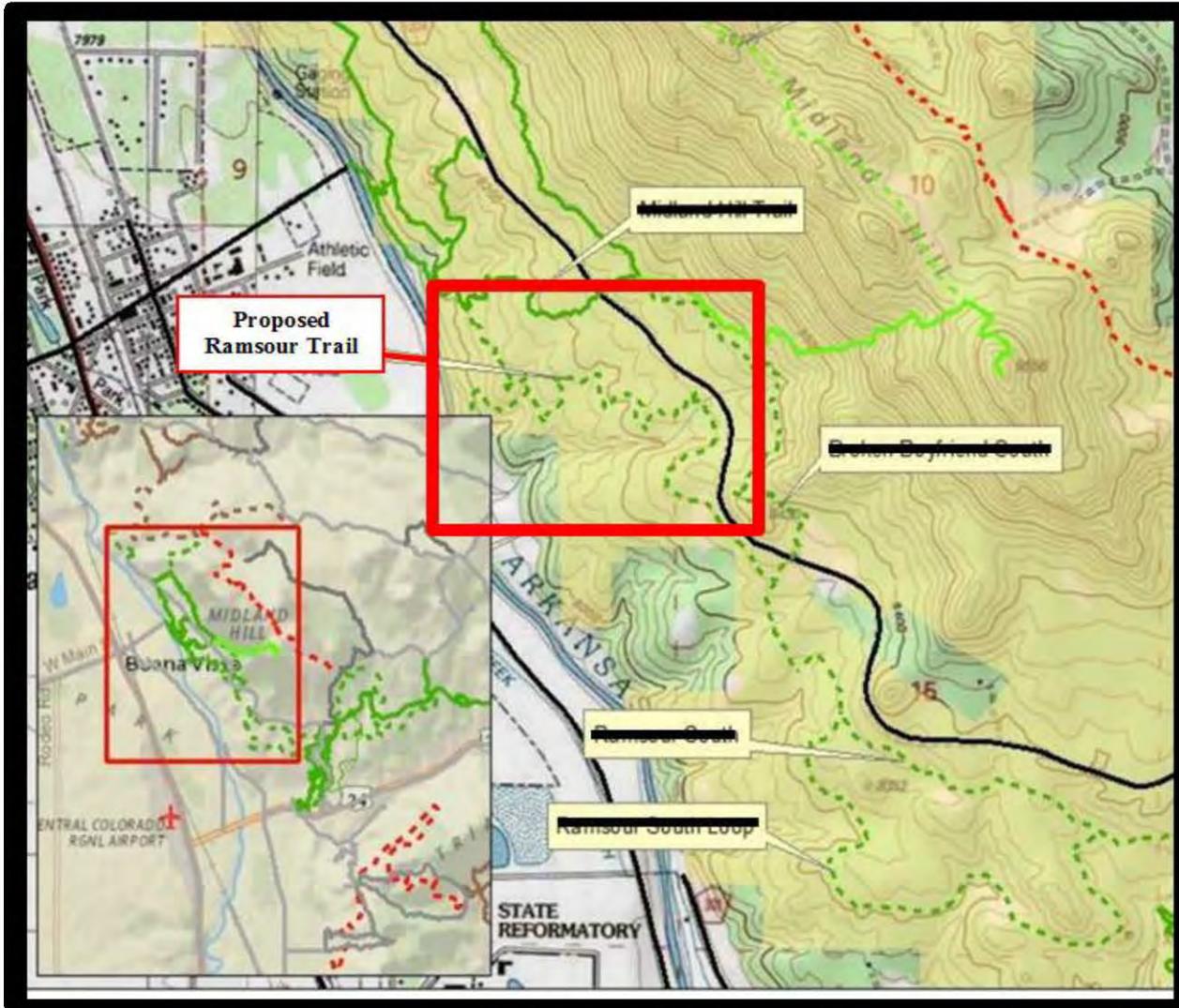
Overview

- Trail Advisory Board
- Recreation Advisory Board
- Ark Valley Velo
- Friends of Fourmile
- Upper Arkansas Wilderness Volunteers
- Adopt-a-trail
- Other community members

Analysis

- Midland Hills Bridge
- Increase in trail usage
- Trail technicality
- Environmental issues
- Trail proposal

Analysis



Analysis

- Trail maintenance workshop
(May 13th & June 11th)
- Trail volunteer days
- Trail maintenance employee

Policy Alignment

- Cooperative Management Agreement
- Trail Master Plan
- Economic vitality
- Sustainable trail standards
- Community members quality of life

Conclusion

Comments, concerns, questions?





Town of Buena Vista
P.O. Box 2002
Buena Vista CO 81211
Phone: (719)395-8643
Fax: (719)395-8644

DATE: May 10, 2016

TO: Mayor and Board of Trustees

FROM: Brandy Reitter, Town Administrator

AGENDA ITEM: TransRockies Event CBS Sports Commercial

Request

A request is being made for the trustees to consider funding a commercial that highlights Buena Vista on CBS Sports during the 10 anniversary of the TransRockies Run on August 9 – August 14.

Overview

The TransRockies Trail run staged in South Main is celebrating its 10 anniversary. The TransRockies Run is a multi-day point-to-point trail running race which allows athletes to access and traverse wild and fantastic scenery, while building camaraderie, overcoming adversity and sharing a singular adventure.

The event is 6 days long and covers 120 miles with a 20,000 foot elevation gain. Athletes from 24 countries, 41 states, and 10 Canadian Provinces participate each year. Since this is the 10th anniversary, CBS Sports is proposing a commercial specifically highlighting the event and the Town of Buena Vista.

Analysis

The TransRockies Run has a major economic impact on the town and region. Over the course of 6 days, participants, families and friends spend approximately \$786,000 regionally as a result of the event.

Coverage of the event would occur during the event in Buena Vista and the town would have rights to the commercial for marketing purposes in the future. Both the Chaffee County Visitor's Bureau and the Buena Vista Chamber support the project.

At a minimum the town and the county needs to raise \$10,500 for the project. To get the maximum benefit from the project \$14,500 is required. The Chaffee County Visitor's Bureau has committed \$3,500 and is asking the town to match their commitment. The commercial will reach 95 million households on TV, will be displayed on the CBS Sport's website, and will link to social media.

Town already has a commitment of \$3,500 from the Chaffee County Visitor's Bureau. In addition to the match from the town, staff will request funds from Chaffee County, the Economic Development Corporation, State of Colorado, and local businesses.

Policy Alignment

Policy Governance Doctrine:

- Economic Vitality
- Community
- Environment

Downtown Colorado, Inc. Assessment
Comprehensive Plan

BOT Action

Motion to approve a match of \$3,500 for the TransRockies CBS Sports Commercial and to consider funding any funding needed to fill the gap if the fundraising campaign doesn't cover the remaining balance.

Attached

- TransRockies Run Project Proposal
- TransRockies Run Country Map
- TransRockies Run Economic Impact Analysis

**Proposal for
Emerging Sports TV
To Promote Buena Vista/Chaffee County Tourism**

- Overview:** The 10th Anniversary TransRockies Run is being produced for television and broadcast on the CBS Sports Network. Our goal with this proposal is to produce and include Buena Vista/Chaffee County promotional content within our broadcast, as well as produce and include a 30 sec commercial during the hour long episode.
- Delivered Content:** A 2-3 minute feature to be produced for the episode that includes:
- Scenic shots from the Buena Vista historic district
 - Interviews with tourism representatives
 - Statistics as graphics to enhance the attractiveness of Buena Vista as a tourism destination
 - Stock footage to be intertwined in the feature video
- A 30 second spot that will be produced as the promotional commercial during the TV episode break
- Will include a theme based on the destination tag line
 - Full TV broadcast quality version and online version encoded to play online
 - Original script will be distributed and approved before any production occurs
 - Clients will be shown early edit, so any changes can be suggested and made
 - Once the initial changes are made, clients will have one last chance at an edit before the piece is deemed final
- Production Specs:** The production includes:
- Multiple cameras shooting in 1080 and 4K
 - Includes aerial video where appropriate
 - Includes professional graphics that include lower-thirds, logos, and plates with tourism facts
 - Professionally done voice over
 - Includes stand-up interviews with the historic district as a background
- Budget Model:** For travel, equipment demands, scripting, crewing, editing, and delivery, we are proposing the following budget model.
- **IDEAL MODEL: Funding from 4 CVBs x \$3500 to secure \$14,000**
 - **ACCEPTABLE MODEL: Funding from 3 CVBs x \$3500 to secure \$10,500**
- Terms:** To activate this agreement, we request a \$5000 deposit to Emerging Sports TV.
- Once we the script is agreed upon and we arrive in Buena Vista for the shoot, a 25% payment from the total would be due.
- The remaining 25% payment would be due upon delivery of the final media products.

We look forward to working with your groups to help leverage our coverage of the 10th TransRockies Run into a promotional campaign for the Buena Vista/Chaffee County Tourism groups.

Dr. John G. Duesler, Jr., Principal // Emerging Sports TV

TWENTY-FOUR COUNTRIES



25% International Athletes • 10 Canadian Provinces • 41 United States

**TransRockies Run 6 2015
Economic Impact Estimates (USD)**

Metric		ST3 (3-Day Race)	RUN6 (6-Day Solo)	TRR (6-Day Team)	Total
Number of Participants		111	154	118	383
Friends and Family (Non-Competitor) per Competitor		1	0.8	0.8	0.9
Estimated Non-Competitors		111	123	98	333
Total Attendance (Competitors and Non-Competitors)		222	277	216	716
Average nights away from home		5.8	10.2	8.9	
Spending (RV& Car Rental)	per person	\$195	\$96	\$85	
	total	\$43,333	\$26,642	\$18,478	\$88,453
Gasoline	per person	\$51	\$62	\$48	
	total	\$11,368	\$17,152	\$10,276	\$38,796
Hotels/Accommodation	per person	\$282	\$403	\$351	
	total	\$62,640	\$111,763	\$75,969	\$250,372
Restaurants and Meals	per person	\$147	\$139	\$160	
	total	\$32,673	\$38,442	\$34,613	\$105,728
Groceries	per person	\$76	\$76	\$51	
	total	\$16,835	\$21,016	\$11,087	\$48,938
Beverages	per person	\$58	\$44	\$47	
	total	\$12,863	\$12,126	\$10,083	\$35,071
Running Gear & Related	per person	\$199	\$77	\$93	
	total	\$44,200	\$21,236	\$20,011	\$85,446
Souvenirs / Shopping	per person	\$62	\$66	\$52	
	total	\$13,760	\$18,173	\$11,203	\$43,136
Other	per person	\$128	\$95	\$160	
	total	\$28,494	\$26,287	\$34,631	\$89,412
Total	per person	\$1,199	\$1,056	\$1,046	
	total	\$266,166	\$292,834	\$226,351	\$785,352
<i>Spending Per Day</i>	<i>per person</i>	<i>\$206.72</i>	<i>\$104.04</i>	<i>\$118.05</i>	
	<i>total</i>	<i>\$45,891</i>	<i>\$28,840</i>	<i>\$25,537</i>	<i>\$100,268</i>

- Spending Estimates do not include the Race Entry fees, Airfares, or Equipment brought to the event by participants
- TransRockies Inc. was responsible for additional spending in host communities totalling at least \$200,000, not included in the estimates above.
- Multipliers have not been applied to the spending estimates
- Earned media and marketing value are not included in this analysis

2015 Demographics TransRockies Run

Countries:

1. United States (71%)
2. Canada (14%)
3. United Kingdom (2%)
4. Mexico (2%)
5. France (2%)

States & Provinces:

1. California (14%)
2. Colorado (11%)
3. New York (7%)
4. British Columbia (6%)
5. Arizona (6%)
6. Alberta (4 %)
7. Illinois (4 %)
8. Texas (3%)
9. Ontario (3%)
10. Florida (2%)
11. Ohio (2%)

Average Age: 43

Media Household Income: \$150,000

75% Married

61% have no children living at home

94% have some post-secondary education, 31% have a post-graduate degree

85% are employed full time or self-employed



Town of Buena Vista
P.O. Box 2002
Buena Vista CO 81211
Phone: (719)395-8643
Fax: (719)395-8644

DATE: May 6, 2016
TO: Mayor and Board of Trustees
FROM: Janell Sciacca, Town Clerk – Clerk's Office

AGENDA ITEM: Should the Board of Trustees approve an application from Beer Base, LLC dba The Jailhouse Craft Beer Bar for a new Beer and Wine Liquor License at 412 East Main Street (formerly 414 East Main Street), Buena Vista, CO.

Request

To grant a Beer & Wine Liquor License for Beer Base, LLC dba The Jailhouse Craft Beer Bar at 412 East Main Street.

Overview

Beer Base, LLC submitted an application for concurrent review to the Town Clerk's Office on April 4, 2016 for a Beer & Wine Liquor License for The Jailhouse Craft Beer Bar at 414 East Main Street. A complete copy of the application was forwarded to the Colorado Department of Revenue Liquor Enforcement Division upon receipt and State Staff has been reviewing the application simultaneously with the Town which reduces the timeframe in which the applicant can have a new license in hand. The State has been in contact with the Clerk's Office for clarifications and the application is in compliance with their review standards.

Analysis

The application was submitted in a timely fashion and is complete with a diagram of the premises, proof of property possession by lease, an individual history, an Operating Agreement, Articles of Incorporation and a Certificate of Good Standing from the Secretary of State's Office, and a petition demonstrating the needs and desires of the neighborhood containing 31 signatures of residents and business owners.

Fingerprints were submitted to the Colorado Bureau of Investigation and there has been no negative history returned. The application was routed to the appropriate Town Departments and Chaffee County Building and Health Departments. After the application was received, the Fire Department requested a change of address and the building was assigned 412 East Main Street. An application for a building permit for the interior remodel is in process and if the application is approved the Board of Trustees and issued by State Liquor Enforcement, the Town Clerk's Office would hold the issued licenses pending final approval of that permit.

As required by law, the subject property was posted with a Public Notice on April 12, 2016 and a Notice of Public Hearing on the application appeared in the April 28, 2016 edition of the Chaffee County Times. No comments have been received.

Policy Alignment

Administration Policy – Granting of new Liquor Licenses are governed by the Colorado Liquor Code and Chapter 6, Article I of the Buena Vista Town Code.

BOT Action

1. To approve or deny the application from Beer Base, LLC dba The Jailhouse Craft Beer Bar for a new Beer and Wine Liquor license at 412 East Main Street.

Attachments

Retail Liquor License Application and Supporting Materials
Petition to Board of Trustees
Public Hearing Notice

Colorado Liquor Retail License Application

New License
 New-Concurrent
 Transfer of Ownership

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

1. Applicant is applying as a/an

<input type="checkbox"/> Corporation	<input type="checkbox"/> Individual
<input type="checkbox"/> Partnership (includes Limited Liability and Husband and Wife Partnerships)	<input checked="" type="checkbox"/> Limited Liability Company
	<input type="checkbox"/> Association or Other

2. Applicant If an LLC, name of LLC; if partnership, at least 2 partner's names; if corporation, name of corporation

Beer Base, LLC FEIN Number **81-1562965**

2a. Trade Name of Establishment (DBA) State Sales Tax Number **31695372-0000** Business Telephone **303-514-3539**

The Jailhouse Craft Beer Bar

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

412 East Main Street

City Buena Vista, CO	County Chaffee	State CO	ZIP Code 81211
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4. Mailing Address (Number and Street) P.O. Box 5218	City or Town Buena Vista	State CO	ZIP Code 81211
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5. Email Address **Shaughey04@gmail.com**

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

Present Trade Name of Establishment (DBA)	Present State License Number	Present Class of License	Present Expiration Date
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Section A Nonrefundable Application Fees	Section B (Cont.) Liquor License Fees
---	--

<input type="checkbox"/> Application Fee for New License..... \$ 600.00 <input checked="" type="checkbox"/> Application Fee for New License w/Concurrent Review \$ 700.00 <input type="checkbox"/> Application Fee for Transfer..... \$ 600.00	<input type="checkbox"/> Liquor Licensed Drugstore (City)..... \$227.50 <input type="checkbox"/> Liquor Licensed Drugstore (County) \$312.50 <input type="checkbox"/> Manager Registration - H & R..... \$ 75.00 <input type="checkbox"/> Manager Registration - Tavern..... \$ 75.00 <input type="checkbox"/> Master File Location Fee.....\$ 25.00 X _____ Total _____ <input type="checkbox"/> Master File Background\$250.00 X _____ Total _____
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Section B Liquor License Fees

<input type="checkbox"/> Add Optional Premises to H & R.....\$100.00 X _____ Total _____ <input type="checkbox"/> Add Related Facility to Resort Complex.....\$ 75.00 X _____ Total _____ <input type="checkbox"/> Arts License (City)\$308.75 <input type="checkbox"/> Arts License (County)\$308.75 <input checked="" type="checkbox"/> Beer and Wine License (City).....\$351.25 <input type="checkbox"/> Beer and Wine License (County).....\$436.25 <input type="checkbox"/> Brew Pub License (City)\$750.00 <input type="checkbox"/> Brew Pub License (County).....\$750.00 <input type="checkbox"/> Club License (City).....\$308.75 <input type="checkbox"/> Club License (County)\$308.75 <input type="checkbox"/> Hotel and Restaurant License (City)\$500.00 <input type="checkbox"/> Hotel and Restaurant License (County)\$500.00 <input type="checkbox"/> Hotel and Restaurant License w/one opt premises (City).....\$600.00 <input type="checkbox"/> Hotel and Restaurant License w/one opt premises(County).....\$600.00	<input type="checkbox"/> Optional Premises License (City)..... \$500.00 <input type="checkbox"/> Optional Premises License (County)\$500.00 <input type="checkbox"/> Racetrack License (City).....\$500.00 <input type="checkbox"/> Racetrack License (County).....\$500.00 <input type="checkbox"/> Resort Complex License (City).....\$500.00 <input type="checkbox"/> Resort Complex License (County).....\$500.00 <input type="checkbox"/> Retail Gaming Tavern License (City)\$500.00 <input type="checkbox"/> Retail Gaming Tavern License (County).....\$500.00 <input type="checkbox"/> Retail Liquor Store License (City).....\$227.50 <input type="checkbox"/> Retail Liquor Store License (County).....\$312.50 <input type="checkbox"/> Tavern License (City)\$500.00 <input type="checkbox"/> Tavern License (County).....\$500.00 <input type="checkbox"/> Vintners Restaurant License (City)\$750.00 <input type="checkbox"/> Vintners Restaurant License (County).....\$750.00
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Questions? Visit: www.colorado.gov/enforcement/liquor for more information

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

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

7. Is the applicant (including any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation) or manager under the age of twenty-one years?		Yes	No	
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
8. Has the applicant (including any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation) or manager ever (in Colorado or any other state):				
(a) Been denied an alcohol beverage license?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) Had an alcohol beverage license suspended or revoked?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) Had interest in another entity that had an alcohol beverage license suspended or revoked?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
If you answered yes to 8a, b or c, explain in detail on a separate sheet.				
9. Has a liquor license application (same license class), that was located within 500 feet of the proposed premises, been denied within the preceding two years? If "yes", explain in detail.		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Are the premises to be licensed within 500 feet of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Waiver by local ordinance? Other: _____		<input type="checkbox"/>	<input type="checkbox"/>	
11. Has a liquor or beer license ever been issued to the applicant (including any of the partners, if a partnership; members or manager if a Limited Liability Company; or officers, stockholders or directors if a corporation)? If yes, identify the name of the business and list any <u>current</u> financial interest in said business including any loans to or from a licensee.		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. Does the Applicant, as listed on line 2 of this application, have legal possession of the premises by virtue of ownership, lease or other arrangement? <input type="checkbox"/> Ownership <input checked="" type="checkbox"/> Lease <input type="checkbox"/> Other (Explain in Detail) _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
a. If leased, list name of landlord and tenant, and date of expiration, exactly as they appear on the lease:				
Landlord EML, LLC	Tenant Beer Base, LLC	Expires June 2019		
b. Is a percentage of alcohol sales included as compensation to the landlord? If yes complete question 13.		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Attach a diagram and outline or designate the area to be licensed (including dimensions) which shows the bars, brewery, walls, partitions, entrances, exits and what each room shall be utilized for in this business. This diagram should be no larger than 8 1/2" X 11".				
13. Who, besides the owners listed in this application (including persons, firms, partnerships, corporations, limited liability companies), will loan or give money, inventory, furniture or equipment to or for use in this business; or who will receive money from this business. Attach a separate sheet if necessary.				
Last Name	First Name	Date of Birth	FEIN or SSN	Interest/Percentage
Last Name	First Name	Date of Birth	FEIN or SSN	Interest/Percentage
Attach copies of all notes and security instruments, and any written agreement, or details of any oral agreement, by which any person (including partnerships, corporations, limited liability companies, etc.) will share in the profit or gross proceeds of this establishment, and any agreement relating to the business which is contingent or conditional in any way by volume, profit, sales, giving of advice or consultation.				
14. Optional Premises or Hotel and Restaurant Licenses with Optional Premises: Has a local ordinance or resolution authorizing optional premises been adopted?		<input type="checkbox"/>	<input type="checkbox"/>	
Number of additional Optional Premise areas requested. (See license fee chart)				
15. Liquor Licensed Drug Store applicants, answer the following:				
(a) Does the applicant for a Liquor Licensed Drug Store have a license issued by the Colorado Board of Pharmacy? If "yes" a copy of license must be attached.		<input type="checkbox"/>	<input type="checkbox"/>	
16. Club Liquor License applicants answer the following: Attach a copy of applicable documentation				
(a) Is the applicant organization operated solely for a national, social, fraternal, patriotic, political or athletic purpose and not for pecuniary gain?		<input type="checkbox"/>	<input type="checkbox"/>	
(b) Is the applicant organization a regularly chartered branch, lodge or chapter of a national organization which is operated solely for the object of a patriotic or fraternal organization or society, but not for pecuniary gain?		<input type="checkbox"/>	<input type="checkbox"/>	
(c) How long has the club been incorporated?				
(d) Has applicant occupied an establishment for three years (three years required) that was operated solely for the reasons stated above?		<input type="checkbox"/>	<input type="checkbox"/>	
17. Brew-Pub License or Vintner Restaurant Applicants answer the following:				
(a) Has the applicant received or applied for a Federal Permit? (Copy of permit or application must be attached)		<input type="checkbox"/>	<input type="checkbox"/>	
18a. For all on-premises applicants. (If this is an application for a Hotel, Restaurant or Tavern License, the manager must also submit an individual History Record - DR 8404-I)				
Last Name of Manager Haughey	First Name of Manager Sarah	Date of Birth 05/18/88		
18b. Does this manager acts as the manager of, or have a financial interest in, any other liquor licensed establishment in the State of Colorado? If yes, provide name, type of license and account number.		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Type of License		Account Number		
19. Tax Distraint Information. Does the applicant or any other person listed on this application and including its partners, officers, directors, stockholders, members (LLC) or managing members (LLC) and any other persons with a 10% or greater financial interest in the applicant currently have an outstanding tax distraint issued to them by the Colorado Department of Revenue? If yes, provide an explanation and include copies of any payment agreements.		<input type="checkbox"/>	<input checked="" type="checkbox"/>	

20. **If applicant is a corporation, partnership, association or limited liability company, applicant must list all officers, directors, general partners, and managing members. In addition, applicant must list any stockholders, partners, or members with ownership of 10% or more in the applicant. All persons listed below must also attach form DR8404-I (Individual History Record), and submit fingerprint cards to their local licensing authority.

Name	Home Address, City & State	DOB	Position	% Owned
Sarah Haughey	4329 S. Pearl St., Englewood, CO	05/18/88	President+	100
Name	Home Address, City & State	DOB	Position	% Owned
Name	Home Address, City & State	DOB	Position	% Owned
Name	Home Address, City & State	DOB	Position	% Owned
Name	Home Address, City & State	DOB	Position	% Owned

** Limited Liability Companies and Partnerships - 100% of ownership must be accounted for on question #20

** Corporations - The President, Vice-President, Secretary and Treasurer must be accounted for on question #20 (Include ownership percentage if applicable)

Oath Of Applicant

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

Authorized Signature 	Printed Name and Title Sarah Haughey, President+	Date 04/02/16 03/10/16
---	---	---

Report and Approval of Local Licensing Authority (City/County)

Date application filed with local authority 2/4/2016	Date of local authority hearing (for new license applicants; cannot be less than 30 days from date of application 12-47-311 (1) C.R.S.) May 10, 2016
---	---

The Local Licensing Authority Hereby Affirms that each person required to file DR 8404-I (Individual History Record) has:

- Been fingerprinted
- Been subject to background investigation, including NCIC/CCIC check for outstanding warrants

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

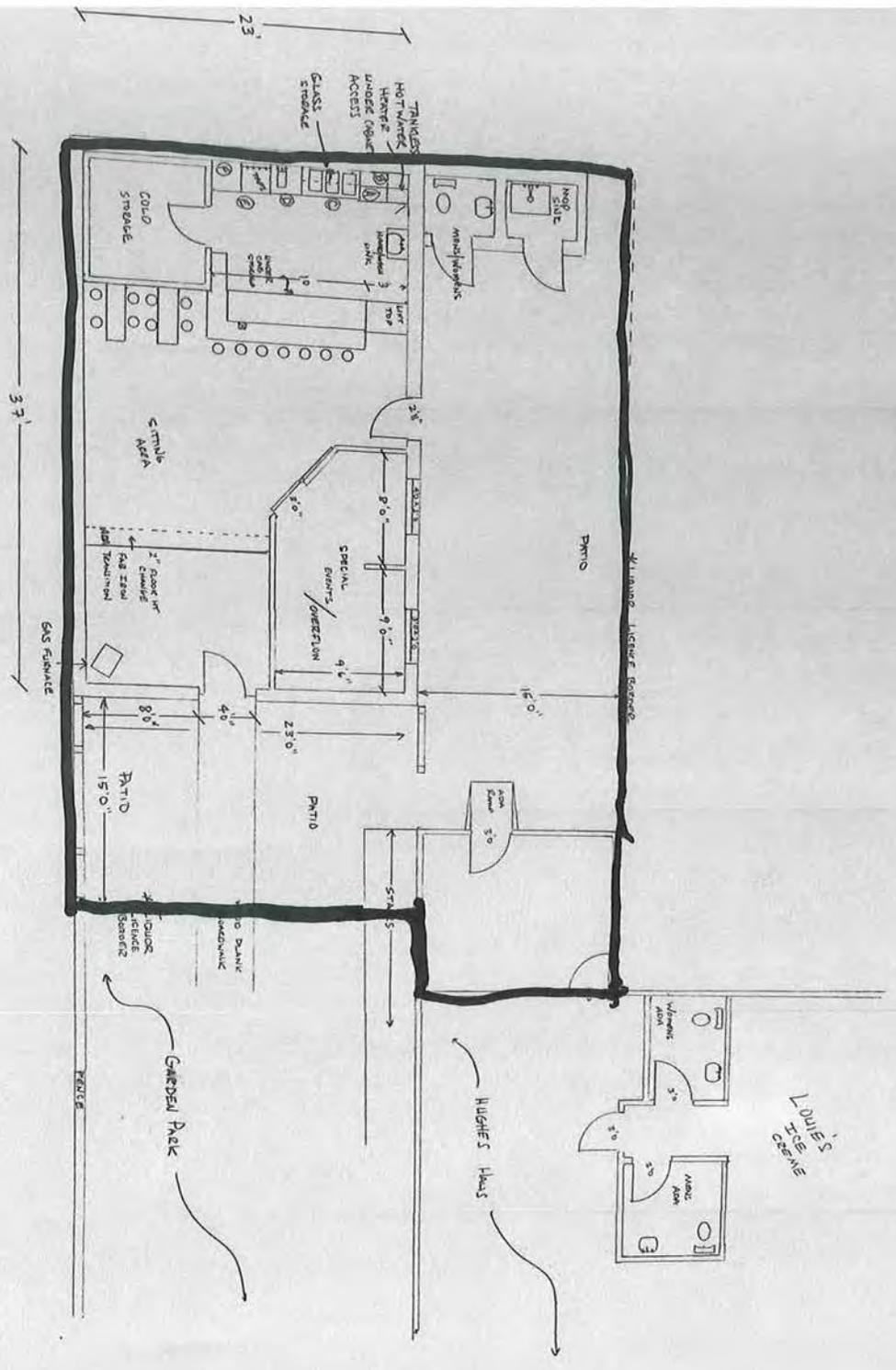
(Check One)

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

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

Therefore, this application is approved.

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



- DETAILS
- ① FLOOR OF SIMULAK DINING
 - ② DAIRY CASES
 - ③ THREE GN SINK
 - ④ VEGETABLE PEEL SINK
 - ⑤ UNDER COUNTER FOOD STORAGE CASES
 - ⑥ BATH TOILET

← N

THE TALLHOUSE
 44 EMMAN ST
 1/4 = 1" = 0
 3/28/16

DRAWN GEORGE W. WEAVER



Colorado Secretary of State
 Date and Time: 02/22/2016 04:27 AM
 ID Number: 20161118875

Document must be filed electronically.
 Paper documents are not accepted.
 Fees & forms are subject to change.
 For more information or to print copies
 of filed documents, visit www.sos.state.co.us.

Document number: 20161118875
 Amount Paid: \$50.00

ABOVE SPACE FOR OFFICE USE ONLY

Articles of Organization

filed pursuant to § 7-80-203 and § 7-80-204 of the Colorado Revised Statutes (C.R.S.)

1. The domestic entity name of the limited liability company is

Beer Base, LLC

(The name of a limited liability company must contain the term or abbreviation "limited liability company", "ltd. liability company", "limited liability co.", "ltd. liability co.", "limited", "l.l.c.", "l.l.e", or "ltd.". See §7-90-601, C.R.S.)

(Caution: The use of certain terms or abbreviations are restricted by law. Read instructions for more information.)

2. The principal office address of the limited liability company's initial principal office is

Street address

4329 S. Pearl St.

(Street number and name)

Englewood

(City)

CO

(State)

80113

(ZIP/Postal Code)

United States

(Country)

(Province - if applicable)

Mailing address

(leave blank if same as street address)

(Street number and name or Post Office Box information)

(City)

(State)

(ZIP/Postal Code)

(Province - if applicable)

(Country)

3. The registered agent name and registered agent address of the limited liability company's initial registered agent are

Name

(if an individual)

(Last)

(First)

(Middle)

(Suffix)

or

(if an entity)

United States Corporation Agents, Inc.

(Caution: Do not provide both an individual and an entity name.)

Street address

121 S. Tejon Street

(Street number and name)

Suite 900

Colorado Springs

(City)

CO

(State)

80903

(ZIP Code)

Mailing address

(leave blank if same as street address)

(Street number and name or Post Office Box information)

(City) CO _____
(State) (ZIP Code)

(The following statement is adopted by marking the box.)

The person appointed as registered agent has consented to being so appointed.

4. The true name and mailing address of the person forming the limited liability company are

Name
(if an individual) Haughey Sarah
(Last) (First) (Middle) (Suffix)

or

(if an entity)

(Caution: Do not provide both an individual and an entity name.)

Mailing address 4329 S. Pearl St.
(Street number and name or Post Office Box information)

Englewood CO 80113
(City) (State) (ZIP/Postal Code)
United States
(Province - if applicable) (Country)

(If the following statement applies, adopt the statement by marking the box and include an attachment.)

The limited liability company has one or more additional persons forming the limited liability company and the name and mailing address of each such person are stated in an attachment.

5. The management of the limited liability company is vested in

(Mark the applicable box.)

one or more managers.

or

the members.

6. (The following statement is adopted by marking the box.)

There is at least one member of the limited liability company.

7. (If the following statement applies, adopt the statement by marking the box and include an attachment.)

This document contains additional information as provided by law.

8. (Caution: Leave blank if the document does not have a delayed effective date. Stating a delayed effective date has significant legal consequences. Read instructions before entering a date.)

(If the following statement applies, adopt the statement by entering a date and, if applicable, time using the required format.)

The delayed effective date and, if applicable, time of this document is/are _____
(mm/dd/yyyy hour:minute am/pm)

Notice:

Causing this document to be delivered to the Secretary of State for filing shall constitute the affirmation or acknowledgment of each individual causing such delivery, under penalties of perjury, that the document is the individual's act and deed, or that the individual in good faith believes the document is the act and deed of the person on whose behalf the individual is causing the document to be delivered for filing, taken in conformity with the requirements of part 3 of article 90 of title 7, C.R.S., the constituent documents, and the organic statutes, and that the individual in good faith believes the facts stated in the document are true and the document complies with the requirements of that Part, the constituent documents, and the organic statutes.

This perjury notice applies to each individual who causes this document to be delivered to the Secretary of State, whether or not such individual is named in the document as one who has caused it to be delivered.

9. The true name and mailing address of the individual causing the document to be delivered for filing are

Moseley	Cheyenne		
<small>(Last)</small>	<small>(First)</small>	<small>(Middle)</small>	<small>(Suffix)</small>
101 N. Brand Blvd., 10th Floor			
<small>(Street number and name or Post Office Box information)</small>			
<hr/>			
Glendale	CA	91203	
<small>(City)</small>	<small>(State)</small>	<small>(ZIP/Postal Code)</small>	
<small>(Province – if applicable)</small>	United States		
	<small>(Country)</small>		

(If the following statement applies, adopt the statement by marking the box and include an attachment.)

- This document contains the true name and mailing address of one or more additional individuals causing the document to be delivered for filing.

Disclaimer:

This form/cover sheet, and any related instructions, are not intended to provide legal, business or tax advice, and are furnished without representation or warranty. While this form/cover sheet is believed to satisfy minimum legal requirements as of its revision date, compliance with applicable law, as the same may be amended from time to time, remains the responsibility of the user of this form/cover sheet. Questions should be addressed to the user's legal, business or tax advisor(s).

OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE OF FACT OF GOOD STANDING

I, Wayne W. Williams, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

Beer Base, LLC

is a

Limited Liability Company

formed or registered on 02/22/2016 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 20161118875 .

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 03/31/2016 that have been posted, and by documents delivered to this office electronically through 04/04/2016 @ 08:54:51 .

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, and issued this official certificate at Denver, Colorado on 04/04/2016 @ 08:54:51 in accordance with applicable law. This certificate is assigned Confirmation Number 9582478



Secretary of State of the State of Colorado

*****End of Certificate*****

Notice: A certificate issued electronically from the Colorado Secretary of State's Web site is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Validate a Certificate page of the Secretary of State's Web site, <http://www.sos.state.co.us/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our Web site, <http://www.sos.state.co.us> click "Businesses, trademarks, trade names" and select "Frequently Asked Questions."

PETITION TO THE BUENA VISTA BOARD OF TRUSTEES

I, the undersigned, am aware that an application for a Beer & Wine Liquor License has been filed with the Town of Buena Vista by Beer Base LLC and doing business as The Jailhouse Craft Beer Bar and proposed to be located at 414 E. Main St, Buena Vista, CO 81211. I am at least 21 years of age and a resident or owner or manager of a business located with the defined neighborhood boundaries of the proposed liquor establishment (Town of Buena Vista). I have indicated below whether I consider the granting of the above-mentioned liquor license to be desirable and necessary for the reasonable requirements of the neighborhood:

SIGNATURE	PRINTED NAME	ADDRESS	BUSINESS OWNER OR MANAGER, RESIDENT	DATE SIGNED	YES	NO
	Shane Stewart	118 Baylor Dr.	Resident	3/8/16	X	
	Tara Downing	134 W. 8th Leadville	Resident	3/17	X	
	ERICA CURRY	322 Charles St. BV	Resident	3/17	X	
	GWA HICKS	110 BAYLOR, BV, CO	Resident	3/17/16	X	
	Bryan Carr	↑	↑	↑	X	
	Robert Saviaro	508 W. Main St.	Resident	3/17/16	X	
	Ewan McCain	322 Charles St. BV	Resident	3/17/16	X	
	Vance Cross	15525 Cold 354B, BV	Resident	3-29-16	X	
	James Velez	15385 Cold 350	Resident	3-29-16	X	
	Sean Kelly	623 Cedar Ln Apt D101	Resident	3-29-16	X	
	Jenni Thomas	122 Red Hill Blvd	Resident	3-29-16	X	
	Angela Sauer	803 S. Main St.	Business Owner	3/29/16	X	
	Susan Curtis	18000 CR 368	Resident	3/29/16	X	
	Richie Davan	132 Baylor Dr.	Resident	3-29-16	X	
	David Montoya	31903 CR 361 BV	Resident	3/29/16	X	
	Lynn Montoya	31903 CR 360 BV	Resident	3/29/16	X	
	Shawn Rhoady	33515 Mt Harvard circle BV	Resident	3/29/16	X	
	Emily Spores	218 Neighbors Ln.	Resident	3/29/16	X	
	Christian Kelly	PO Box 332 BV	Resident	3/29/16	X	
	SHARON SMITH	PO Box 1185 BV CO	Resident	3/29/16	X	
	Thomas W. Gil Jr	480 Antero Circle BV	Resident	3/29/16	X	
	Alana Minzer	623 Cedar St BV	Resident	3/29/16	X	
	Alet Bidrowski	15670 Birdie Lane BV CO	Resident	3/29/16	X	
	Martin Tschibke	CR 357 30375	Resident	3/29/16	X	
	Michael Retzer	15670 Birdie Lane BV CO	Resident	3/29/16	X	
	LARISSA BECK	15670 BIRDIE LANE	Resident	3/29/16	X	
	Ben Borris	304 East Main Str.	Resident	3/29/16	X	
	Rich Rogers	29035 CR 331	Resident	3/29/16	X	
	KATHERINE STEPAN	"	RESIDENT	3/29/16	X	
	MEGAN KINGMAN	327 E MAIN ST., BV	BUSINESS OWNER	3/31/16	X	
	Carlin Walsh	130 Meadow Ln BV	Resident	3/31/16	X	

NOTICE OF PUBLIC HEARING ON LIQUOR LICENSE APPLICATION

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Board of Trustees of the Town of Buena Vista, Colorado, in the Piñon Room of the Buena Vista Community Center, 715 East Main Street, Buena Vista, Colorado, on Tuesday, May 10, 2016, beginning at 7:30 p.m. or approximately thereafter. This hearing is on an application for a new Beer & Wine Liquor License for 414 East Main Street, Buena Vista, Colorado as submitted by Beer Base, LLC, doing business as The Jailhouse Craft Beer Bar.

The following information is provided:

APPLICATION REQUEST: Beer & Wine Liquor License
LOCATION: 414 East Main Street
DATE OF APPLICATION: April 4, 2016
DATE OF HEARING: May 10, 2016
APPLICANT: Beer Base, LLC
Db a The Jailhouse Craft Beer Bar

Owner/Manager: Sarah Haughey, President
4329 S. Pearl Street
Englewood, CO 80113

All interested parties are encouraged to attend. Further information can be obtained at the Clerk’s Office, 210 East Main Street in Buena Vista, or by calling (719) 395-8643 ext. 10.

For the Buena Vista Board of Trustees
Town of Buena Vista, Colorado
Janell Sciacca, CMC
Town Clerk

As per Section 12-47-311C.R.S., Public notice - posting and publication - Notice was posted by sign in a conspicuous place on the premises for which this application has been made on or before Thursday, April 28, 2016, and published in *The Chaffee County Times* on Thursday, April 28, 2016.



Town of Buena Vista
P.O. Box 2002
Buena Vista CO 81211
Phone: (719)395-8643
Fax: (719)395-8644

DATE: May 10, 2016

TO: Mayor and Board of Trustees

FROM: Brandy Reitter, Town Administrator

SUBJECT: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO APPOINTING MCKENZIE LYLE AS A REGULAR MEMBER OF THE RECREATION ADVISORY BOARD

Request

A request is being made for the trustees to consider appointing McKenzie Lyle as a regular member of the recreation advisory board.

Overview

McKenzie currently serves as an alternate on the recreation advisory board. Julie Robinson recently resigned leaving a vacancy. The members of the board are requesting to move McKenzie into the position. Staff will advertise for additional advisory board members as alternates.

BOT Action

Motion to **Approve** or **Deny** Resolution #47 entitled "A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO APPOINTING MCKENZIE LYLE AS A REGULAR MEMBER OF THE RECREATION ADVISORY BOARD."?

TOWN OF BUENA VISTA, COLORADO

RESOLUTION NO. 47

(Series of 2016)

A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, APPOINTING MCKENZIE LYLE AS A REGULAR MEMBER OF THE RECREATION ADVISORY BOARD.

WHEREAS, Sec. 2-222 of the Municipal Code authorizes and directs the Board of Trustees to appoint members of Advisory Boards and Commissions by a majority vote of all members of the Board; and

WHEREAS, a recent resignation on the Recreation Advisory Board has left a vacancy on the Board; and

WHEREAS, McKenzie Lyle is an Alternate and desires to be appointed as a Regular Member of the Recreation Advisory Board; and

WHEREAS, the Recreation Board has made recommendation to appoint McKenzie Lyle as a Regular Member of the Recreation Board to fill the vacancy until December 31, 2017.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO that McKenzie Lyle is hereby appointed as a Regular Member of the Recreation Advisory Board, and shall hold such appointment until December 31, 2017, in accordance with the ordinances of the Town of Buena Vista.

RESOLVED, APPROVED, AND ADOPTED this 10th day of May, 2016.

TOWN OF BUENA VISTA

BY: _____
Phillip Puckett, Mayor Pro Tem

ATTEST:

Janell Sciacca, Town Clerk



Town of Buena Vista
P.O. Box 2002
Buena Vista CO 81211
Phone: (719)395-8643
Fax: (719)395-8644

DATE: May 6, 2016

TO: Mayor and Board of Trustees

FROM: Mark N. Doering, Principal Planner

AGENDA ITEM: A resolution of the Board of Trustees of the Town of Buena Vista, Colorado appointing a new member of the Planning & Zoning Commission.

Requests:

Staff is requesting the Board to approve a resolution appointing Tim Bliss as a regular member of the Planning and Zoning Commission. He is currently an alternate member of the commission.

Overview:

The Planning and Zoning Commission is made up five regular members and two alternate members, appointed by the Board of Trustees. Alternate members have the right to attend all meetings of the Planning and Zoning Commission and to participate in the discussion concerning all matters coming before the Commission. However, no alternate member shall be entitled to vote on any matter coming before the Commission unless a regular member of the Planning and Zoning Commission is absent or is otherwise unable to vote on such matter. The terms of the regular and alternate members of the Planning and Zoning Commission appointed after October 23, 2012, shall be three (3) years or until their successors are qualified and take office.

Analysis:

Appointing Tim Bliss as a regular member will allow the Planning and Zoning Commission to have five regular members and no alternate members. Staff is currently seeking citizens to apply for alternates to the planning and Zoning Commission.

Policy Alignment:

Administrative Policy

BOT Action:

Staff recommends approval of the resolution appointing Tim Bliss as a regular member of the Planning and Zoning Commission.

Attachments: Proposed resolution

TOWN OF BUENA VISTA, COLORADO

RESOLUTION NO. 48

(Series of 2016)

A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, APPOINTING TIM BLISS AS A REGULAR MEMBER OF THE PLANNING AND ZONING COMMISSION.

WHEREAS, Sec. 2-182 of the Municipal Code authorizes and directs the Board of Trustees to appoint Planning and Zoning Commission members by a majority vote of all members of the Board; and

WHEREAS, a recent resignation from the Planning & Zoning Commission has left a vacancy on the Board; and

WHEREAS, Tim Bliss is an alternate and desires to be appointed as a Regular Member of the Planning & Zoning Commission; and

WHEREAS, the Planning and Zoning Commission has made recommendation to appoint Tim Bliss as a Regular Member of the Commission to fill the vacancy until December 31, 2017.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO that Tim Bliss is hereby appointed as an Regular Member of the Planning and Zoning Commission, and shall hold such appointment until December 31, 2017, in accordance with the ordinances of the Town of Buena Vista.

RESOLVED, APPROVED, AND ADOPTED this 10th day of May, 2016.

TOWN OF BUENA VISTA

BY: _____
Phillip Puckett, Mayor Pro Tem

ATTEST:

Janell Sciacca, Town Clerk



*Town of Buena Vista
P.O. Box 2002
Buena Vista CO 81211
Phone: (719)395-8643
Fax: (719)395-8644*

DATE: May 10, 2016

TO: Mayor and Board of Trustees

FROM: Greg Maggard, Public Works Director, Public Works Department

AGENDA ITEM: Resolution # 49-Adopting the Source Water Protection Plan

Request

Approval of the Town of Buena Vista Source Water Protection Plan.

Overview

The potential financial and water supply risks related to the possible contamination of one or more of the community's water sources are of concern to the Upper Arkansas River Source Water Protection Plan (SWPP) Steering Committee. As a result, the Upper Arkansas River SWPP Steering Committee believes the development and implementation of a source water protection plan for The Town of Buena Vista and Chaffee County community can help to reduce the risks posed by potential contamination of its water source(s). This source water protection plan was developed to prioritize source water protection concerns and to identify local source water management approaches that can be implemented to protect the source water.

Policy Alignment

The Source Water Protection Plan is an essential component in achieving the Town's key outcome of producing a safe and reliable water supply for our residents.

BOT Action

Motion to Approve or Deny Resolution #49, Adopting the Town of Buena Vista Source Water Protection Plan.

Town of Buena Vista Source Water Protection Plan

PWSID-CO0108300

**P.O. Box 2002
Buena Vista, Co. 81211
Chaffee County, Colorado
Plan date May 10, 2016**

*Never doubt that a small group of thoughtful, committed citizens
can change the world; indeed, it's the only thing that ever does.*

– Benjamin Franklin

Prepared by RG Water Works, LLC

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EXECUTIVE SUMMARY

The potential financial and water supply risks related to the possible contamination of one or more of the Town of Buena Vista's water sources are of concern to the Upper Arkansas River Source Water Protection Plan Steering Committee. As a result, the committee believes the development and implementation of a Source Water Protection Plan (SWPP) for the Town of Buena Vista and Chaffee County can help reduce the risks posed by potential contamination to vital water source(s). This SWPP was developed to prioritize source water protection concerns and to identify local source water best management practices (BMP's) that can be implemented to protect source water. The source water assessment results supplied by the Colorado Department of Public Health and Environment were used as a starting point in developing the SWPP.

The Upper Arkansas River SWPP Steering Committee recommends adopting a source water protection area(s) that is larger than the source water assessment area(s) defined by the Colorado Department of Public Health and Environment. The source water protection area defines the region where the Town of Buena Vista and Chaffee County has chosen to implement source water protection measures, in an attempt to manage the susceptibility of their source water to potential contamination.

The Upper Arkansas River SWPP Steering Committee adopted a two-step strategy recommended by the Colorado Department of Public Health and Environment for prioritizing the water sources and potential contaminant sources on which source water protection measures will be focused. The first step of the strategy prioritizes the water sources based on their total susceptibility and/or physical setting vulnerability scores/ratings, while the second step prioritizes the potential contaminant sources based on (1) their prevalence to, (2) the potential threat they pose, or (3) how prevalent and threatening the potential contaminant sources are. In applying this strategy, the committee recommends focusing source water protection measures on Cottonwood Creek drainages, the primary location of Buena Vista's watersheds. Development which utilizes individual and commercial waste water systems and septic adsorption fields, and Forest Service potential activities, represent the most prevalent, most threatening, most prevalent and threatening discrete contaminant sources. Stormwater erosion, recreational uses, forest insect infestations (the Mountain Pine and Spruce Beetles), wildfire and the possible resulting surface erosion represent the most prevalent, most threatening, most prevalent and threatening dispersed contaminant sources contained in the source water protection areas of Buena Vista.

The Upper Arkansas River SWPP Steering Committee reviewed and discussed several possible source water management approaches that could be implemented within the source water protection area(s). These BMP's may help reduce the risks of likely contamination from the prioritized potential contaminant sources. By voluntarily implementing source water management approaches, the Town of Buena Vista and Chaffee County are able to apply an additional level of protection to the drinking water supply. The Upper Arkansas River SWPP Steering Committee established certain acceptance criteria as part of identifying and selecting the most feasible source water management approaches to implement locally. The Upper Arkansas River SWPP Steering Committee recommends the following list of source water management tools be implemented by the Town of Buena Vista, where applicable, in the source water protection area(s): Identification of contaminants of concern, review of new projects, emergency preparedness, and public education.

The Upper Arkansas River SWPP Steering Committee estimates that cost in time and materials will be determined based on practice chosen. Funding to cover these costs will come from several sources including CDPHE, EPA, and the Town of Buena Vista. Implementation of these management approaches is expected to begin in 2016 and will be ongoing following their establishment.

INTRODUCTION

Protection Plan Process Guidance

The following table has been supplied as a reference document to effectively plan and develop a source water protection plan for your public water supply system. This table is an overview of the planning process and more detailed instructions are provided in each section throughout the document.

PROCESS STEPS FOR PLANNING

Objective	Task	Output	Responsible Party
Develop protection plan	Review SWAP assessment results	Report of findings & recommendations	PWS, Staff, Water Advisory Board
	Report findings to decision makers	Formal presentation to decision makers	PWS, Staff, Water Advisory Board
	Advocate for developing protection plan	Formal endorsement of decision makers	PWS, Staff, Water Advisory Board
	Explore feasibility of partnering with other PWSs in watershed (if applicable)	Determination of partnering with other PWSs	Staff, Water Advisory Board
	Appoint citizen steering committee to advise	Citizen Steering committee	Staff, Decision Makers
	Decide on process to follow	Planning Process	Staff, Steering Committee, Decision Makers
	Develop schedule for planning process	Planning Schedule	Steering Committee, Staff
	Decide on public involvement & notice process	Public involvement & notice process	Steering Committee, Staff
	Produce and distribute plan	Protection Plan	Staff, Steering Committee

Public Participation and Steering Committee Establishment

Public participation has been important to the overall success of Colorado’s SWAP program. Source water protection was founded on the concept that informed citizens, equipped with fundamental knowledge about their drinking water source and the threats to it, will be the most effective advocates for protecting this valuable resource. The state successfully used voluntary citizen advisory groups in the development of both the wellhead protection and source water assessment and protection program plans.

The state recommends that the public water supplier or any other well-suited local interest group take the lead in organizing public participation in the local source water protection planning effort. Effective public participation requires a well-organized effort to raise public awareness, to identify groups and individuals interested in helping, and to define and implement the necessary planning tasks. The Steering Committee has adopted this public participation principle and is encouraging the involvement of all types of stakeholders – individuals, groups, organizations and local decision-makers affected by or concerned with the community’s drinking water – in the local source water protection planning and implementation effort. The Steering Committee believes that local support and acceptance of the plan is more likely where local stakeholders have been actively recruited and encouraged to participate in the development and implementation of the protection plan.

Steering Committee and Participants

The Town of Buena Vista in conjunction with the Upper Arkansas River SWPP appointed a steering committee to advise them on the design and development of the source water protection plan for Buena Vista's water supply. The table below lists the members of the Upper Arkansas River SWPP Steering Committee that was established for the Town of Buena Vista.

Steering Committee

Name	Role/Responsibility	Title	Affiliation
Brandy Reitter	Administration	Town Administrator	Town of Buena Vista
Greg Maggard	Water Department Supervisor	Public Works Director	Town of Buena Vista
Rich Landreth	Administration	Public Works Director	Town of Buena Vista
Roy Gertson	SWPP Preparation	Consultant /Operator	RG Water Works, LLC

Other Participants

The source water protection planning process attracted interest and participation from other key entities. Input by these entities was greatly appreciated and was instrumental in developing and accepting the source water protection plan. These participants and agencies will also be involved with management of this SWPP, they include:

Buena Vista Town Council

Buena Vista Water Advisory Board

Chaffee County Commissioners

Chaffee County Planning & Zoning

Dylan Eiler, Colorado Rural Water Association

Jeff Ollinger, - UAACOG

John Duggan, Colorado Department of Public Health and Environment

U.S. Forest Service

Colorado Division of Parks & Wildlife

Dave Kelly, Local Irrigator, Retired Water Commissioner

Division Water Resources District 2

Upper Arkansas Water Conservancy District

Jord Gertson, Sourcewater Consulting LLC

Protection Plan Development Process

The source water protection planning effort consisted of a structured process of work group meetings followed by public meetings. The Upper Arkansas River SWPP Steering Committee's recommendations were developed from these work group meetings that were convened to establish the goals and objectives of the protection plan, evaluate the source water assessment results and establish protection priorities, and evaluate source water management approaches. Ultimately, the Upper Arkansas River SWPP Steering Committee's recommendations were incorporated into a draft source water protection plan and presented at public meetings for comment and discussion. A summary of the public meetings that were held is presented below:

Public Meetings

Date	Location	Purpose/Description
Feb. 9, 2016	Buena Vista Community Center	Meeting to Discuss Draft Source Water Protection Plan
Feb. 17, 2016	Buena Vista Public Works Department	Meeting to Discuss Draft Source Water Protection Plan
May 10, 2016	Buena Vista Community Center	Meeting to Approve Final Source Water Protection Plan

The general public was notified of the public meeting schedule – location, dates and times via local newspapers, community or PWS web page, and fliers posted in public places prior to each meeting.

Purpose of Source Water Protection Plan Development

The Town of Buena Vista and Chaffee County recognize the potential financial and water supply risks related to the potential contamination of one or more of the community's water sources. In an effort to address the potential problems that could affect their untreated source water, the Town of Buena Vista, with guidance from the WQCD, CRWA, and the Buena Vista Water Advisory Board, appointed the Upper Arkansas River SWPP Steering Committee. The Upper Arkansas River SWPP Steering Committee advised the Town of Buena Vista in identifying local source water management approaches that can be voluntarily implemented to reduce the risks of potential contamination of the untreated source water.

The primary goal for developing and implementing source water management approaches is to apply an additional level of protection to the drinking water supply. Preventative measures at the local level (i.e., county and municipal level) may aid in the protection of source water. These BMP's will complement existing regulatory protection measures implemented at the state and federal governmental levels by filling protection gaps that can only be addressed at the local level.

The SWPP identifies the source water protection area. The area where Buena Vista and the community have chosen to implement source water protection measures. In addition, the protection plan establishes a strategy for prioritizing the water sources and potential contaminant sources to which the source water management approaches will be applied. The strategy is based on the source water assessment results for the Town of Buena Vista, which were used as a starting point from which these priorities were identified. The SWPP also identifies the source water best management practices and associated tasks that will be implemented within the source water protection area(s). In addition, the expected outcome of the tasks, how achievements are measured and the proposed schedule and costs for implementation. The funding source(s) to sustain these approaches and tasks are also identified. Finally, as a companion to the SWPP, a Source Water Protection Ordinance has been adopted by the Town of Buena Vista. An emergency response plan or contingency plan will also be independently developed by the Town of Buena Vista as part of the overall source water management effort. The emergency response plan

lays out a coordinated plan for responding rapidly, effectively, and efficiently to any emergency incident that threatens or disrupts the community water supply.

OVERVIEW OF COLORADO'S SWAP PROGRAM

Source water assessment and protection came into existence in 1996 as a result of Congressional reauthorization and amendment of the Safe Drinking Water Act. The 1996 amendments required each state to develop a source water assessment and protection (SWAP) program. The Water Quality Control Division, an agency of the Colorado Department of Public Health and Environment, assumed the responsibility of developing Colorado's SWAP program. The SWAP program protection plan will be integrated with the existing Colorado Wellhead Protection Program that was established in amendments made to the federal Safe Drinking Water Act (SDWA, Section 1428) in 1986. Wellhead protection is a preventative concept that aims to protect public groundwater wells from contamination. The Wellhead Protection Program and the SWAP program have similar goals and will combine protection efforts in one merged program plan.

Colorado's SWAP program is an iterative, two-phased process (Figure 1) designed to assist public water systems in preventing potential contamination of their untreated drinking water supplies. The two phases include the Assessment Phase and the Protection Phase as depicted in the upper and lower portions of Figure 1, respectively.

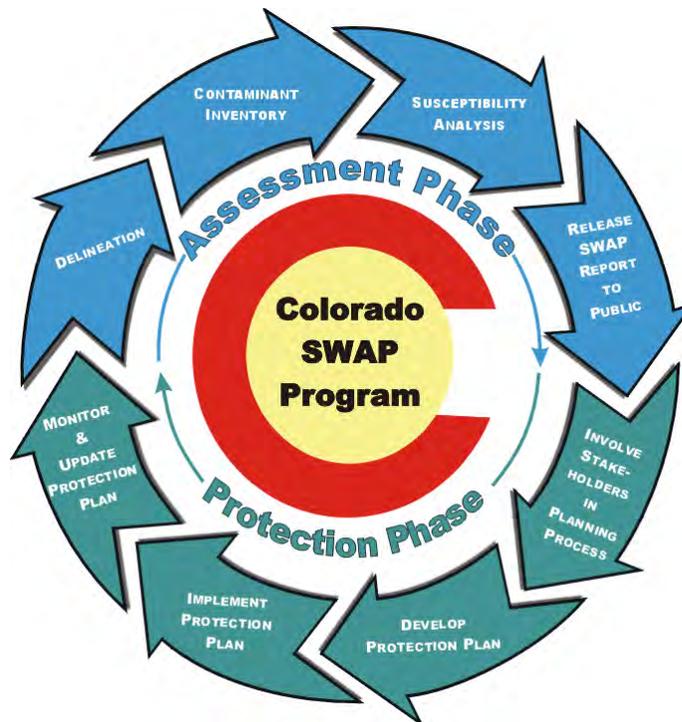


Figure 1. Source Water Assessment and Protection Process

Source Water Assessment Phase

As depicted in the upper portion of Figure 1, the Assessment Phase for all public water systems consists of four primary elements.

1. Delineating the source water assessment area for each drinking water source;

2. Conducting a contaminant source inventory to identify potential sources of contamination within each of the source water assessment areas;
3. Conducting a susceptibility analysis to determine the potential susceptibility of each public drinking water source to the different sources of contamination and;
4. Reporting the results of the source water assessment to the public water systems and the general public.

The Assessment Phase involves understanding where the Town of Buena Vista's source water comes from, what contaminant sources potentially threaten the water source(s), and how susceptible each water source is to potential contamination. The susceptibility of an individual water source is analyzed by examining the properties of its physical setting and potential contaminant source threats. The resulting analysis calculations are used to report an estimate of how susceptible each water source is to potential contamination.

Source Water Protection Phase

The Protection Phase is a voluntary, ongoing process in which the Town of Buena Vista has been encouraged to voluntarily employ preventive measures to protect their water supply from the potential sources of contamination to which it may be most susceptible. The Protection Phase can be used to take action to avoid unnecessary treatment or replacement costs associated with potential contamination of the untreated water supply. Source water protection begins when local decision-makers use the source water assessment results and other pertinent information as a starting point to develop a protection plan. As depicted in the lower portion of Figure 1, the source water protection phase for all public water systems consists of four primary elements.

1. Involving local stakeholders in the planning process;
2. Developing a comprehensive protection plan for all of their drinking water sources;
3. Implementing the protection plan on a continuous basis to reduce the risk of potential contamination of the drinking water sources; and
4. Monitoring the effectiveness of the protection plan and updating it accordingly as future assessment results indicate.

The water system and the community recognize that the Safe Drinking Water Act grants no statutory authority to the Colorado Department of Public Health and Environment or to any other state or federal agency to force the adoption or implementation of source water protection measures. This authority rests solely with local communities and governments. The evolution of the SWAP program is to incorporate any new assessment information provided by the public water supply systems and update the protection plan accordingly.

WATER SUPPLY SETTING

Hydrogeographic and Water Quality Setting

The Town of Buena Vista supplies drinking water to the residents of Buena Vista and the surrounding unincorporated area of Chaffee County, Colorado. The Town of Buena Vista has a population of 2662 and is an economic mix of predominantly a tourist based community, commercial businesses, and larger employee based School District R-31, Sangre de Cristo Electric Association, and Colorado Department of Corrections.

The source water for the Town includes both surface water and ground water, all contained within the top twelve (12) miles of the Cottonwood Creek Watershed, westerly to the Continental Divide. Buena Vista's employees enjoy direct physical daily contact with the Cottonwood Creek watershed area.

The Town's currently active ground water and surface water supply is Cottonwood Creek, West of Buena Vista in the Collegiate Peaks Mountain Range. This includes South, Middle, and North Cottonwood Creek drainages. The Collegiate Peaks Wilderness is also located in the source water areas. The Town holds active water rights in the

Cottonwood Creek Drainages of Middle and North Cottonwood Creeks. Buena Vista's surface sources are considered to be high elevation mountain "pristine" sources.

Buena Vista's groundwater sources include an Infiltration Gallery and one well adjacent to Cottonwood Creek. These sources are connected to the Cottonwood Creek Alluvium aquifer and tributary to the Arkansas River. Buena Vista has recently drilled a non-potable well in the Buena Vista River Park adjacent to the Arkansas River. This well is not included in this Protection Plan, as it is used only for irrigation of the River Park sports fields and landscape. This well could be designed as a potable source of Arkansas water that would increase Buena Vista's redundancy of sources, and not be related to any problems that may occur in the Cottonwood Creek source water.

Elevation within Buena Vista's source water area ranges from 8,000 feet near the Arkansas to over 14,000 feet at the Continental Divide West of Buena Vista. The climate within the source water area(s) is generally mountain arid with an average annual precipitation of 23 inches.

The water quality of the untreated source water is measured against various use classifications and water quality standards that are established and periodically re-assessed by the Colorado Department of Public Health and Environment and the Water Quality Control Commission for Colorado's rivers and streams. Currently, some of the stream segments located above Buena Vista's intake(s) are classified to protect drinking water use. For the stream segments with a drinking water use classification, drinking water standards have been established for Cottonwood Creek. These stream standards are a reflection of known water quality conditions, as well as historic land uses within the Buena Vista's watershed. Drinking water classifications and associated water quality standards provide public water systems and communities with a mechanism for monitoring and protecting the quality of their source water.

Drinking Water Supply Operation

The current water supply consists of an infiltration gallery (alluvial horizontal well), one vertical groundwater well, and one surface water treatment plant, all of which are located west of Buena Vista. The raw water diverted from Cottonwood Creek is sent to the Water Treatment Plant for treatment. The Water Treatment Plant has the maximum capacity to treat 2.9 million gallons of drinking water per day. Treated water is stored in three ground level storage tank(s) prior to distributing the drinking water to the Town's customers. Buena Vista's finished water storage tanks have a combined capacity of 2.520 million gallons. Including transmission lines, Buena Vista has approximately 20 miles of distribution pipelines.

Water Supply Demands/Analysis

The Buena Vista water system serves 1621 connections and approximately 2662 residents and other temporary visitors to Buena Vista. The water system currently has the capacity of meeting a peak (i.e., maximum) daily demand of 0.940 million gallons per day. Current estimates indicate that the average daily demand by the water system's customers is approximately 0.470 million gallons per day, and that the average peak daily demand is approximately 1.233 million gallons per day. Using these estimates, the water system has a surplus average daily capacity of 2.43 million gallons per day and a surplus average peak daily demand capacity of 1.66 million gallons per day. Using the surplus estimates above, Buena Vista has evaluated its ability to meet the average daily demand and the average peak daily demand of its customers in the event the water supply from one or more of its water sources becomes disabled for an extended period of time due to potential contamination. The evaluation indicated that Buena Vista is able to meet the average daily demand of its customers if as few as one of the water sources became disabled for an extended period of time. The evaluation also indicated that Buena Vista will be able to meet the average peak daily demand of its customers if as few as one of the water sources became disabled for an extended period of time. The ability of Buena Vista to meet either of these demands for an extended period of time is also affected by the amount of treated water the water system has in storage at the time a water source(s) becomes disabled. The Town currently is only operating the Infiltration Gallery and Well #2. The Surface Water Treatment Plant is off line and can be operational as demand or loss of the Gallery due to potential groundwater contamination.

Buena Vista recognizes that potential contamination of its ground water source(s) could potentially result in having to treat the ground water and/or abandon the water source if treatment proves to be ineffective or too costly. To understand the potential financial costs associated with such an accident, Buena Vista evaluated what it might cost to replace one of its water sources (i.e., replacement of the intake structure and the associated infrastructure) if this occurs. The evaluation did not attempt to estimate treatment costs, which can be variable depending on the type of contaminant(s) that need(s) to be treated. The evaluation indicated that it could cost anywhere from 3 to 9 million dollars in today's dollars to replace one of its water sources.

The potential financial and water supply risks related to the long-term disablement of one or more of the community's water sources are a serious concern to the Upper Arkansas River SWPP Steering Committee. As a result, the Steering Committee believes the development and implementation of a Source Water Protection Plan for Buena Vista and Chaffee County will help to reduce the risks posed by potential contamination of its water sources. The adopted Town of Buena Vista Water Resources Master Plan dated October 2014 states "the Town's water shed protection plan should be modified to include the entire watershed and a source water protection plan developed through the CDPHE process".

Growth and Land Use Projections

The latest 2012 census information indicated a population of 2662 people in the Buena Vista service area. Based on the latest and previous census information, the Town of Buena Vista and Chaffee County has been experiencing a leveling in growth within the community over the last 20 years. Future projections by the Colorado Office of Demographics, estimates that Buena Vista's population will increase by nearly 16 % by 2030, an average of 1.2% per year.

Currently, the Town of Buena Vista estimates that 94% of the land area within the proposed source water protection area is undeveloped Public lands. Land ownership in the area is 6 % Private ownership.

The Town of Buena Vista has approved a Watershed Protection District, which includes certain protective components that can be administered by the Town of Buena Vista. A special land use/zoning component is already in effect encompassing the District boundaries. However, if other properties are identified in the SWPP and not in the existing Protection District land use/zoning regulations could be proposed and presented to Chaffee County Commissioners.

SOURCE WATER ASSESSMENT RESULTS

The Colorado Department of Public Health and Environment assumed the lead role in conducting the source water assessments for public water systems in Colorado. Buena Vista received their source water assessment report in November 2004 for Groundwater Sources and March 2007 for their Surface Water Sources and has reviewed the report, along with the Upper Arkansas River SWPP Steering Committee. Buena Vista and the Upper Arkansas River SWPP Steering Committee are committed to using these assessment results as a starting point to guide the development of appropriate management approaches to protect their source water from potential contamination. A copy of the source water assessment summary report for the Town of Buena Vista can be obtained by contacting the Town or by downloading a copy from the Colorado Department of Public Health and Environment's SWAP program web site located at: <https://www.colorado.gov/pacific/cdphe/source-water-assessment-and-protection-swap>. The following sections provide a brief summary of the main findings from the three component phases of the assessment.

Source Water Assessment Area Delineation

Surface Water Systems

The source water assessment area(s) for Buena Vista's one surface water source consists of approximately 69,911 acres or a 109 square mile area draining the Cottonwood Creek Watershed. The Colorado Department of Public

Health and Environment provided Buena Vista with a draft map of their source water assessment area(s) and asked them to voluntarily review and comment on its accuracy. Included in the appendix is a map of the source water assessment areas as part of the source water protection plan. The delineated source water assessment area(s) not only provides the basis for understanding where the community's source water and potential contaminant threats originate, but it also provides the basis for establishing the source water protection area under this source water protection plan. Further discussion is provided in a later section on the source water protection area that was established under this plan.

Ground Water Systems

The source water assessment area(s) for Buena Vista's Infiltration Gallery is located in specified areas overlying the Cottonwood Creek Aquifer. A system map is included in the appendix. The delineated source water assessment areas not only provide the basis for understanding where the community's source water and potential contaminant threats originate, but also provide the basis for establishing the source water protection area(s) under this source water protection plan. Further discussion is provided in a later section on the source water protection area(s) that was established under this plan.

Contaminant Source Inventory

The information contained in this "Plan" is limited to that available from public records and the water supplier. Other "potential contaminant sites" or threats to the water supply may exist in the source water assessment areas that are not identified in this "Plan". Identification of a site as a "potential contaminant site" should not be interpreted as one that will necessarily cause contamination of the water supply.

The contaminant source inventory was conducted to identify whether or not selected potential sources of contamination might be present within the source water assessment area(s). The Colorado Department of Public Health and Environment inventoried discrete contaminant sources using selected state and federal regulatory databases. Dispersed contaminant sources were inventoried using recent land use/ land cover and transportation maps of Colorado, along with selected state regulatory databases. The contaminant inventory was completed by mapping the potential contaminant sources with the aid of a Geographic Information System (GIS).

The Colorado Department of Public Health and Environment provided Buena Vista with a draft map, a summary of the discrete contaminant sources mapped within their source water assessment area(s), and a summary of the dispersed contaminant sources inventoried within the source water assessment area(s). The Town was asked to voluntarily review the inventory information, field verify selected information about existing and new discrete contaminant sources, and provide feedback on the accuracy of the inventory.

Discrete Potential Sources of Contamination

The contaminant source inventory results for Buena Vista indicate the following types of discrete contaminant sources were identified within the source water assessment areas for all of the Cottonwood Creek Aquifer sources analyzed:

Existing/Future abandoned Mine Sites (including tailings)

Permitted waste water discharge

Dispersed Potential Sources of Contamination

The contaminant source inventory results for Buena Vista indicate the following types of dispersed contaminant sources were identified within the source water assessment area(s) for all of the Cottonwood Creek Aquifer analyzed:

Land Uses:

- Evergreen Forest (beetle kill activity)
- Deciduous Forest
- Pasture / Hay
- Mixed Forest

Other Types:

- Road Miles (County and Forest Roads)
- Septic Systems
- Recreational uses
- Wildlife populations

Source Water Protection Priority Strategy and Susceptibility Analysis

After reviewing the source water assessment results for Buena Vista, the Upper Arkansas River SWPP Steering Committee adopted the two-step strategy recommended by the Colorado Department of Public Health and Environment for prioritizing the water sources and potential contaminant sources on which source water protection measures will be focused.

The strategy calls for water sources with total susceptibility ratings or physical setting vulnerability ratings of Moderately High or High to be prioritized as the first step in the process. A Moderately High or High total susceptibility rating indicates that the water source is proportionately more susceptible to potential contamination overall when compared to other similar types of water sources around the state. Higher total susceptibility ratings most typically result for water sources with highly vulnerable physical settings and a source water assessment area containing several potential contaminant sources that pose a significant threat to potential contamination. A Moderately High or High physical setting rating indicates a diminished ability of the physical setting of the source water assessment area to buffer contaminant concentrations in the source water below acceptable levels and, therefore, is more vulnerable to potential contamination. Even in cases where few if any potential contaminant sources are currently present, a water source with a highly vulnerable physical setting could be very susceptible to future contamination depending on the type of potential contaminant source(s) that might be introduced.

The strategy also outlines three options for prioritizing discrete and dispersed potential contaminant sources for source water protection measures as the second step of the process. These options include prioritizing source water protection measures based on:

1. **Most prevalent contaminant sources.** Under this option, protection measures would be focused on the discrete and dispersed contaminant sources that occur most frequently in the water system's source water protection area(s), regardless of the individual susceptibility ratings they may have received.
2. **Most threatening contaminant sources.** Under this option, protection measures would be focused on the individual discrete and dispersed contaminant sources in the water system's source water protection area(s) to which the water source(s) is most susceptible. The most threatening contaminant sources are defined as any potential contaminant source receiving a Moderately High or High individual susceptibility rating.
3. **Most prevalent and threatening contaminant sources.** Under this option, protection measures would be focused on the most frequently occurring discrete and dispersed contaminant sources in the water system's source water protection area(s) that received a Moderately High or High individual susceptibility rating.

In applying this strategy, the Steering Committee recommends focusing source water protection measures on Cottonwood Creek Drainages and the most prevalent, most threatening, most prevalent and threatening discrete

contaminant sources and the most prevalent, most threatening, most prevalent and threatening dispersed contaminant sources contained in the source water protection area(s) for this water source(s).

Table 1 below outlines the water sources that the community and the Steering Committee feel should be prioritized based on the assessment susceptibility results. The potential contaminant sources for each water source are listed in Table 1 according to the adopted priority strategy (most prevalent and threatening).

Table 1- Source Water Protection Priority Strategy and Susceptibility

Source ID	108300 - 003	CO0108300- 002	CO0108300- 004					
Source Name	Cottonwood	Gallery	Well #2					
Source Type	SW	GW	GW					
Total Susceptibility	Moderate	Moderate High	Moderate High					
Physical Setting Vulnerability	Moderate	Moderate High	Moderate					
Most Prevalent and Threatening Discrete Contaminant Sources								
Permitted Wastewater Discharge	1							
Existing Abandoned Mine Sites	6							
Commercial Tourist Facility	4							
TOTAL	11							
Most Prevalent and Threatening Dispersed Contaminant Sources								
Low Intensity Residential	X	X	X					
Gravel pit	X							
Pasture/Hay	X	X	X					
Deciduous Forest	X	X	X					
Evergreen Forest	X	X	X					
Mixed Forest	X	X	X					
Septic Systems	X	X	X					
Road Miles	X	X	X					
TOTAL	8	7	7					

Susceptibility Analysis

The susceptibility analysis provides a screening-level evaluation of the likelihood that a potential contamination problem could occur rather than an indication that a potential contamination problem has

or will occur. The analysis is NOT a reflection of the current quality of the untreated source water, nor is it a reflection of the quality of the treated drinking water that is supplied to the public.

The susceptibility analysis was conducted by the Colorado Department of Public Health and Environment to identify how susceptible an untreated water source could be to contamination from potential sources of contamination inventoried within its source water assessment area. The analysis looked at the susceptibility posed by individual potential contaminant sources and the collective or total susceptibility posed by all of the potential contaminant sources in the source water assessment area. The Colorado Department of Public Health and Environment developed a susceptibility analysis model for surface water sources and ground water sources under the influence of surface water, and another model for ground water sources. Both models provided an objective analysis based on the best available information at the time of the analysis. The Colorado Department of Public Health and Environment provided Buena Vista with a final source water assessment report and supporting analysis information.

Table 1 presents the priority strategy and the susceptibility analysis results for selected water sources for Buena Vista. The table(s) summarizes the total susceptibility and physical setting vulnerability results, and the individual susceptibility results for the discrete and dispersed contaminant sources associated with each of the water sources that have been prioritized for source water protection measures under this plan. As a starting point, these water sources have been prioritized based on the source water protection priority strategy recommended by the Steering Committee. The priority strategy was discussed previously in the section titled *Source Water Protection Priority Strategy and Susceptibility*.

SOURCE WATER PROTECTION MEASURES

Defining the Source Water Protection Area(s)

The source water protection area defines either the watershed region or the surficial region overlying the local aquifer where the community has chosen to implement its source water protection measures in an attempt to manage the susceptibility of their source water to potential contamination. Maps have been provided in the appendix.

Identifying the Categories of Contaminants for Discrete Contaminant Sources

The most common categories of contaminants that are most likely associated with the most prevalent and threatening discrete contaminant sources identified in Table 1 include:

Acute Health Concern Contaminants:

- Microorganisms
- Nitrate/Nitrite
- Pesticides
- Semi-volatile organic compounds (SVOCs)
- Volatile organic compounds (VOCs)
- Lead
- Ammonia or nitric acid

Acute health concern contaminants include individual contaminants and categories of constituents that pose the most serious immediate health concerns resulting from short-term exposure to the constituent. Many of these acute health concern contaminants are classified as potential cancer-causing (i.e., carcinogenic) constituents or have a Maximum Contaminant Level Goal (MCLG) set at zero (0).

Chronic Health Concern Contaminants:

- Herbicides
- Pesticides

- Volatile organic compounds (VOCs)
- Non-metal inorganic compounds
- Metals – Primary Drinking Water (other than lead)
- Turbidity
- Other inorganic compounds
- Other organic compounds (Endocrine disruptors)

Chronic health concern contaminants include categories of constituents that pose potential serious health concerns due to long-term exposure to the constituent. Most of these chronic health concern contaminants include the remaining primary drinking water contaminants.

Aesthetic Concern Contaminants:

- Secondary drinking water contaminants

Aesthetic contaminants include the secondary drinking water contaminants, which do not pose serious health concerns, but cause aesthetic problems such as odor, taste or appearance.

The groups of acute, chronic and aesthetic concern contaminants are analogous to the Class A, Class B and Class C contaminant hazards, respectively, that were used in the Colorado Department of Public Health and Environment's source water assessment. Table B-1 in Exhibit C is provided as a reference to further define specific contaminants in relationship to potential sources of contamination.

Identifying the Categories of Contaminants for Dispersed Contaminant Sources

The most common categories of contaminants that are most likely associated with the most prevalent and threatening dispersed contaminant sources identified in Table 1 include:

Acute Health Concern Contaminants:

- Microorganisms
- Nitrate/Nitrite
- Pesticides
- Semi-volatile organic compounds (SVOCs)
- Volatile organic compounds (VOCs)
- Lead
- Ammonia or nitric acid

Acute health concern contaminants include individual contaminants and categories of constituents that pose the most serious immediate health concerns resulting from short-term exposure to the constituent. Many of these acute health concern contaminants are classified as potential cancer-causing (i.e., carcinogenic) constituents or have a Maximum Contaminant Level Goal (MCLG) set at zero (0).

Chronic Health Concern Contaminants:

- Herbicides
- Pesticides
- Volatile organic compounds (VOCs)
- Non-metal inorganic compounds
- Metals – Primary Drinking Water (other than lead)
- Radionuclides
- Turbidity
- Other inorganic compounds
- Other organic compounds (Endocrine disruptors)

Chronic health concern contaminants include categories of constituents that pose potential serious health concerns due to long-term exposure to the constituent. Most of these chronic health concern contaminants include the remaining primary drinking water contaminants.

Aesthetic Concern Contaminants:

- Secondary drinking water contaminants

Aesthetic contaminants include the secondary drinking water contaminants, which do not pose serious health concerns, but cause aesthetic problems such as odor, taste or appearance.

The groups of acute, chronic and aesthetic concern contaminants are analogous to the Class A, Class B and Class C contaminant hazards, respectively, that were used in the Colorado Department of Public Health and Environment's source water assessment. Table B-1 in Exhibit C is provided as a reference to further define specific contaminants in relationship to potential sources of contamination.

Source Water Protection Area Management and Commitment

The Upper Arkansas River SWPP Steering Committee reviewed and discussed several possible source water management approaches that could be implemented within the source water protection area(s) to help reduce the potential risks of potential contamination of the community's source water. The purpose of voluntarily implementing source water management approaches is to apply an additional level of protection to the drinking water supply by taking preventive measures at the local level (i.e., county and municipal level) to protect the source water. These local preventive measures will compliment regulatory protection measures already being implemented at the state and federal governmental levels by filling protection gaps that can only be addressed at the local level. The Upper Arkansas River SWPP Steering Committee is confident that applying these management approaches is a cost-effective and common sense approach in helping to reduce the risks of costly service disruptions resulting from potential contamination of the source water.

The Upper Arkansas River SWPP Steering Committee established certain acceptance criteria as part of identifying and selecting the most feasible source water management approaches to implement locally. The Upper Arkansas River SWPP Steering Committee recommends the following table (Table 2) of source water Best Management Practices to be implemented by the Town of Buena Vista and Chaffee County Planning Commission, where applicable in the source water protection area(s). The list is prioritized in the order of importance to the Upper Arkansas River SWPP Steering Committee. In order to provide some resources for defining applicable best management approaches, the following websites were identified:

www.cabmphandbooks.com, www.npscolorado.com, www.epa.gov/watertrain/,
www.epa.gov/safewater/dwa/electronic/ematerials.html#SWP, www.epa.gov/owow/nps/forestrygmt/

Table 2. Source Water Protection Priorities and Best Management Practices

Issue #	Priority Issue	Best Management Practices	Water Sources Applied	Implementation Responsibility	Implementation Schedule	Estimated Cost	Funding Sources
1	<p>Transportation and Spills - Incorporate our transportation and spills risk expert’s insight on best management practices (BMPs) to minimize potential threats and impacts to source water and the overall watershed. Here are a few suggested BMP’s to include in your source water protection plans.</p>	<p>Develop and distribute laminate handout with identified areas for Public Water Systems (PWSs) concerns, source water intakes, key storm-water outfalls, as well as a priority emergency contact list including Town of Buena Vista, Chaffee County Fire Protection District and Colorado Department of Public Health and Environment, Chaffee County Emergency Management information for response and follow up to a spill event and remediation.</p>	<p>SW & GW sources</p>	<p>Town of Buena Vista, Buena Vista Police Department, Dispatch, Chaffee County Sheriff, Colorado State Patrol, CDOT, CDPHE, U.S. Forest Service, Colorado Division of Parks and Wildlife</p>	<p>Design/Print & Distribute Water Shed Laminate Cards TBD</p>	<p>\$1,000</p>	<p>Town BV, CDPHE Implementation Grant Funding</p>
<p>Establish community procedures for acceptable follow-up that identify the entity responsible for clean-up and the remediation of a site.</p>		<p>Town Buena Vista, Chaffee County Emergency Management, CDPHE, Other federal and state agencies</p>		<p>Standard Operating Procedure TBD</p>	<p>Town BV In-kind</p>		
<p>Establish a clear and effective chain of communication so that information can be relayed quickly and concisely between first responders, dispatch officials, and public water providers. Use the reverse 911 system to alert private water users when a spill has occurred.</p>		<p>Town Buena Vista, Chaffee County Emergency Management, CDPHE, Other federal and state agencies</p>		<p>Communication Protocol TBD</p>	<p>Town BV In-kind</p>		
<p>Address road related storm-water erosion issues, use of dust suppression, and eradicating of noxious weeds.</p>		<p>Chaffee County, CDOT, Private Entities (e.g., Ranchers, Mining Claims), USFS, Soil Conservation District, NRCS</p>		<p>Standard Operation Procedure TBD</p>	<p>Town BV In-kind</p>		
<p>Install signage at the road entries of Buena Vista’s Source Water Protection areas.</p>		<p>Town BV, CDPHE, Chaffee County Roads,</p>		<p>Obtain signs and permission for installation TBD</p>	<p>Town BV In-kind,</p>		

Issue #	Priority Issue	Best Management Practices	Water Sources Applied	Implementation Responsibility	Implementation Schedule	Estimated Cost	Funding Sources
2	<p>Onsite Wastewater Treatment Systems - Incorporate our onsite wastewater treatment system (OWTS) expert's insight on best management practices (BMPs) to minimize potential threats and impacts to source water and the overall watershed. Here are a few suggested BMP's to include in your source water protection plans.</p>	<p>Develop a GIS layer with septic systems identified along with prioritizing which OWTS are the most immediate threat (Zone 1 or 1,000 ft. for 5 miles upstream may be considered).</p> <p>Share GIS layer with the county to identify sensitivity areas, buffer zones, and protection areas related to OWTS's.</p> <p>Use public outreach to educate specific OWTS owners about how to maintain and check their systems. Consider sending this information out in the water utility billing (ex: Are you aware that not operating your septic system properly could affect your drinking water quality?)</p> <p>Coordination on adoption of new state OWTS regulations and add language to county plans to address threats to drinking water from OWTS.</p> <p>Consider septic pumping rebates or "sludge judge" monitoring in sensitivity zones.</p>	SW & GW sources	Town of Buena Vista Chaffee County	Ongoing	Town BV in kind	BV budget, Grants

Issue #	Priority Issue	Best Management Practices	Water Sources Applied	Implementation Responsibility	Implementation Schedule	Estimated Cost	Funding Sources
4	<p>Mining Related - Incorporate our mining expert's insight on best management practices to minimize water quality impacts to source water. Here are a few suggested BMP's to include in your source water protection plans. (For specific mining related field best management practices, please see Appendix D)</p>	<p>Abandoned Mine Issues: Research and identify mining sites that are within the near zone (5 miles upstream of intakes) and zone 1 (1,000 feet from streams) for surface water systems. Groundwater systems may want to evaluate any potential abandoned mining impacts in zones 1, 2, and 3.</p> <p>Coordination on BMP's: Coordinate with the agencies who can further identify potential risks in the sensitivity zones and help determine appropriate BMP strategies (ex. CDPHE, DRMS, USFS). A list of potential BMP approaches that may be implemented once a target mine is identified on page 45 in appendix D.</p> <p>Coordination with the County and Division of Mining and Reclamation and Safety: Establish contacts with the county and DRMS to get notified on any new permits/public notices related to proposed future mining areas and re-processing areas.</p> <p>Coordination with County, USFS, and other Land Management Agencies to further understand proposed wilderness regions and their relationship to mining and the source water areas.</p>	SW & GW sources	<p>Town of Buena Vista</p> <p>Town of Buena Vista</p> <p>Town of Buena Vista</p> <p>Town of Buena Vista</p>	<p>Review mine site list for impact zones. Prioritize sites.</p> <p>Set meeting w/ agencies once priorities are listed.</p> <p>Send letter for Notification of pending permits</p> <p>Set meeting w/ agencies after WSPP complete</p>	<p>BV staff time</p> <p>BV staff time</p> <p>BV Staff time</p> <p>BV staff time</p>	<p>BV budget</p> <p>BV budget</p> <p>BV budget</p> <p>BV budget</p>

Issue #	Priority Issue	Best Management Practices	Water Sources Applied	Implementation Responsibility	Implementation Schedule	Estimated Cost	Funding Sources
5	Water Quality	Establish baseline water quality data for all sources. Schedule ongoing monitoring with regular intervals. Prepare electronic format to track parameters.	SW & GW sources	Town of Buena Vista	Chart schedule for monitoring. Create spreadsheet.	PWD staff time	PWD budget
6	Road Maintenance	<p>Add Chaffee County to the distribution list for the laminate cards.</p> <p>Future coordination with Chaffee County on locations of culverts & sharing of GIS data.</p> <p>Coordinate with Chaffee County & get all PWS's on distribution list for remediation reports from agencies.</p> <p>Consider an "Adopt a Highway" or County Road segment from intake/well location to remove trash /debris/potential</p>	SW & GW sources	Town of Buena Vista	Town of Buena Vista	BV staff time	BV Budget
7	Storm water management	<p>Leverage education and outreach resources from Chaffee County Road & Bridge Dept.</p> <p>Establish connections with ditch companies and agricultural contacts to improve storm water coordination.</p> <p>Exchange acquired GIS shape file information between storm water /culvert data from Chaffee County and with Town BV.</p> <p>Establish a SWPP brochure for kiosks and education and outreach efforts.</p> <p>Distribute a newsletter for public release of protection plans and public meeting announcements.</p> <p>Utilize Town BV web site for public announcements, and educational outreach information.</p>	SW & GW sources	Town of Buena Vista	Town of Buena Vista	Town BV in kind	BV budget

Additional Comments

A Best Management Practice checklist, developed from Table 2, will be utilized to manage and coordinate work projects associated with this Water Supply Protection Plan. See attached BMP checklist.

The Town of Buena Vista is committed to developing a tracking and reporting system to gauge the effectiveness of the various source water management approaches that have been implemented. The purpose of tracking and reporting the effectiveness of the source water management approaches is to update water system managers, the Town of Buena Vista Town Council, the Buena Vista Water Department, Chaffee County Commissioners, consumers, Upper Arkansas River SWPP Steering Committee, Colorado Department of Public Health and Environment, and other interested entities on whether or not the intended outcomes of the various source water management approaches are being achieved, and if not, what adjustments to the protection plan will be taken in order to achieve the intended outcomes. The Town of Buena Vista Water Department will submit an annual report to CRWA, CDPHE, Steering Committee, Chaffee County Commissioners, etc. in order to monitor the protection plan progress.

The Town of Buena Vista and Chaffee County are voluntarily committed to applying source water assessment and protection principles to siting and protecting new water sources in the future. This is part of the larger ongoing commitment to providing the highest quality drinking water to Buena Vista's water consumers.

The Town of Buena Vista is voluntarily committed to assisting the Colorado Department of Public Health and Environment in making future refinements to their source water assessment and to revise the source water protection plan accordingly based on any major refinements. By making this commitment, the Town is assuring that future assessment results are consistent with the available data and that source water management approaches are appropriate for the susceptibility concerns.

The Town of Buena Vista established a Water Supply Protection District with Ordinance # 5 1999. Chaffee County Board of Commissioners recognized this Water Supply Protection District. The Protection District allows the Town of Buena Vista to require applications for permits of several activities listed in the Resolution within the boundaries of the District. The administration of the permitting process allows the Town of Buena Vista to recognize potential contamination or water quality degradation, require BMP's or even to deny the application.

These permits would provide valuable data for future CDPHE assessments. The Town of Buena Vista would participate in any future watershed assessments or verification of this Source Water Protection Plan data.

Exhibits

Exhibit A

Watershed Protection Report RG & Associates August 2014

10.0 WATERSHED PROTECTION

10.1 BACKGROUND

The Town adopted into Code the formation of a Watershed Protection District (WSPD) in 2000. The WSPD was established to protect the primary water supply source for the Town, Cottonwood Creek. The WSPD is given the authority to permit any development or land use within the WSPD boundaries. Items and activities that are defined in the code as having potential water quality impacts that require a permit may include, but are not limited to, sewage disposal systems; drilling; timber harvest; excavating, grading, filling, and blasting; spraying fertilizers, herbicides, or pesticides; handling or storing toxic materials; using, storing, or transporting flammable or explosive materials; tampering with the Town waterworks in any way; or any activity presenting a risk to the Town's water supply.

10.2 WSPD ADMINISTRATION

To date, the WSPD permit process has been exercised primarily with single-family development within the District boundary and the use of individual septic systems. There has been significant confusion and confrontation between permit applicants, Chaffee County, and the Town during the permit process, primarily due to the amount of subjectivity required for the Town to exercise in reviewing permits. A more standardized, risk-based approach to WSPD management and permit review is needed to reduce conflicts; however, because the infiltration gallery is such an important, and potentially sensitive, element in the Buena Vista water supply system, the authority of the District to protect the supply must be maintained. As the number and type of permit applications expands, it will be increasingly important for the Town to have an effective and efficient means to review permits and protect its resource.

This *Water Resources Master Plan* recommends that the Town pursue the following changes in the administration of the WSPD:

- Modify the WSPD boundary whenever any changes are made within a 5-mile radius of the WTP intake that warrant such a change (i.e. when supply points are

added or changed, such as with a new well, so that areas outside current boundary become eligible for inclusion).

- Increase public awareness of the WSPD. The Town should install signs along major roads at the boundaries of the WSPD with a note regarding permit requirements. The Town should run a direct-mail campaign to residents in the WSPD on an annual or semi-annual basis that reviews requirements and depicts the boundaries of the WSPD. Periodic newspaper ads should also be considered. The Town should also ensure that new property owners are aware of WSPD requirement during or immediately after property transfers.
- Require regular maintenance inspections of ISDS systems with the frequency dependent on type of system (advanced systems to be inspected more frequently). Require that maintenance reports be filed with the Town.
- Revise the WSPD code to more clearly define management zones based on proximity and/or contamination risk to the water supply; within each zone define specific sewage handling requirements (see Table 10.2.1 and Figure 10-1)
- Set clear requirements on what must be submitted to apply for a permit from the Town, depending on the specific management zone where a use is proposed.

Table 10.2.1 presents proposed WSPD management zone categories defined by relative risk of water supply contamination along with proposed requirements for wastewater handling in the zones. Proposed zone definitions were developed with consideration of the following sources, which establish guidance and requirements for setbacks of contaminant sources to water sources and water supply infrastructure:

- CDPHE *Guidelines on Individual Sewage Disposal Systems*, rev. 2000
- Colorado DWR *Rules and Regulations for Water Well Construction...*, 6/2000
- CDPHE *Design Criteria for Potable Water Systems*, rev. 3/1997

Exhibit H presents a map showing the WSPD boundary, key water system intake points, and surface water supplies within the WSPD boundary that are tributary to the Town's intake, and the proposed Zone Category I area around the Town's infiltration gallery. Management zone categories to lands within the WSPD would be assigned based on Table 10.2.1 and the surface waters identified in WSPD Boundary map (in Appendix J) along with other surface waters and/or riparian areas that the Town designates as requiring protection. The Town should refine the definition of the zone boundaries and requirements, as appropriate, as additional

watershed data become available (see Section 10.4) and an improved understanding of groundwater fate and transport, especially near the Town’s infiltration gallery, is developed.

Table 10.2.1 - Proposed WSPD Zone Categories

WSPD Zone Category	Proposed Sewage Disposal Method Required	Zone Definition
I	No construction, ISDSs, or sewer lines allowed	Within 25’ (horiz.) of all surface waters or riparian areas, or within 500’ upgradient or 100’ in any direction of the Town’s Gorrel Meadow infiltration gallery or within 100’ of any municipal potable production well
II	No ISDSs; all development must be sewerred	Between 25’ and 100’ (horiz.) of surface waters or riparian areas
III	Advanced ISDSs required	Between 100’ and 500’ (horiz.) of surface waters or riparian areas; or where depth to groundwater is less than 20 feet
IV	Engineered ISDSs required	All other areas within the WSPD

10.3 WATERSHED STAKEHOLDERS GROUP

There are activities and events in Cottonwood Creek’s watershed that could impact the Town’s source water quality and quantity, which cannot be addressed by its WSPD. Furthermore, a recent Source Water Assessment by CDPHE identified potential sources of water contamination in the Cottonwood Creek watershed. Effective watershed management hinges upon collaboration and communication between concerned water users. The Town should spearhead the development of a watershed group for the Cottonwood Creek watershed. Possible goals of the stakeholder group would be to collaborate on:

- developing consensus watershed priorities and water quality goals
- implementing a water quality/quantity monitoring program
- identifying and implementing voluntary best management practices to maintain or improve water quality
- identifying and monitoring potential threats to water quality (for example, logging, fires, septic systems, and road construction)
- educating local public and visitors about water resource importance
- being a central advocate for watershed protection as key issues arise

Potentially interested parties for the envisioned watershed group are:

- Property owners and water users in the watershed (ranches, campgrounds, others)
- Town of Buena Vista
- Chaffee County
- San Isabel National Forest
- Recreational or environmental groups (such as Trout Unlimited)
- Other groups, districts

10.4 WATERSHED MONITORING

10.4.1 Water Quality Monitoring

The Town currently performs raw water quality monitoring at its water production facilities for parameters required by CDPHE and those needed to run the production/treatment processes. However, this *Water Resources Master Plan* recommends that the Town expand its water quality monitoring in and along Cottonwood Creek in order to establish baseline stream quality/health and track long- and short-term changes in stream quality. The goal is to have an advanced warning of changes occurring within the watershed that may produce significant negative impacts on water quality at the Town's intake over time. Monitoring could also be performed in target locations along Cottonwood Creek to spatially pinpoint sources of contamination. The following types of monitoring locations should be considered:

- Near potential contamination sources (major ISDS's, etc.)
- Near major creek confluences
- Key groundwater locations
- At the Town water supply intake

Through water quality monitoring, the Town could establish baseline water quality and trigger points for the various parameters that would spur additional investigations or other activities to identify and rectify problems within the watershed. Example water quality parameters and sampling frequencies that should be considered are:

- Temperature, turbidity, conductivity, pH (weekly to monthly)
- Total dissolved solids, total suspended solids, total organic carbon, alkalinity,

- hardness (monthly to quarterly)
- total coliforms, fecal coliforms, E. Coli (monthly to quarterly)

10.4.2 Water Quantity Monitoring

Currently, the only continuous monitoring of water flows and movement in the Cottonwood Creek watershed is at the USGS gaging station just above Cottonwood Creek. In order to improve the understanding of water movement within the watershed, this *Water Resources Master Plan* recommends that the Town develop and implement a program to collect data on water quantity and movement within the watershed. These data will be useful in improving the Town's understanding of the impacts of watershed activities on water quality as well as its understanding of water supply reliability. This information would support future water supply planning efforts, watershed management decision-making processes, and regular water utility operational decisions. The following monitoring related to water quantity and movement should be considered.

1. Additional stream flow gaging - regular monitoring of flows upstream of the existing USGS gage to better track physical water supplies available to the Town and improve prediction of water shortages; one location could be the bridge just downstream of the Cottonwood Hot Springs, a historic gaging station site. Other sites would include just upstream of major creek confluences on the branch creeks.
2. Snowpack monitoring - winter/spring measurements of snowpack depths at several key locations within the watershed, combined with additional stream gaging would improve the Town's ability to forecast water availability for the peak water use periods later in the year.
This information could be used to implement water conservation or water restriction programs, as needed.
3. Groundwater table monitoring - seasonal measurements of groundwater elevations would provide the Town a better understanding of groundwater flow directions under various conditions, and the potential impacts on the Town's water sources; this would allow optimizing watershed control programs.

10.5 SECTION SUMMARY

1. The Town should adopt defined protection zones that specify acceptable sewerage systems in effort to standardize and facilitate the permit review process. The protection zones should be based on proximity and potential affect to Town water supply sources.
2. Set clear requirements on what must be submitted to apply for a permit from the Town, depending on the specific management zones.
3. Require regular maintenance inspections of ISDS systems within critical protection zones that are filed with the Town.
4. The Town should foster the development of a Watershed Stakeholders Group.
5. The Watershed Protection Plan should be expanded to include proactive water quality and quantity monitoring.

End of Section

Exhibit B

Contaminant Types

**TABLE B-1
CONTAMINANT TYPES ASSOCIATED WITH DISPERSED CONTAMINANT SOURCES**

Dispersed Contaminant Source Type	Acute Health Concerns							Chronic Health Concerns									Aesthetic Concerns
	Microorganisms	Nitrate/Nitrite	Pesticides	Semi-volatile Organic Compounds (SVOCs)	Volatile Organic Compounds (VOCs)	Lead	Ammonia / Nitric Acid	Herbicides	Pesticides	Volatile Organic Compounds (VOCs)	Non-metal Inorganic Compounds	Metals - Primary Drinking Water (other than lead)	Radionuclides	Turbidity	Other Inorganic Compounds	Other Organic Compounds	Secondary Drinking Water Contaminants
LAND USES:																	
Commercial / Industrial / Transportation		x	x	x	x	x	x	x	x	x		x			x	x	x
High Intensity Residential	x	x	x					x	x					x	x	x	
Low Intensity Residential	x	x	x					x	x					x	x	x	
Urban Recreational Grasses		x	x					x	x					x	x	x	
Quarries / Strip Mines / Gravel Pits					x	x	x					x		x	x		x
Row Crops		x	x				x	x	x					x	x		
Fallow														x			
Small Grains		x	x				x	x	x					x	x		
Pasture / Hay	x							x	x					x			
Orchards / Vineyards / Others		x	x				x	x	x					x	x		
Deciduous Forest	x							x	x					x			
Evergreen Forest	x							x	x					x			
Mixed Forest	x							x	x					x			
OTHER TYPES:																	
Septic Systems	x	x	x				x	x	x						x		
Oil & Gas Wells																	x
Road Miles	x	x	x	x	x		x	x	x	x	x		x	x	x	x	x

**TABLE A-2
CONTAMINANT TYPES ASSOCIATED WITH SIC-RELATED DISCRETE CONTAMINANT SOURCES**

SIC Code	Discrete Contaminant Source Type	Acute Health Concerns							Chronic Health Concerns								Aesthetic Concerns
		Microorganisms	Nitrate/Nitrite	Pesticides	Semi-volatile Organic Compounds (SVOCs)	Volatile Organic Compounds (VOCs)	Lead	Ammonia / Nitric Acid	Herbicides	Pesticides	Volatile Organic Compounds (VOCs)	Non-metal Inorganic Compounds	Metals - Primary Drinking Water (other than lead)	Radionuclides	Turbidity	Other Inorganic Compounds	Other Organic Compounds
021101	LIVESTOCK FEEDING	x	x				x								x	x	x
072103	AERIAL APPLICATORS			x					x	x	x				x	x	
075205	DOG & CAT KENNELS	x	x				x								x		x
075211	PET BOARDING	x	x				x								x		x
078206	LAWN & GROUNDS MAINTENANCE		x	x					x	x					x	x	
078212	SEEDING & FERTILIZING CONTRACTORS		x	x					x	x					x	x	
138905	OIL FIELD SERVICE				x	x	x	x		x		x			x	x	x
149901	MINING COMPANIES					x	x	x			x	x		x	x		x
161106	ASPHALT & ASPHALT PRODUCTS				x	x		x			x			x	x	x	x
171107	SEPTIC TANKS/SYSTEMS-CLEANING/REPAIRING	x	x												x	x	x
208201	BREWERS					x		x		x					x	x	
208401	WINERIES					x		x		x					x	x	
239698	AUTOMOTIVE TRIMMING/APRIL FINDINGS (MFR)				x	x	x			x		x			x	x	x
243102	MILLWORK (MANUFACTURERS)				x	x				x		x			x	x	x
245201	LOG CABINS HOMES & BUILDINGS (MFRS)				x	x	x	x		x		x		x	x	x	
259901	FURNITURE-MANUFACTURERS				x	x	x	x		x		x			x	x	
271101	NEWSPAPERS (PUBLISHERS)				x	x	x			x	x	x					x
272102	PUBLISHERS-PERIODICAL				x	x	x			x	x	x					x
273101	PUBLISHERS-BOOK				x	x	x			x	x	x					x
274119	MULTIMEDIA (MANUFACTURERS)				x	x	x			x	x	x					x
275202	PRINTERS				x	x	x	x		x	x	x			x	x	x
275203	POSTERS (MANUFACTURERS)				x	x	x			x	x	x					x
275902	SCREEN PRINTING				x	x	x			x	x	x					x
279601	ENGRAVERS-PLASTIC WOOD & ETC				x	x	x			x		x					x
308901	MOLD MAKERS				x	x	x	x		x		x			x	x	x
308906	PLASTICS-FABRICATING/FINISH/DECOR-MFRS				x	x	x	x		x	x	x			x	x	x
311101	TANNERS (MANUFACTURERS)				x	x				x		x			x		x
327209	CONCRETE PRODS-EX BLOCK & BRICK (MFRS)					x				x		x			x	x	x
344106	STEEL-STRUCTURAL (MANUFACTURERS)				x	x	x	x		x	x	x			x	x	x
344403	SHEET METAL FABRICATORS				x	x	x	x		x	x	x			x	x	x
354405	MOLDS (MANUFACTURERS)				x	x	x	x		x		x			x	x	x
356907	AUTOMATION SYSTEMS & EQUIPMENT-MFRS				x	x	x	x		x		x			x	x	x
357908	COPYING MACHINES & SUPPLIES-MFRS				x	x	x	x		x	x	x			x	x	x
359903	MACHINE SHOPS				x	x	x	x		x	x	x			x	x	x

**TABLE A-1
CONTAMINANT TYPES ASSOCIATED WITH REGULATED DISCRETE CONTAMINANT SOURCES**

Discrete Contaminant Source Type	Acute Health Concerns							Chronic Health Concerns									Aesthetic Concerns
	Microorganisms	Nitrate/Nitrite	Pesticides	Semi-volatile Organic Compounds (SVOCs)	Volatile Organic Compounds (VOCs)	Lead	Ammonia / Nitric Acid	Herbicides	Pesticides	Volatile Organic Compounds (VOCs)	Non-metal Inorganic Compounds	Metals - Primary Drinking Water (other than lead)	Radionuclides	Turbidity	Other Inorganic Compounds	Other Organic Compounds	Secondary Drinking Water Contaminants
EPA Superfund Sites (NPL & NPLRF)			x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
EPA Abandoned Contaminated Sites (CERCLA)			x	x	x	x	x	x	x	x	x	x			x	x	x
EPA Hazardous Waste Sites (HWSQG)			x	x	x	x	x	x	x	x	x	x			x	x	x
EPA Hazardous Waste Sites (HWLQG)			x	x	x	x	x	x	x	x	x	x			x	x	x
EPA Hazardous Waste Sites (HWTSD)			x	x	x	x	x	x	x	x	x	x			x	x	x
EPA Chemical Inventory / Storage Sites (SARA)				x	x	x	x			x		x			x	x	x
EPA Toxic Release Inventory Sites (TRI)				x	x	x	x			x		x			x	x	x
Permitted Wastewater Discharge Sites (PCS)	x	x	x	x	x	x	x	x	x	x	x	x		x	x	x	x
Aboveground, Underground and Leaking Storage Tank Sites (TANKFAC)					x					x							
Solid Waste Sites (SWSITE)	x	x	x	x	x	x	x	x	x	x	x	x		x	x	x	x
Existing / Abandoned Mine Sites (MASMIL)	x				x	x	x			x		x		x	x		x
Concentrated Animal Feeding Operations (CAFO)	x	x					x								x	x	x
Other Facilities (OGFAC)				x	x					x					x	x	x
Other Facilities (WHP)				x	x					x		x			x	x	x

TABLE C-1
CONTAMINANTS ASSOCIATED WITH COMMON PSOC's

Source	Contaminant*
COMMERCIAL / INDUSTRIAL	
Automobile, Body Shops/Repair Shops <i>CONTAM. HAZARD: B</i>	Arsenic, Ammonium Persulfate, Barium, Benzene, Cadmium, Chlorobenzene, Copper, Creosote, cis 1,2-Dichloroethylene, trans 1,2-Dichloroethylene, 1,4-Dichlorobenzene or P-Dichlorobenzene, Ethylene Glycol, Lead, Fluoride, 1,1,1-Trichloroethane or Methyl Chloroform, Dichloromethane or Methylene Chloride, Nickel, Nitric Acid, Phosphoric Acid (Ortho-), Sulfuric Acid, 1,1,2,2-Tetrachloroethane, Tetrachloroethylene or Perchloroethylene (Perk), Trichloroethylene or TCE, Tin, Xylene (Mixed Isomers)
Boat Repair/Refinishing <i>CONTAM. HAZARD: A</i>	Ammoniacal Copper Arsenate, Benzene, Cadmium, Chromated Copper Arsenic, Coliform bacteria, Copper Quinolate, <i>Cryptosporidium parvum</i> , Epoxy, <i>Giardia lamblia</i> , Isopropanol, Lead, <i>Legionellae</i> sp., Mercury, Nitrate, Nitrite, Polyurethane, Vinyl Chloride, Viruses
Cement/Concrete Plants <i>CONTAM. HAZARD: B</i>	Acetone, Barium, Benzene, Dichloromethane or Methylene Chloride, Ethylbenzene, Ethylene Glycol, Lead, Methanol, Styrene, Sulfuric Acid, Tetrachloroethylene or Perchloroethylene (Perk), Toluene, Xylene (Mixed Isomers)
Chemical/Petroleum Processing <i>CONTAM. HAZARD: B</i>	Acetone, Acrylamide, Arsenic, Atrazine, Alachlor, Aluminum (Fume or Dust), Ammonia, Barium, Benzene, Cadmium, Carbofuran, Carbon Tetrachloride, Chlorine, Chlorine Dioxide, Chlorobenzene, Chloroform, Copper, Creosote, Cyanide, Captan, 2,4-D, 1,2-Dibromoethane or Ethylene Dibromide (EDB), 1,2-Dichlorobenzene or O-Dichlorobenzene, 1,4-Dichlorobenzene or P-Dichlorobenzene, 1,1-Dichloroethylene or Vinylidene Chloride, cis 1,2 Dichloroethylene, Dichloromethane or Methylene Chloride, Di(2-ethylhexyl) adipate, Di(2-ethylhexyl) phthalate, 1,2-Dichloroethane or Ethylene Dichloride, Dioxin, Endrin, Epichlorohydrin, Ethane, Ethylbenzene, Ethylene, Ethylene Glycol, Freon 113 or 1,1,2-Trichloro-1,2,2-trifluoroethane, Formaldehyde or K157, Hexachlorobenzene, Hexachlorocyclopentadiene, Hydrochloric Acid or Muriatic Acid, Hydroquinone, Hydrogen Peroxide, Isopropyl Alcohol (Manufacturing, Strong-Acid Process), Kerosene, Lead, Mercury, Methanol, Methoxychlor, Naphthalene or K156, Nickel, Nitric Acid, Oxamyl (Vydate), Polychlorinated Biphenyls, Phosphoric Acid Ortho-, Selenium, Sodium Cyanide, Styrene, Sulfate, Sulfuric Acid, 1,1,2,2-Tetrachloroethane, Tetrachloroethylene or Perchloroethylene (Perk), Toluene, Toluenediisocyanate (Mixed Isomers), 1,2,4-Trichlorobenzene, 1,1,1-Trichloroethane or Methyl Chloroform, Trichloroethylene or TCE, Vinyl Chloride, Xylene (Mixed Isomers), Zinc (Fume or Dust)

* Bold Denotes that contaminant is a National Primary Drinking Water Contaminant

**TABLE C-1
CONTAMINANTS ASSOCIATED WITH COMMON PSOC'S (cont.)**

Source	Contaminant*
COMMERCIAL / INDUSTRIAL	
Construction/Demolition <i>CONTAM. HAZARD: B</i>	Acetone, Arsenic, Asbestos, Ammonia, Ammoniacal Copper Arsenate, Benzene, Cadmium, Chloride, Chromated Copper Arsenic, Copper, Copper Quinolate, Cyanide, cis 1,2-Dichloroethylene, trans 1,2-Dichloroethylene, Dichloromethane or Methylene Chloride, Epoxy, Fluorides, Formaldehyde or K157, Lead, Lindane, Methanol, Nickel, Polyurethane, Phosphoric Acid Ortho-, Selenium, Sodium Cyanide, Sulfuric Acid, 1,1,2,2-Tetrachloroethane, Tetrachloroethylene or Perchloroethylene (Perk), 1,1,1-Trichloroethane or Methyl Chloroform, Trichloroethylene or TCE, Turbidity, Xylene (Mixed Isomers), Zinc (Fume or Dust)
Dry Cleaners/Dry Cleaning <i>CONTAM. HAZARD: B</i>	Amyl Acetate, Fluorocarbon 113 (Freon), Peroxide, Tetrachloroethylene or Perchloroethylene (Perk), 1,1,1-Trichloroethane or Methyl Chloroform, 1,1,2-Trichloroethane
Dry Goods Manufacturing <i>CONTAM. HAZARD: A</i>	Acetone, Ammonia, Barium, Benzene, Cadmium, Chlorine, Copper, Dichloromethane or Methylene Chloride, Di(2-ethylhexyl) phthalate, Formaldehyde or K157, Hydrochloric Acid or Muriatic Acid, Isopropyl Alcohol (Manufacturing Strong-Acid Process), Lead, Methanol, 1,1,1-Trichloroethane or Methyl Chloroform, Nitric Acid, Polychlorinated Biphenyls, Sulfuric Acid, Tetrachloroethylene or Perchloroethylene (Perk), Toluene, Toluene Diisocyanate (Mixed Isomers), Trichloroethylene or TCE, Xylene (Mixed Isomers)
Electrical/Electronic Manufacturing <i>CONTAM. HAZARD: B</i>	Acetone, Aluminum (Fume or Dust), Ammonia, Ammonium Persulfate, Amyl Acetate, Antimony, Arsenic, Barium, Benzene, Boric Acid, Cadmium, Chlorine, Chlorobenzene, Chloroform, Copper, Cyanide, Calcium Fluoride, Carbon Tetrachloride, 1,2-Dichlorobenzene or O-Dichlorobenzene, 1,2-Dichloroethane or Ethylene Dichloride, cis 1,2-Dichloroethylene, trans 1,2-Dichloroethylene, Dichloromethane or Methylene Chloride, Di(2-ethylhexyl) phthalate, Ethylbenzene, Ethylene Glycol, Freon 113 or 1,1,2-Trichloro-1,2,2-trifluoroethane, Formaldehyde or K157, Hexachlorophene, Hydrochloric Acid or Muriatic Acid, Isopropyl Alcohol (Manufacturing, Strong-Acid Process), Lead, Mercury, Methanol, Naphthalene or K156, Nickel, Nitric Acid, Polychlorinated Biphenyls, Phosphoric Acid Ortho-, Selenium, Styrene, Sulfate, Sulfuric Acid, Sodium Cyanide, 1,1,2,2-Tetrachloroethane, Tetrachloroethylene or Perchloroethylene (Perk), 1,1,1-Trichloroethane or Methyl Chloroform, 1,1,2-Trichloroethane, Trichloroethylene or TCE, Thallium, Toluene, Toluene Diisocyanate, (Mixed Isomers), Vinyl Chloride, Xylene (Mixed Isomers), Zinc (Fume or Dust)

* **Bold** Denotes that contaminant is a National Primary Drinking Water Contaminant

TABLE C-1
CONTAMINANTS ASSOCIATED WITH COMMON PSOC'S (cont.)

Source	Contaminant*
COMMERCIAL / INDUSTRIAL	
Fleet/Trucking/ Bus Terminals <i>CONTAM. HAZARD: A</i>	Acetone, Arsenic, Acrylamide, Barium, Benzene, Benzo(a)pyrene, Cadmium, Chlorobenzene, Chloroform, Creosote, Cyanide, Carbon Tetrachloride, 2,4-D, 1,2-Dichlorobenzene or O-Dichlorobenzene, 1,4-Dichlorobenzene or P-Dichlorobenzene, 1,2-Dichloroethane or Ethylene Dichloride, cis 1,2-Dichloroethylene, trans 1,2-Dichloroethylene, Dichloromethane or Methylene Chloride, Di(2-ethylhexyl) phthlate, Epichlorohydrin, Formaldehyde or K157, Heptachlor (and Epoxide), Hydrochloric Acid or Muriatic Acid, Lead, Lindane, Mercury, Methanol, Methoxychlor, Naphthalene or K156, Pentachlorophenol, Phosphoric Acid Ortho-, Propylene Dichloride or 1,2-Dichloropropane, Selenium, Styrene, Sulfuric Acid, Sodium Cyanide, Toxaphene, 1,1,2,2-Tetrachloroethane, Tetrachloroethylene or Perchlorethylene (Perk), Toluene, Toluene Diisocyanate (Mixed Isomers), 1,1,1-Trichloroethane or Methyl Chloroform, Trichloroethylene or TCE, Vinyl Chloride, Xylene (Mixed Isomers)
Food Processing <i>CONTAM. HAZARD: B</i>	Arsenic, Ammonia, Benzene, Cadmium, Chlorine, Chloroform, Copper, Carbon Tetrachloride, Dichloromethane or Methylene Chloride, Formaldehyde or K157, Hydrochloric Acid or Muriatic Acid, Lead, Mercury, Methanol, Nitric Acid, Picloram, Phosphoric Acid Ortho-, Sulfuric Acid, Sodium Cyanide, Tetrachloroethylene or Perchlorethylene (Perk), Toluene, Toluene Diisocyanate (Mixed Isomers), 1,1,1-Trichloroethane or Methyl Chloroform, Trichloroethylene or TCE, Xylene (Mixed Isomers)
Funeral Services/Graveyards <i>CONTAM. HAZARD: B</i>	Atrazine, Benomyl, Chlorpyrifos, Diazinon, Diquat, Glyphosate, Dichloromethane or Methylene Chloride, Nitrosamine, Phosphates
Furniture Repair/Manufacturing <i>CONTAM. HAZARD: B</i>	Ammoniacal Copper Arsenate, Barium, Chromated Copper Arsenic, Copper Quinolate, 1,2-Dichloroethane or Ethylene Dichloride, Dichloromethane or Methylene Chloride, Epoxy, Ethylbenzene, Freon 113 or 1,1,2-Trichloro-1,2,2-trifluoroethane, Lead, Mercury, Nickel, Polyurethane, Phosphoric Acid Ortho-, Selenium, Sodium Cyanide, 1,1,2,2-Tetrachloroethane, Trichloroethylene or TCE, Tin
Gas Stations <i>CONTAM. HAZARD: A</i>	Benzene, cis 1,2-Dichloroethylene, trans 1,2-Dichloroethylene, Dichloromethane or Methylene Chloride, Ethylbenzene, Ethylene Glycol, Lead, 1,1,2,2-Tetrachloroethane, Methanol, Tetrachloroethylene or Perchlorethylene (Perk), Trichloroethylene or TCE, Toluene, Xylene (Mixed Isomers)
Hardware/Lumber/Parts Stores <i>CONTAM. HAZARD: B</i>	Acetone, Aluminum (Fume or Dust), Ammonia, Ammoniacal Copper Arsenate, Barium, Benzene, Cadmium, Captan, Chlorine, Chlorobenzene, Chloroform, Chromated Copper Arsenic, Copper, Copper Quinolate, Dichloromethane or Methylene Chloride, Di(2-ethylhexyl)adipate, Di(2-ethylhexyl) phthlate, 1,4-Dichlorobenzene or P-Dichlorobenzene, Ethylbenzene, Ethylene Glycol, Freon 113 or 1,1,2-Trichloro-1,2,2-trifluoroethane, Hydrochloric Acid or Muriatic Acid, Lead, Mercury, Methanol, Nickel, Nitric Acid, Polyurethane, Phosphoric Acid Ortho-, Sulfuric Acid, Tetrachloroethylene or Perchlorethylene (Perk), 1,1,1-Trichloroethane or Methyl Chloroform, Trichloroethylene or TCE, Toluene, Xylene (Mixed Isomers)

* Bold Denotes that contaminant is a National Primary Drinking Water Contaminant

TABLE C-1
CONTAMINANTS ASSOCIATED WITH COMMON PSOC'S (cont.)

Source	Contaminant*
COMMERCIAL / INDUSTRIAL	
Historic Waste Dumps/Landfills <i>CONTAM. HAZARD: B</i>	Atrazine, Alachlor, Benomyl, Chlorpyrifos, Carbofuran, cis 1,2-Dichloroethylene, trans 1,2-Dichloroethylene, Diquat, Dalapon, Diazinon, Epoxy, Glyphosate, Dichloromethane or Methylene Chloride, Manganese, Nitrate, Nitrite, Nitrosamine, Oxamyl (Vydate), Peroxide, Phosphates, Picloram, Sulfate, Simazine, 1,1,2,2-Tetrachloroethane, Tetrachloroethylene or Perchlorethylene (Perk), Trichloroethylene or TCE, Tin
Home Manufacturing <i>CONTAM. HAZARD: B</i>	Acetone, Arsenic, Ammonia, Ammoniacal Copper Arsenate, Barium, Benzene, Cadmium, Chlorine, Chlorobenzene, Chloroform, Chromated Copper Arsenic, Copper, Copper Quinolate, Carbon Tetrachloride, 1,2-Dichlorobenzene or O-Dichlorobenzene, cis 1,2-Dichloroethylene, trans 1,2-Dichloroethylene, Dichloromethane or Methylene Chloride, Di(2-ethylhexyl) phthlate, Epoxy, Ethylbenzene, Formaldehyde or K157, Hydrochloric Acid or Muriatic Acid, Lead, Mercury, Methanol, Naphthalene or K156, Nickel, Nitric Acid, Polyurethane, Phosphoric Acid Ortho-, Selenium, Styrene, Sulfuric Acid, Tetrachloroethylene or Perchlorethylene (Perk), 1,1,1-Trichloroethane or Methyl Chloroform, Trichloroethylene or TCE, 1,1,2,2-Tetrachloroethane, Toluene, Turbidity, Xylene (Mixed Isomers)
Injection Wells <i>CONTAM. HAZARD: B</i>	Atrazine, Alachlor, Benomyl, Bromine, Chlorpyrifos, Cyanuric Acid, Calcium Hypochlorate, Chlorine, Carbofuran, Dalapon, cis 1,2-Dichloroethylene, trans 1,2-Dichloroethylene, Dichloromethane or Methylene Chloride, Diquat, Diazinon, Endothall, Flouride, Glyphosate, Hydrochloric Acid or Muriatic Acid, Iodine, Isopropanol, Methanol, Nitrosamine, Oxamyl (Vydate), Peroxide, Phosphates, Picloram, Simazine, Sodium Carbonate, Sodium Hypochlorate, Sulfate, 1,1,2,2-Tetrachloroethane, Tetrachloroethylene or Perchlorethylene (Perk), Trichloroethylene or TCE, Tin
Junk/Scrap/Salvage Yards <i>CONTAM. HAZARD: B</i>	Barium, Benomyl, Benzene, Boric Acid, Chlorpyrifos, Chromated Copper Arsenic, Copper, cis Dalapon, 1,2-Dichloroethylene, Diquat, Diazinon, Epoxy, Ethylene Glycol, Glyphosate, Isopropanol, Lead, N Manganese, ickel, Nitric Acid, Nitrosamine, Polychlorinated Biphenyls, Phosphates, Sulfate, Simazine, Trichloroethylene or TCE, 1,1,2,2 - Tetrachloroethane, Tetrachloroethylene or Perchlorethylene (Perk), Tin

* Bold Denotes that contaminant is a National Primary Drinking Water Contaminant

TABLE C-1
CONTAMINANTS ASSOCIATED WITH COMMON PSOC'S (cont.)

Source	Contaminant*
COMMERCIAL / INDUSTRIAL	
Machine Shops <i>CONTAM. HAZARD: B</i>	Acetone, Arsenic, Aluminum (Fume or Dust), Ammonia, Ammonium Persulfate, Barium, Benzene, Boric Acid, Cadmium, Chlorine, Chlorobenzene, Chloroform, Copper, Creosote, Cyanide, Carbon Tetrachloride 2,4-D, 1,4-Dichlorobenzene or P-Dichlorobenzene, 1,2-Dichloroethane or Ethylene Dichloride, 1,1-Dichloroethylene or Vinylidene Chloride, cis 1,2-Dichloroethylene, trans 1,2-Dichloroethylene, Dichloromethane or Methylene Chloride, Di(2-ethylhexyl) phthlate, Ethylbenzene, Ethylene Glycol, Flouride, Freon 113 or 1,1,2-Trichloro-1,2,2-trifluoroethane, Formaldehyde or K157, Hexachlorobenzene, Hydrochloric Acid or Muriatic Acid, Hydrogen Cyanide, Isopropyl Alcohol (Manufacturing, Strong-Acid Process), Lead, Mercury, Methanol, Naphthalene or K156, Nickel, Nitric Acid, Polychlorinated Biphenyls, Pentachlorophenol, Phosphoric Acid Ortho-, Selenium, Strychnine, Styrene, Sulfuric Acid, Sodium Cyanide, Tetrachloroethylene or Perchlorethylene (Perk), TetrachloroethanB-1,1,2,2, Tin, Toluene, Toluenediisocyanate (Mixed Isomers) 1,1,1-Trichloroethane or Methyl Chloroform, 1,1,2-Trichloroethane, Trichloroethylene or TCE, Xylene (Mixed Isomers), Zinc (Fume or Dust)
Medical/Vet Offices <i>CONTAM. HAZARD: B</i>	Acetone, Arsenic, Acrylamide, Barium, Benzene, Cadmium, Chloroform, Copper, Cyanide, Carbon Tetrachloride, Dichloromethane or Methylene Chloride, 1,2-Dichloroethane or Ethylene Dichloride, Ethylene Glycol, Freon 113 or 1,1,2-Trichloro-1,2,2-trifluoroethane, Formaldehyde or K157, Glutaldehyde, Hydrochloric Acid or Muriatic Acid, Lead, Mercury, Methanol, Methoxychlor, 1,1,1-Trichloroethane or Methyl Chloroform, Nickel, Potassium Alum (dodecahydrate), Potassium Bromide, Radionuclides, Selenium, Silver, Sulfuric Acid, Sodium Carbonate, Sodium Cyanide, Sodium Sulfité, Sulfuric Acid, Tetrachloroethylene or Perchlorethylene (Perk), 2,4,5-TP (Silvex), Thallium, Thiosulfates, Toluene, Xylene (Mixed Isomers)
Metal Plating/Finishing/Fabricating <i>CONTAM. HAZARD: B</i>	Acetone, Antimony, Acetylene, Aluminum (Fume or Dust), Ammonia, Ammonium Persulfate, Arsenic, Barium, Benzene, Boric Acid, Cadmium, Carbon Tetrachloride, Chlorine, Chlorobenzene, Chloroform, Chromium, Copper, Cyanide, 1,4-Dichlorobenzene or P-Dichlorobenzene, cis 1,2-Dichloroethylene, trans 1,2-Dichloroethylene, Dichloromethane or Methylene Chloride, Di(2-ethylhexyl) adipate, Ethylbenzene, Ethylene Glycol, Flouride, Freon 113 or 1,1,2-Trichloro-1,2,2-trifluoroethane, Formaldehyde or K157, Hydrochloric Acid or Muriatic Acid, Hydrogen Cyanide, Isopropyl Alcohol (Manufacturing Strong-Acid Process), Lead, Mercury, Manganese, Methanol, Naphthalene or K156, Nickel, Nitric Acid, Polychlorinated Biphenyls, Pentachlorophenol, Phosphoric Acid Ortho-, Selenium, Styrene, Sulfate, Sulfuric Acid, Sodium Cyanide, Tetrachloroethylene or Perchlorethylene (Perk), 1,1,2,2 Tetrachloroethane, Thallium, Tin, Toluene, 1,1,1-Trichloroethane or Methyl Chloroform, 1,1,2-Trichloroethane, Trichloroethylene or TCE, Vinyl Chloride, Xylene (Mixed Isomers), Zinc (Fume or Dust)

* Bold Denotes that contaminant is a National Primary Drinking Water Contaminant

TABLE C-1
CONTAMINANTS ASSOCIATED WITH COMMON PSOC'S (cont.)

Source	Contaminant*
COMMERCIAL / INDUSTRIAL	
Military Installations <i>CONTAM. HAZARD: A</i>	Arsenic, Barium, Benzene, Cadmium, Chlorobenzene, 1,2-Dichlorobenzene or O-Dichlorobenzene, 1,2-Dichloroethane or Ethylene Dichloride, cis 1,2-Dichloroethylene, trans 1,2-Dichloroethylene, Dichloromethane or Methylene Chloride, Hexachlorobenzene, Lead, Mercury, Methanol, Methoxychlor, 1,1,1-Trichloroethane or Methyl Chloroform, Radionuclides, Selenium, Tetrachloroethylene or Perchloroethylene (Perk), 1,1,2,2 Tetrachloroethane, Toluene, Trichloroethylene or TCE
Mines/Gravel Pits <i>CONTAM. HAZARD: B</i>	Ammonia, Hydrochloric Acid or Muriatic Acid, Lead, Naphthalene or K156, Phosphoric Acid Ortho-, Selenium, Sulfate, Tetrachloroethylene or Perchloroethylene (Perk), Tin, 1,1,1-Trichloroethane or Methyl Chloroform, Turbidity
Motor Pools <i>CONTAM. HAZARD: A</i>	cis 1,2-Dichloroethylene, trans 1,2-Dichloroethylene, Dichloromethane or Methylene Chloride, 1,1,2,2 Tetrachloroethane, Tetrachloroethylene or Perchloroethylene (Perk), Trichloroethylene or TCE
Office Building/Complex <i>CONTAM. HAZARD: B</i>	Acetone, Atrazine, Ammonia, Barium, Benomyl, Benzene, Cadmium, Chlorine, Chlorpyrifos, Copper, 2,4-D, Diazinon, 1,2-Dichlorobenzene or O-Dichlorobenzene, Dichloromethane or Methylene Chloride, Diquat, 1,2-Dichloroethane or Ethylene Dichloride, Ethylbenzene, Ethylene Glycol, Freon 113 or 1,1,2-Trichloro-1,2,2-trifluoroethane, Formaldehyde or K157, Glyphosate, Hydrochloric Acid or Muriatic Acid, Iodine, Isopropanol, Isopropyl Alcohol (Manufacturing Strong-Acid Process), Lead, Mercury, Methanol, Nitric Acid, Nitrosamine, Phosphates, Phosphoric Acid Ortho-, Selenium, Sulfuric Acid, Simazine, Tetrachloroethylene or Perchloroethylene (Perk), 1,1,1-Trichloroethane or Methyl Chloroform, Trichloroethylene or TCE, Toluene, Vinyl Chloride, Xylene (Mixed Isomers)
Photo Processing/Printing <i>CONTAM. HAZARD: B</i>	Acetone, Acrylamide, Aluminum (Fume or Dust), Ammonia, Arsenic, Barium, Benzene, Cadmium, Carbon Tetrachloride, Chlorine, Chlorobenzene, Chloroform, Copper, Cyanide, 1,1-Dichloroethylene or Vinylidene Chloride, cis 1,2-Dichloroethylene, trans 1,2-Dichloroethylene, Dichloromethane or Methylene Chloride, Di(2-ethylhexyl) phthlate, 1,2-Dichlorobenzene or O-Dichlorobenzene, 1,4-Dichlorobenzene or P-Dichlorobenzene, 1,2-Dichloroethane or Ethylene Dichloride, 1,2-Dibromoethane or Ethylene Dibromide (EDB), Ethylene Glycol, Freon 113 or CFC 113 or 1,1,2-Trichloro-1,2,2-trifluoroethane, Formaldehyde or K157, Heptachlor (and Epoxide), Hexachlorobenzene, Hydrochloric Acid or Muriatic Acid, Hydroquinone, Isopropyl Alcohol (Manufacturing Strong-Acid Process), Lead, Lindane, Mercury, Methanol, Methoxychlor, Nickel, Nitric Acid, Phosphoric Acid Ortho-, Propylene Dichloride or 1,2-Dichloropropane, Selenium, Sodium Cyanide, Styrene, Sulfuric Acid, Tetrachloroethylene or Perchloroethylene (Perk), 1,1,1-Trichloroethane or Methyl Chloroform, 1,1,2,2-Tetrachloroethane, Toluene, Toluene Diisocyanate (Mixed Isomers), 1,1,2-Trichloroethane, Trichloroethylene or TCE, Vinyl Chloride, Xylene (Mixed Isomers), Zinc (Fume or Dust)

* Bold Denotes that contaminant is a National Primary Drinking Water Contaminant

TABLE C-1
CONTAMINANTS ASSOCIATED WITH COMMON PSOC'S (cont.)

Source	Contaminant*
COMMERCIAL / INDUSTRIAL	
Synthetic / Plastics Production <i>CONTAM. HAZARD: B</i>	Acetone, Antimony, Ammonia, Arsenic, Barium, Benzene, Boric Acid, Cadmium, Captan, Carbon Tetrachloride, Chlorine, Chlorobenzene, Chloroform, Copper, Cyanide, 1,2-Dichlorobenzene or O-Dichlorobenzene, 1,4-Dichlorobenzene or P-Dichlorobenzene, 1,2-Dichloroethane or Ethylene Dichloride, cis 1,2-Dichloroethylene, trans 1,2-Dichloroethylene, Dichloromethane or Methylene Chloride, Di(2-ethylhexyl) adipate, Di(2-ethylhexyl) phthalate, Ethylbenzene, Ethylene Glycol, Freon 113 or CFC 113 or 1,1,2-Trichloro-1,2,2-trifluoroethane, Formaldehyde or K157, Hexachlorobenzene, Hydrochloric Acid or Muriatic Acid, Hydroquinone, Isopropyl Alcohol (Manufacturing, Strong-Acid Process), Kerosene, Lead, Mercury, Methanol, Methyl Chloroform or 1,1,1-Trichloroethane, Nickel, Nitric Acid, Pentachlorophenol, Peroxide, Phosphoric Acid Ortho-, Selenium, Sodium Cyanide, Styrene, Sulfuric Acid, 1,1,2,2-Tetrachloroethane, Tetrachloroethylene or Perchloroethylene (Perk), Toluene, Toluene Diisocyanate (Mixed Isomers), Trichloroethylene or TCE, Vinyl Chloride, Xylene (Mixed Isomers), Zinc (Fume or Dust)
RV/Mini Storage <i>CONTAM. HAZARD: B</i>	Arsenic, Barium, Chloroform, Cyanide, 2,4-D, Endrin, Formaldehyde or K157, Lead, Methoxychlor
Railroad Yards/Maintenance/Fueling Areas <i>CONTAM. HAZARD: B</i>	Atrazine, Ammoniacal Copper Arsenate, Barium, Benzene, Cadmium, Chlorine, Chromated Copper Arsenic, Copper Quinolate, Dalapon, 1,4-Dichlorobenzene or P-Dichlorobenzene, cis 1,2-Dichloroethylene, trans 1,2-Dichloroethylene, Dichloromethane or Methylene Chloride, Polyurethane, Lead, Mercury, Tetrachloroethane-1,1,2,2, Trichloroethylene or TCE, Tetrachloroethylene or Perchloroethylene (Perk)
Research Laboratories <i>CONTAM. HAZARD: B</i>	Acetone, Arsenic, Barium, Benomyl, Benzene, Beryllium Powder, Cadmium, Carbon Tetrachloride, Chlorine, Chlorobenzene, Chloroform, Cyanide, 1,2-Dichloroethane or Ethylene Dichloride, 1,1-Dichloroethylene or Vinylidene Chloride, cis 1,2-Dichloroethylene, trans 1,2-Dichloroethylene, Dichloromethane or Methylene Chloride, Endrin, Freon 113 or CFC 113 or 1,1,2-Trichloro-1,2,2-trifluoroethane, Formaldehyde or K157, Glutaldehyde, Hydrochloric Acid or Muriatic Acid, Isopropyl Alcohol (Manufacturing Strong-Acid Process), Lead, Mercury, Methanol, Polychlorinated Biphenyls, Potassium Alum (dodecahydrate), Potassium Bromide, Selenium, Sulfuric Acid, Sodium Carbonate, Sodium Cyanide, Sodium Sulfite, Tetrachloroethane-1,1,2,2, Tetrachloroethylene or Perchloroethylene (Perk), Thallium, Thiosulfates, Toluene, Toluene Diisocyanate (Mixed Isomers), 1,1,1-Trichloroethane or Methyl Chloroform, Trichloroethylene or TCE, Vinyl Chloride, Xylene (Mixed Isomers)

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TABLE C-1
CONTAMINANTS ASSOCIATED WITH COMMON PSOC'S (cont.)

Source	Contaminant*
COMMERCIAL / INDUSTRIAL	
Retail Operations <i>CONTAM. HAZARD: B</i>	Acetone, Ammonia, Arsenic, Barium, Benzene, Cadmium, Chlorine, 2,4-D, 1,2-Dichloroethane or Ethylene Dichloride, Hydrochloric Acid or Muriatic Acid, Lead, Mercury, Methanol, Naphthalene or K156, Nitric Acid, Phosphoric Acid Ortho-, Styrene, Sulfuric Acid, Sodium Cyanide, Tetrachloroethylene or Perchloroethylene (Perk), Toluene, 1,1,1-Trichloroethane or Methyl Chloroform, Vinyl Chloride
Underground Storage Tanks <i>CONTAM. HAZARD: A</i>	Arsenic, Barium, Benzene, Cadmium, 1,4-Dichlorobenzene or P-Dichlorobenzene, Lead, Trichloroethylene or TCE
Wholesale Distribution Activities <i>CONTAM. HAZARD: A</i>	Benzene, Lead, Styrene, 1,1,1-Trichloroethane or Methyl Chloroform
Wood Preserving/Treating <i>CONTAM. HAZARD: B</i>	Ammoniacal Copper Arsenate, Chromated Copper Arsenic, Creosote, cis 1,2-Dichloroethylene, trans 1,2-Dichloroethylene, Epoxy, Formaldehyde or K157, Lead, Naphthalene or K156, Polyurethane, Sulfate
Wood/Pulp/Paper Processing <i>CONTAM. HAZARD: A</i>	Acetone, Ammonia, Arsenic, Ammoniacal Copper Arsenate, Barium, Benzene, Cadmium, Chlorine, Chlorine Dioxide, Carbon Tetrachloride, Chloroform, Chromated Copper Arsenic, Chromic Acid, Copper, Copper Quinolate, Dichloromethane or Methylene Chloride, Dioxin, 1,2-Dichloroethane or Ethylene Dichloride, Epoxy, Ethylbenzene, Ethylene Glycol, Formaldehyde, K157, Hydrochloric Acid or Muriatic Acid, Isopropyl Alcohol (Manufacturing Strong-Acid Process), Lead, Mercury, Methanol, Nitric Acid, Polychlorinated Biphenyls, Polyurethane, Phosphoric Acid Ortho-, Selenium, Styrene, Sulfuric Acid, Gas, Tetrachloroethylene or Perchloroethylene (Perk), Trichloroethylene or TCE, Toluene, 1,1,1-Trichloroethane or Methyl Chloroform, Xylene (Mixed Isomers)

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TABLE C-1
CONTAMINANTS ASSOCIATED WITH COMMON PSOC'S (cont.)

Source	Contaminant*
RESIDENTIAL / MUNICIPAL	
Airports (Maintenance/Fueling Areas) <i>CONTAM. HAZARD: B</i>	Arsenic, Barium, Benzene, Cadmium, Chlorine, Carbon Tetrachloride, cis 1,2- Dichloroethylene, Dichloromethane or Methylene Chloride, Ethylbenzene, Ethylene Glycol, Freon 113 or 1,1,2-trichloro-1,2,2-trifluoroethane, Hydrochloric Acid or Muriatic Acid, Lead, Mercury, Sulfuric Acid, Selenium, 1,1,2,2-Tetrachloroethane, Tetrachloroethylene or Perchloroethylene (Perk), 1,1,1-Trichloroethane or Methyl Chloroform, Trichloroethylene or TCE, Urea or Carbamide, Xylene (Mixed Isomers)
Apartments and Condominiums <i>CONTAM. HAZARD: A</i>	Atrazine, Alachlor, Benomyl, Bromine, Chlorpyrifos, Coliform bacteria, <i>Cryptosporidium parvum</i> , Cyanuric Acid, Calcium Hypochlorate, Chlorine, Diquat, Dalapon, Diazinon, Epoxy, <i>Giardia lamblia</i> , Glyphosate, Hydrochloric Acid or Muriatic Acid, Iodine, Isopropanol, <i>Legionellae</i> sp., Nitrate, Nitrite, Nitrosamine, Oxamyl (Vydate), Phosphates, Picloram, Sulfate, Simazine, Sodium Carbonate, Sodium Hypochlorate, Vinyl Chloride, Viruses
Camp Grounds/RV Parks <i>CONTAM. HAZARD: A</i>	Benomyl, Chlorpyrifos, Coliform bacteria, <i>Cryptosporidium parvum</i> , Diquat, Dalapon, Diazinon, <i>Giardia lamblia</i> , Glyphosate, Isopropanol, <i>Legionellae</i> sp., Nitrate, Nitrite, Nitrosamine, Phosphates, Picloram, Sulfate, Simazine, Turbidity, Vinyl Chloride, Viruses
Drinking Water Treatment <i>CONTAM. HAZARD: B</i>	Atrazine, Benzene, Cadmium, Cyanide, Flouride, Isopropyl Alcohol (Manufacturing Strong-Acid Process), Lead, Polychlorinated Biphenyls, Phosphoric Acid Ortho-, Sulfuric Acid, Tetrachloroethylene or Perchloroethylene (Perk), Toluene, Total Trihalomethanes, 1,1,1-Trichloroethane or Methyl Chloroform
Golf Courses and Parks <i>CONTAM. HAZARD: B</i>	Arsenic, Atrazine, Benomyl, Benzene, Chlorobenzene, Chlorpyrifos, Carbofuran, 2,4-D, Diquat, Dalapon, Diazinon, Glyphosate, Lead, Methoxychlor, Nitrate, Nitrite, Nitrosamine, Phosphates, Picloram, Simazine, Turbidity
Housing <i>CONTAM. HAZARD: A</i>	Atrazine, Alachlor, Benomyl, Bromine, Chlorpyrifos, Coliform bacteria, <i>Cryptosporidium parvum</i> , Cyanuric Acid, Calcium Hypochlorate, Carbofuran, Chlorine, Diquat, Dalapon, Diazinon, Epoxy, <i>Giardia lamblia</i> , Glyphosate, Hydrochloric Acid or Muriatic Acid, Iodine, Isopropanol, <i>Legionellae</i> sp., Dichloromethane or Methylene Chloride, Nitrate, Nitrite, Nitrosamine, Oxamyl (Vydate), Phosphates, Picloram, Simazine, Sodium Carbonate, Sodium Hypochlorate, TetrachloroethanB-1,1,2,2 , Trichloroethylene or TCE, Turbidity, Vinyl Chloride, Viruses
Injection Wells <i>CONTAM. HAZARD: B</i>	Atrazine, Alachlor, Benomyl, Bromine, Chlorpyrifos, Cyanuric Acid, Calcium Hypochlorate, Chlorine, Carbofuran, cis 1,2-Dichloroethylene, trans 1,2-Dichloroethylene, Dichloromethane or Methylene Chloride, Diquat, Dalapon, Diazinon, Flouride, Glyphosate, Hydrochloric Acid or Muriatic Acid, Iodine, Isopropanol, Methanol, Nitrosamine, Oxamyl (Vydate), Peroxide, Phosphates, Picloram, Sulfate, Simazine, Sodium Carbonate, Sodium Hypochlorate, 1,1,2,2-Tetrachloroethane, Tetrachloroethylene or Perchloroethylene (Perk), Tin, Trichloroethylene or TCE

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TABLE C-1
CONTAMINANTS ASSOCIATED WITH COMMON PSOC'S (cont.)

Source	Contaminant*
RESIDENTIAL / MUNICIPAL	
Landfills/Dumps <i>CONTAM. HAZARD: B</i>	Arsenic, Atrazine, Alachlor, Ammonia, Barium, Benomyl, Benzene, Cadmium, Chlorine, Chlorpyrifos, Carbofuran, cis 1,2 Dichloroethylene, Diquat, Diazinon, Epoxy, Ethylene Glycol, Glyphosate, Hydrochloric Acid or Muriatic Acid, Isopropanol, Lead, Lindane, Mercury, Methane, 1,1,1-Trichloroethane or Methyl Chloroform, Dichloromethane or Methylene Chloride, Nitrate, Nitrite, Nitrosamine, Oxamyl (Vydate), Peroxide, Phosphates, Picloram, Selenium, Sulfuric Acid, Simazine, 1,1,2,2-Tetrachloroethane, Tin, Trichloroethylene or TCE
Public Buildings and Civic Organizations <i>CONTAM. HAZARD: B</i>	Acetone, Arsenic, Acrylamide, Barium, Benzene, Beryllium Powder, Cadmium, Carbon Tetrachloride, Chlorine, Chlorobenzene, Chloroform, Cyanide, 2,4-D, 1,2-Dichlorobenzene or O-Dichlorobenzene, 1,4-Dichlorobenzene or P-Dichlorobenzene, Dichloromethane or Methylene Chloride, Di(2-ethylhexyl) phthlate, 1,2-Dichloroethane or Ethylene Dichloride, Endothall, Endrin, 1,2-Dibromoethane or Ethylene Dibromide (EDB), Formaldehyde or K157, Lead, Lindane, Mercury, Methanol, Methoxychlor, Naphthalene or K156, Selenium, Sodium Cyanide, Strychnine, Sulfuric Acid, Tetrachloroethylene or Perchlorethylene (Perk), Toluene, Toluene Diisocyanate (Mixed Isomers), 1,1,1-Trichloroethane or Methyl Chloroform, Trichloroethylene or TCE, Vinyl Chloride, Xylene (Mixed Isomers)
Schools <i>CONTAM. HAZARD: B</i>	Acetone, Arsenic, Atrazine, Acrylamide, Barium, Benomyl, Benzene, Beryllium Powder, Cadmium, Chlorine, Chlorobenzene, Chloroform, Chlorpyrifos, Creosote, Cyanide, Carbon Tetrachloride, 2,4-D, Dichloride, 1,2-Dichlorobenzene or O-Dichlorobenzene, 1,4-Dichlorobenzene or P-Dichlorobenzene, Dichloromethane or Methylene Chloride, Diquat, Diazinon, 1,2-Dichloroethane or Ethylene, Endothall, Endrin, Formaldehyde or K157, Glyphosate, Isopropanol, Lead, Mercury, Methanol, 1,1,1-Trichloroethane or Methyl Chloroform, Naphthalene or K156, Nitrosamine, Phosphates, Selenium, Strychnine, Sodium Cyanide, Tetrachloroethylene or Perchlorethylene (Perk), Toluene, Toluene Diisocyanate (Mixed Isomers), Trichloroethylene or TCE, Xylene (Mixed Isomers)
Septic Systems <i>CONTAM. HAZARD: B</i>	Atrazine, Alachlor, Benomyl, Bromine, Calcium Hypochlorate, Carbofuran, Chlorpyrifos, Coliform bacteria, <i>Cryptosporidium parvum</i> , Cyanuric Acid, Diquat, Dalapon, Diazinon, <i>Giardia lamblia</i> , Glyphosate, Hydrochloric Acid or Muriatic Acid, Iodine, Isopropanol, <i>Legionellae</i> sp., Methane, Nitrate, Nitrite, Nitrosamine, Oxamyl (Vydate), Peroxide, Phosphates, Picloram, Sulfate, Simazine, Sodium Carbonate, Sodium Hypochlorate, Vinyl Chloride, Viruses
Transportation Corridors <i>CONTAM. HAZARD: B</i>	Dalapon, Picloram, Simazine, Sodium, Sodium Chloride

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TABLE C-1
CONTAMINANTS ASSOCIATED WITH COMMON PSOC'S (cont.)

Source	Contaminant*
RESIDENTIAL / MUNICIPAL	
Utility Stations <i>CONTAM. HAZARD: B</i>	Acetone, Arsenic, Atrazine, Barium, Benzene, Boric Acid, Cadmium, Chlorine, Chlorobenzene, Chloroform, Creosote, Cyanide, 2,4-D, Dalapon, 1,4-Dichlorobenzene or P-Dichlorobenzene, 1,2-Dichloroethane or Ethylene Dichloride, cis 1,2-Dichloroethylene, trans 1,2-Dichloroethylene, Dichloromethane or Methylene Chloride, Formaldehyde or K157, Lead, Mercury, Methanol, Picloram, Simazine, Sodium, Sodium Chloride, Sodium Cyanide, Tin, Toluene, 1,1,2,2- Tetrachloroethane, Tetrachloroethylene or Perchlorethylene (Perk), Trichloroethylene or TCE, Xylene (Mixed Isomers)
Waste Transfer /Recycling <i>CONTAM. HAZARD: A</i>	Coliform bacteria, <i>Cryptosporidium parvum</i> , <i>Giardia lamblia</i> , <i>Legionellae</i> sp., Nitrate, Nitrite, Vinyl Chloride, Viruses
Wastewater Treatment <i>CONTAM. HAZARD: A</i>	Cadmium, Chloroform, Coliform bacteria, <i>Cryptosporidium parvum</i> , cis 1,2-Dichloroethylene, trans 1,2-Dichloroethylene, Dichloromethane or Methylene Chloride, Flouride, <i>Giardia lamblia</i> , Isopropanol, Lead, <i>Legionellae</i> sp., Mercury, Nitrate, Nitrite, Tetrachloroethylene or Perchlorethylene (Perk) Selenium, Sulfate, Tin, 1,1,2,2-Tetrachloroethane, Trichloroethylene or TCE, Vinyl Chloride, Viruses
Wells <i>CONTAM. HAZARD: B</i>	Atrazine, Alachlor, Benomyl, Bromine, Chlorpyrifos, Cyanuric Acid, Calcium Hypochlorate, Carbofuran, Diquat, Dalapon, Diazinon, Flouride, Glyphosate, Heptachlor Epoxide, Hydrochloric Acid or Muriatic Acid, Iodine, Isopropanol, Dichloromethane or Methylene Chloride, Nitrosamine, Oxamyl (Vydate), Peroxide, Phosphates, Picloram, Simazine, Sodium Carbonate, Sodium Hypochlorate, Sulfate, TetrachloroethanB-1,1,2,2, Tetrachloroethylene or Perchlorethylene (Perk), Tin, Trichloroethylene or TCE

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TABLE C-1
CONTAMINANTS ASSOCIATED WITH COMMON PSOC'S (cont.)

Source	Contaminant*
AGRICULTURAL / RURAL	
Auction Lots/Boarding Stables <i>CONTAM. HAZARD: A</i>	Coliform bacteria, <i>Cryptosporidium parvum</i> , <i>Giardia lamblia</i> , <i>Legionellae</i> sp., Nitrate, Nitrite, Sulfate
Confined Animal Feeding Operations <i>CONTAM. HAZARD: A</i>	Coliform bacteria, <i>Cryptosporidium parvum</i> , Freon 113 or 1,1,2-Trichloro-1,2,2-trifluoroethane, <i>Giardia lamblia</i> , <i>Legionellae</i> sp., Nitrate, Nitric Acid, Nitrite, Sulfate, Vinyl Chloride, Viruses
Crops - Irrigated + Nonirrigated <i>CONTAM. HAZARD: B</i>	Acetone, Ammonia, Benzene, 2,4-D, Dalapon, Dinoseb, Diquat, Glyphosate, Lindane, Lead, Nitrate, Nitrite, Phosphoric Acid Ortho-, Picloram, Simazine, Sulfuric Acid, Turbidity
Injection Wells <i>CONTAM. HAZARD: B</i>	Atrazine, Alachlor, Benomyl, Bromine, Calcium Hypochlorate, Carbofuran, Chlorpyrifos, Cyanuric Acid, Chlorine, Dalapon, Diazinon, cis 1,2-Dichloroethylene, trans 1,2-Dichloroethylene, Dichloromethane or Methylene Chloride, Diquat, Glyphosate, Hydrochloric Acid or Muriatic Acid, Iodine, Isopropanol, Methanol, Nitrosamine, Oxamyl (Vydate), Peroxide, Phosphates, Picloram, Sulfate, Simazine, Sodium Carbonate, Sodium Hypochlorate, 1,1,2,2-Tetrachloroethane, Tetrachloroethylene or Perchloroethylene (Perk), Trichloroethylene or TCE, Tin
Lagoons and Liquid Waste <i>CONTAM. HAZARD: A</i>	Atrazine, Alachlor, Coliform bacteria, <i>Cryptosporidium parvum</i> , Carbofuran, Diquat, Dalapon, <i>Giardia lamblia</i> , Glyphosate, <i>Legionellae</i> sp., Methane, Nitrate, Nitrite, Oxamyl (Vydate), Picloram, Sulfate, Simazine, Vinyl Chloride, Viruses
Managed Forests <i>CONTAM. HAZARD: B</i>	Atrazine, Diquat, Benomyl, Chlorpyrifos, Diazinon, Glyphosate, Nitrosamine, Phosphates, Picloram, Simazine, Turbidity
Pesticide/Fertilizer/Petroleum Storage <i>CONTAM. HAZARD: B</i>	Atrazine, Alachlor, Benomyl, Chlorpyrifos, Carbofuran, Chlordane, 2,4-D, Diquat, Dalapon, Diazinon, 1,2-Dibromo-3-Chloropropane or DBCP, Glyphosate, Nitrate, Nitrite, Nitrosamine, Oxamyl (Vydate), Phosphates, Phosphorus, Picloram, Strychnine, Simazine, 2,4-TP (Silvex)
Rural Homesteads <i>CONTAM. HAZARD: A</i>	Atrazine, Alachlor, Benomyl, Bromine, Calcium Hypochlorate, Carbofuran, Chlorine, Chlorpyrifos, Coliform bacteria, <i>Cryptosporidium parvum</i> , Cyanuric Acid, cis 1,2-Dichloroethylene, trans 1,2-Dichloroethylene, Diquat, Dalapon, Diazinon, <i>Giardia lamblia</i> , Glyphosate, Hydrochloric Acid or Muriatic Acid, Iodine, Isopropanol, <i>Legionellae</i> sp., Nitrate, Nitrite, Nitrosamine, Oxamyl (Vydate), Phosphates, Picloram, Sulfate, Simazine, Sodium Carbonate, Sodium Hypochlorate, Vinyl Chloride, Viruses
Naturally Occurring <i>CONTAM. HAZARD: B</i>	Antimony, Arsenic, Barium, Cadmium, Chloride, Chromium, Coliform, Copper, <i>Cryptosporidium parvum</i> , Fluoride, <i>Giardia lamblia</i> , Iron, Lead, <i>Legionellae</i> sp., Manganese, Mercury, Nickel, Radionuclides, Selenium, Silver, Sodium, Sulfate, Zinc

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Exhibit D

Best Management Practices

Purpose: Incorporate a wildfire risk expert's insight on best management practices to minimize water quality impacts to source water. The following is a list of suggested BMP's:

- Water providers should evaluate the priority zones of concern in the Arkansas wildfire risk assessment (<http://www.jw-associates.org/arkansasheadwate.html>) and further identify areas with overlapping public water system concerns (areas to reduce fire intensity near PWS infrastructure/close to streams, intake locations, high potential sediment yield areas, places to implement sediment retention structures, etc.)
- Improve coordination with USFS by establishing direct contacts and incorporate any potential restoration concerns with the BAER (Burn Area Emergency Rehabilitation) team prior to a fire occurring.
- Provide the USFS with all relevant information (plans/shapefiles) regarding the source water protection area, areas of concern, potential thinning/fire break areas and access to critical PWS infrastructure in the event of a fire.
- Increase coordination and notification procedures with land managers (USFS, Chaffee County, etc.) so the PWSs are notified when land management activities in the watershed may affect water quality.
- Research project partners (counties, other PWS's, etc.) with mutual interest and funding opportunities to propose wildfire risk reduction projects to the appropriate land management agency.

Purpose: Incorporate a mining expert's insight on best management practices to minimize water quality impacts to source water. The following is a list of suggested BMP's:

- Abandoned Mine Issues: Research and identify mining sites that are within the near zone (5 miles upstream of intakes) and zone 1 (1,000 feet from streams) for surface water systems. Groundwater systems may want to evaluate any potential abandoned mining impacts in zones 1, 2, and 3.
- Coordination on BMP's: Coordinate with the agencies who can further identify potential risks in the sensitivity zones and help determine appropriate BMP strategies (ex. CDPHE, DMRS, USFS, etc.). A list of potential BMP approaches that may be implemented once a target mine is identified.
- Coordination with the County and Division of Mining and Reclamation and Safety: Establish contacts with the county and DMRS to get notified on any new permits/public notices related to proposed future mining areas and re-processing areas.

- Coordination with County, USFS, and other Land Management Agencies to further understand proposed wilderness regions and their relationship to mining and the source water areas.

The list below includes all BMP's discussed during the public meetings. Public Water Systems are not expected to carry out these all of these BMP's, but they are provided for informational purposes. Each site is unique and generally requires a combination of BMP's to see an improvement.

- Waste Pile/Tailings Removal & Consolidation (Repositories)
 - High & Dry
 - Cap in Place
 - Wrap Waste in Geo-membrane
 - Haul Waste Material Offsite
- Hydrologic Controls (keep clean water from getting dirty)
 - Rerouting of Contaminated Water
 - Stream Channel Diversions and Diversion Ditches
 - Retention/Settling Ponds, and Treatment Ponds
 - Armoring (waste piles or stream banks)
 - Storm Water Management Planning
- Underground Source Controls
 - Bulkheads
 - Hydrologic Controls (Closing off stopes, diverting water around, anything to keep water from entering the mine workings)
- Sulfate Reducing Bioreactors (SRB)/Wetlands
 - Low pH, High metal effluent using sulfate-reducing bacteria to reduce sulfate to sulfide in an anaerobic system.
- Erosion Controls (Reduce Sediment Transport)
 - Regrade to reduce slope angle, and surface roughening
 - Revegetation/Hydro-seeding
 - Jute Netting, Wattles, Blankets, and all of those other fun controls
- Waste Management Minimization and Recycling
- Membranes "Burritos"
- Native Fill, Vegetation and Seeding
- Manure Suppository

Purpose: Incorporate onsite wastewater treatment system (OWTS) expert's insight on best management practices (BMPs) to minimize potential threats and impacts to source water and the overall watershed. The following is a list of suggested BMP's:

- Develop a GIS layer with septic systems identified along with prioritizing which OWTS are the most immediate threat (Zone 1 or 1,000 ft. for 5 miles upstream may be considered).
- Share GIS layer with the county to identify sensitivity areas, buffer zones, and protection areas related to OWTS's.
- Use public outreach to educate specific OWTS owners about how to maintain and check their systems. Consider sending this information out in the water utility billing (ex: Are you aware that not operating your septic system properly could affect your drinking water quality?)

- Coordination on adoption of new state OWTS regulations and add language to county plans to address threats to drinking water from OWTS.
- Consider septic pumping rebates or “sludge judge” monitoring in sensitivity zones.

Purpose: Incorporate a transportation and spills risk expert’s insight on best management practices (BMPs) to minimize potential threats and impacts to source water and the overall watershed. The following is a list of suggested BMP’s:

- Develop and distribute laminate handout with identified areas for Public Water Systems (PWSs) concerns, source water intakes, key storm-water outfalls, as well as a priority emergency contact list including Public Water Systems, Colorado State Parks, and Colorado Department of Public Health and Environment information for response and follow up to a spill event and remediation.
- Establish community procedures for acceptable follow up that identify the entity responsible for cleanup and the remediation of a site.
- Establish a clear and effective chain of communication so that information can be relayed quickly and concisely between first responders, dispatch officials, and public water providers. Use the reverse 911 system to alert private water user when a spill has occurred.

Agricultural Practices

Recommended Best Management Practices (BMPs) for Agricultural Practices.

- Utilize education and outreach efforts from ranching associations to educate new land owners during property transfers about suitable land practices. Prioritize areas of concern.
- Share GIS shape files on source water protection areas with ranching community and organizations.
- Consider an “Adopt a Lateral/Ditch” cleanup approach in specific areas and partner with CSU Extension.
- Illustrate the connection between overall water quality and drinking water quality.
- Emphasize voluntary efforts to achieve goals of protecting water quality

Road Maintenance and Storm-Water Management

Recommended BMPs for Road Maintenance and Storm-Water Management:

- Add CDOT to the distribution list for the laminate cards.
- Future coordination with CDOT on locations of culverts and sharing of GIS data.

- Coordination with Andy Flurkey (CDOT) to ensure PWSs are on distribution list of remediation reports from CDOT.
- Consider an “Adopt a Highway” segment upstream from intake/well location to remove trash/debris/potential contaminants. Make a public connection to this area or region.

Storm-Water Management

- Leverage education and outreach resources from Chaffee County storm-water department.
- Establish connections with ditch companies, irrigators, and agricultural contacts to improve storm-water coordination.
- Exchange acquired GIS shape file information between storm-water, culvert, city, and county departments along with PWSs.
- Establish a SWPP brochure for kiosks and education and outreach efforts.
- Distribute a newsletter release for protection plans and public meeting announcements.

UAACOG SWAP and NPS Integrated Action Plan

Preferred BMP’s

Both meetings discussed which BMP’s the PWS’s would like to see enacted. The following is a list of preferred BMP’s:

- Populate and distribute the laminate cards to emergency responders and dispatch personnel.
- Leverage resources and funds to help present the message of water quality protection to grade school children, possibly partnering with Melanie Scavarda of the Natural Resource Conservation Service (NRCS) or hiring an outreach staff member.
- Dedicate an area of the customer’s water bill to discuss Source Water Protection Activities.
- Position and install CDOT approved road signs from CDPHE to help mark the sensitive water areas.

Education and Outreach

Recommended Best Management Practices (BMPs) for Education and Outreach.

- Coordinate and work with local advocacy organizations, like GARNA and Friends of the Arkansas, to share Source Water Protection Planning (SWPP) materials.
- Draft an article to highlight and distribute SWPP efforts in upcoming newsletters (Friends of the Arkansas, GARNA, etc....)
- Get on GARNA's annual meeting agenda in February and work with UAACOG and GARNA to inform county commissioners about potential MOU.
- Utilized various platforms to share SWPP information such as county newsletters, local radio segments, and social media platforms like Facebook.
- Partner with other support agencies, like Natural Resources Conservation Service (NRCS), to have targeted SWPP presentation for youth audiences and possible community "adopt a drainage way" segment.
- Host public meetings and open houses to share with the specific Public Water Systems (PWS) SWPP.
- Partner with the County, Colorado Parks and Wildlife, Colorado River Outfitters Association (CROA) and raft guides to provide specific literature regarding water quality.
- Coordinate with Water Commissioners and Ditch Commissioners to alert PWSs if there is a threat to water quality.

Appendix E

Source Water Protection Checklist

Best Management Practices Guide for Protecting Source Water Quality

While we all can help protect drinking water, certain individuals in positions of authority have added responsibility. County and town planners, staff members, county commissioners, town council members, and private sector project designers may not think of themselves as protectors of a region's drinking water quality. But in fact the decisions these people make or don't make, can have a large impact on source water quality.

Decision makers, public water providers, and emergency response personnel play key roles in protecting water quality, both in the short and long terms. They are the community's front line to protect against spills and emergencies, deal with everyday contaminants of concern, mitigate negative impacts of development, and protect against long term watershed degradation.

New projects are typically reviewed by planners, water providers, town governments, and other decision makers as part of the project review and approval process. It is critical that new development does not degrade surface and groundwater resources.

Effective emergency spill responses depend on good communications and quick actions by a relatively few individuals, which include emergency responders and water supply managers. Maintaining adequate water supply during floods, forest fires, windstorms, or manmade disasters is a matter of good planning to protect water supplies and power to operate treatment and supply facilities.

Protecting against everyday contamination sources such as leaking fuel tanks, inadequate septic systems, nitrates and nitrites from agriculture, tree spraying, and common lawn chemicals is a matter of understanding common contaminants of concern within specific watersheds, educating and regulating, appropriate testing and compliance enforcement.

Protecting against long-term watershed degradation through forest fire, loss of vegetation and other factors, requires good coordination between land managers and public water providers. It is critical that decision makers, public water providers, and emergency planning personnel have a full understanding of potential impacts on source water.

The following checklist is designed to assist these front line personnel in performing their water quality protection duties.

Characterize the Source Water Protection Area (know your watersheds)

The size and configuration of the source water protection area (SWPA) is dependent on natural topography, direction of surface water flow, direction of groundwater flow, soil types, velocity and quantity of flow, and other factors. Each SWPA includes a set of unique features such as roads or developments that may impact water quality in wells and surface water intakes. Many times a SWPA can be characterized as a watershed. For planning and evaluation purposes it is not necessary to be

perfect when drawing the boundaries of the SWPA. It is more important to understand how facilities and events within the SWPA can affect water quality at the well or surface water intake.

- On an existing topographic map draw the SWPA
- Know locations of surface water intakes and wells
- Show major roads and water features
- Show locations of development
- Know locations of water treatment and supply facilities
- Know locations of power supply lines (electric and natural gas)
- Ask water district managers, engineers, and other experts for assistance

Identify Contaminants of Concern

Contaminants of concern include those chemicals, wastes, and other products which are likely to contaminate source water based on local conditions.

- Are there large scale agricultural operations which could raise nitrate/nitrite levels?
- Is there extensive fertilization, (for agricultural or residential applications)?
- Are there past or present mining activities that can degrade water quality?
- What are the contaminants of concern associated with these mining activities?
- Consider the use of lawn chemicals and in relationship to water quality impacts.
- Establish relationships with homeowners associations, property management companies
- Is there widespread use of pesticides, herbicides, tree spraying and fertilizers?
- Who may be applying these compounds?
- Are there above ground or underground gasoline storage tanks?
- Are there other chemical storage, treatment, or manufacturing facilities?
- Are there landfills?
- Is there significant commercial, residential, or recreational development?
- What chemicals could potentially impact your source water protection area and untreated drinking water quality.
- Obtain Material Safety Data Sheets (MSDS) for chemical regularly used or that might be used in your SWPA.
- Evaluate any source water tests/analysis for variations/links to chemical in SWPA areas.
- Develop tests for important chemicals and contaminants used in the source water

Existing Buildings, Parking Lots and Other Facilities

Identify existing businesses, structures, and other facilities that degrade or can significantly degrade water quality. Focus on types that are known to degrade water quality.

- Map gasoline stations and fuel facilities, characterize as to storage capacity, and volume
- Map and characterize dry cleaners
- Map and characterize industrial facilities

- Map and characterize other larger scale facilities such as shopping centers and resorts
- Identify locations of parking lots and large soil disturbances
- Identify other facilities

Notification and Spill Response / Roads and Highways

Roads and highways can contaminate water sources through spills, creation of airborne contaminants which eventually distill into the watershed, through road treatments including salts, sands, and other chemicals for snow and ice, siltation, and fuels, oils, and other contaminants carried by vehicles and released slowly onto roads and highways.

- Map significant roads and highways within the watershed and develop laminate card.
- Review existing notification procedures
- Develop Communication Protocol for notification procedures.
- Consider transit time and volume and duration of release in relationship to intakes and critical water system infrastructure.
- Coordination with notification on clean up/remediation activities with responsible parties.
- Develop Standard Operating Procedures for acceptable follow-up on remediation/cleanup issues.
- Understand likelihood of contamination from spills, right of way maintenance, stormwater and agricultural conveyances.
- Identify, and establish relationships with key emergency response personnel to include railroad and highway officials and personnel.
- Establish a strong working relationship with these people
- Maintain up-to-date contact lists
- Identify key public water supply personnel internally and surrounding public water systems.
- Coordination with road and bridge maintenance crews toward decreased use of salts and other chemicals which impact water quality in critical areas.
- Take other proactive measures

Onsite Wastewater Treatment Systems (OWTS)

Address contaminants of concern including discharges, failing septic systems, and residual contaminants from OWTS which potentially may impact local water quality.

- Conduct a general GIS intersection and compile inventory of SWAP Zone 1 (1,000 feet stream buffer for 5 miles upstream) and septic systems layer.
- Coordinate with internal and Chaffee County GIS personnel to share general GIS intersection data and refine the approach with county personnel.
- Develop and consider sending outreach and education material on OWTS operation, maintenance and drinking water protection (ex: flyer in bills or direct mailings?).
- Identify the County representative that will be coordinating on new WQCD OWTS regulations.

- Collaborate with County personnel to address concerns regarding sensitive source water protection areas and potential septic impacts and incorporate concerns into the regulatory language if practical.
- Identify highest risk priority septic systems from inventory and consider septic maintenance incentives (ex: pumping rebates, sludge judge, etc.)
- Identify potential funding sources to implement septic maintenance incentives (ex: SWAP grant program, fees?)

Coordinated Resource Management Models

A Coordinated Resource Management Model (CRMM) is a tool that benefits both water providers and forest resource managers, providing a structure to coordinate efforts to optimize results within source water protection areas. A Coordinated Resource Management Model defines watershed protection, fire mitigation, and forest restoration as common goals shared by local water providers, government agencies, and interested stakeholders. The plan establishes mechanisms to share information and design actions and outcomes that meet the needs of local water providers, stakeholders and communities.

Recently a Memorandum of Understanding (MOU) was signed between the U.S. Forest Service (USFS) and the Colorado Department of Public Health and Environment (CDPHE) committing both agencies to work together to protect watersheds. This document should be viewed as a basis for subsequent agreements between the USFS and local communities and water providers to protect public watershed resources on National Forest System lands. The MOU designates CDPHE-delineated Source Water Areas as “Municipal Supply Watersheds”.

The purpose of a CRMM is to build on work that has already been done in large-scale efforts, by providing a structure for coordinated resource management of small-scale watersheds. The intent is to better coordinate stakeholder actions in a watershed to achieve the goals of the SWPP, the Arkansas River Watershed Assessment, and the MOU, while protecting specific source water areas.

Time, money and effort are optimized once all stakeholders know what others are doing to remove trees, create sediment basins, monitor stream quality and conduct other efforts to promote forest health, prevent catastrophic wildfire and improve water quality.

Water providers will likely find that use of this tool can improve their source water protection efforts.

Wildfire Risk Assessment and Mitigation

Incorporate wildfire risk expert’s insight on best management practices to minimize water quality impacts to source water. Here are a few suggested BMP’s to include in your source water protection plans.

- Revisit the Arkansas Wildfire Risk Assessment Data ([jw-associates.org/Projects/Upper Ark](http://jw-associates.org/Projects/Upper%20Ark)) and/or identify zones of concern that overlap the source water protection area.
- Identify Land Management Agency personnel to establish communication protocol and discuss potential prevention and restoration concerns (ex: BAER Team response, etc.)
- Collaborate with BLM, USFS, and other Land Managers and Public Water Systems to share and exchange GIS data regarding source water protection area, general areas of concern, PWS infrastructure located in high risk areas, along with information on planned area for potential thinning and fire break construction.

- Evaluate the implementation potential of interagency/county agreements and wildfire risk reduction strategies (ex: USFS/CDPHE and/or PWS/County Memorandums of Understanding).
- Improve communication protocol and contact information between BLM, USFS, Private Land Owners, and PWSs by identifying key personnel.
- Research future projects and project-partners to identify methods and funding for wild fire risk reduction projects.
- Propose public water system areas of wildfire risk concerns in an attempt to prioritize water supply focused risk reduction projects. Look for opportunities to supply public water system specific project information to local fire districts, community wildfire protection plans (CWPP), USFS, BLM, Colorado State Forest Service, and Colorado Parks and Wildlife.
- Identify and coordinate on any local Community Wildfire Protection Plans (CWPP's) and research inclusion of sensitive source water protection areas/zones of concern.
- Understand and communicate on forest health impacts (ex: pest infestation, plant disease, etc.) and coordinate with Land Management entities on restoration/remediation efforts in relationship to drinking water sources.
- Research and implement outreach and education programs (ex: Forest Wise Program) to address wildfire mitigation for rural property owners.

Historic and Abandoned Mines

Incorporate our mining expert's insight on best management practices to minimize water quality impacts to source water. Here are a few suggested BMP's to include in our source water protection plans.

- Identify mining sites that are within the near-zone (5-miles upstream of intake) and zone 1 (within 1,000 feet of streams) to prioritize risk based on Appendix C (MASMIL) in the SWAP report for surface water systems.
- Coordinate with identified agencies to further identify potential risks within sensitivity zones.
- Work with the Chaffee County and Division of Mining and Reclamation and Safety to establish contacts with the county and DMRS to get notified on any new permits/public notices related to proposed future mining areas and re-processing areas.
- Collaborate with Chaffee County, USFS, BLM and other Land Management Agencies to further understand proposed wilderness regions and their relationship to mining and the source water protection areas.
- Evaluate potential integration with Non-Point Source Watershed planning and share SWAP mining assessment information and priorities. Leverage potential funding opportunities as appropriate.

Reviewing Applications for New Projects

By its very nature new construction adds contamination potential to the watershed. This may be because of the introduction of petroleum hydrocarbons or hazardous chemicals, construction of large parking lots with runoff of typical vehicle contaminants, increased surface water runoff from parking lots, or other factors. Good planning is critical to mitigating these adverse impacts while allowing future development. It is essential that those charged with approving any new development understand what contaminants a new facility may introduce, the volume of potential contamination, and the location of

the new facility relative to source water supplies, intakes, and wells. Referral agencies and decision makers can take a proactive role as part of the project review process to help prevent contamination before it occurs.

- Identify the location of the proposed project relative to wells, intakes, and the watershed.
- Is the new project up gradient or upstream of wells and intakes?
- How far?
- What is the likelihood of impact based on contaminate types and volumes?
- What is the likelihood of impact based on soil permeability and groundwater flow?
- Are adequate mitigation and monitoring systems incorporated into the project design?
- Do project designers working for developers know locations of critical source water features?
- Are planning departments fully informed?
- Are there adequate regulations prohibiting septic systems which may degrade water supplies?

Emergency preparedness

Loss of power during emergencies can quickly impact the water provider's capacity to provide clean water in ample quantity during and after emergency events. Having backup capacity is thus critical to public health and safety. Being prepared may include having a backup power supply such as diesel generators with fuel storage tanks, immediate access to other power supply sources, greater water storage capacity, and easy access to water supplies from other providers within the SWPA. It is also appropriate to examine the issue from the standpoint of cooperating with adjacent water providers and emergency power management protocols. The checklist below includes key steps to prepare for large-scale longer-term power outages.

- Establish a working relationship with official energy company contact personnel
- Join coordinated emergency planning groups
- Establish water sharing capacity with other water providers
- Analyze storage capacity in context of water needs during a major emergency
- Research potential options and plan for backup power supply systems.
- Construct and maintain backup power supply systems
- Establish protocol to notify water users during emergency events
- Write a notification plan with identified spokespersons and appropriate messaging
- Have a plan to coordinate with local emergency and governmental agencies
- Develop an emergency checklist of responsibilities
- Have a plan to protect surface intakes, well fields, treatment plants, and critical infrastructure

Education

Education is the cornerstone of successfully protecting our water supplies. Planners, staff, elected officials, project designers, water providers, emergency personnel, and other decision makers need to

educate themselves about potential threats, and how to protect against them. All parties need to educate water users and the public at large about potential dangers to public water. For this to happen there should be good lines of communication between all parties, along with active participation.

The best way to protect the source water is to be involved with activities in the area of the source water to assure that others do not take actions that jeopardizes the source water inadvertently. If a party does not know the source water protection area, they are not likely to consider their actions on a water supply source. Best Management Practices dictate active participation.

- Expand new development review procedures to include more stakeholders
- Identify primary contaminants of concern
- Educate water users and the general public about the threats
- Work closely with federal, state, and local government land management agencies
- Establish a list of key public agency contacts
- Coordinate with other water providers and water protection groups
- Develop and distribute educational materials and brochures
- Keep water users informed through periodic updates
- Keep developers informed so they can design new projects to have the least impact on water quality
- Be proactive

Protecting our public water supplies against risks of contamination, natural disaster, and disrupted flow is the shared responsibility of government, the private sector, and individual citizens.

On the front line are town and county planners, staff, elected officials, project designers, public water providers, and emergency response personnel, whose duty it is to protect our water.

- Are there large scale agricultural operations which could raise nitrate/nitrite levels?
- Is there extensive fertilization, (for agricultural or residential applications)?
- Are there past or present mining activities that can degrade water quality?
- What are the contaminants of concern associated with these mining activities?
- Develop a list of commonly used lawn chemicals and understand their cumulative impact
- Establish relationships with homeowners associations, property management companies
- Is there widespread use of pesticides or herbicides?
- Is there tree spraying?
- Are there underground gasoline storage tanks?
- Are there above ground gasoline storage tanks?
- Are there other chemical storage, treatment, or manufacturing facilities?
- Are there landfills?
- Is there significant commercial, residential, or recreational development?
- What chemicals are regularly used in your source water protection area?
- Obtain MSDS for chemical regularly used or that might be used in your SWPA
- Generate a list of contamination sources
- Generate a list of chemical applicators
- Develop tests for important chemicals and contaminants used in the source water

- Develop list of tree sprayers that regularly work in the SWPA
- Develop tests for important chemicals in use in SWPA
- Identify other contaminants of concern
- Coordination with Federal Land Managers (USFS)
- USFS Checklist
- Provide the USFS with all relevant information in the source water protection plan, reference guide, and map and GIS coverage of zones of concern (per Protecting Critical Watersheds in Colorado from Wildfire: methodology).
- Work on coordinating with the USFS to set up a notification procedure to contact the DVD when land use decisions/activities may affect water quality.
- Coordination with Local Government/Planning Agencies
- All too often a local or county planning agency will take an action without knowing or understanding the impact of that action on a water supply. An important element of source water protection is being proactive with planning agencies to make sure the agencies know and understand the water supply protection area.
- Local Government/Planning Agencies Checklist
- Provide Chaffee County Planning Department, with relevant information in the source water protection plan, the reference guide and map and GIS coverage of zones of concern (per Protecting Critical Watersheds in Colorado from Wildfire: methodology).
- Work on coordinating with Chaffee County Planning Department to set up a notification procedure to contact the Town of Buena Vista when land use decisions/activities may affect water quality.
- Chaffee County’s Community Wildfire Protection Plan (CCCWPP) prioritizes areas throughout the county for cutting trees to protect based on potential damage to life and property from wildfire. CCCWPP is one of many throughout the state. Check these websites for details: <http://csfs.colostate.edu/wildfire-mitigation/colorado-community-wildfire-protection-plans/>, <http://csfs.colostate.edu/districts/salida-district/salida-wildfire-mitigation-education/>.
- The Buena Vista Watershed Assessment evaluated hazards to water supplies due to wildfires and then prioritized watersheds that should be treated first to address those natural hazards.
- Within the last year there has been a Memorandum of Understanding (MOU) signed between the U.S. Forest Service and the Colorado Department of Public Health and Environment (CDPHE) committing both agencies to work together to protect watersheds. This document should be viewed as a basis for subsequent agreements between the U.S. Forest Service and local communities and water providers to protect public watershed resources on National Forest System lands. The MOU designates CDPHE-delineated Source Water Areas as “Municipal Supply Watersheds”. The Town of Buena Vista WSPP is a CDPHE-delineated Source Water Area and is therefore recognized by the U.S. Forest Service as a Municipal Supply Watershed.

For more information, contact the Town of Buena Vista Public Works Department at 719-395-6898, or call the Colorado Department of Public Health & Environment at (303) 692-3534.

Appendix F

Cottonwood Creek Basins Wildfire Assessment and maps

Zones of Concern

The Work Group identified an important hazard for water supply related to transport of debris and sediment from upstream source water areas. The source water areas (i.e. watershed areas) above important surface water intakes, upstream diversion points and drinking water supply reservoirs have a higher potential for contributing significant sediment or debris. These areas, called Zones of Concern (ZoC), can be used by stakeholders to further define project areas for protection actions.

There were several methods suggested by the Colorado Watershed Protection Data Refinement Work Group (2009) to define ZoC. The Upper Arkansas Watershed Stakeholders initially agreed to use the five-mile upstream distance. This approach is based on Colorado State Statute 31-15-707 which allows municipal water providers to enact an ordinance to protect their water intakes within five miles upstream of their intakes. This municipal statute has been in place since the late 1800's and has been tested in court several times and upheld.

Many of the ZoC stopped at a watershed divide before they reached the five mile upstream distance. There were several important diversions and reservoirs that are positioned lower in the watershed. During the third stakeholder meeting, the group suggested that the ZoC be extended to 11 miles upstream for Arkansas River, Cottonwood Creek, DeWeese Reservoir and Harrington Ditch. These ZoC were added as separate areas covering from five to 11 miles upstream.

Fourteen ZoC within five miles upstream of diversions and reservoirs were delineated in the Upper Arkansas Watershed (Figure 13 and Table 3) totaling more than 120,000 acres. Four of the ZoC were extended to 11 miles upstream increasing the total ZoC area to more than 284,000 acres. The ZoC were overlaid on the Final Priority map (Figure 12). More detailed maps of the ZoC are presented in the *Opportunities & Constraints* section below. The water supply agencies for each ZoC have also been identified in Table 3. Some of the ZoC overlap with others, or in other areas, the ZoC are close to overlapping other ZoC. In those situations, ZoC can be combined or viewed as one, combining several stakeholders into a larger ZoC.

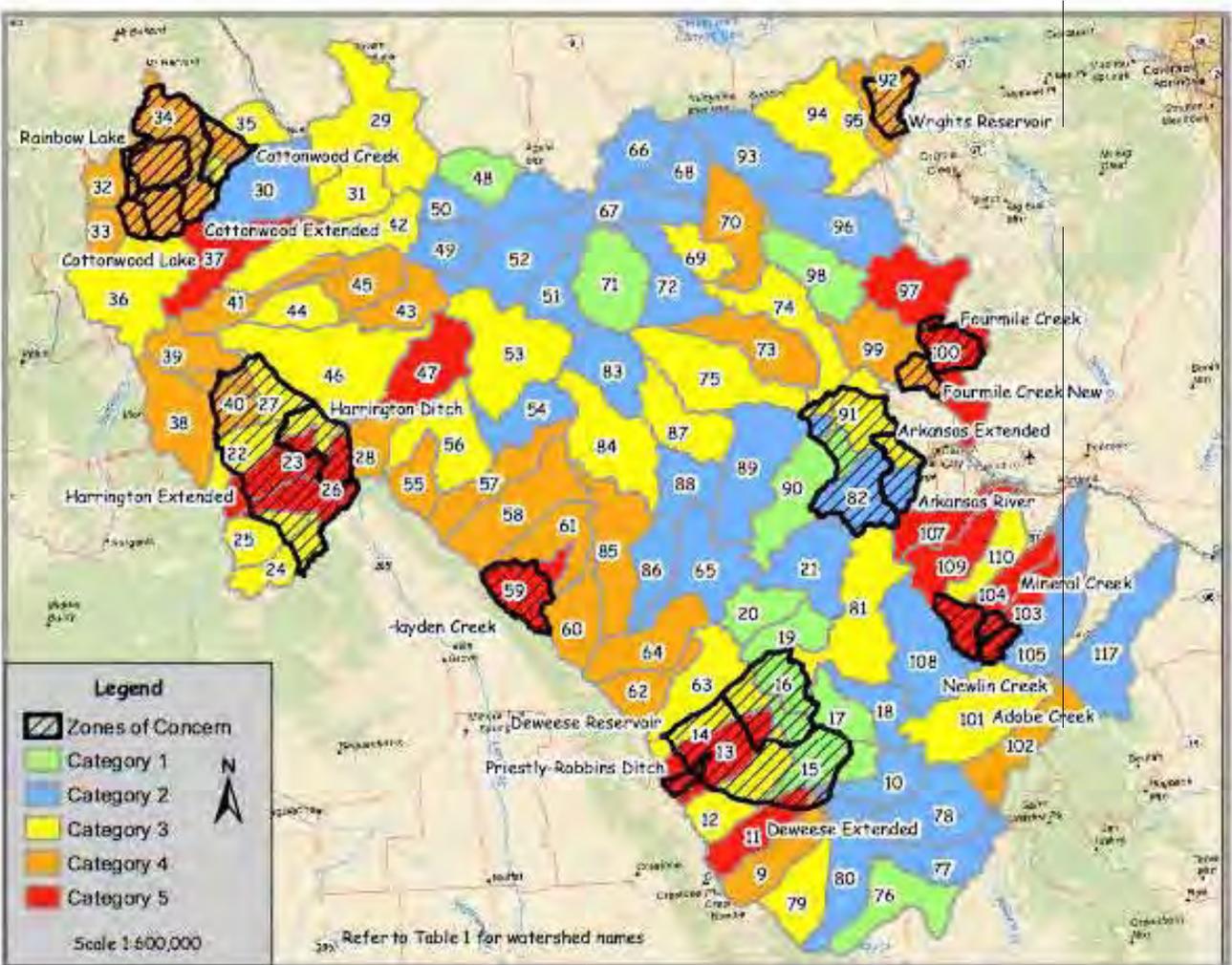


Figure 13. Upper Arkansas Watershed ZoC¹

¹ The Opportunities & Constraints section below displays and identifies each ZoC at a better scale than Figure 13.

Table 3. Upper Arkansas Watershed Zones of Concern⁵

Water Supply Name	0-5 Mile ZoC	5-11 Mile ZoC	Total ZoC Area	Owner/Operator
Adobe Creek	3,067	0	3,067	City of Florence
Arkansas River	8,532	32,862	41,394	City of Canon City
Cottonwood Creek	7,074	33,783	40,857	Town of Buena Vista
Cottonwood Lake	10,377	0	10,377	Town of Buena Vista
DeWeese Reservoir	22,825	43,784	66,609	NA
Fourmile Creek	9,267	0	9,267	Park Center WD
Fourmile Creek New	4,689	0	4,689	Park Center WD
Harrington Ditch	12,959	53,701	66,660	City of Salida & Town of Poncha Springs
Hayden Creek	11,592	0	11,592	Cutty's Hayden Creek Resort
Mineral Creek	2,055	0	2,055	City of Florence
Newlin Creek	6,680	0	6,680	City of Florence
Priestly-Robbins Ditch	2,355	0	2,355	Mountain Cliff Ski Area
Rainbow Lake	11,019	0	11,019	Town of Buena Vista
Wrights Reservoir	7,919	0	7,919	NA
Totals	120,410	164,130	284,540	

⁵ The areas of the ZoC are in acres. Some of the ZoCs in the Cottonwood Creek Watershed overlap, therefore some acres are double counted in that area.

RECOMMENDATIONS

This watershed assessment is a process that sets priorities, identifies stakeholders and ZoC. The next steps that are taken by stakeholders using the information presented in this report are essential to address the hazards identified through this process. Some potential opportunities are presented in the next section of this report. These recommendations are presented first to guide the reader through the *Opportunities & Constraints* section.

Hazard Reduction Strategies

Although there are other strategies that can be pursued, the reduction of wildfire severity is the main goal for minimizing adverse hydrologic responses following intense wildfires. Wildfire severity is the effect that the fire has on the ground. Vegetative forest treatments can be effective in reducing the threat of crown fire (Graham et al. 1999). Treatments that reduce density and change the composition of stands would reduce the probability of crown fire, decrease severity, and enhance fire-suppression effectiveness and safety (Oucalt and Wade 1999, and Pollet and Omi 2002). In forested stands that have developed without regular disturbance, combinations of mechanical harvest/thinning and prescribed fire are the most effective technique for altering the fuels matrix (Graham et al. 2004).

There are portions of watersheds that may not be available for vegetation treatments because they are economically or administratively inaccessible. Examples of economic inaccessibility include areas that are far from existing roads where it would be very costly to build new roads to provide access, or areas that are so steep that removal of logs by helicopter may be the only option. During follow-up planning efforts the costs of specific project alternatives should be carefully evaluated in light of fire probabilities and the potential costs of no action. An example of administrative inaccessibility would be areas designated by the US Forest Service as wilderness.

There are some prudent measures that can be taken in situations where critical watersheds are economically or administratively inaccessible including:

1. Managing wildland fires in certain places as a management tool that would allow wildfire to reduce wildland fuels under defined circumstances. The conditions would be monitored frequently to ensure that the fire stays within that management prescription or suppression efforts would be required.
2. Reduction of wildfire severity in surrounding areas within those watersheds to reduce the potential extent of high severity burn.
3. Pre-permitting sediment control structures downstream from high hazard watersheds. Following the Hayman Fire in 2002, Denver Water installed a sediment control structure in Turkey Creek above Cheesman Reservoir. It took more than one year to get all approvals and permits in place to construct that structure. The highest sediment yield from wildfires is usually in the first 2-3 years. Stakeholders can do much of the permitting work ahead of time, including planning with the appropriate government agencies and conceptual design.
4. Communicating with state and local leaders and other interested groups about the hazards that these watersheds pose. There may be other resources at risk below these watersheds that can be protected, such

as; houses in floodplains, important fisheries or riparian areas, and areas of mining tailings that could be a water quality risk if they are transported downstream.

Stakeholder Group Organization

The ZoC are natural project areas for stakeholders to start the next planning steps. In some cases several ZoC may be lumped together to form larger project areas. Stakeholder groups will, by definition, include the water providers and/or municipalities that own water rights and operate in those watersheds, but should also include the following:

1. U.S. Forest Service – Salida and San Carlos Ranger Districts of the Pike and San Isabel National Forest.
2. Colorado State Forest Service – Canon City and Salida Districts
3. Chaffee and Fremont Counties
4. Home owner associations
5. Other interested groups such as power companies

Stakeholders should review the *Opportunities & Constraints* section below to determine what watersheds/ ZoC should be their priority. Some additional planning will be required to initiate watershed protection/ hazard reduction projects within those ZoC. The discussion below presents some of the options.

There is a new planning process that is focused on watershed issues called Critical Community Watershed Wildfire Protection Plans (CWPP). The CWPP process (see http://www.jw-associates.org/Projects/Front_Range/Front_Range.html) is similar to the Community Wildfire Protection Plan (CWPP) process but expands to include watershed issues. Some existing CWPPs may cover portions of the watersheds/ZoC of interest. It may be more efficient to revise an existing CWPP by incorporating the watershed components from this assessment than to complete the CWPP process. Specific treatment areas and priorities identified in existing plans also should be reviewed for their contribution to the watershed protection efforts and incorporated into the expanded plan. Other efforts, such as source water protection plans, may also gain some efficiency and consistency by incorporating the results of this assessment.

National Environmental Policy Act (NEPA) planning efforts on federal lands may be able to be modified to incorporate watershed priorities. The NEPA analysis and decision-making process may also benefit from the technical support provided by this watershed assessment. Other existing land and vegetation management plans, fuels treatment plans, source water protection plans, watershed restoration plans or prescribed fire or fire-use plans may exist that cover portions of the critical watersheds.

OPPORTUNITIES & CONSTRAINTS

This section of the assessment presents the first step in identifying opportunities and constraints within the ZoC. This analysis is intended to identify potential opportunities that will aid the stakeholders in deciding whether to pursue watershed protection/hazard reduction efforts, the overall scope that those efforts might involve, and identification of the key partners for those projects. This section is organized by general descriptions of the opportunities and constraints first and then presentation of potential opportunities for each ZoC that are shown in Figure 14.

General Opportunities & Constraints

The opportunities and constraints described below were applied to the ZoC as a series of filters and identifiers of potential opportunities.

Ownership

Major ownership classifications are Federal, State, Local Government and Private. Federal Lands include the NFS Lands, Bureau of Land Management (BLM), National Park Service, Department of Defense, and potentially other agencies and departments. State lands are typically those owned or managed by the State Land Board, the Colorado Division of Wildlife, or State Parks. However, there are other agencies or institutions, such as state universities, that also may own significant acreage.

Local Government lands typically include county, city or town-owned properties. County-owned lands are often managed as open space or park lands. City-owned lands are also often owned and managed for open space or parks, but also for watershed protection or other purposes.

Private land is basically a category that can include a myriad of other types of ownerships including special district lands, company or corporate-owned lands, privately owned properties and more. Privately owned parcels can be present in extremely complex patterns, particularly where they are composed of old mining claims.

Access

Access to and within a watershed or ZoC is a key factor in determining opportunities for mitigating wildfire hazards or the ability to install, operate and maintain erosion and sediment control structures following wildfires. The analysis often is limited by the data available in determining what roads exist within any given area. Normally, data layers available for the analysis usually show major roads and access routes, but often fail to include small, local roads and trails, particularly on non-federal lands. Such roads are very important for accessing backcountry areas for conducting mitigation activities. Experience has shown that old roads used for mining or logging that can be temporarily re-opened to conduct project work may not be shown on any maps. Another option is temporary roads that can be constructed and closed following treatment, but they add costs to projects and current policies on many federal lands make even use of temporary roads difficult.

When conducting traditional logging and thinning operations where products are removed from the forest, areas within ¼-mile of roads can be accessed. If products do not have to be removed to meet fuel loading requirements and alternate treatment methods such as “mastication” or mulching can be used, areas within ½-mile of roads can typically be considered.

Slopes

Land slope can be a major constraint when considering where and what treatments may be conducted to reduce wildfire hazards. Slope constraints are related directly to the typical harvesting or treatment systems and equipment employed and available within Colorado. Land management agency policies may also constrain the slopes upon which treatments may be conducted.

Slopes of 30 percent or less are the easiest to treat and the most traditional threshold for treatment given typical harvesting systems and equipment availability. Technological, power and other improvements now allow equipment to operate on slopes of 40 percent or perhaps even steeper ground. Experimental work conducted by the Colorado State Forest Service on Denver Water’s lands in the Upper South Platte showed that tracked mastication equipment could work on slopes of up to 55 percent without causing erosion.

Quite recently in Colorado there have been several cable logging and even a few helicopter logging operations conducted. Slope is typically not an absolute constraint with these types of operations, but other factors such as the shape of the hillside (convex vs. concave), whether the project can be treated from above or below and others determine actual project feasibility.

The stakeholders decided to use a 40 percent slope as the upper limit of mechanical treatments. Potential opportunities were identified as greater on shallower slopes (less than 40 percent slope).

Wilderness Areas

Operations in designated wilderness areas are highly restricted by law and agency policies. Often the only treatments possible would be to plan for use of natural fire to reduce wildfire hazards.

Roadless Areas

Operations in designated roadless areas are restricted primarily by agency policies. Regulations allow construction of temporary roads, and their closure upon project completion, for the purpose of conducting harvests and wildfire hazard reduction treatments. Agency policy has caused treatments to focus on areas other than roadless whenever possible.

Colorado is one of two states that are attempting to develop rules for treatments within roadless areas. The Colorado Roadless Areas are currently under review by the US Secretary of Agriculture, but are operating under their proposed rules. This situation has resulted in roadless areas being divided into 2001 Roadless Rule (Federal) and Colorado Roadless Areas. Due to current legal actions, 2001 Roadless Rule areas are basically off limits to forest management. However, they should not be viewed as off limits to long-term watershed protection efforts.

The Colorado Roadless Areas have been reviewed and adjusted for actual conditions and therefore are likely more precise than the 2001 Roadless Rule areas. As currently proposed, treatments within Colorado Roadless Areas may be possible adjacent to at risk communities and for reducing wildfire hazards within

watersheds. Areas within ¼-mile of communities, and in some circumstances up to 1.5-miles from communities, may be treated to reduce wildfire hazards. Areas within watersheds may be treated if the USFS Regional Forester determines a significant risk of wildfire exists. All decisions about specific projects within roadless areas will be made by the USFS Regional Forester.

Vegetation

Vegetation is what fuels a wildfire. The vegetation type and its arrangement, size, density, and moisture content; the slope of ground and the aspect it is found on, whether it is dead or alive; the weather and season of the year, and more all dictate if and how intensely fuels will burn.

The Colorado State Forest Service is developing a series of documents related to watersheds and their protection. The first document, tentatively titled, "*A Comprehensive Strategy for the Management and Protection of Colorado's Watersheds,*" will have a series of companion documents entitled, "*Management and Protection Techniques for Colorado's Watersheds.*" The first companion document discusses management of ponderosa and lodgepole pines and uses numerous photographs to illustrate what these treatments might look like.

In general, ponderosa pine should most often be managed using forest restoration management techniques. Dense, homogenous stands of ponderosa pine can be thinned to a much more open state, and openings created and maintained across the landscape. This type of management makes a much more resilient ecosystem, one that reduces wildfire intensities is better able to absorb and recover from the impacts of wildfire (Colorado State Forest Service 2007).

In Colorado, lodgepole pine is also found in dense, continuous stands. Because lodgepole grows differently than ponderosa pine and has a different ecology, it is difficult, within a short time period, to thin it sufficiently to develop diversity significant enough to reduce wildfire hazards. This much needed diversity must be developed by creating diversity at the stand and landscape levels by clearcutting, patch cutting, creating permanent openings, converting areas to aspen. Once management has begun for watershed protection, in some situations it may be advisable to utilize less traditional management techniques, such as thinning in young lodgepole pine stands, for long-term management (Colorado State Forest Service 2009).

Spruce/fir is a major component of the forest vegetation in the Upper Arkansas Watershed. This forest type is comprised of mixtures of Engelmann and Colorado blue spruce, subalpine fir and other minor species. It too, like lodgepole pine, is difficult, within a short time period, to thin it sufficiently to develop diversity significant enough to reduce wildfire hazards. This much needed diversity must be developed by creating varied conditions at the stand and landscape levels by group selection, small patch cutting, creating permanent openings, converting areas to aspen, and by other techniques. Once management has begun for watershed protection, in some situations it, too, may be advisable to utilize less traditional management techniques for long-term management.

The pinyon-juniper vegetation type is common in the Upper Arkansas Watershed. This vegetation type seldom burns intensively in the absence of strong winds. But when driven by high winds fires can burn intensely, spot long distances and be difficult to suppress. Diversity may be developed by creating varied conditions at the stand and landscape levels by thinning, group selection, small patch cutting, creating permanent openings, converting areas to grasslands, and by other techniques. In general, it is suggested that

when retaining trees on a site that pinyon be favored over juniper. Pinyon tends to re-invade treated areas more slowly, and as it grows pinyon can be pruned to reduce the chance of surface fires moving into the tree crowns.

The stakeholders decided to use aspen, pinyon-juniper, mixed conifer and ponderosa pine for vegetation targets at lower elevations, and included lodgepole pine at higher elevations as targets for vegetation treatments to reduce wildfire severity.

Cottonwood Creek, Cottonwood Lake, & Rainbow Lake ZoC

The Cottonwood Creek extended ZoC, the Cottonwood Lake ZoC and the Rainbow Lake ZoC substantially overlap. They are also part of Buena Vista's water supply system. Therefore, they are grouped together in this analysis (Figure 15). Three main streams define the Cottonwood ZoC, North, Middle and South Cottonwood Creeks. Note that the ZoC are shown here in pink with crosshatching, but in the remaining figures the outlines appear as bold black lines with no crosshatching.

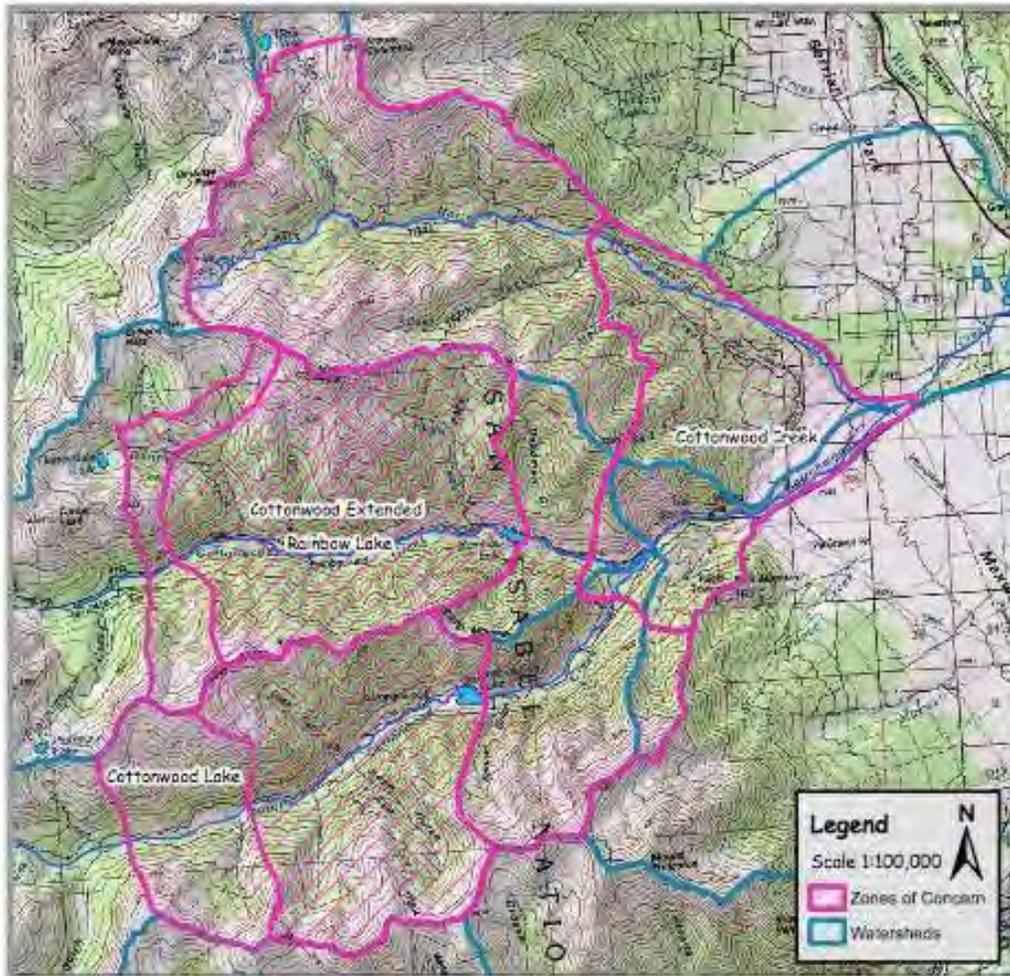


Figure 15. Cottonwood Creek, Cottonwood Lake, and Rainbow Lake ZoC Location

Appendix G

Water Protection District Ordinance # 5 Series 1999

ARTICLE II Water Supply Protection District

Sec. 13-21. Water Supply Protection District established.

Sec. 13-22. Jurisdiction and intent of district regulations.

Sec. 13-23. Adoption of protection district boundaries and map.

Sec. 13-24. Definitions.

Sec. 13-25. Prohibited activity.

Sec. 13-26. Permit required.

Sec. 13-27. Permit application and review procedures; fee.

Sec. 13-28. Permit issuance standards.

Sec. 13-29. Certificate of compliance.

Sec. 13-30. Wastewater and sewage disposal facilities.

Sec. 13-31. Water quality monitoring plans.

Sec. 13-32. Delegation of authority.

Sec. 13-33. Enforcement.

Sec. 13-34. Violations and penalties.

Sec. 13-35. Certain de minimis activities exempted.

Sec. 13-36. Variances.

Secs. 13-37 _13-40. Reserved.

Sec. 13-21. Water Supply Protection District established.

There is hereby established the Town of Buena Vista Water Supply Protection District for the purpose of protecting the sources, supply, quantity, quality, delivery, storage, treatment and distribution of water serving the Town, its citizens and water-using customers.

(Ord. 5-1999 §1)

Sec. 13-22. Jurisdiction and intent of district regulations.

This Article has been adopted in accordance with Section 31-15-707, C.R.S., and is designed and intended to extend and enforce the Town's legal jurisdiction and authority to the maximum extent allowed by law for the purpose of protecting the Town's drinking water resources and delivery system from interference, pollution and other degradation over an area comprised of all territory within five (5) miles above or around any point or points from which the Town diverts or otherwise draws water for domestic use. The Town's authority and jurisdiction shall extend, by way of example and not limitation, to all reservoirs, streams, trenches, ditches, pipes, drains and other waterworks. All ordinances and regulations adopted under the authority of this Article shall be liberally construed and enforced in order to satisfy and further the purposes and intent as set forth above.

(Ord. 5-1999 §1)

Sec. 13-23. Adoption of protection district boundaries and map.

The Town does hereby approve and adopt the official Town of Buena Vista Water Supply Protection District Map dated January, 2000, defining and illustrating the geographical boundaries of the protection district. At least one (1) copy of the map shall at all times be maintained in the office of the Town Clerk for public inspection during regular business hours. Copies of the map may be ordered for purchase at such cost as deemed necessary and reasonable by the Town Clerk.

(Ord. 5-1999 §1; Ord. 1-2000 §1)

Sec. 13-24. Definitions.

As used in this Article, the following words and phrases shall mean as follows unless the context plainly requires otherwise:

Absorption system means a wastewater disposal system or leaching field utilizing and/or inclusive of adjacent soils for the treatment of sewage by means of absorption into the ground.

Absorption trench means a trench in which sewage effluent is transported or directed for percolation into the soil.

Aquifer means a water-bearing formation that contains sufficient ground water to be important as a source of supply.

Best management practice means the most effective means of preventing, reducing or mitigating the harmful impacts of development activities consistent with the standards set forth in this Article.

Development or development activity means any construction or activity which alters or changes the natural or preexisting character and/or use(s) of the land on which the construction or activity occurs, excepting residential gardening or landscaping.

Dispersal system means a system for the disposal of effluent after final treatment in an ISDS by a method which does not depend upon or utilize the treatment capability of the soil.

Effluent means the liquid waste discharge from a sewage disposal system.

Excavating means any act by which ten (10) cubic yards or more of soil or rock is cut into, quarried, uncovered, removed, displaced or relocated, and includes the conditions resulting therefrom.

Filling means the deposition of ten (10) cubic yards or more of material brought from another location by other than natural means.

Foreseeable risk means the reasonable anticipation that harm or injury may result from an act or omission.

Grading means the alteration of the natural surface of any land by leveling, stripping, filling or excavating and involving ten (10) or more cubic yards of soil or other surface material; or the alteration of any natural or preexisting drainage pattern or channel through the alteration, movement or addition of surface materials; or the installation of any road or other surface utilized for the movement of vehicles.

Hydric soil means soil that, in its undrained condition, is saturated, flooded or ponded long enough during a growing season to develop an anaerobic condition that supports the growth or regeneration of hydroponic vegetation.

Individual sewer disposal system (ISDS) means an on-site sewage system of any size or flow designed to collect and treat, neutralize, stabilize and dispose of sewage that is not part of or connected to a permitted municipal sewage treatment works. Examples include, without limitation, conventional septic tanks and leach fields, absorption trenches and pits, constructed wetland treatment systems, evapotranspiration systems and mound systems.

Maximum extent feasible means that no feasible and prudent alternative exists and all possible efforts to comply with a regulation, or minimize potential harm or adverse impacts, have been undertaken.

Person means any individual, partnership, corporation, trust, association, company or other public, governmental or corporate entity, or instrumentality thereof.

Pollute or pollution means the contamination or befouling of the natural biological, chemical, physical or radiological composition or integrity of water or soil through human or human-induced conduct or activities.

Sewage means a combination of liquid wastes that may include chemicals, house wastes, human or animal excreta, or animal or vegetable matter in suspension or solution, and/or other solids in suspension or solution, and that is discharged from, without limitation, a building, vehicle, tank or other structure or facility.

Sewage disposal system or facility means a septic tank, leach field or other facility regardless of size or flow designed and constructed for the purpose of receiving, treating or disposing of sewage.

Sewage treatment works means any system or facility for treating, neutralizing, stabilizing or disposing of sewage and which has a designed or operational capacity to receive more than two thousand (2,000) gallons of sewage per day.

Significant degradation means to lessen in grade, quality or desirability so as to create or cause unsafe or harmful impacts.

Stream (primary) means a visible waterway expected to run flowing water for more than one (1) month per year.

Stream (secondary intermittent) means a visible waterway, normally dry and not expected to run flowing water for more than one (1) month per year.

Substantial means material and/or considerable in importance, value, degree, amount or extent.

Surfacing means the compaction, hardening or covering of the natural land surface with asphalt, concrete, gravel or similar materials in an area greater than two hundred (200) square feet.

Wastewater means the same as sewage.

Water Supply Protection District permit (WSPD permit) or permit means the written approval issued by the Town under this Article for a land use activity or development within the Buena Vista Water Supply Protection District.

Watershed means the area encompassed by the Buena Vista Water Supply Protection District.

Waterworks means any and all man-made or designed components of the Town's drinking water collection and treatment system, including but not limited to transmission, storage and filtration facilities and all wells, springs, aquifers, reservoirs, streams, trenches, pipes and drains used in and necessary for the operation and maintenance of the Town's water supply system.

Wetland means land that has a predominance of hydric soils and that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal conditions does support, a prevalence of hydroponic vegetation typically adapted for life in saturated soil conditions.

(Ord. 5-1999 §1; Ord. 16-2003 §1; Ord. 21 §3, 2012)

Sec. 13-25. Prohibited activity.

Unless exempted as provided for in this Article, it shall be prohibited and unlawful for any person to engage in or cause any of the following activities or conduct within the Buena Vista Water Supply Protection District unless such person has first obtained a permit:

- (1) The construction, installation, expansion or removal of any ISDS or sewage disposal system, excepting a system connected to a municipal sewage treatment works.
- (2) Excavating, grading, filling, blasting or surfacing, including road building.
- (3) Timber harvesting, excluding the removal of dead or diseased trees for firewood or for noncommercial domestic purposes.
- (4) Drilling operations of any kind.
- (5) Altering or obstructing natural or historic water drainage courses.
- (6) Surface and subsurface mining operations.
- (7) The out-of-doors spraying or using of fertilizers, herbicides or pesticides, excepting noncommercial applications for domestic household or gardening purposes.
- (8) Using, handling, storing or transporting toxic or hazardous substances, including, but not limited to, radioactive materials, except for noncommercial domestic household purposes as permitted by law.
- (9) Using, handling, storing or transporting flammable or explosive materials, except for noncommercial domestic household purposes as permitted by law, or within vehicular fuel storage tanks.
- (10) Moving, tampering, adjusting, impairing, obstructing or trespassing upon any Town waterwork.
- (11) Increasing or decreasing any rate of stream flow or natural or existing drainage pattern or course, except as permitted pursuant to an adjudicated water right; increasing sediment deposition in any stream; causing or increasing erosion on any slope or stream bank; or disturbing any wetland within the watershed.
- (12) Any activity reasonably giving rise to a foreseeable risk of injury or pollution to the Town's sources of water supply or water supply system or waterworks.

(Ord. 5-1999 §1; Ord. 16-2003 §1)

Sec. 13-26. Permit required.

No person shall engage in or cause any development, development activity or prohibited activity or conduct identified in this Article without first applying for and obtaining a duly authorized WSPD permit from the Town. Permits may be limited and/or subjected to expiration and renewal requirements.

(Ord. 5-1999 §1)

Sec. 13-27. Permit application and review procedures; fee.

(a) All applications for a permit shall be initiated in writing and shall include, at a minimum, the information set forth in this Section. No application shall be accepted, processed or approved unless and until it is complete and all fees associated therewith have been paid. The application shall be accompanied by not less than three (3) copies. The Public Works Director may waive certain application information requirements if he or she deems the same to be unnecessary or overly burdensome with respect to a specific proposed activity. All costs incurred by the Town in processing an application, inclusive of the costs for outside professional services or consultants necessary to evaluate an application, shall be paid by the applicant, inclusive of testing, engineering, inspection and legal fees.

The name, mailing address and telephone number of the applicant.

The name, mailing address and telephone number of the owner(s) of the land upon which the development or activity subject to the permit is to occur if different from the applicant, and written authorization from the landowner(s) for the submission of the application.

A legal description of the lot, tract, parcel or other land upon which the development is to occur.

A written narrative describing the development activity for which the permit is being sought, including a general identification of the environmental characteristics of the subject land and surrounding area.

A vicinity map showing the land on which the proposed development is to occur and all lots, tracts, parcels or other lands adjacent thereto, and illustrating any wetlands, lakes, ponds, springs, watercourses or other bodies of water and water wells.

A boundary and improvements map or sketch of the land subject to the application containing sufficient detail and drawn at a scale to accurately illustrate, review and assess the location of all proposed development activity and existing structures, and illustrating the existing direction of slope (contours) and direction of surface runoff. A professionally prepared boundary and improvements survey may be required if the Public Works Director deems the same necessary in order to adequately assess an application.

A listing and copy of all federal, state or local permits or approvals required or obtained for implementation of the development activity.

A detailed description of the impacts or potential impacts the development activity may have on any surface or subsurface water sources or courses, inclusive of wetlands.

A detailed description of the impacts or potential impacts the development activity may have on existing vegetation, trees and groundcover.

A detailed description of the impacts or potential impacts the development activity may have on soils, inclusive of a description of the nature and condition of existing soils and any planned grading, excavation, filling or surfacing.

A detailed description of the impacts or potential impacts the development activity may have on existing drainage patterns and land contours, inclusive of comparative run-off and absorption calculations for the subject land and any impacted adjacent land, both pre- and post- development.

A detailed description of any proposed wastewater or sewage disposal system to be installed and a copy of the design/engineered plans, including soils and percolation test results for same.

A detailed description of any proposed water supply/delivery system to be installed, inclusive of water source and/or aquifer and anticipated consumptive use, and a copy of the design/engineered plans for the same.

A detailed description and copy of any and all mitigation plans or measures addressing impacts resulting from the development activity to surface and subsurface water sources, wetlands, vegetation and trees, soils, drainage and slopes.

The identification of any activity to be undertaken by the applicant as part of the development that presents, or may present, a foreseeable risk of pollution or injury to the Town's water sources, supply or waterworks, along with a specific description of the best management practices designed to eliminate or minimize such risk(s) to the maximum extent feasible.

(16) Such additional information as the applicant or Town may deem necessary to fully evaluate the proposed development and/or demonstrate or explain why a watershed permit should be issued.

(b) All applications for a permit shall be filed with the Public Works Director. The application and all supporting material shall be reviewed and evaluated by the Public Works Director to determine whether the application is complete and satisfies the requirements of this Article. Where appropriate and weather permitting, the Public Works Director may schedule a site visit to inspect the land on which the proposed development activity is to occur. Advance notice of the time and date of such site visit shall be provided to the applicant.

(c) Within ninety (90) days following receipt of a complete application, and weather permitting for any necessary site visits or inspections, the Public Works Director shall determine whether the permit application should be granted or denied. The issuance of a permit may be conditioned upon the applicant's compliance with such mitigation measures, financial security, performance standards or time deadlines, or such other terms and conditions as the Public Works Director may deem necessary to ensure protection of the Town's water supply sources, watershed and/or waterworks from pollution, disruption or damage. A failure by an applicant to accept or timely adhere to such terms and conditions shall constitute cause to deny or revoke a permit.

(d) Any applicant dissatisfied with a decision or order made by the Public Works Director under this Article may pursue an appeal of the same to the Board of Trustees by filing a written notice of appeal and appropriate fee with the Town Administrator within ten (10) days from the date of the decision or order appealed from. Upon receipt of a timely notice, the Town Administrator shall agendize the appeal for a hearing before the Board of Trustees to be conducted within forty-five (45) days from the date the notice of appeal was received. The hearing shall be conducted de novo, and written notice of the date, time and place for the hearing shall be sent by regular mail or personally delivered to the applicant not less than ten (10) days in advance thereof. A failure by the applicant to appear at the hearing without good cause shall constitute a waiver of the applicant's appeal rights, and the decision or order subject to the appeal may be automatically affirmed. The applicant shall carry the burden of persuasion with regard to all issues on appeal. Decisions of the Board of Trustees on appeal shall be entered within thirty (30) days from the conclusion of the hearing thereon and shall be reduced to writing, a copy of which shall be mailed to the applicant. The Board of Trustees may on appeal prescribe such conditions on the issuance of a permit as it may deem necessary to protect or implement the intent and purposes of this Article.

(Ord. 5-1999 §1; Ord. 16-2003 §1; Ord. 21 §4, 2012)

Sec. 13-28. Permit issuance standards.

The following standards shall be applied in determining whether a WSPD permit should be issued under this Article:

(1) (2)

The compliance of the application with all application requirements set forth in this Article.

The proximity of the proposed development activity to the Town's water supply sources and/or waterworks. No ISDS component shall be located within a 100-year floodplain. Additionally, no ISDS treatment or disposal component shall be located, at a minimum, within one hundred (100) feet from any water supply source or primary stream, and no ISDS absorption component shall be located, at a minimum, within two hundred (200) feet of any water supply source or primary stream, or fifty (50) feet from a secondary intermittent stream. Minimum

setbacks may be increased if deemed necessary to protect a water supply source, primary stream or waterwork from pollution, disruption or contamination.

(3) The environmental suitability of the proposed development activity and proposed site therefor taking into consideration surface and subsurface water courses, soils, slopes, drainage patterns, geologic formations, existing vegetation and tree stands, wetlands, erosion and the intensity and impact of the proposed development activity.

(4) The likelihood or threat of pollution or injury to the Town's water supply sources, watershed or waterworks presented by the proposed development activity.

(5) The effectiveness of all protective or mitigation measures proposed by the applicant to eliminate or minimize pollution or injury to the Town's water supply sources, watershed and waterworks, and the availability of alternative protective and/or mitigation measures.

(6) The overall anticipated impact of the proposed development activity on the Town's water supply sources, watershed and waterworks.

(Ord. 5-1999 §1; Ord. 16-2003 §1)

Sec. 13-29. Certificate of compliance.

(a) At or immediately prior to the completion of any development or activity performed under a permit, and in all events prior to the burying or covering up of any work or facility authorized under a permit, the permittee shall notify the Public Works Director and request inspection and the issuance of a certificate of compliance in order to establish and confirm the permittee's adherence with the provisions of this Article and with all terms and conditions as may have been imposed as part of the permit. As soon as reasonably practicable, and not more than fifteen (15) working days after receipt of the request, weather permitting, the Public Works Director, or his or her designee, shall inspect the subject development or activity to ascertain if there is conformance with the permit application and the plan and specifications submitted to the Town, and any conditions imposed as part of the permit. Alternatively, the Public Works Director may elect to allow a qualified permittee or third-party professional to submit a written inspection report certifying that the permittee has fully complied with all permit requirements, inclusive of all plans, specifications and conditions.

(b) All costs incurred by the Town in conducting inspections shall be paid by the permittee, inclusive of any costs for outside consultants. If the inspection determines that the development conforms to the provisions of this Article and to all applications, plans, specifications and conditions of the permit, a certificate of compliance shall be issued. However, if the inspection determines that the development or activity fails in any manner to comply as set forth above, a certificate of compliance shall not be issued. In such case, the permittee shall be informed in writing of the reason(s) why the certificate of compliance cannot be issued and the requirements to be met before issuance of the certificate may be obtained. All follow-up inspections shall be conducted in accordance with this Section.

(c) It shall be a violation of this Section for any person who is required to obtain a permit to use any land within the Buena Vista Water Supply Protection District without first having obtained a certificate of compliance.

(Ord. 5-1999 §1; Ord. 16-2003 §1)

Sec. 13-30. Wastewater and sewage disposal facilities.

(a) Notwithstanding any other provision or requirement contained within this Article, all wastewater and/or sewage disposal facilities or systems within the Water Supply Protection District shall be designed by a licensed engineer and constructed, operated and maintained so as to eliminate and/or minimize to the maximum extent feasible any pollution or injury, or threat of pollution or injury, to the Town's water supply sources, watershed and waterworks. A WSPD permit shall be required for the installation of any new wastewater or sewage disposal facility. Additionally, no existing wastewater or sewage disposal facility shall be expanded, repaired, replaced or abandoned without a permit having first been obtained.

(b) The Public Works Director, or his or her designated agent, may investigate and inspect any wastewater and sewage disposal facility located within the Water Supply Protection District to determine whether such facility is being properly constructed, operated or maintained. All owners and/or operators of a wastewater or sewage disposal facility shall maintain written service records on the site of said facility illustrating the age of the facility and the date(s) and service provider for all inspections, installations, repairs, cleanings or other maintenance performed on the facility. In order to ensure that a sewage disposal facility is constructed, performing or being maintained properly, the Public Works Director may order the owner or operator of such facility to install a monitoring well(s) or other monitoring device(s) as a condition for issuance of a WSPD permit, or as deemed reasonably necessary to determine the operational integrity of an existing facility. In the event any owner or operator refuses access to the Public Works Director to any wastewater or sewage disposal facility, or refuses to make available service records as required under this Section, the Town shall take such steps as necessary to

secure the appropriate warrants or court orders to undertake such inspections or obtain the records and seek to recover the costs therefor, including attorney fees, against the nonconsenting owner and/or operator.

(c) Without limiting the circumstances under which a failure of an ISDS shall be found to have occurred, the occurrence or presence of the following factors shall be deemed sufficient to establish a failure in an ISDS:

(1) (2) (3)

Ponding in a leach field or dispersal trench. Obstructed leaching pipes. The presence of unacceptable levels of nutrients or fecal coliform in soil or groundwater.

(d) All wastewater and sewage disposal systems shall, at a minimum, be designed, constructed and maintained in conformity with all applicable federal, state and local laws, standards and permits in addition to complying with the terms and conditions of this Article. In the event of a conflict between competing laws, standards or regulations, the most restrictive and/or protective of the Town's water supply and waterworks shall prevail.

(e) Minimum separation distances between ISDS components and protected structures or physical features as required by this Article shall be maintained at all times unless soil, geological or other conditions warrant greater distance separation. ISDS components that are not water tight should not extend into areas occupied by the root systems of nearby trees. Where repair or upgrading of an existing ISDS is involved, and the size of the lot or parcel precludes adherence to the distance separation standards prescribed in this Article, the repairs or repaired system components shall not be closer to protected structures or features than first existing.

(f) All owners or operators of substandard wastewater and sewage disposal systems existing within the watershed protection district on or before the effective date of this Article shall be provided notice and a reasonable period of time in which to correct any deficiency or noncompliance with respect to their system(s) and the requirements of this Article.

(Ord. 5-1999 §1; Ord. 16-2003 §1)

Sec. 13-31. Water quality monitoring plans.

Notwithstanding any other provision or requirement contained within this Article, the Public Works Director may require the preparation and implementation by an applicant of a water quality monitoring plan and program as a condition for the issuance of a WSPD permit. Such plan may include the installation of monitoring devices, the regular collection of soil and water samples and the establishment of reporting requirements. The costs for the design, implementation and inspection of any water quality monitoring plan shall be borne by the applicant.

(Ord. 5-1999 §1)

Sec. 13-32. Delegation of authority.

The Public Works Director may from time to time devise, adopt and enforce supplemental administrative, procedural or technical/engineering rules and regulations as he or she may deem necessary and advantageous to the successful implementation and enforcement of the provisions of this Article, inclusive of the preparation of standardized forms and fees associated with the evaluation and issuance of permits. All rules and regulations must be consistent with the terms of this Article and be approved by the Town Administrator. The Board of Trustees may review, amend or vacate such rules and regulations upon written complaint or appeal.

(Ord. 5-1999 §1)

Sec. 13-33. Enforcement.

(a) Right of entry. When it is necessary to make an inspection to enforce the provisions of this Article or the terms and conditions of any permit, or where reasonable grounds exist to believe that a condition, activity or facility on any premises presents a threat of pollution or injury to any of the Town's water sources, supplies or waterworks, the Public Works Director, or his or her designee, may enter onto such premises at reasonable times to inspect and/or perform such investigation and duties as called for under this Article; provided that if the premises be occupied, proper identification be shown to the person(s) on the premises and a request for access be made. If the premises are unoccupied, reasonable efforts shall be made to locate and/or provide notice to the owner or operator of the land or facility in question of the desired access. If access is refused, a warrant to enter onto the premises shall be obtained ex parte from the Municipal Court.

(b) Stop work and cease and desist orders. Whenever any development or activity is being performed or continued in violation of the provisions of this Article or the terms and conditions of a permit, or where it is determined that a permit was issued in error or as the result of incorrect, inaccurate or misleading information, the Public Works Director may execute and issue a written stop work and/or cease and desist order commanding that the subject development or activity immediately cease and/or be corrected. A stop work and/or cease and desist order shall set forth in plain language the nature of any violation and shall be served on the permittee or person(s) engaged in the prohibited development or activity by personal service or by regular mail. A copy of the order shall also be posted at some conspicuous place on the subject premises. Appeals or challenges to a stop work or cease and desist order shall be heard by the Board of Trustees upon written request filed with the Town Clerk not less than five (5) working days after service of the order on the permittee or person contesting the same. The

failure of a person to timely file an appeal or challenge, or to appear at the hearing thereon, shall constitute a waiver of their right to contest the order. Hearings shall be conducted by the Board of Trustees within thirty (30) days from the date on which the written notice of appeal or challenge was filed with the Town Clerk. Written notice of the hearing shall be sent by regular mail or personally served on the appellant not less than ten (10) days in advance thereof. The continuation of any development or activity subject to a stop work or cease and desist order shall constitute a violation of this Article.

(c) Permit revocation.

(1) All WSPD permits shall be subject to revocation by the Public Works Director for violations of this Article or the rules and regulations adopted pursuant thereto, inclusive of stop work and cease and desist orders. Written notice of a proposed revocation shall be mailed to the permittee not less than fifteen (15) days prior to the effective date of the revocation and shall set forth in plain language the grounds justifying the revocation. A hearing on the revocation shall be conducted by the Board of Trustees upon the written request of the permittee filed with the Town Clerk prior to the effective date of the revocation. All hearings shall be promptly scheduled before the Board of Trustees by the Town Clerk and written notice thereof mailed to the permittee at least five (5) business days in advance thereof. The effectiveness of any order of revocation shall be stayed pending the decision of the Board of Trustees on appeal, except where the Public Works Director certifies in writing that a delay in revoking the permit will present a clear and immediate danger to public health, safety, welfare or property. All decisions on appeal shall be reduced to writing and a copy thereof provided to the permittee.

(2) Upon the revocation of a permit the Town may require the permittee to restore any land, facility or site to such condition as deemed necessary to prevent pollution or injury to the watershed or any water source, supply or waterwork. Upon the failure of the permittee to timely perform such restoration, the Town may, at its option, perform or have performed the restoration and assess the costs thereof against the permittee, inclusive of the imposition of a lien against the permittee's property on which such restoration work took place.

(Ord. 5-1999 §1)

Sec. 13-34. Violations and penalties.

(a) It shall be unlawful for any person to engage in or cause a violation of any provision of this Article or of any term or condition of any WSPD permit, and such person or persons shall be fined upon conviction thereof in an amount up to one thousand dollars (\$1,000.00), and/or imprisoned up to one (1) year in jail.

(b) Any development, activity, facility or structure which is continued, operated or maintained in violation of this Article or the terms and conditions of any permit shall be subject to injunction, abatement and/or other appropriate legal remedy as may be sought and obtained by the Town, in which event the Town shall be entitled to recover its reasonable costs and attorney fees from the offending party or parties.

(c) All penalties and remedies for violations of this Article shall be nonexclusive and cumulative, and the Town's pursuit and/or exercise of one (1) remedy or penalty shall not foreclose or prohibit the pursuit and exercise of alternative or other remedies.

(Ord. 5-1999 §1)

Sec. 13-35. Certain de minimis activities exempted.

(a)

The Public Works Director may determine upon written request that an activity or proposed schedule of activities to be undertaken within the Water Supply Protection District presents a de minimis risk of pollution to or disruption of the Town's water supply, watershed and/or waterworks and may, thus, exempt or except such activity or activities from some or all of the application and/or permit requirements as contained in this Article. The burden will be upon the applicant seeking an exemption to supply sufficient information to demonstrate that the activity or activities in question will present no more than a de minimis threat or risk to the Town's water supply and/or water supply system. In no event shall the installation or repair of an ISDS be deemed an exempt activity, and in all events an applicant must provide the Public Works Director written notice of when and where any exempted activity is to occur.

Site-specific request information which identifies the specific criteria from which a variance is being requested.

Technical justification by a Colorado registered professional engineer or Colorado registered professional geologist experienced in ISDS or other experience acceptable to the Town which indicates the specific conditions which exist and/or the measures which will be taken to result in no greater risk than that associated with compliance with the requirements of the regulation. Examples of conditions which exist or measures which might be taken include, but are not limited to, the following:

a. Evidence of a natural or physical barrier to the movement of effluent to or toward the feature from which the variance is requested.

b. Placement of a man-made physical barrier to the movement of effluent to or toward the feature from which the variance is requested.

c. Soil amendment or replacement to reduce the infiltration rate of the effluent, such that the travel time of the effluent from the absorption field to the physical feature is no less than the travel time through the native soils at the prescribed setback.

d. Treatment to be provided equivalent to that required to meet National Sanitation Foundation (NSF) Standard 40.

A discussion of alternatives considered in lieu of the requested variance.

Technical support for the selected alternative, which may include a testing program which confirms that the variance does not increase the risk to public health and to the environment.

A statement of the hardship which creates the necessity for the variance. No variance will be allowed solely for purposes of economic gain.

All applications for variance shall be accompanied by a list of adjoining property owners with current mailing addresses.

(b) All exceptions or exemptions must be reduced to writing, specifically identify the activity or activities excepted hereunder and any conditions with regard thereto, and specify in detail the basis for such exception or exemption. In the event an excepted or exempted activity is not fully implemented or concluded in the manner as represented and authorized under this Section, then the Public Works Director shall order the cessation or correction of such activity in accordance with the enforcement procedures contained in this Chapter.

(Ord. 16-2003 §1)

Sec. 13-36. Variances.

(a) In the event that any applicant under this Article is advised by any official for the Town that the application and/or the site that is the subject of the application fails to comply with one (1) or more of the requirements of this Chapter, the applicant may apply for a variance from one (1) or more of such requirements to the Board of Trustees. Approval of a variance under this Section will require a majority vote of the Board of Trustees.

(b) Prior to the rendering of a decision on any such variance request, the Board of Trustees must conduct a public hearing. The hearing shall be the subject of a public notice, or notice shall be sent by certified mail, with a minimum of a twenty-day reply time from the date of mailing to all adjacent property owners. The cost of mailing shall be paid by the applicant at the time of application.

(c) All applications for variances must be accompanied by:

(d) The applicant has the burden of proof that the variance is justified and that the variance will pose no greater risk to public health and the environment than would a system meeting the standard from which the applicant is seeking to obtain a variance.

(e) The Board of Trustees has the ability to impose any requirements and/or conditions on any variance granted pursuant to this Section which the Board of Trustees, in its sole and absolute discretion, deems necessary to achieve the objectives of this Chapter.

(f) The applicant shall be notified in writing of the decision regarding the application for a variance. The notice of denial of a variance shall include the reasons which form the basis for the denial. The notice of an approval for a variance application shall include any conditions or restrictions imposed on the approval. The variance, and any conditions thereof, shall be recorded on the deed to the real property in question, and any expenses associated with that recording shall be the responsibility of the applicant. The Board of Trustees shall either approve or deny an application for a variance, pursuant to this Section, through resolution.

(g) The following shall serve as prohibitions of the approval of any variance requests:

(1) No variance shall be issued to mitigate any error in construction involving any element of property improvements.

(2) No variance shall be issued where the property that is the subject of the application can accommodate a conforming ISDS.

(3) No variance shall be issued which will result in setbacks to an off-site physical feature which do not conform to the minimum setbacks set forth elsewhere in this Code.

(4) No variance shall be issued which reduces the four-foot separation to groundwater or bedrock.

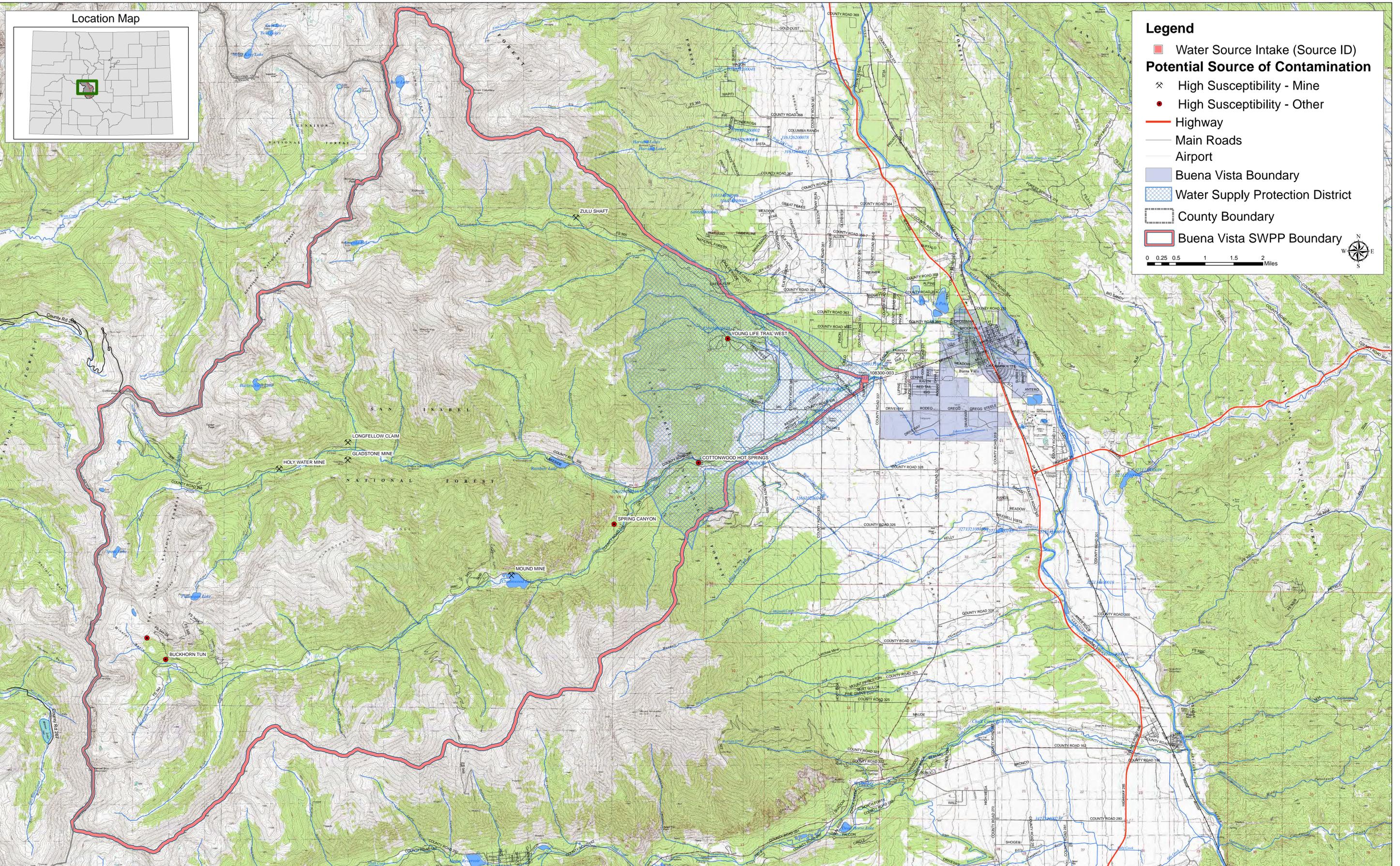
(Ord. 4-2007 §1)

Secs. 13-37 _13-40. Reserved.

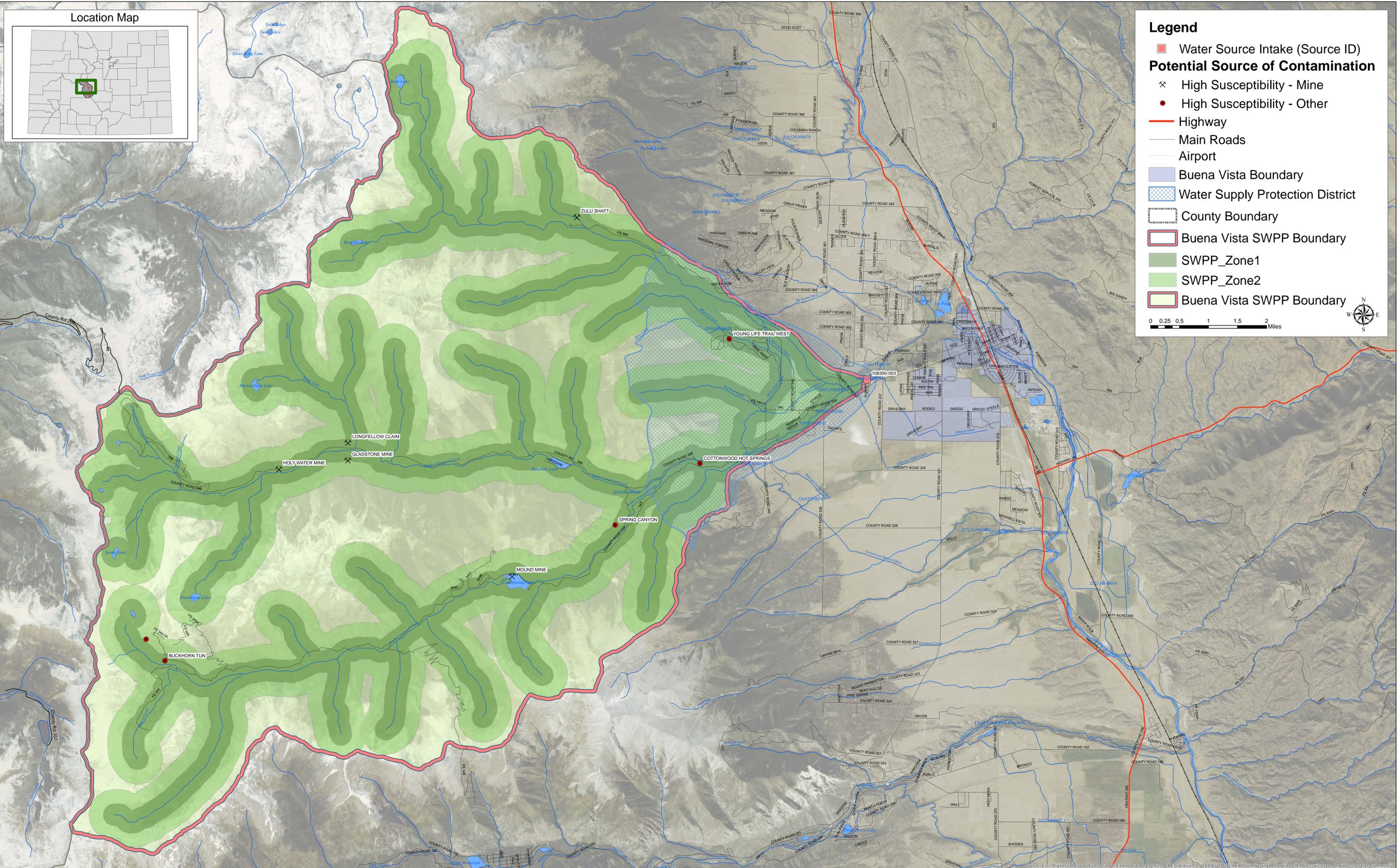
Buena Vista SWPP Map 1



The Town of Buena Vista
December 2015



Buena Vista SWPP Map 2

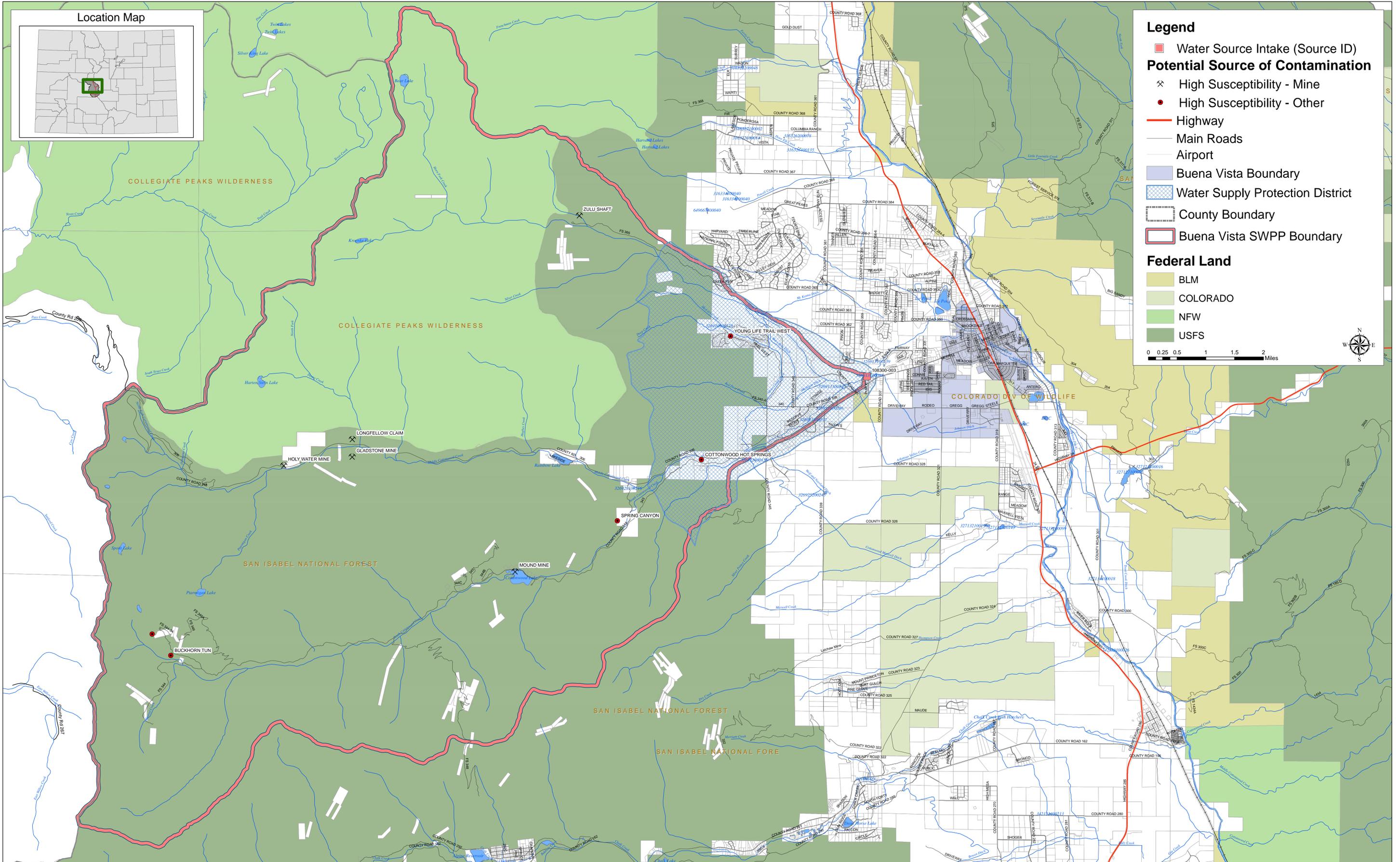


Legend

- Water Source Intake (Source ID)
- Potential Source of Contamination**
- ✕ High Susceptibility - Mine
- High Susceptibility - Other
- Highway
- Main Roads
- Airport
- ▭ Buena Vista Boundary
- ▨ Water Supply Protection District
- ▭ County Boundary
- ▭ Buena Vista SWPP Boundary
- ▭ SWPP_Zone1
- ▭ SWPP_Zone2
- ▭ Buena Vista SWPP Boundary

0 0.25 0.5 1 1.5 2 Miles

Buena Vista SWPP Map 3



Legend

- Water Source Intake (Source ID)
- Potential Source of Contamination**
 - High Susceptibility - Mine
 - High Susceptibility - Other
- Highway
- Main Roads
- Airport
- Buena Vista Boundary
- Water Supply Protection District
- County Boundary
- Buena Vista SWPP Boundary

Federal Land

- BLM
- COLORADO
- NFW
- USFS

0 0.25 0.5 1 1.5 2 Miles

TOWN OF BUENA VISTA, COLORADO

**RESOLUTION NO. 49
Series of 2016**

A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, APPROVING THE SOURCE WATER PROTECTION PLAN

WHEREAS, the Town of Buena Vista has completed a project to create the Town of Buena Vista Source Water Protection Plan; and

WHEREAS, the Town of Buena Vista Board of Trustees has reviewed the Plan and find that it is in the best interest of the citizens of the Town of Buena Vista to approve this Plan.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, that the Source Water Protection Plan is hereby approved as presented.

RESOLVED, APPROVED, and ADOPTED this 10th day of May, 2016.

TOWN OF BUENA VISTA, COLORADO

By: _____
Mayor, Joel Benson

ATTEST:

Janell Sciacca, Town Clerk



Town of Buena Vista
P.O. Box 2002
Buena Vista CO 81211
Phone: (719)395-8643
Fax: (719)395-8644

DATE: May 6th, 2016
TO: Mayor and Board of Trustees
FROM: Scott Reynolds, Planner I, Planning Department
AGENDA ITEM: Miller Holloway Subdivision Minor Final Plat

Request:

William "Bill" Miller is requesting approval of a Minor Subdivision to create two residential lots from one parcel. No public improvements are required with this final plat. A house currently sits on the proposed eastern lot.

Overview:

The applicants submitted a Minor Subdivision application to create two lots from one existing parcel. This property was most recently platted with Packard Lot Line Adjustment in 1999. The property is located in the R-1 (Low Density Residential) Zone District. Single family residential uses are allowed on the proposed resulting lots.

Analysis:

The application meets all of the criteria listed in Sections 17-28 of the Subdivision Ordinance.

Policy Alignment:

1. Economic Vitality – The subdivision will provide an infill lot outside of the floodplain and flood way. Additional dwelling units within the Town limits will provide housing for business development and employee retention.
2. Infrastructure – The new residential lot approved with this plat will not require any expansion/overreach of any utility system and will utilize already existing infrastructure.
3. Community – The addition of new residential land within the town limits will help build our already vibrant community and help preserve our surrounding land.
4. Environment – Providing infill to the community will help preserve land outside of Town limits and preserve local resources.
5. Water – This project will have access to the Town's water system and will not cause adverse impact to our water supply.

BOT Action:

Staff and the Planning and Zoning Commission recommend approval of the amended Minor Subdivision Final Plat. The Planning and Zoning Commission voted unanimously for its approval at its April 20, 2016 meeting.

Attachments:

Planning and Zoning Commission Staff Report
Board of Trustees Draft Resolution



Town of Buena Vista

210 East Main St.
P.O. Box 2002
Buena Vista, CO 81211
719-395-8643

PLANNING AND ZONING COMMISSION STAFF REPORT

REPORT DATE: April 15, 2016

CASE ADDRESS: 723 Yale Avenue – Miller-Holloway Minor Subdivision Final Plat

HEARING DATE: April 20, 2016

APPLICANTS: William “Bill” Miller: Owner

REQUESTS: The applicant is requesting approval of a Minor Subdivision to create two residential lots from one parcel. No public improvements are required with this final plat. A house currently sits on to the east of the property. The properties are all zoned R-1 (Low Density Residential).

TOWN STAFF: Scott Reynolds, Planner I

STAFF RECOMMENDATION:

Staff recommends that the Planning and Zoning Commission recommend approval of the Miller-Holloway Minor Subdivision Final Plat to the Board of Trustees.

ATTACHMENTS TO THE REPORT:

Attachment A – Vicinity Map
Attachment B – Zoning Map
Attachment C – Final Plat
Attachment D – Site Photos

I. SUMMARY OF REQUESTS

The applicants submitted a Minor Subdivision application to create two lots from one existing parcel. This property was most recently platted with Packard Lot Line Adjustment in 1999.

The property is located in the R-1 (Low Density Residential) Zone District. Single family residential uses are allowed on the resulting proposed lots.

II. PROCESS – REQUIRED APPROVALS

The applicant has submitted a Final Plat application and is working with staff to meet the specification in Section 17-28 of the Town of Buena Vista Subdivision Ordinance. Staff reviewed the application and is forwarding the requests to the Planning and Zoning Commission for a recommendation and then to the Board of Trustees for a final decision on the application.

III. ANALYSIS – MINOR SUBDIVISION FINAL PLAT

Section 17-28 of the Buena Vista Subdivision Ordinance provides specific review criteria for a Minor Subdivision. Each criterion is listed in **bold** text, followed by staff's analysis for each in standard text.

1. **The development conforms in all respects to the requirements of the Subdivision Ordinance; and**

Staff is working with Lechner Surveying to meet the requirements of the Final Plat listed in the ordinance so it meets or exceeds requirements for a Minor Subdivision.

2. **New lots to be created by the Minor Development meet the lot size requirements of the Town's zoning ordinance;**

16-245	Requirement:	Applicant has proposed:
Minimum Lot Area	6,500 square feet	28,357 sq.ft. & 58,849 sq. ft.
Minimum Lot Width	65 feet	76.28 ft & 192.53 ft.

The proposed lots meet or exceed the R-1 zone district requirements for new lots. All of the lots will exceed the minimum lot size and width requirements. Additionally, all of the lots have access to a public road and access to utilities.

3. **Adequate utility service is or will be available to serve all new lots, and proper easements for the installation of such utility service exist or will be created; and**

Adequate utility service is available to the proposed properties. Utility service is available on Yale Ave and along the south side of the property.

4. **The applicant has dedicated or will dedicate to the Town those easements and rights-of-way lawfully required by the Town for current and future streets, utilities and bicycle/pedestrian trails; and**

No new rights-of-way are required for the subdivision. An Ingress/Egress and a Water Pump access easement is shown on the plat on Lot 1 for the use of the owner of Lot 2. Current utility easements allow for access to utilities on the new lots.

5. Proper drainage control has been demonstrated.

Drainage control will be required for the future residential uses and will need to meet the Town's requirements at the time of the development of each lot. If future owners develop their properties, drainage controls meeting the Town of Buena Vista requirements will be required at those times.

IV. POLICY ALIGNMENT

1. Economic Vitality – The subdivision will provide an infill lot outside of the floodplain and flood way. Additional housing units within the Town limits will provide housing for business development and employee retention.
2. Infrastructure – The new residential lot approved with this plat will not require any expansion/overreach of any utility system and will utilize already existing infrastructure.
3. Community – The addition of new residential land within the town limits will help build our already vibrant community and help preserve our surrounding land.
4. Environment – Providing infill to the community will help preserve land outside of Town limits and preserve local resources.
5. Water – This project will has access to the Town's water system and will not cause adverse impact to our water supply.

V. CONCLUSION AND RECOMMENDATION

Based upon the information and materials provided by the applicant and included in the staff report, staff supports the requested Minor Subdivision Final Plat. Therefore, staff recommends that the Planning and Zoning Commission recommend approval to the Board of Trustees:

1. William "Bill" Miller, the owner, has applied for a Minor Subdivision Final Plat to create two residential lots; and
2. Notice of the public hearing for the Final Plat was provided as required by the Subdivision Ordinance; and
3. The request was reviewed by the appropriate referral agencies; and
4. The proposed Final Plat is consistent with the applicable standards set forth in Section 17-28 of the Town of Buena Vista Subdivision Ordinance; and

THEREFORE

The Planning and Zoning Commission recommends that the Board of Trustees **APPROVE WITH CONDITIONS** the Miller Holloway Subdivision Final Plat to create two residential lots.

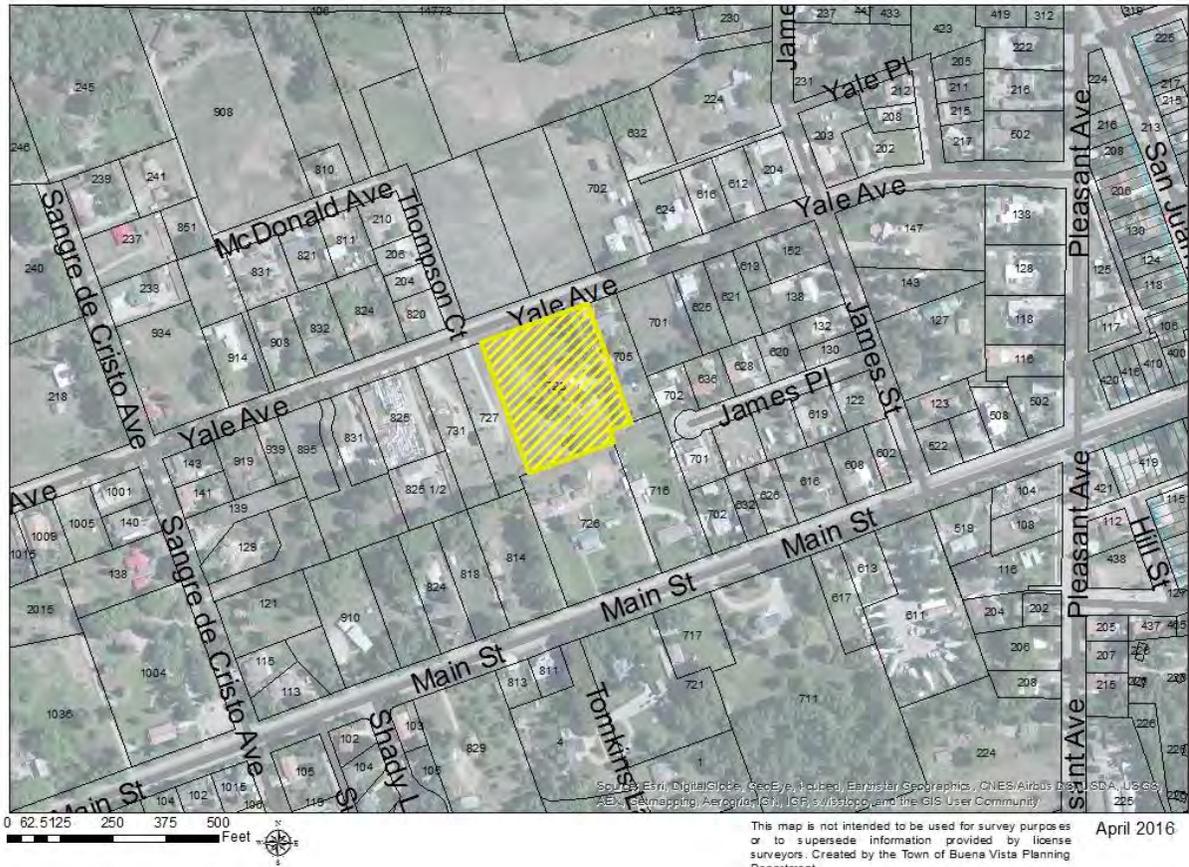
The condition of approval for the Final Plat is:

- 1) Prior to recordation of the Final Plat, the Final Plat drawings shall be corrected to the satisfaction of the Principal Planner.

Cc: William "Bill" Miller

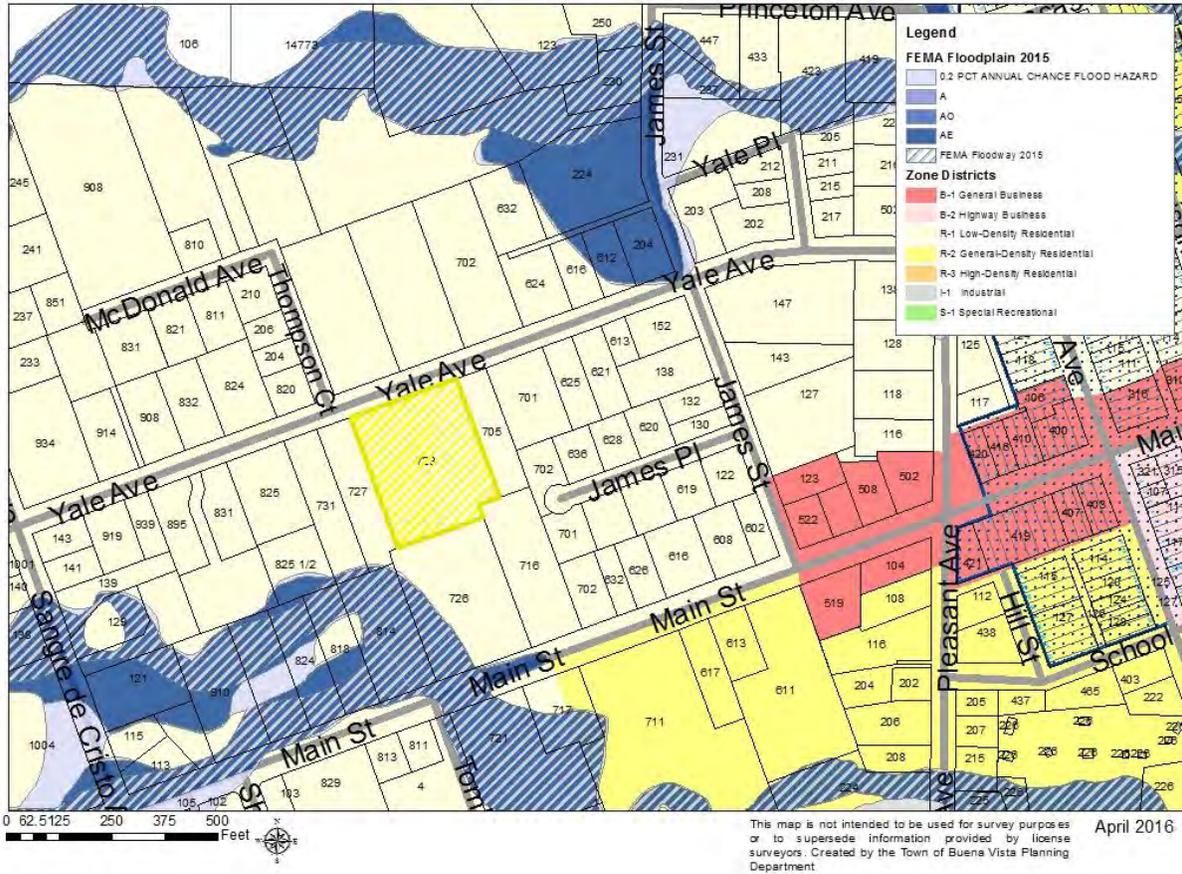
Attachment A – Vicinity Map

Vicinity Map



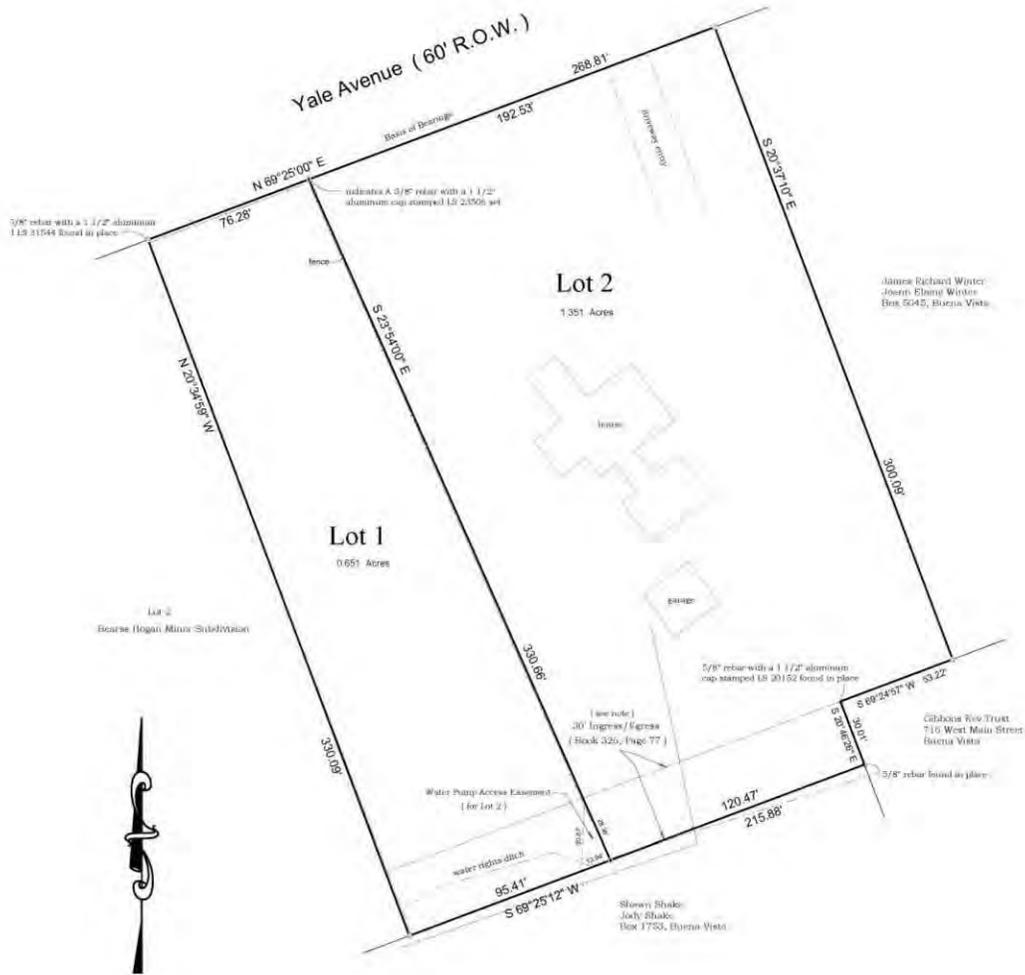
Attachment B – Zoning & Flood Map

Zoning Map



This map is not intended to be used for survey purposes or to supersede information provided by license surveyors. Created by the Town of Buena Vista Planning Department

Attachment C – Final plat (NTS)



Attachment D – Site Photos

Lot 2



Lot 1



TOWN OF BUENA VISTA

**RESOLUTION NO. 50
SERIES 2016**

A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, APPROVING A MINOR DEVELOPMENT FOR THE PROPERTY LOCATED AT 723 YALE AVE, BUENA VISTA, COLORADO.

WHEREAS, William J. Miller (“Owner”) owns property located at 723 Yale Avenue Buena Vista, Colorado (“Property”);

WHEREAS, the Property is located in the R-1 Zone District;

WHEREAS, The Owner filed an application for a minor development for the purpose of subdividing the Property into two lots;

WHEREAS, on April 20, 2016, the Planning and Zoning Commission recommended conditional approval of the minor development;

WHEREAS, notice of the public hearing before the Board of Trustees was properly posted, mailed and published pursuant to Section 17-28(c) of the Buena Vista Municipal Code (“Code”);

WHEREAS, the Board of Trustees opened the public hearing on May 10, 2016, and took public comment; and

WHEREAS, after reviewing all material provided to it and hearing staff and public comment, the Board of Trustees desires to approve the minor development.

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO, as follows:

Section 1. The Board of Trustees, having reviewed the application, all information provided and the criteria for minor development as detailed in Section 17-28 of the Code, makes the following findings:

1. The Final Plat complies with the requirements listed in Section 17-28 of the Code.
2. The minor development complies with the R-1 Zone District lot size requirements pursuant to Section 16-245.
3. Adequate utility service is available for the lots created by the minor development and all have access to existing utilities, along the south side of the Property

and Yale Avenue. Adequate existing and proposed easements will be in created to serve the proposed lots.

4. No new rights of way are required for the minor development. An access easement for the benefit of Lot 2 is shown on the Final Plat. Current utility easements allow for access to utilities on both lots.

5. Drainage control will be required for the future residential uses and will need to meet the Town's Regulations at the time of the development of each lot.

Section 2. The Board approves the Miller-Holloway Minor Development subject to the following conditions:

1. Prior to recording, the Final Plat drawings shall be corrected to the satisfaction of the Principal Planner.

ADOPTED this 10th day of May, 2016.

Joel Benson, Mayor

ATTEST:

Janell Sciacca, Town Clerk



Town of Buena Vista
P.O. Box 2002
Buena Vista CO 81211
Phone: (719)395-8643
Fax: (719)395-8644

DATE: May 6, 2016

TO: Mayor and Board of Trustees

FROM: Mark N. Doering, Principal Planner

AGENDA ITEM: Amendments to Chapters 7, 8, 16, and 18 of the Municipal Code regarding Health sanitation and animals, abandoned vehicles on public and private property, recreational vehicles, camping on private property, and storage of trailers.

Requests:

Staff is requesting amendments to the Municipal Code regulating nuisance, including sanitation and animals, abandoned vehicles, recreational vehicles, trailers, and camping within town limits.

Overview:

Changes to the Municipal Code are being proposed with four separate ordinances that address areas where the Town's enforcement requirements need to be improved to allow staff the ability to regulate and enforce codes designed to protect and improve the quality of life relating to trash, animals, recreational vehicles, trailers and inoperable vehicles within town limits. The separate ordinances allow Town to have clearer regulations that allow for compliance and, if necessary, legal action against those that do not comply. Code enforcement will have improved regulations to allow the Town address areas that have been raised as continuing issues within Town.

Analysis:

The proposed changes reorganize for easier use by the public and staff and are revised to include a civic penalty instead of a jury trial and limits penalties to be below \$500.00. The new regulations clarify which farm animals are allowed in Town. They also explain nuisances in town, including storage of materials, snow and ice removal, weeds and noise, along with the requirements to abate those nuisances, if needed

Policy Alignment:

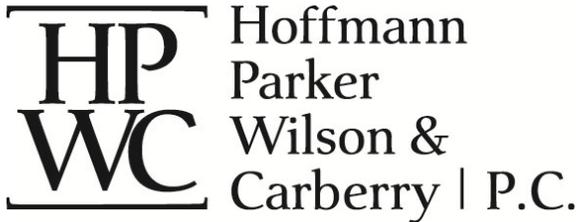
The proposed changes to the Municipal Code meets the Economic Vitality, Community, Environment, and Water policies of the Town. The proposed changes ensure that the community prospers and improves the quality of life of residents and businesses, creates a healthy community where people live, work and play, and ensure safe and reliable water supplies

BOT Action:

Staff recommends approval of the following ordinances, each by a separate motion:

1. Amending Chapter 7 of the Municipal Code relating to nuisances and nuisance abatement.
2. Amending Chapters 7, 8, 16, and 18 of the Municipal Code relating to abandoned and inoperable vehicles on public and private property.
3. Amending Chapters 16 and 18 of the Municipal Code relating to the occupancy, parking, and storage of recreational vehicles, camping on private property, and storage of trailers.

Attachments: Proposed ordinance for each item listed in BOT Action, above
Memorandum from Town Attorney's Office



Hoffmann
Parker
Wilson &
Carberry | P.C.

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M. Patrick Wilson

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Ryan S. Malarky
Kathryn M. Sellars
Ashley N. Pollock
M. Keith Martin

TOWN OF BUENA VISTA
MEMORANDUM

**TO: MAYOR AND BOARD OF TRUSTEES
BRANDY REITTER, TOWN ADMINISTRATOR**

**FROM: JEFFERSON H. PARKER, TOWN ATTORNEY
KATHRYN M. SELLARS, ESQ.** QHP

DATE: MAY 6, 2016

**RE: CODE UPDATES FOR NUISANCES, INOPERABLE VEHICLES AND
RECREATIONAL VEHICLES**

This memorandum outlines the substantive revisions to three sections of the Buena Vista Municipal Code: nuisances (with the exception of open burning), inoperable vehicles, and recreational vehicles. In addition to the revisions outlined in this memorandum, there were numerous minor revisions.

Nuisances

The nuisance sections of the Code, with exception of the open burning provisions, were substantially reorganized for easier use by staff and the public. Almost all definitions were combined into one section and the unnecessary definitions were eliminated. The administrative and abatement provisions (Sec. 7-2) were substantially revised to provide for a civil penalty and for more defined steps for enforcement and abatement. The advantage of a civil penalty is that the offending party is not entitled to a jury trial (which greatly simplifies the judicial process, resulting in lower costs to the Town) and a default judgment may be entered against a defendant for failing to appear in court after issuance of a citation. The disadvantage is that civil penalties must be under \$500.00 and there is no threat of jail time to motivate a person to comply with the Town's requirements.

The enumerated nuisances have been slightly revised for clarification. Two nuisances were deleted from this Section: inoperable vehicles, discussed below, and an offensive and dangerous business, trade or condition. The first matter was simply modified and relocated in the Town code. The second item is better regulated through the Town's Zoning Code. Even in the most extreme cases, where a permitted use of property is causing a nuisance, it would still fall under the general nuisance definition in Section 7-1 and be subject to abatement and enforcement. In addition, pursuant to the memorandum you received from our office on noxious weeds, dated March 9, 2016, we have included a code provision implementing the minimum noxious weed requirements required by state law. Lastly, we have made revisions to the noise regulations, which should be reviewed to ensure that they meet the Town's needs for noise enforcement.

Inoperable vehicles

The provisions regarding inoperable vehicles were removed from Chapter 7 and moved to Chapter 8. Although inoperable vehicles are still nuisances and may be abated as such, they are better placed in Chapter 8 addressing other vehicle and traffic issues. Inoperable vehicles are currently referred to as junked or antique vehicles. The term "inoperable vehicle" is a more modern term and updates the Code. The inoperable vehicle regulations fall under the broader category of abandoned vehicles. The treatment of abandoned vehicles now depends on the location of vehicle; namely, whether it is located on private or public property.

We have also included clarifying provisions for towing and impoundment of vehicles. These provisions follow and reference the state statutes for towing and impoundment. The remaining provisions of the ordinance clarify references to junked or antique vehicles in other areas of the Code.

Recreational Vehicles

This ordinance addresses three topics: the occupancy and storage of recreational vehicles (RVs), tent camping, and the storage of trailers.

Staff requested significant updates to the current recreational vehicle regulations which were difficult to enforce. As dwelling units, recreational vehicles are only permitted to be occupied in the R-1 and R-2 zone districts and only for 14 days per calendar year. Only one RV may be occupied. The owner of the property on which the RV will be located must obtain a temporary use permit. The Board may also choose designated certain holidays, festivals or events as exempt from the 14 day maximum. The parking of the RV must be on an improved surface. Unoccupied RVs are also subject to certain regulations in the R-1 and R-2 zone districts. Any RVs, occupied or not, are not permitted in zones other than R-1 and R-2 zones, unless they are located in a RV park. In addition, per staff's request, tent camping on private property is prohibited. Trailers are subject to similar parking and storage restrictions as RVs.

May 6, 2016
Page 3

We look forward to discussing any of these revisions with you at the BOT meeting. In the meantime, if you have any questions, please feel free to contact us.

**TOWN OF BUENA VISTA, COLORADO
ORDINANCE NO. 7
(SERIES OF 2016)**

**AN ORDINANCE OF THE TOWN OF BUENA VISTA, COLORADO,
AMENDING CERTAIN SECTIONS OF CHAPTERS 16 AND 18 OF THE
BUENA VISTA MUNICIPAL CODE REGARDING THE OCCUPANCY,
PARKING, AND STORAGE OF RECREATIONAL VEHICLES;
CAMPING ON PRIVATE PROPERTY AND STORAGE OF TRAILERS.**

WHEREAS, the use of recreational vehicles for both temporary and permanent occupancy raises issues associated with the safety and health of those individuals residing in them;

WHEREAS, permitting long term residency in a recreational vehicle may have an adverse effect on the health, safety and welfare of those residing in permanent dwellings near the recreational vehicle;

WHEREAS, the Town desires to define when a recreational vehicle may be used as a temporary dwelling; and

WHEREAS, the Town also desires to address the parking and storage of unoccupied recreational vehicles and trailers and camping on private property to protect the health, safety and welfare for the citizens of the Town.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO:

Section 1. Section 16-4 of the Buena Vista Municipal Code is hereby amended by the addition of the following definitions:

Recreational Vehicle (RV) means a vehicular or portable unit mounted on a chassis and wheels, which either has its own motive power or is mounted on, in, or drawn by another vehicle, including but not limited to travel coaches, fifth wheel trailers, pop-up trailers, bed mounted truck campers, camping trailers, or motor homes. A recreational vehicle is not designed or intended for use as a permanent dwelling or sleeping place, but is to provide temporary living quarters associated with recreation, camping, or travel.

Trailer means any wheeled vehicle, without motive power, which is designed to be drawn by a motor vehicle and to carry its cargo load wholly upon its own structure and that is generally and commonly used to carry and transport property over the public highways or streets, and shall not include any vehicle or structure intended for human habitation.

Section 2. The definition of “Mobile Home” in Section 16-4 of the Buena Vista Municipal Code is hereby amended as follows:

Mobile home means a single-family dwelling unit with a living area of at least 500 square

feet or more, partially or entirely manufactured in a factory, built on a permanent chassis, and designed to be transported on streets to the place where it is to be occupied as a dwelling unit and built prior to the adoption of the National Manufactured Home Construction and Safety Standards Act of 1974, 42 U.S.C. sec. 5401 *et seq.*

Section 3. Section 16-4 of the Buena Vista Municipal Code is hereby amended by the deletion of the definition of travel trailer.

Section 4. Section 16-249 of the Buena Vista Municipal Code is hereby repealed and reinstated to read as follows:

Section 16-249. - Recreational Vehicles

- (a) In the R-1 and R-2 zone districts, an RV may only be used for temporary dwelling as follows.
- (1) One (1) RV may be used as a temporary dwelling for guests of the owner of the property on which the RV is located. The RV may be used under this subsection for no more than fourteen (14) days within a calendar year. In order to occupy an RV, the owner of the property on which the RV is located must obtain a Temporary Use Permit prior to occupancy. Under no circumstances may an RV be used under this subsection for more than fourteen (14) days within one calendar year; except that if the Board permits occupancy of RVs in these two zones for certain holidays, festivals or events, such days shall not be included in the fourteen (14) day maximum.
 - (2) Temporary Use Permits shall be displayed on the RV and be clearly visible from the adjacent right of way.
 - (3) Only one (1) permit may be issued to a property owner or occupant within one calendar year. Each such permit shall be for specifically designated days.
 - (4) Only one (1) RV may be parked for use under this Section on a lot or parcel at any given time and must comply with all applicable setback requirements.
 - (5) An RV may only be used and parked as a temporary dwelling under this Section on a lot with a primary building.
 - (6) It is unlawful to use an RV as a temporary dwelling on public property, public right of way or railroad right of way.
 - (7) No electrical cords, extension cords, hose, cables, or any type of public service or utility connections may be made across or be extended across any public or railroad right of way or public property.

- (8) No connections are permitted between a recreational vehicle and any public or private sewer or septic system, unless at a designated RV dump station.
 - (9) Discharge or grey water or sewage onto the ground is prohibited.
- (b) In the R-1 and R-2 zone districts, an RV, which is unoccupied, may only be parked and stored in accordance with this Section.
- (1) RVs may only be parked or stored on public property or in the public right of way for a period not to exceed 72 hours, regardless of whether the owner of the RV is also the owner or occupant of the abutting property. The fact that the RV is moved along the same right of way, moved for the primary purpose of avoiding the 72 hour limitation, or moved away for any period of fewer than 24 hours, shall be ignored in determining whether or not an RV has remained parked for 72 hours or more.
 - (2) An RV may not be parked or stored in any manner that constitutes a public safety issue, including without limitation by blocking vehicular sight lines or creating unsanitary conditions.
 - (3) RVs may not be parked or stored in the railroad right of way.
 - (4) Any RV parked or stored on a public right of way for longer than 72 hours pursuant to this subsection or parked or stored in the railroad right of way in violation of this Section shall be considered abandoned pursuant to this Code.
 - (5) Only one (1) RV may be parked or stored on private property at any given time.
 - (6) An RV must be parked or stored on an improved parking surface, including but not limited to, gravel, concrete, or asphalt. However, the RV may not be parked or extend onto the sidewalk, curb and/or gutter.
 - (7) A parked or stored RV may not be used for temporary or permanent occupation, business operations or the storage of waste materials.
 - (8) The parked RV must be operable and maintained as not to create a nuisance.
- (c) No RV may be stored, parked or used as a temporary dwelling on private property in zoning districts, other than R-1 and R-2, unless the RV is located within a designated RV park or campground.
- (d) It shall be prima face evidence that an RV is being occupied as a dwelling if any of the following are present:

- (1) The use of any slide-out components of the RV;
 - (2) The use of awnings attached to the RV;
 - (3) Visible electric cords connected to the RV; or
 - (4) Visible water and/or wastewater lines connected to the RV.
- (e) Any permit issued under this Section shall be approved by the Town Administrator or designee.

Section 5. Chapter 16 of the Buena Vista Municipal Code is hereby amended by the addition of the following new subsections:

Section 16-249.1 - Tent Camping on Private Property

Tent camping on private property is prohibited.

Section 16-249.2 - Trailers

- (a) Trailers may not be parked or stored, unattached to a vehicle, on public property or in the public right of way for a period longer than 72 hours, regardless of whether the owner of the trailer is also the owner or occupant of the abutting property. The fact that the trailer is moved along the same right of way or is moved away for any period of fewer than 24 hours, shall be ignored in determining whether or not a trailer has remained parked for more than 72 hours.
- (b) A trailer may not be parked or stored in any manner that constitutes a public safety issue.
- (c) Any trailer left in the public right of way for more than 72 hours pursuant to this subsection or located in the railroad right of way for any period of time shall be considered abandoned pursuant to this Code.
- (d) Trailers may not be parked or stored in the railroad right of way.
- (e) Trailers may be parked or stored on private property and must be parked on an improved surface as defined in Sec. 8-41(c) of this Code. Only two (2) trailers may be stored on private property at any given time.

Section 6. Section 18-163 of the Buena Vista Municipal Code is hereby amended as follows:

Recreational Vehicle has the same meaning as in Chapter 16 of this Code.

INTRODUCED, READ, ADOPTED AND ORDERED PUBLISHED this 10th day of May, 2016.

THIS ORDINANCE SHALL BECOME EFFECTIVE THIRTY DAYS FROM PUBLICATION.

TOWN OF BUENA VISTA, COLORADO

By: _____
Phillip Puckett, Mayor Pro Tem

ATTEST:

Janell Sciacca, Town Clerk

(SEAL)

**TOWN OF BUENA VISTA, COLORADO
ORDINANCE NO. 8
(SERIES OF 2016)**

**AN ORDINANCE OF THE TOWN OF BUENA VISTA, COLORADO,
REPEALING AND REINSTATING ARTICLES III AND IV, CHAPTER 8
AND AMENDING SECTIONS 7-39, 16-4, 16-161, AND 16-243 OF THE
BUENA VISTA MUNICIPAL CODE REGARDING ABANDONED AND
INOPERABLE VEHICLES ON PUBLIC AND PRIVATE PROPERTY.**

WHEREAS, the Town has encountered issues with enforcing its current regulations regarding inoperable and abandoned vehicles on both private and public property;

WHEREAS, the Board of Trustees recognizes the need to update to the Town's regulations to prevent the nuisance caused by inoperable and abandoned vehicle; and

WHEREAS, the Board of Trustees finds that updating the Town's inoperable and abandoned regulations is in the best interests of the Town and its residents.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO:

Section 1. Sec. 7-39 of the Buena Vista Municipal Code is hereby repealed.

Section 2. Article III, Chapter 8 of the Buena Vista Municipal Code is hereby repealed and reinstated as follows:

ARTICLE III PARKING OF VEHICLES

Sec. 8-41. - Definitions.

As used in this Article, unless the context otherwise requires:

- (a) Abandoned vehicle means:
- (1) Any motor vehicle left unattended on private property without the consent of the owner or lessee of such property;
 - (2) Any motor vehicle left unattended on public property, including any portion of a highway right-of-way, within the corporate limits of the Town, for a period of seventy-two (72) hours;
 - (3) Any vehicle that meets the definition of inoperable vehicle pursuant to Sec. 8-41(b); or
 - (4) Any motor vehicle stored in an impound lot at the request of its owner, the owner's agent or a law enforcement agency and not removed within seventy-two (72) hours from the time the law enforcement agency notifies

the owner that the vehicle is available for release upon payment of the applicable charges or fees.

- (b) Inoperable vehicle means any vehicle that is mechanically or legally inoperable or requires repairs in order to be operable, or is unable to move under its own power. A presumption shall exist that vehicles are inoperable when:
 - (1) One (1) or more tires are flat or wheels missing;
 - (2) Components of the vehicle which are essential for its operation or control are missing, damaged or deteriorated; or
 - (3) Any vehicle that is not licensed and registered as required by Article 3, Title 42, C.R.S., for a period greater than thirty-one (31) days.
- (c) Improved parking surface means concrete, asphalt, pavers, gravel, crushed rock or similar composite. The parking surface must be constructed to control dust, drainage and prevent spillage on to adjacent properties or public right of ways.
- (d) Off highway vehicle shall have the same meaning as C.R.S. § 33-14.5-101.
- (e) Public property means any real property having its title, ownership, use or possession held by the federal government, the State, County, Town or any other governmental entity of the State.
- (f) Private property means any real property which is not public property.
- (g) Screened means not visible by someone standing at ground level from outside of the property on which a subject vehicle is located. The placing, draping or securing of a tarpaulin or other non-rigid cover over or around an inoperable vehicle shall not be sufficient to comply with the requirements of this section.
- (h) Street or highway means the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.
- (i) Vehicle means a device that is capable of moving itself, or of being moved, from place to place upon wheels or endless tracks. Vehicle includes, without limitation, a bicycle, electrical assisted bicycle, or EPAMD (electric personal assisted mobility device), but does not include a wheelchair, off-highway vehicle, snowmobile, farm tractor, or implement of husbandry designed primarily or exclusively for use and used in agricultural operations or any device moved exclusively over stationary rails or tracks or designed to move primarily through the air.

Sec. 8-42. - Parking on Private Property

The purpose of this Section is to limit and restrict the parking of vehicles within the

Town on private property to provide restrictions to avoid injury and hazards to children and other attracted to such vehicles, devaluation of property values upon adjoining residents and property owners.

- (a) Vehicles in front yard must be on an improved parking surface or designated driveway. Vehicles parked in a side or rear yard shall be parked on an improved parking surface.
- (b) It is unlawful and declared a nuisance to do any of the following:
 - (1) To park on landscaped surface or grass yard areas;
 - (2) To park, store, or accumulate or to permit the parking, storage or accumulation of inoperable vehicle(s) on private property within Town, except as otherwise permitted in this Article; or
 - (3) To park or store an abandoned vehicle, except as expressly allowed herein.
- (c) Up to two (2) inoperable vehicles may be located on a residential property if they are parked in an enclosed building or in a side or rear yard and effectively screened from public view or adjacent properties.
- (d) One motor vehicle which is a collector's item or parts car as defined in C.R.S. § 42-12-401 and which is licensed and stored in compliance with the provisions of state law, in particular C.R.S. § 42-12-401, is allowed. No more than one collector's vehicle shall be kept outside of a building on any one property. Any inoperable collector's item or parts car shall be stored in a manner so that it is screened from the view of any adjacent street, alley or neighboring property.
- (e) This Section shall not apply to a vehicle or part thereof that is stored or parked in a lawful manner on private property in connection with the business of a licensed towing service facility, in a licensed vehicle repair garage yard, in a licensed vehicle body repair shop, in a licensed fuel station yard, or in a licensed vehicle dealership yard, or any other lawful vehicle related business area.

Sec. 8-43. - Parking on Public Property

- (a) It shall be unlawful to park or store an abandoned vehicle on any public property or public right of way, except as permitted by Sec. 8-43(b).
- (b) It shall be unlawful to park or store any vehicle undergoing repair or work upon any public property or public right of way for a period in excess of twenty four (24) hours.

Section 3. Article IV, Chapter 8 of the Buena Vista Municipal Code is hereby repealed and reinstated as follows:

ARTICLE IV TOWING AND IMPOUNDMENT OF VEHICLES

Sec. 8-71. - Definitions.

The terms in this Article shall have the same meanings as found in Article IV, Chapter 8 of this Code unless designated otherwise.

Sec. 8-72. - Applicability.

The provisions of this Article shall apply to the towing, impoundment and sale of abandoned motor vehicles within the Town. Except as expressly modified hereby, the provisions of C.R.S. § 42-4-1801 *et seq.*, as amended, shall apply to the towing, impoundment and sale of abandoned motor vehicles found on public property within the Town and the provisions of C.R.S. § 42-4-2101 *et seq.*, as amended, shall apply to the towing, impoundment and sale of abandoned motor vehicles found on private property.

Sec. 8-73. - Authority to tow and impound vehicles.

- (a) Interference with traffic or street maintenance. Whenever any police officer finds a vehicle, attended or unattended, standing upon an portion of a street, alley or highway right-of-way within the Town in such a manner or under such conditions as to interfere with free movement of traffic or proper street, alley or highway maintenance, such officer is authorized to cause such vehicle to be removed and placed in storage in the Town's designated storage facility. The Town, the officer or anyone acting under the officer's direction shall not be liable for any damage to any such vehicle occasioned by such removal.
- (b) Abandoned vehicles on public property. Whenever any police officer finds a motor vehicle which he or she has reasonable grounds to believe has been abandoned standing upon any public property within the Town, such officer shall make a reasonable effort to locate the owner or lawful custodian of such vehicle and require such person to remove the vehicle. If the owner or lawful custodian fails to remove such vehicle within one (1) hour after receiving directions to do so, or if the owner or lawful custodian cannot reasonably be located, the officer shall require such vehicle to be removed and placed in storage in the Town's designated storage facility.
- (c) Abandoned vehicles on private property. In the event of the abandonment of a vehicle on private property of another, the owner of such property shall notify the Police Department. The Police Department shall follow the procedures in C.R.S. § 42-4-2101 *et seq.*, as amended.

Sec. 8-74. - Post-impoundment procedures.

The Town shall follow the post-impoundment procedures in C.R.S. § 42-4-1801 *et seq.*, and C.R.S. § 42-4-2101 *et seq.*, as applicable and amended, including the procedures for any hearing requested by the owner of the towed vehicle. The hearing shall be conducted by the Municipal Judge.

Section 4. Sec. 16-4 of the Buena Vista Municipal Code is hereby amended by the

deletion of the definitions of Antique Vehicle and Junked Vehicle and the addition of the following definition:

Inoperable Vehicle shall have the same meaning as Sec. 8-41 of this Code.

Section 5. Sec. 16-4 of the Buena Vista Municipal Code is hereby amended by the revision to the following definition:

Open sales lot or yard means an accessory use consisting of a defined area or site used exclusively for the retail display and sale of new or used motor vehicles, trailers, agricultural or other mechanized equipment or machinery, boats and recreational vehicles or equipment utilized in association with a principal retail commercial use, but excluding the display, stockpiling or keeping of junk or inoperable vehicles.

Section 6. Sec. 16-161(10) of the Buena Vista Municipal Code is hereby amended to read as follows:

Open sales yards for the retail sale of automobiles, trucks, boats, trailers, recreational vehicles, farm machinery and equipment, but excluding the unenclosed storage of inoperable vehicles or inoperable equipment or materials.

Section 7. Sec. 16-243 of the Buena Vista Municipal Code is hereby amended to read as follows:

Junkyards are prohibited in all zone districts within the Town. This prohibition shall apply to private as well as commercial lots and uses, and shall encompass the unenclosed storage of inoperable vehicles.

INTRODUCED, READ, ADOPTED AND ORDERED PUBLISHED this 10th day of May, 2016.

THIS ORDINANCE SHALL BECOME EFFECTIVE THIRTY DAYS FROM PUBLICATION.

TOWN OF BUENA VISTA, COLORADO

By: _____
Phillip Puckett, Mayor Pro Tem

ATTEST:

Janell Sciacca, Town Clerk

(SEAL)

**TOWN OF BUENA VISTA, COLORADO
ORDINANCE NO. 9
(SERIES OF 2016)**

**AN ORDINANCE OF THE TOWN OF BUENA VISTA, COLORADO,
REPEALING ARTICLES I, II, III, IV, V, VI, AND VII OF CHAPTER 7
AND REINSTATING ARTICLES I, II, III AND IV OF CHAPTER 7 OF
THE BUENA VISTA MUNICIPAL CODE REGARDING NUISANCES
AND NUISANCE ABATEMENT.**

WHEREAS, the Town has had difficulty enforcing its current nuisance regulations;

WHEREAS, in particular, the Trustees would like to update and provide alternative methods of enforcement of the Town's nuisance regulations, including providing for a civil penalty and an order for abatement; and

WHEREAS, the Board of Trustees finds that updating the Town's nuisance regulations is in the best interests of the Town and its residents.

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF
THE TOWN OF BUENA VISTA, COLORADO:**

Section 1. Articles I, II, III, IV, V, VI, VII of Chapter 7 of the Buena Vista Municipal Code are hereby repealed.

Section 2. Exhibit A to this Ordinance is hereby adopted.

INTRODUCED, READ, ADOPTED AND ORDERED PUBLISHED this 5th day of May, 2016.

**THIS ORDINANCE SHALL BECOME EFFECTIVE THIRTY DAYS FROM
PUBLICATION.**

TOWN OF BUENA VISTA, COLORADO

By: _____
Phillip Puckett, Mayor Pro Tem

ATTEST:

Janell Sciacca, Town Clerk

(SEAL)

Exhibit A to Ordinance No. 10

Chapter 7 – Health Sanitation and Animals

Article 1 –General Provisions

Sec 7-1. - Definitions

Abandon: to voluntarily surrender, relinquish or disclaim for a period of 30 days.

Blighted property: a property, building, mobile home, shed, fence, or other man-made structure where any of the following conditions exists:

- (a) Conditions posing a serious threat to health, safety, and welfare of town residents;
- (b) Any structure open to the elements as a result of damage or decay; unable to provide shelter or serve the purpose for which it was constructed due to damage, dilapidation, or decay; or
- (c) It is not being maintained to a significant degree, as evidenced by at least one of the following conditions:
 - (1) Missing, broken, or boarded windows or doors;
 - (2) Collapsing or deteriorating exterior walls, roofs, stairs, porches, handrails, railings, basement hatchways, chimneys, flues, or floors;
 - (3) Exterior walls which contain holes, breaks, or loose or rotting materials;
 - (4) Foundation walls which contain open cracks and breaks;
 - (5) Overhang extensions, including but not limited to canopies, marquees, signs, awnings, stairways, fire escapes, standpipes, and exhaust ducts, which contain rust or other decay;
 - (6) Vermin or insect infestations;
 - (7) Unmanaged and overgrown vegetation;
 - (8) Waste materials, dumping, clutter, garbage, junk, debris, inoperable vehicles or trash improperly stored or accumulated on the premises;
 - (9) Fences, broken or rotted boards or in an otherwise dilapidated condition;
 - (10) Any other exterior condition reflecting a level of maintenance which is an element leading to the progressive deterioration of the neighborhood;

- (11) Is attracting illegal activity as documented in Police records;
- (12) Is a fire hazard, as documented by the Fire Chief;
- (13) Creates a substantial and unreasonable interference with the use and enjoyment of nearby premises, as documented by neighborhood complaints, police reports, cancellation of insurance on proximate properties, or similar circumstance; or
- (14) A building or structure or part thereof that would not qualify for a certificate of occupancy if applied for, or which is deemed an unsafe or dangerous structure as defined by the applicable building code adopted by the Town, or any dwelling or unit that is designated as unfit for human habitation.

Brush: Woody shrubs not part of a planned and maintained landscape of either a highly structured manicured type or a natural appearance.

Construction Debris: Waste resulting from construction, remodeling, repair, or demolition operations.

Firewood: Any wood or wood product used or intended to be used as heating fuel in a residence. Painted or treated wood shall not be considered firewood.

Junk: Any property, object or other article having nominal salvage value, which has been left unprotected from the elements or in deteriorated condition, including, but not limited to any used machinery or parts; plumbing fixtures (sinks, toilets, pipes, valves, etc), vehicle parts, tires, household appliances and fixtures or parts thereof; household hardware or furnishings, wire; cable, building materials (wood, tile block, brick, etc.), or any other similar articles.

Landscape: Any combination of living plants and non-living landscape material (such as rocks, pebbles, sand, mulch, walls, fences, or decorative paving materials) in a managed and planned manner.

Litter: Any rubbish, waste material, refuse, garbage, trash, debris, excrement, urine, offal composed of animal matter or vegetable matter or both, or any noxious or offensive matter whatever, dead bird, dead fish, fishing line, bait, chemical, chemical compound, petroleum product or compound, automobile part or accessory, tire, wheel, junk, paper, cardboard, can, lid, bottle, cap, carton, wrapper, box, wooden object, plastic object, clothing, cloth, metal object, rubber object, leather object, hide, feathers, grass clippings, leaves, cut weeds, branches cut from trees or bushes, brick, cinderblock, building material, paint, concrete, sand, gravel, stone, glass, asphalt, ashes, cigarette, cigar, food or food product, solvent, dye, beverage and liquid except water, and other similar material.

Nuisance includes, but is not limited to:

- (a) Any activity, operation, condition, building, structure, place, premises or thing which annoys, injures or endangers the comfort, health, repose or safety of the public;
- (b) The conducting or maintaining of any business, occupation, operation activity, building or structure prohibited by statute or ordinance;
- (c) Any building, structure or land open to or used by the general public, the condition of which presents a substantial danger or hazard to public health or safety;
- (d) Any activity, operation or condition which, after being ordered abated, corrected or discontinued by a lawful order of a department or officer of the Town, continues to be conducted or continues to exist in violation of statute or ordinance or in violation of any regulation of the Town, County, or the State;
- (e) Any illicit discharge or other lawful pollution or contamination of any surface or subsurface waters in the Town, or of the air or of any water, substance or material intended for human consumption;
- (f) Any nuisance defined or declared as such by statute or ordinance; or
- (g) Interfere with, obstruct or tend to obstruct, or render danger for passage on any street, alley, highway, navigable body of water or other public way or the use of public property.
- (h) When, in the opinion of the Town Administrator or his/her designee, a nuisance exists which is not specifically enumerated in Municipal Code, The Town Administrator or his/her designee will make a determination of whether a nuisance in fact exists. Every thing, substance, or act which is determined by Administrator or his/her designee to be offensive, injurious or detrimental to the public health, safety or welfare of the Town shall be declared to be a nuisance and may be abated as provided in the Municipal Code.

Ornamental plants: Grasses, perennials, annuals, trees and/or groundcovers purposefully planted for aesthetic reasons.

Responsible Person: The person responsible for creating, allowing, correcting, or abating a nuisance pursuant to this Chapter. The responsible person includes the property owner and any person who causes or permits a nuisance to occur or remain upon property in the Town, and includes, but is not limited to, the owner, tenant or other responsible person entitled to control, use and/or occupy property where a nuisance occurs. In cases where there is more than one responsible person, the Town may proceed against one, some, or all of them.

Residential Property: Any lot, tract, parcel, land, or other property located within the Town, on which single or multifamily structures used as a residence or for human habitation exist, or any property that is located within an area that is zoned for residential uses by the Town

Refuse container: An outdoor receptacle designed and intended to be used to hold refuse. A refuse container includes, but is not limited to, trash cans, trash dumpsters and similar containers.

Riparian buffers: Narrow strips of land bordering waterways protecting streams, rivers, or other bodies of water from runoff, erosion and provide wildlife habitat.

Turf-grass: A lawn comprised mostly of grasses commonly used in regularly cut and irrigated lawns, parks or play areas (such as but not limited to buffalograss, wheatgrass, fescue, and brome-grass blends).

Vegetation: A general term for all plants and living ground cover.

Waste Materials: Shall include all construction debris, garbage, junk, litter, refuse, rubbish, scrap, trash and similar items.

Weeds: Includes the following: (1) brush; (2) turf grasses in excess of twelve (12) inches in height and other vegetation grown in a rank or unsightly fashion; (3) bindweed, Canada thistle, common ragweed, dandelion, fireweed, milkweed, mustard, perennial sowthistle, Russian knapweed, Russian thistle, sandburs and any other similar plants and vegetation. The foregoing enumeration is not intended to be all inclusive, but rather is intended to be indicative of those types of plants which are considered a nuisance.

Xeriscape: A landscaping method developed especially for arid and semiarid climates that utilize water-conserving techniques (as the use of drought-tolerant plants, mulch, and efficient irrigation).

Sec. 7-2. - Inspection of Properties

- (a) Authorized inspector. The Town Administrator shall have the power and authority to appoint and authorize any police officer, building inspector, code enforcement officer or other officer of the Town (including independent contractors engaged by the Town) to inspect and examine any public or private property in the Town for the purpose of ascertaining the nature and existence of any nuisance.
- (b) Right of entry generally. Whenever necessary to make an inspection to enforce any of the provisions of this Chapter, or whenever an authorized inspector has reasonable cause to believe that there exists in any building or upon any premises any condition which constitutes a nuisance hereunder, such inspector may enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed on him or her; provided, however, that if such building or premises is occupied, such inspector shall first present proper credentials and request entry; and if such building or premises is unoccupied, he or she shall first make a reasonable effort to locate the responsible party having charge or control of the building or premises, and upon locating the owner, occupant or other person or persons shall present proper credentials and request entry. If entry is refused, the authorized inspector shall give the owner or occupant, or if the owner or occupant cannot be located after a reasonable effort, he or she shall leave at the building or premises, a written notice of intention to inspect not sooner than twenty-four (24) hours after the time specified in the notice. The notice given to the owner or

occupant or left on the premises shall state that the property owner has the right to refuse entry and that in the event such entry is refused, inspection may be made only upon issuance of a search warrant by a Municipal Judge, or by a judge of any court having jurisdiction.

- (c) Search warrants. After the expiration of the twenty-four-hour period from the giving or leaving of such notice, the authorized inspector may appear before the Municipal Court or any other court with jurisdiction, and, upon a showing of probable cause by written affidavit, shall obtain a search warrant entitling him or her to enter the building or upon the premises. Upon presentation of the search warrant and proper credentials, or possession of the same in the case of an unoccupied building or premises, the authorized inspector may enter into the building or upon the premises using such reasonable force as may be necessary to gain entry.
- (d) Probable cause for issuance of search warrant. For purposes of this Section, a determination of probable cause will be based upon reasonableness, and if a valid public interest and reasonable suspicion of violation justifies the intrusion contemplated, then there is probable cause to issue a search warrant. The person applying for such warrant shall not be required to demonstrate specific knowledge of the condition of the particular structure or premises at issue in order to obtain a search warrant, but must show some factual or practical circumstances that would cause an ordinarily prudent person to act. It is unlawful for any responsible party of the building or premises to deny entry to any authorized inspector or to resist reasonable force used by an authorized inspector, acting pursuant to this Section.
- (e) Right of entry; emergencies. Whenever an emergency situation exists in relation to the enforcement of any of the provisions of this Chapter, an authorized inspector, upon a presentation of proper credentials or identification in the case of an occupied building or premises, or possession of the credentials in the case of an unoccupied building or premises, may enter into any building or upon any premises within the jurisdiction of the Town.
 - (1) In an emergency situation, such person or his or her authorized representative may use such reasonable force as may be necessary to gain entry into the building or upon the premises.
 - (2) For purposes of this Subsection, an emergency situation includes any situation where there is imminent danger of loss of, or injury or damage to, life, limb or property. It is unlawful for any responsible party of the building or premises to deny entry to any authorized inspector or to resist reasonable force used by the authorized official acting pursuant to this Section.

Sec. 7-3. - Penalty

- (a) It shall be a civil infraction for any person to:
 - (1) Create, operate, maintain or conduct any nuisance as defined in this Code.

- (2) Interfere with or prevent, or attempt to interfere with or prevent, the abatement of any nuisance pursuant to the provisions of this Code.
 - (3) Fail to abate a nuisance as specified in this Article.
- (b) Any person who is found guilty of, or pleads nolo contendere to the commission of, the civil infraction shall be subject to a civil penalty of no more than \$499.00. For each day, or portion thereof, during which any violation continues, a person may be cited for a separate civil infraction. The penalties specified in this Section shall be cumulative and nothing shall be construed as either prohibiting or limiting the Town from pursuing such other remedies or penalties, in an action at law or equity.
 - (c) The Municipal Court has the authority to order the abatement of the nuisance by the responsible party or parties, and may authorize the Town to abate the nuisance if the responsible party or parties fails to do so as ordered by the Municipal Court. If the Town proceeds to abate the nuisance as authorized by the Municipal Court, the Town shall be entitled to an order from the Municipal Court for recovery of its abatement costs, plus fifteen percent (15%) of the abatement cost for inspection, and any other additional administrative costs. If the cost of abatement is not paid, a lien may be placed upon any property on which the abatement was performed and shall have priority over all other liens, except general taxes and prior special assessments. The lien may be collected by any legal means, including certification to the Chaffee County Treasurer for collection in the same manner as taxes.
 - (d) A civil action to declare and abate a violation of this Chapter shall be brought in the name of the Town by filing a summons and complaint, which shall be verified or supported by an affidavit. A peace officer of the Town may serve a summons and verified complaint upon responsible party. The trial or hearing of such action shall be to the court.
 - (e) A notice of appearance shall be served with the summons and complaint. The appearance date shall be not less than seven (7) days from the date of service of the summons and complaint. The respondent shall file a response or answer on or before the appearance date specified in the notice of appearance. A hearing shall be held upon the appearance date, unless the court grants a continuance for good cause shown.
 - (f) Upon the date and time specified for appearance and hearing, if the respondent has not filed a response and fails to appear, and if the Town proves service was made on respondent at least seven (7) days prior to the appearance date, the court may grant such orders as are requested by the Town; except that, the court shall order that enforcement by the Town be stayed for ten (10) days and that a copy of the court's order be mailed to the respondent at respondent's last known address. Failure to appear at any hearing date shall be grounds for entering a default, and default judgment against the non-appearing party. Prior to enforcement, and upon good cause shown, the court may set aside any entry of default and the default judgment entered thereon.

Sec. 7-4. – Complaints of Nuisances

Complaints of nuisances may be made in writing to the Town Administrator or Code Enforcement Officer on forms provided by the Town. Whenever possible, any complaint shall state the nature of such nuisance, the street address, the name of the owner, occupant or responsible party of the building or lot, if known, and the name and address of the complainant.

Sec 7-5. – Abatement of Nuisances – Administrative

- (a) This Section provides an alternative method for abating a nuisance to a Municipal Court action. An administrative abatement pursuant to this Section is not a prerequisite for a Municipal Court action, nor shall it preclude the issuance of a summons and complaint prior to, concurrently with or subsequent to an administrative abatement action.
- (b) Whenever the Town Administrator, Code Enforcement Officer, or his or her designee determines that a nuisance exists in violation of this Code, he or she, or his or her designee, shall issue a Notice of Abatement to the responsible party or parties with the information required herein.
 - (1) The time for abatement of a nuisance posing an imminent danger of damage or injury to or loss of life, limb, property or health or where there is an illicit discharge shall not exceed twenty-four (24) hours.
 - (2) The reasonable time for abatement of all other nuisances shall not exceed seven (7) days unless it appears from the facts and circumstances that compliance could not reasonably be made within seven (7) days and that a good-faith attempt at compliance is being made.
 - (3) If the responsible party shall fail to comply with the notice for a period longer than that named in the notice, then the authorized inspector shall proceed to have the nuisance described in the notice removed or abated from the property described in the notice without delay; and the authorized inspector shall have the authority to call for any necessary assistance. In no event shall the notice described by this Section be required prior to issuance of a summons and complaint.
- (c) Contents of notice. The Notice of Abatement issued pursuant to the provisions of this Section to the responsible party upon which a nuisance was discovered shall contain the following:
 - (1) The address and other description of the property upon which the nuisance was discovered;
 - (2) The name and address of the owner of the property upon which the nuisance was discovered as reflected in the county assessor records;

- (3) The name and address of the occupant of the property upon which the nuisance was discovered, if known, and if different from the owner;
 - (4) A description of the thing or things or condition deemed to be a nuisance;
 - (5) The time in which the thing or things or condition are to be removed or abated from the property;
 - (6) A statement advising the responsible party that he or she may protest the determination of the authorized inspector with respect to any matters stated in the notice, by filing a written protest pursuant to this Section;
 - (7) A statement that, if the responsible party fails to comply with directions contained in the written notice or file a written protest thereto in the time allowed, the Town will enter the property, abate the nuisance described therein and assess the costs thereof to the owner of the property;
 - (8) A statement that, if the Town abates the nuisance, it shall be entitled to recover its abatement costs, plus fifteen percent (15%) of the abatement cost for inspection, and any other additional administrative costs; and
 - (9) A statement of the cost of abatement.
- (d) Service of notice. The written notice to abate shall be served by:
- (1) Personally delivering a copy of the notice to the owner of the property described in the notice if the owner also resides at the property;
 - (2) Personally delivering a copy of the notice to the non-owner occupant or resident of the property described in the notice and mailing a copy of the notice by certified mail, return receipt requested, to the last known address of the owner as reflected in the county assessor records; or
 - (3) Mailing a copy of the notice by certified mail, return receipt requested, to the last known address of the owner of the property described in the notice as reflected in the county assessor records if the property is unoccupied and by posting a copy of the notice in a conspicuous place at the unoccupied premises. Service of the notice shall be deemed complete upon the date of personal delivery or three (3) business days after the date of mailing as required herein.
- (e) Costs of abatement. If the Town abates the nuisance, it shall be entitled to recover its abatement costs, plus fifteen percent (15%) of the abatement cost for inspection, and any other additional administrative costs. If the cost of abatement is not paid, a lien may be placed upon any property on which the abatement was performed and shall have priority over all other liens, except general taxes and prior special assessments. The lien may be

collected by any legal means, including certification to the Chaffee County Treasurer for collection in the same manner as taxes.

- (f) Abatement action. When a nuisance has not been voluntarily abated within the time specified in the notice to abate, the Town may proceed to abate the nuisance from the property and collect the costs specified in Subsection (5) above.

Sec. 7-6. – Appeals

For Administrative abatements set forth in Section 7-5 above:

- (a) A written appeal of the determination of the existence of a nuisance may be appealed to the Town Administrator within the time set forth in the notice of abatement. The Appeal shall state the basis for the appeal and why the circumstances on the property do not constitute a notice.
- (b) The Town Administrator shall promptly schedule a hearing on the appeal. During the pendency of the appeal, the order to abate shall be stayed.

Sec. 7-7 to 7-9 (reserved)

Article II – Nuisances

Sec. 7-10. - Flammable Liquids: storage or parking of tank vehicles

It shall be deemed a nuisance to store or cause to be stored or parked, except for unloading, any vehicle used for the purpose of storage of flammable liquids, gases, explosives or toxicants upon any streets, ways or avenues of the Town, or any other part of the Town except those areas zoned for such use.

Sec. 7-11. - Abandoned containers

- (a) It shall be deemed a nuisance for any person to discard, abandon or leave in any place accessible to children any refrigerator, icebox, deep-freeze locker, stove, oven, trunk or any self-latching container having a capacity of one and one-half (1½) cubic feet or more, which is no longer in use, and which has not had the door removed or the hinges and such portion of the latch mechanism removed as to prevent latching or locking of the door, or to knowingly permit such a refrigerator, icebox, deep-freeze locker, stove, oven, trunk or self-latching container to remain on premises under his or her control without having the door removed or the hinges and such portion of the latch mechanism removed as to prevent latching or locking of the door.
- (b) The provisions of this Section shall not apply to any vendor or seller of refrigerators, iceboxes, deep-freeze lockers, stoves, ovens, trunks or self-latching containers, who keeps or stores them for sale purposes in a showroom or salesroom ordinarily watched or attended by sales personnel during business hours and locked to prevent entry when not

open for business, or if such vendor or seller takes reasonable precaution to effectively secure the door of any such refrigerator, icebox, deep-freeze locker, stove, oven, trunk or self-latching container so as to prevent entrance by children small enough to fit therein.

Sec. 7-12. - Stagnant water, contaminated or impure wells or cisterns

- (a) Any cellar, vault, drain, sewer, pond of water, swimming pool or other place in this Town, that shall be noxious or offensive to others, or injurious to public health, through an accumulation or deposition of noxious, offensive or foul water, or other substances, or be conducive to the breeding of mosquitoes, shall be deemed a nuisance.
- (b) Any well or cistern on any property within the limits of the Town, whenever a chemical analysis or other proper test, or the location of the same shows that the water of the well or cistern is probably contaminated, impure or unwholesome, shall be deemed a nuisance.
- (c) Every person in possession of any premises or any part thereof, upon which there is located a well containing contaminated, impure or unwholesome water, shall abandon the use of the same and cause the same to be filled with earth or such other material as may be designated by the Town.

Sec 7-13. - Storage of Construction Materials

- (a) It shall be deemed a nuisance for any person to store lumber or other construction materials, construction vehicles, and/ or construction equipment on any property not associated with a permitted building project being currently undertaken on the property. This Section shall not apply to construction vehicles parked at the residence of the owner.
- (b) It shall be deemed a nuisance for any person to keep or store any construction materials and/or equipment, as described above, unless such materials are in an enclosed structure, covered, secured, or in some manner protected so as to prevent such materials and/or equipment from being blown, scattered about, or otherwise moved by wind, water, or other natural causes.

Sec 7-14. - Snow or Ice Deposits

- (a) It shall be deemed a nuisance for any person to deposit, cause or allow any snow or ice to be deposited on or against any fire hydrant or traffic signal control device; or upon any sidewalk, street or roadway, loading and unloading area of a public transportation system, or designated emergency access, in a way that interferes with the safe and orderly flow of pedestrian or vehicular traffic or in any way obstruct or impede street or roadway drainage.
- (b) The owners or occupants of property abutting upon or adjacent to sidewalks within the corporate limits of the Town shall at all times keep such sidewalks free and clear of snow and ice.

- (c) In the event such owners or occupants fail to remove snow and ice from such adjacent sidewalks within twenty-four (24) hours of the accumulation, such condition shall be deemed a nuisance.

Sec 7-15. - Abandoned and Hazardous Bicycle

- (a) Every bicycle left at any place to cause an immediate safety hazard or an obstruction to entry or exit to a building or a public right-of-way shall be deemed a nuisance. If the person in possession of the bicycle is not present or is unwilling or unable to provide for its immediate removal, the Town may remove and impound the bicycle.
- (b) Every bicycle left abandoned as defined in this Chapter may be removed by Town staff and impounded.

Sec 7-16. - Airborne Nuisances

- (a) It shall be deemed a nuisance for any person to allow the emission of air contaminants and/or odors that are detrimental to the health, comfort, safety or welfare of the public, that causes or tends to cause injury or substantial annoyance, interfere with the reasonable and comfortable use and enjoyment of property, or inconvenience to persons exposed thereto or causes or tends to cause damage to property.
- (b) Any odor will be deemed to interfere with reasonable and comfortable use and enjoyment of property:
 - (1) When the air containments or odors rise above the threshold of the Air Quality Control Commission's Regulations; or
 - (2) When the Town receives five (5) or more complaints from individuals representing separate households within the Town within a twelve (24) hour period relating to a single odor description.
 - (3) To be considered an odor complaint a written complaint must be received by the Town and include, in addition to the written complaint required by Section 7-4:
 - a. Name, address and phone number of complainant.
 - b. Time and date of call.
 - c. Description of odor nuisance, including estimated location or source of odor, and if possible, prevailing wind or weather conditions observed.
 - (4) The Town shall use reasonable efforts to investigate all complaints to verify the source of the odor.

- (c) It is an affirmative defense to the alleged violation of this Section if the air contaminant or odor was caused by a condition or breakdown of a device, facility, or process that: (1) could not have been reasonably anticipated or prevented; (2) the facility owner or operator took immediate action to eliminate the upset condition and, if necessary, repair all equipment and devices that caused or contributed to the upset condition or breakdown; (3) the facility owner or operator notified the Town about the condition or breakdown within eight (8) hours of its occurrence; and (4) the facility owner or operator provided written detailed information describing the condition or breakdown and identifying the measures taken to correct it within three (3) working days of the occurrence.
- (d) Rodeos, stock shows, tarring operations, other similar temporary events and activities of the Town are exempt from this section.

Section 7-17. - Blighted property

It shall be deemed a nuisance to cause or allow blighted property to be created or maintained in the Town.

Section 7-18. - Firewood Storage

- (a) Firewood may be stored upon residential premises solely for heating uses on the premises and not for resale. Firewood not stored in compliance with this Section shall be deemed a nuisance.
- (b) The firewood shall be prepared for use and stored in neat and secure stacks, protected from bare soil or ground on a well supported, non-rotting base.
 - (1) All firewood shall be stored in the side or rear yard, regardless of the property's zoning.
 - (2) Firewood may be stored in the front yard on residentially zoned property for a period of seven (7) days from the date of its delivery in order to be processed and transferred to side or rear yard for permanent storage.
 - (3) All brush, debris and refuse from processing of firewood shall be promptly and properly disposed of and shall not be allowed to remain on the premises longer than 7 days after processing the firewood.
 - (4) Freestanding firewood stacks shall not be in excess of 4 feet in height unless such stack is amply supported by a rack or structure designed for such storage. Where the firewood is so supported, the stack shall not be in excess of 6 feet.
 - (5) Firewood may not be stacked within five (5) feet of the property line.
 - (6) Firewood must be stacked a minimum of 30 feet from any structure on adjacent property.

- (7) No firewood shall be stacked in a manner that encroaches into the public right-of-way, obstructs the view of drivers on public streets or private driveways.

Sec. 7-19. - Unlawful Disposal of Waste Materials

It shall be deemed a nuisance for any person to:

- (a) Place, deposit, abandon, or discard any waste materials on public property, Town right-of-way, alley, river, lake, stream, ditch, or the private property of others without the property owners permission;
- (b) Place, deposit, abandon, or discard within the Town limits, waste materials which were generated at a location outside the Town limits;
- (c) Bury waste materials within the Town limits; or
- (d) Discard or dump waste materials in a receptacle not designed or intended to be a refuse container.

Sec. 7--20. - Vehicles causing Litter

It shall be deemed a nuisance for any person to operate any vehicle within the Town, unless such vehicle is loaded, covered or secured so as to prevent any contents from being blown or deposited upon any street, alley or other public or private property.

Sec. 7--21. - Storage of Waste Materials

- (a) No responsible person having the control, management or ownership of any property shall maintain any property where waste materials are permitted to accumulate in any manner that:
 - (1) Becomes a nuisance;
 - (2) Interferes with the health, safety or welfare of residents in the vicinity; or
 - (3) Detracts from the aesthetic appearance, enjoyment or value of the property or any neighboring properties.
- (b) All responsible parties shall ensure that all waste materials are covered, secured, or in some manner protected so as to prevent such materials from causing a nuisance, health, safety, or sanitation hazard by reason of being blown or scattered about by wind, children, animals, or any other means of dispersal.
- (c) All responsible parties shall clean up spillage and overflows or waste materials immediately when they occur.

Sec. 7-22. - Refuse Containers

It shall be deemed a nuisance to violate any of the following:

- (a) Residential refuse and recycling containers must be screened from view from adjacent streets and be stored in the rear or side yard only, not in the front yard, alley or public right-of-way.
- (b) Residential property refuse containers may only be placed in the public right-of-way 24 hours before trash collection day. Residents are required to remove refuse and recycling containers from public rights of way 24 hours after trash collection day.
- (c) Refuse containers must not block or interfere with public rights of way or cause a nuisance for adjacent properties.
- (d) Refuse containers with secured lids shall be used for handling, storing and disposing of waste materials to control odors, insects, rodents, animals, and other nuisance conditions.

Sec. 7--23. - Unlawful use of refuse container

It shall be unlawful for any person to intentionally or knowingly deposit, or to cause to be deposited, any waste material in a refuse container located on the property of another, or on public property, without the prior permission of the owner or person(s) in lawful possession of such refuse container.

Sec. 7-24. - Weeds

- (a) It shall be deemed a nuisance for any responsible person to permit any growth of brush, weeds or unmanaged vegetation that:
 - (1) Constitutes a nuisance by collecting trash or debris;
 - (2) Creates a fire hazard;
 - (3) Harbors wildlife or pests that are hazards to public health or safety;
 - (4) Contributes to the spread of noxious weeds as identified on Lists A and B of the Colorado Noxious Weed Act, C.R.S. § 35-5.5-101 et seq., as may be amended;
 - (5) Is a violation of the responsible party's duty under Section 7-25; or
 - (6) Creates an environment that could be injurious the public health by providing a habitat for vermin, insects and other pests.
- (b) Growth of vegetation as an intentional nuisance is prohibited.

Sec. 7-25. - Duty of responsible party

- (a) The responsible party has a duty to ensure that all landscaping is maintained in a healthy condition.
- (b) Vegetation shall not intrude, impinge, invade or otherwise negatively adversely affect adjacent properties.
- (c) Plants which have thorns, spines or prickles shall not encroach into public sidewalk or public right-of-way.
- (d) No vegetation shall grow into the public right-of-way or private property such that it obstructs or physically interferes with a driver's view of approaching, merging, or intersecting traffic or pedestrian traffic or obstructs traffic signs and traffic control signs/devices.
- (e) All vegetation should be managed so that it does not block or obstruct any fire hydrant.
- (f) Responsible parties have a duty to clean and maintain vegetation from the rear property line to the center line of alleys.
- (g) The portion of a dedicated public right-of-way between the street and the property line excepting the sidewalk shall be landscaped and maintained by the abutting property owner. Landscaping placed in the public right-of-way shall be managed not to interfere with snow removal, water drainage, public walking, site distances, repair of utilities, or contribute to the deterioration of streets.
- (h) Turf grass shall be managed at a height of no more than twelve (12) inches.
- (i) In order to retain certain Town properties in their natural states, Town-owned parks, open space, wetlands, and riparian buffers (stream beds or banks) are exempt from vegetation height requirements. Wetlands are exempt from the requirements.
- (j) Aesthetic judgments shall not be a consideration nor play any role in determining non-compliance or compliance with this Section.

Sec 7-26. –Removal of vegetation debris

- (a) All vegetation, weeds, shrubs, trees, brush, and any part thereof from the lot upon which the plant materials have been cut shall be immediately removed from the Town or otherwise entirely destroyed by the responsible party.
- (b) No responsible parties shall allow or permit vegetation debris of any kind, including, but not limited to, weeds, grass, overgrown vegetation, dead trees, leaves, bushes or shrubbery, to be deposited into any street, gutter, curb, road, lane, cul-de-sac, highway,

alley, open creek, stream, watercourse, public place, common ground or right-of-way. The responsible person(s) shall promptly dispose of debris by removal, or in such a manner as to not create a nuisance.

Sec. 7-27. - Noxious Weeds

- (a) It shall be deemed a nuisance for any person to plant or permit the spread of noxious weeds as identified on Lists A and B of the Colorado Noxious Weed Act, C.R.S. § 35-5.5-101 et seq., as may be amended.
- (b) Every person shall destroy all noxious weeds on all lands which are under their ownership, occupation or control.

Sec. 7-28 to 7-34 (reserved)

ARTICLE III - Animals

Sec. 7-35. Definitions:

Animal: any wild or domestic living thing that is not a human being or plant.

Domestic Animal: an animal other than livestock that lives in a tame condition.

Vicious Animal: any animal that, without provocation, bites or attacks persons or other animals; approaches any person or other animal with vicious or terrorizing behavior or an apparent attitude of attack, whether or not the attack is consummated or is capable of being consummated; or has acted in a manner that causes or should cause its owner or custodian to know that the animal is potentially vicious.

Wild Animal: an animal which is not customarily domesticated and which, because of its size, disposition, or other characteristics could constitute a danger to human life or property.

Fowl: a bird of any kind.

Bee: any stage of the common domestic honey bee, *Apis Mellifera* Species.

Livestock: Domesticated animals raised for agricultural purposes, excluding swine.

Swine: a domesticated pig or hog.

Sec 7-36. – Animal Permits

An animal permit is required as outlined in the table below. Even with a permit, the maximum number of animals allowed may not be exceeded as described below.

Animal type	Number of animals requiring a permit	Maximum number animals allowed
Livestock	1	2
Bees	1 hive	2 hives
Fowl	1	6
Domestic Animals	5	8

Sec 7-37. - Permit Application and Fees

- (a) In order to obtain an animal permit, the following must be completed:
 - (1) Applications for a permit under this Article shall be made to the Town on form(s) provided.
 - (2) Proof that notice of the application for animal permit by the property owner or resident was mailed to 100% of neighbors within 150 feet of the property line where the animals will be located.
 - (3) If building a structure associated with an animal permit, a site plan showing the following:
 - a. Property lines with dimensions.
 - b. Setbacks for animal housing structures and feeding areas. Setbacks must comply with the Dimensional Requirements in the applicable zoning district. All animal housing units and feeding areas must be a minimum of 25 feet from any residential structure on an adjacent lot.
 - c. Existing and proposed structures with perimeter dimensions, height and square footage.
 - d. All public rights of way abutting the property.
 - e. Description of all waste locations and how waste will be handled to avoid a public nuisance.
 - f. Location of feed storage and a description of how feed will be protected from tampering by or attracting wildlife.
 - g. Clear Sight Triangle needs to be denoted.

- (c) Animal housing structures, pens, runs and feed storage shall not be located within the front yard.
- (d) All animal fencing, containment and housing structures shall comply with the Code.
- (e) If applicable, the permittee shall ensure all approvals from any homeowners association. Town issuance of a permit shall not be deemed to negate any homeowner's association approval.
- (f) Except for Special Permits as provided for in Section 7-40, each permit shall be valid through the end of the calendar year in which it was issued, and no permit shall be issued absent the payment of a nonrefundable fee in an amount established by the Town. Permittees must apply for a renewal of the permit prior to the beginning of each calendar year.

Sec 7-38. - Other Standards for Domestic Animals, Fowl and Livestock

- (a) **Domestic Animals:** The number of domestic animals that a person may keep on his/her property in the Town is limited to a maximum of four (4) total without a permit, except that a litter of any size may be kept for a period of time not exceeding four (4) months from birth.
- (b) **Livestock:** No more than one livestock animal is permitted per every 1000 sq. ft. Regardless of the size of the property, no more than two livestock animals are permitted per each property.
- (c) **Swine:** It shall be unlawful for any person to keep any swine within the corporate limits of the Town.
- (d) **Honeybees:**
 - (1) Only one hive is permitted per every 1000 sq. ft. Regardless of the size of the property, no more than two (2) hives are permitted per each parcel of property.
 - (2) Hives are permitted to only have one colony each with only one (1) hive.
 - (3) Hives may not be located within 25 feet from any lot line, unless the hives satisfies subsection (6) below.
 - (4) Hives are permitted on residential property only.
 - (5) Hives shall be made of a movable frame.
 - (6) Hives that are located within twenty (20) feet of a property line shall be screened at the property line by a six (6) foot solid fence, wall or other barrier, which may

be vegetative. The screen shall extend at least twenty (20) feet in both directions from the point on the property line, or lines, where the hive is the closest to the property line. Vegetative screening shall be planted or maintained so as to form a continuous, unbroken, solid screen prior to the establishment of the hive. The screened area must be in compliance with the other fence requirements set forth in Chapter 18 of this Code.

- (e) **Domestic Fowl:** Up to six (6) domestic fowl may be kept on any property subject to the following restrictions:
- (1) Roosters are prohibited.
 - (2) Fowl shall be kept for personal use only; no individual shall sell eggs directly from the property, engage in breeding, fertilizer production or slaughter fowl for commercial purposes.
 - (3) Raising of fowl for fighting purposes is prohibited.
 - (4) Fowl must be kept in enclosures or fenced areas at all times and confined to the property. During daylight hours, fowl may be allowed outside of their enclosure in a securely fenced yard but only if supervised. The securely fenced yard must include a fence of at least six (6) feet tall that is also in compliance with the other fence requirements set forth in Chapter 18 of this Code. Fowl shall be secured in an enclosure meeting the following requirements during the non-daylight hours.
 - (5) Fowl may be used for meat consumption. Slaughtering shall be permitted on site as long as it does not pose a health, nuisance or safety risk to adjoining residents. The disposal of hens that no longer lay eggs shall occur off site.

Sec 7-39. - Prohibition against commercial use.

- (a) Domestic animals, livestock, and fowl shall be kept for personal use only.
- (b) No commercial activity or enterprise involving the keeping, products, slaughtering or processing of livestock, fowl or domestic animals shall be permitted in those areas as prohibited by this Code.

Sec. 7-40. - Special permits.

Permission to keep livestock and/or fowl in Town on a temporary basis, for a period not to exceed twenty-four (24) hours in duration, may be obtained without the payment of a permit fee by calling the Town during business hours on weekdays or the Police Department on weekends or holidays and requesting that such permission be given. Such permission must be obtained prior to the time when the temporary keeping is to commence and shall be in writing.

Sec 7-41. - Revocation or denial of permits

- (a) An application for a permit under this Article may be denied or a permit under this Article may be revoked if the Town finds:
 - (1) The permitted animals present a risk to public health or safety; or
 - (2) That a violation of this Article has occurred or is ongoing or the permittee has failed to comply with terms and conditions of a currently issued or previously issued animal permit.
- (b) Denial of Application
 - (1) A written notification of a denial shall be sent via mail to the applicant explaining the reason for the denial.
 - (2) A written appeal of the denial may be made to the Town Administrator. The appeal process provides an opportunity for the applicant to raise any objections to the denial of the permit. The appeal must be requested, in writing, to the Town Administrator within 10 (ten) days after the date of denial notice. If the applicant does not desire to appear in person, statements in writing may be submitted for consideration. The Town Administrator shall promptly make a decision regarding the appeal and such decision shall be final.
- (c) Revocation of a Permit
 - (1) Revocation of a permit may only occur after written notice is mailed to the permit holder providing the basis for possible revocation. The notice should include an opportunity to request a hearing before the Town Administrator within 10 days of the date of the notice.
 - (2) If no written request for a hearing is received by the Town within the time set forth herein, the Town Administrator shall render a decision on the revocation. If a request for a hearing is timely made, the Town Administrator shall promptly conduct a hearing on the revocation. After the hearing, the Town Administrator shall render a decision on the revocation. Any decision of the Town Administrator shall be final.

Sec 7-42. - Animal Nuisances

It shall be deemed a nuisance for any person to own, keep, possess or maintain an animal in such a manner as described in this Section.

- (a) Having an animal that disturbs the rights of, threatens the safety of, injures a member of the public, or interferes with the ordinary use and enjoyment of their property.
- (b) Permitting an animal to damage the property of another.

- (c) Maintaining animals in an environment of unsanitary conditions or lack of cleanliness which results in offensive odor, is dangerous to the public health, welfare or safety, or increases transmission of disease.
- (d) Causes unreasonable or detectable odor at the adjacent property lines.
- (e) Allowing or permitting an animal to bark, growl, whine, howl, crow, cackle, or cause noise in an excessive, continuous or untimely fashion so as to interfere with the reasonable use and enjoyment of neighboring premises.
- (f) Maintaining an animal that is diseased and dangerous to the public health.
- (g) Maintaining an animal that repeatedly chases or snaps at pedestrians, joggers, bicycles, vehicles or other animals.
- (h) Failing to remove feces deposited by any animal on any public street, sidewalk, gutter, park or other publicly owned property or private property unless the owner of the property has given permission allowing such use of the property. This subsection shall not apply to visually impaired persons who have charge, control or use of guide dogs or persons using dogs.
- (i) No owner shall permit any animal to enter or remain upon the premises of another within the Town without the consent of the person owning, occupying or lawfully in control of such premises.

Sec 7-43. - Destroying a Vicious, injured or diseased animal

- (a) Whenever any animal is so injured or diseased and is suffering, and when such animal is imminently near death, then Town law enforcement, acting in good faith, may immediately destroy such animal without the consent of the owner.
- (b) Law enforcement may destroy any animal when the animal poses immediate threat to human life.

Sec 7-44. - Vicious animals

- (a) No person shall have, keep, maintain or have in their possession or under their control any vicious animal within the Town.
- (b) In determining the viciousness of an animal, the Town or a court may take into consideration the severity of the vicious or dangerous nature of the animal, including prior history of the animal, and prior history of the owner related to animals in his or her possession.

- (c) If a court finds an animal to be vicious, the following is a non-exclusive list of sanctions that may be imposed:
 - (1) Obedience training.
 - (2) Community service work at an animal sheltering facility.
 - (3) Require a muzzle, shortened leash or other means to secure animal when off premises.
 - (4) Construct a secure enclosure to prevent escape. It shall be constructed to totally confine the animal upon the owner's property prevent contact with persons or animals owned by others.
 - (5) Removal of animal from Town limits.
 - (6) Spay or neuter the animal.
 - (7) Euthanasia of the animal.

Sec. 7-45. - Wild Animals

- (a) No person shall maintain or have in their possession or under their control any wild animals.
- (b) Sale of wild animals is prohibited. It shall be unlawful for any person, firm or corporation to sell or offer for sale any wild animal within the limits of the Town.
- (c) It shall be unlawful to intentionally feed wild animals

Sec 7-46. - Animal Cruelty

- (a) It shall be unlawful and deemed a nuisance for any person to needlessly beat, inflict violence upon, or needlessly kill, neglect, mistreat, overwork, torture or mutilate, or to otherwise treat in a cruel, dangerous or inhumane manner, any animal, or to cause or allow any of such acts to be done.
- (b) It shall be unlawful and deemed a nuisance for any person to leave an animal in an unattended vehicle either without adequate ventilation or in any manner which subjects the animal to extreme temperatures that are dangerous or detrimental to the animal's health or welfare.
- (c) It shall be unlawful and deemed a nuisance for any person having care, custody or control of any animal to fail to provide such animal with food sufficient for the species, potable

water and adequate shelter from the weather, or to cause or allow any of such acts to be done.

- (d) It shall be unlawful and deemed a nuisance for any person to abandon any animal or to cause an animal to be abandoned.
- (e) It shall be unlawful and deemed a nuisance for any person to keep or cause to be kept any place where any fowls or any animals are suffered to fight upon exhibition, or for sport upon any wager.

Sec. 7-47 to 7-52 (reserved)

Article IV - Noise

Sec. 7-53. - Definitions

Plainly audible: any sound that can be detected by a person using his or her unaided hearing faculties.

Sound production device: any device whose primary function is the production of sound, including, but not limited to any, musical instrument, loudspeaker, radio, television, digital or analog music player, public address system or sound-amplifying equipment.

Sec. 7-54. - General Provisions

- (a) It shall be a nuisance for any person to make or cause to be made any unreasonable noise. Noise shall be deemed to be unreasonable and deemed a nuisance when it disturbs, injures or endangers the peace or health of another or when it endangers the health, safety or welfare of the community.
- (b) The following acts, although not considered to be exclusive, are declared to be violations of this Article:
 - (1) The outside use of a sound producing device in such manner or with such volume at any time and place so as to disturb, destroy or endanger the comfort, repose, or peace of other persons. Evidence of such disturbance shall be if sound producing device is plainly audible at a distance of 50 feet in any direction from the device.
 - (2) The operation or permitting the use or operation of any sound producing device sound in such a manner as to be plainly audible through walls between units within the same building, from another property or from the street between the hours of 10:00 p.m. and 7:00 a.m. or in such a manner as to unreasonably disturb the peace, quiet or comfort of the public.
 - (3) Sound production devices may not be operated in such a manner that they are plainly audible at a distance of one hundred (100') feet from the building, or

structure in which they are located. Sound production devices may not be operated in such a manner that they cross a real property line and are plainly audible within a residence between the hours of 10:00 PM and 8:00 AM.

- (4) Yelling, shouting, whistling, singing, or making any other loud vocal noise for non-emergency purposes in a manner that disturbs, destroys, or endangers the comfort, quiet, repose or peace of persons in the vicinity of the noise or disturbance.
- (5) The use of any sound-producing device for the purpose of attracting attention to a store, vehicle or event for any non-emergency purposes.
- (6) Noise produced from the excavation, erection, demolition, alteration, or repair of any buildings, structure, property or street between the hours of 9:00 P.M. and 7:00 A.M., except as provided for below as an exemption.
- (7) The non-emergency use of engine compression braking systems within Town Limits.
- (8) Sounding of vehicle horns, sirens, security alarm or other devices to attract attention in a non-emergency situation. Operation of a light motor vehicle which causes excessive noise as a result of a defective or modified exhaust system or as a result of unnecessary rapid acceleration, deceleration, engine revving, or tire squealing. It shall be unlawful to operate audio equipment within a vehicle that is plainly audible within 25 feet of the vehicle.
- (9) Outside musical performances at a public or private event between the hours of 10:00 P.M. and 8:00 A.M, without a validly-issued special event permit by the Town expressly allowing for the performance outside of such hours.

Sec. 7-55. - Exemptions

Sounds from the following sources shall be exempt from the prohibitions specified herein:

- (a) All safety signals, alarms, warning devices or any other device used to alert persons to any emergency or used by law enforcement or emergency activities.
- (b) The repair and maintenance of municipal facilities, services or public utilities when such work must be accomplished outside of daytime hours.
- (c) Snow removal equipment operated within the manufacturer's specifications and in proper operating condition when being used to remove snow.
- (d) Events conducted by and on the site of a school or educational institution and municipal institutions.

- (e) Events permitted pursuant to this Article.
- (f) Construction or repair work which must be done to address an emergency health or safety concern and that cannot be accomplished during daytime hours and which is not work which includes normal maintenance and repair.
- (g) Locomotives, railroad equipment and aircraft which the Federal government has exclusive authority to regulate.

Sec. 7-56. - Nonresident property owner culpability

- (a) A nonresident property owner who, after notice, fails to take reasonable steps to prevent subsequent violations of this Article by the tenant shall be liable for violations of this Article.
- (b) Prior to issuing a summons and complaint to a nonresident property owner, the Town must provide written notice stating that the tenant has been issued a summons and complaint for a violation of Article, specifying the violation.

Sec. 7-57. – Enforcement

- (a) No person who has been in lawful possession of property shall knowingly permit a violation of this Article by another person on such property.
- (b) Each time an enforcement officer is called to a scene of a noise complaint shall be deemed to be a separate offense.

Sec. 7-58. - Special Permit

- (a) Any person may apply to the Town for a special permit to be allowed to hold a special event that would typically violate the provisions of this Article. The applicant shall provide a list of property owners within two hundred fifty (250) feet of the site(s) where the activity is to occur. The Town shall provide at least ten (10) days written notice prior to issuing the permit to the property owners and residents within two hundred fifty (250) feet.
- (b) For good cause shown, including without limitation, the likelihood of disturbance to nearby property owners and past Code violations of the applicant, the Town Administrator may either grant or deny the variance.
- (c) If the permit is granted, Town Administrator may impose conditions to it.
- (d) There shall be no right of administrative appeal of the Town Administrator's decision.



Town of Buena Vista
P.O. Box 2002
Buena Vista CO 81211
Phone: (719)395-8643
Fax: (719)395-8644

DATE: May 10, 2016
TO: Mayor and Board of Trustees
FROM: Brandy Reitter, Town Administrator

AGENDA ITEM: ORDINANCE #10“AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO REPEALING AND REENACTING ARTICLE III OF CHAPTER 6 OF THE BUENA VISTA MUNICIPAL CODE CONCERNING COMMERCIAL RIVER ACTIVITES.”?

Request

A request is being made for the trustees to consider revising the municipal code to grant more administrative flexibility in allowing for multiple commercial boat launch sites in and around the River Park.

Overview

On April 26th a presentation was made to the BOT by the Adventure Hub and the Recreation Advisory Board on the desire to allow for a commercial boat launch site on the Arkansas River adjacent to the South Main neighborhood on town land. The location is currently used by many recreation enthusiasts that participate in both land and water sporting activities.

At the same presentation the Trail Advisory Board expressed concerns about potential user conflicts along the trail. During the discussion a few ideas were mentioned to help address those concerns.

Analysis

The current code specifically designates the official boat launch near the Boat House. By granting flexibility in the code for additional launch sites, the town will limit the need to amend the code each time.

Rules and regulations for any commercial launch site will be established and can be amended overtime if modifications are needed. It was mentioned that the additional site would alleviate congestion at the current site. Rules and regulations will assist with mitigating user conflicts on the trail.

Policy Alignment

Policy Governance Doctrine:
➤ Economic Vitality

Comprehensive Plan

BOT Action

Motion to **Approve** or **Deny** adoption of Ordinance #10 “AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO REPEALING AND REENACTING ARTICLE III OF CHAPTER 6 OF THE BUENA VISTA MUNICIPAL CODE CONCERNING COMMERCIAL AND RIVER ACTIVITIES.”?

**TOWN OF BUENA VISTA, COLORADO
ORDINANCE NO. 10
(SERIES OF 2016)**

**AN ORDINANCE OF THE TOWN OF BUENA VISTA, COLORADO,
REPEALING AND REENACTING ARTICLE III OF CHAPTER 6 OF
THE BUENA VISTA MUNICIPAL CODE CONCERNING
COMMERCIAL RIVER ACTIVITIES.**

WHEREAS, the Board of Trustees desires to update its requirements for Town river facilities used to launch or take out and provide for more administrative flexibility for commercial rafting, kayaking, paddle boarding and similar river-based activities in the Town.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO:

Section 1. Article III of Chapter 6 of the Buena Vista Municipal Code is hereby repealed and reenacted to read as follows:

ARTICLE III - Commercial River Activities

Sec. 6-41. - Definitions.

As used in this Article, the following words shall have the following meanings:

Commercial operator means a person engaged in the business of providing river trips, tours, excursions, or instruction for profit by means of any type of watercraft, including without limitation, boats, dories, rafts, kayaks, and paddle boards.

Launch means the act of staging a watercraft for the purpose of commencing a river trip, excursion or related instructional activity, and includes rigging and packing a watercraft, boarding passengers, and inserting a watercraft into a river.

Take out means the act of demobilizing a watercraft for the purpose of ending a river trip, excursion or related instructional activity, and includes derigging and unpacking a watercraft, unloading passengers, and removing a watercraft from a river.

Town river facility means any Town facility designated by the Town to launch or take out watercraft into or from the Arkansas River.

Watercraft means anything used for the purpose of conveying a person or items over water, and includes boats, dories, rafts, kayaks, and paddle boards.

Sec. 6-42. - Annual permit and fee.

No commercial operator may launch or take out a watercraft at a Town river facility without having first obtained an annual permit. Permits shall be obtained from the Town Clerk upon application and payment of a nonrefundable fee established by the Board of Trustees. Permits shall be subject to all applicable rules or regulations adopted by the Board of Trustees, including the insurance requirements established therein. Permits shall expire at the end of the calendar year in which they were issued.

INTRODUCED, READ, ADOPTED AND ORDERED PUBLISHED this 10th day of May, 2016.

THIS ORDINANCE SHALL BECOME EFFECTIVE THIRTY DAYS FROM PUBLICATION.

TOWN OF BUENA VISTA, COLORADO

By: _____
Phillip Puckett, Mayor Pro Tem

ATTEST:

Janell Sciacca, Town Clerk

(SEAL)



Town of Buena Vista
P.O. Box 2002
Buena Vista CO 81211
Phone: (719)395-8643
Fax: (719)395-8644

May 10, 2016

Chaffee County Commissioners
P.O. Box 699,
104 Crestone Avenue
Salida, Colorado 81201

Re: Cottonwood Pass Summit-East (Chaffee County Road 306) Safety Improvement

Dear County Commissioners,

The Town of Buena Vista is pleased to provide this letter of support for the county's application to the Colorado Federal Lands Access Program to make safety improvements to County Road 306 on Cottonwood Pass.

Cottonwood Pass and County Road 306 are located west of the Town of Buena Vista and are considered major thoroughfares for people who travel to and from Chaffee County. Since the road sees heavy traffic during the summer season, it is important for the road to be safe for travelers.

Due to aging infrastructure and damage resulting from a recent rockslide, the road is in need of serious repairs. County Road 306 and Cottonwood Pass is an economic driver for the town. Ensuring that there is adequate safety and ongoing maintenance to the road for travelers helps make Buena Vista economically viable.

The Town of Buena Vista supports Chaffee County's application for the following improvements:

- realignment of roadway from unstable shoulder;
- relocation and replacement of w-beam guardrail;
- reconstruction and widening of paved roadway from 24 feet to 32 feet;
- placement of retaining wall in cut slope to create a rock catchment area; and
- rock scaling.

This project will correct safety deficiencies and will ensure that motorists are safe and enjoy their travels to and from Buena Vista over Cottonwood Pass. The Town of Buena Vista supports Chaffee County's application to the Colorado Federal Lands Access Program.

Thank you for consideration.

Sincerely,

Joel Benson, Mayor
Town of Buena Vista, CO

Colorado Federal Lands Access Program: Proposed Project Application

GENERAL INFORMATION

Project Points of Contact (POC):

	Applying Agency	Federal Land Management Agency(s)	
Agency Name:	Chaffee County, Colorado	US Forest Service San Isabel NF	
POC Name:		Jamie Vigil	
POC Title:			
Address Line 1:			
Address Line 2:			
E-mail:		jvigil02@fs.fed.us	
Phone #:			
Additional Key Project Stakeholders:			

Project Identification:

Project Title:	Cottonwood Pass Summit-East (Chaffee County Road 306) Safety Improvement
Facility Name:	Cottonwood Pass (Chaffee County Road 306)
Local/FLMA Route, Name, or Designation:	Cottonwood Pass
Other Facility Name / Designation (if any):	FH 59

Federal Land Management Agency (FLMA) Accessed:

Name(s) of FLMA	Site(s) or Major Destination(s) Accessed	Distance from Project (miles)	Current Annual Visitation (Estimate)
Gunnison National Forest		0	
San Isabel National Forest		0	
Taylor Reservoir		14	

	Termini Start	Termini End
Landmark, Milepost, Cross Roads:	Summit of Cottonwood pass (MP 25.2)	0.5 Miles East (MP 24.7)
Latitude Coordinates: <i>(In Degrees Minutes Seconds format)</i>	38.82549	38.825202
Longitude Coordinates: <i>(In Degrees Minutes Seconds format)</i>	-106.40775	-106.40424

Colorado Federal Lands Access Program: Project Background

BACKGROUND DATA

1. Agency with Title to Facility:

Chaffee County Colorado

2a) Agency with Maintenance Responsibility

Chaffee County Colorado

2b) Describe how the maintenance responsibility is provisioned:

(e.g. ownership highway easement deed and/or maintenance agreement):

Chaffee County has 100 feet of dedicated right of way for County Road 306.

3. Project Length:

Provide length in miles

0.5

4. Existing Width:

Provide average width in feet

24

5. Existing Posted Speed Limit:

3

5

6. Existing Bridge Information:

Provide known data for all bridge structures within the project limits.

Refer to the link below for guidance:

<http://www.fhwa.dot.gov/bridge/nbi.cfm>

National Bridge Inventory Structure #	Bridge Length (ft.)	Bridge Width (ft.)	Bridge Area (Sq. Ft)	Bridge Sufficiency Rating

7. Functional Classification:

Check those that apply.

- National Highway System
 Arterial
 Local Road
 Major Collector
 Minor Collector

Refer to the link for guidance: http://www.fhwa.dot.gov/planning/processes/statewide/related/highway_functional_classifications/

8. Traffic Volumes:

Provide any available traffic data from recent counts or other documented sources.

Note: If no data (i.e., counts) are available, please estimate range (< 200, 200 - 500, 500, 500 - 1000, > 1000 vehicles per day)

	Current	20-Year Projection	Data Source
Average Daily Traffic (ADT)			
Seasonal Average Daily Traffic	1,500	2,500	Field count Sept 2015
% ADT as FLMA visitors / users	75		Estimated

9. Safety History:

Describe site(s), number, and type of crashes that have occurred within the project limits and the source of this information (reports or anecdotal). If available provide site specific crash data for last three years.

There is no crash data available within the project limits. The safety deficiencies are based on physical evidence of failing w-beam guardrail and rock removal by county maintenance forces within the project limits.

10. Projects in Proximity:

Describe other projects adjacent to or in proximity to this project that are being constructed to or within federal lands.

There is a programmed 13.5 mile 4R project on the Gunnison County side of Cottonwood Pass Road. The project will use FLAP funds and be constructed in 2017 & 2018.

Alternate #1 will include this project into the Gunnison County work.

Colorado Federal Lands Access Program: Proposed Project

PROPOSED PROJECT

1. Purpose and Need:

Describe the need for the project including but not limited to who the project will serve, conditions requiring relief, and anticipated changes in use due to the proposed project.

The purpose and need of the project is to correct safety deficiencies.

The project will include two alternates: Alt 1 - include in Gunnison County project and Alternate 2 - as a stand alone project completed after the Gunnison County work.

2. Proposed Design Standards:

Project will be designed to the following standards. Check those that apply.

 AASHTO

 State DOT

 Local Government

 FLMA

3. Proposed Width (feet):

Proposed width should be in accordance with the proposed design standards.

32

4. Proposed Speed Limit:

3	5
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5. Description of Proposed Work:

Provide a detailed description of the proposed work. As appropriate include options to phase proposed work.

The project will correct several safety deficiencies:

- replace failing w-beam guardrail
- rock scaling to reduce rock fall onto roadway
- construction of rock wall catchment area between cut slope and roadway

The roadway will be moved 10 feet to the north into the existing cut slope. The roadway will be widened from 24 feet to 32 feet and reconstructed. A retaining wall will be constructed to stabilize the cut slope and provide a rock fall catchment area.

6. Key Items of Work:

Check all that apply. Refer to link for guidance: <http://contextsensitivesolutions.org/content/reading/types-of-highway/>

New Construction / Reconstruction (4R)

 Earthwork/Grading

 Road base

 Major Drainage (>48")

 Minor Drainage (<48")

 Retaining Walls

 ROW Acquisition

 Utility Relocations

Recycling (3R)

 Existing Asphalt / Base Recycling (Ex: Pulverization)

 Overlay

 Milling

 Minor Widening (< 5 ft.)

 Major Widening (> 5 ft.)

Bridge

 New

 Replacement

 Rehabilitation or Repair

Surfacing

 Asphalt

 Concrete

 Gravel

Safety

 Guardrail

 Sight Distance Improvements

 Roadside Hazards

 Other

* Alternative Modes

 Bicycle / Pedestrian facility

 Transit

 Other

Other

 Planning Study

 Environmental Linkage (PEL) Study

 Research

*Note: Applications that include alternative transportation elements (transit, bicycle, pedestrian, etc.), please fill out the supplemental worksheet for alternative transportation that can be found at: <http://flh.fhwa.dot.gov/programs/flap/CO>

Colorado Federal Lands Access Program: Proposed Project

7. Right of Way Acquisition: All Right-of-way (ROW) property (acquisition costs) to be part of the project costs should be detailed in the project estimate page. All acquisition support costs are non-participating and will be borne by the applicant.

7a) Is ROW acquisition required? (yes /no)

No

7b) Describe the anticipated ROW acquisition needed to construct project. Include the formalization of all ROW on FLMA lands.

A construction easement may be required for rock scaling beyond the County ROW.

8. Utility Impacts: All utility relocation costs must be accounted for by the applicant whether borne by the applicant or included as project cost. Utility relocation costs should be detailed in the project cost estimate.

8a) Will relocation of utilities be required? (yes /no)

No

8b) Describe any anticipated utility impacts and proposed relocations.

9. Environmental Impacts / Resource Protection: Briefly describe known or anticipated impacts, positive or negative, to biological, cultural, wetlands or water resources, or any other environmental areas.

		Describe:	

10. Lead Agency: CFLHD will be the lead agency. The applicant may request another agency take the lead for the project delivery. If recommending a different lead agency, identify alternative agency and rationale for this recommendation. The rationale should include why another agency should take the lead, previous experience in delivering Federal-Aid (Title 23) funded projects, certifications to deliver Federally funded projects, and ability to satisfy FHWA project delivery requirements. The final decision for project delivery resides with the PDC. If delivered by another Agency, CFLHD will have Stewardship and Oversight Responsibility.

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Colorado Federal Lands Access Program: Proposed Project Cost Estimate

PROPOSED PROJECT COST ESTIMATE

Use this page to develop a cost estimate for the project. Attach a detailed estimate if available as backup to the below information. Must include all project costs including Preliminary Engineering and Construction Engineering costs, ROW, utility relocation, etc. Determine the cost per mile numbers based on understanding of local costs and the type of work proposed. Determine the % of engineering required based on the anticipated engineering and environmental compliance needed to meet Federal requirements and standards.

1. Major Work Items: costs below includes clearing and grubbing, earthwork drainage improvements, retaining walls, revegetation, permanent signing, and temporary traffic control.

a) New construction or Reconstruction (4R) (Excluding Surfacing)
Range: \$1,000,000 - \$2,000,000 per mile (Basis: 24 ft. width, 6 in. aggregate base)

\$ Per Unit (mile or sq. ft.)	Unit Length (mile or sq. ft.)	Total Cost (\$ per unit x unit length)
\$1,800,000.00	0.5	\$900,000.00

b) Pavement Recycling (3R) (Excluding Surfacing)
Range: \$250,000 - \$500,000 per mile (Basis: 24 ft. width, 6in of pulverization)

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c) Pavement Recycling (3R) with Minor Widening (< 5 ft.) (Excluding Surfacing)
Range \$400,000 - \$700,000 per mile (Basis: 24 ft. width, 6 in. pulverization)

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d) Pavement Recycling (3R) with Major Widening (> 5ft.) (Excluding Surfacing)
Range \$600,000- \$1,000,000 per mile (Basis: 24 ft. width, 6 in. pulverization)

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e) Other (please specify in box)
Include \$ per mile in "\$ per unit"

--	--	--

2. Surfacing (costs below are not included in costs above):

a) Asphalt Surfacing (includes pavement markings and associated items*
Range: \$400,000 - \$600,000 per mile (Basis: 24ft. width, 4 in. of asphalt)

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b) Gravel Surfacing
Range: \$200,000 - \$300,000 per mile (Basis: 24ft. width, 4 in. of gravel resurfacing)

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* Asphalt Surfacing items may include prime, tack, fog, etc

3. Additional Work Items:

a) Bridge (New or Replacement)
Range: \$250,000 - \$500,000 per sq. ft. (Basis: Concrete girders with spread footings)

--	--	--

b) Bridge Rehabilitation / Repair

Cost (Lump Sum):

c) ROW Acquisition

Cost (Lump Sum):

d) Utility Relocation

Cost (Lump Sum):

4. Other Work Items (provide backup data for these lump sum costs):

a) Item 1 Name:	retaining wall	Description:	retaining wall	Cost (Lump Sum):	\$180,000.00
b) Item 2 Name:	drainage	Description:	drainage structures	Cost (Lump Sum):	\$40,000.00
c) Item 3 Name:	guardrail	Description:	w-beam guardrail	Cost (Lump Sum):	\$20,000.00

ESTIMATED COST SUBTOTAL OF PROPOSED PROJECT: \$1,140,000.00

Colorado Federal Lands Access Program: Proposed Funding

ESTIMATED COST SUBTOTAL OF PROPOSED PROJECT (from previous page): \$1,140,000.00

5. Contingency (for unaccounted items - this is a fixed 10% of estimated subtotal of proposed project): \$114,000.00

6. Engineering (required for all projects):

a) Preliminary Engineering (% of Construction Cost, ROW & Utility Relocation) % = \$125,400.00
 Range: 7%-15% of Items 1-4 plus contingency (Enter as percentage without symbol - i.e. 5.5 for 5.5%)

b) Construction Engineering (% of Construction Cost, ROW & Utility Relocation) % = \$125,400.00
 Range: 10% - 12% of Items 1-4 plus contingency (Enter as percentage without symbol - i.e. 5.5 for 5.5%)

7. ESTIMATED TOTAL COST OF PROPOSED PROJECT: \$1,504,800.00

8. Enter the total funds requested from Federal Lands Access Program: = 82.74 % (cannot exceed 82.79%)

9. Project Funds Leveraged: Detail the non-FLAP match that will be furnished below.

Match Breakdown	Percent (%)	Amount (\$)	Agency Funding Source(s)	Timing of Availability <i>(as MM/YYYY)</i>
Required		\$10,000.00	*	
Minimum Match	17.21%	\$248,976.08		
Over Match				
TOTAL FUNDS LEVERAGED	17.21	\$258,976.08	* Maximum funding amount per reimbursable agreement to fund scoping efforts.	

10. Describe all funding sources and partnerships for cash and in-kind contributions. (Overmatch funding sources do not have any restrictions).

Chaffee County

11. Summarize cost for project including assumptions made. Describe costs that are outside of the general summary in the estimate.

Alternate 2 - Stand Alone Project
 Rock Excavation cy 8222 \$20 \$164,444
 Retaining Wall cy 200 \$1,000 \$200,00
 Aggregate Base Course sy 2889 \$15 \$43,333
 Asphalt Mat (3") sy 9244 \$35 \$323,556
 6" Curb lf 5200 \$10 \$52,000
 guardrail type 3 lf 2000 \$35 \$70,000
 Drainage Structures each 10 \$4,000 \$40,000
 Traffic Control LS 1 \$60,000 \$60,000

Criteria 1 - Access Mobility and Connectivity

1. Describe the high use Federal recreation site(s) and/or Federal economic generator(s) accessed by this project. How is the proposed facility connected to the site(s)? How will it improve access? Are there other access points to the site?

Cottonwood Pass provides direct access to both the Gunnison and San Isabel National Forests. The project will provide for a safer road for all visitors to these National Forests.

2. Describe how the project will improve the visitor experience. How many visitors access the site(s) using the proposed roadway/trail/facility?

By improving the safety in this one-half mile segment of Cottonwood Pass, visitor experience will, in turn, be improved.

Cottonwood Pass provides direct access to two National Forests - Gunnison and San Isabel. Most of the traffic using Cottonwood are accessing federal lands.

3. Describe how the proposed project and the facility are connected to the existing transportation network.

Cottonwood Pass connects Gunnison County to Chaffee County. Cottonwood Pass can be accessed at SH 24 in Buena Vista and SH 135 in Almont.

Cottonwood Pass also provides a seasonal short cut between Gunnison/Crested Butte and Buena Vista and the front Range.

4. Will this project improve mode choices or provide alternative modes of transportation? If yes, describe these improvements.

This is primarily a safety project and does not improve alternative modes of transportation.

5. Will this improve congestion and/or access management (e.g. reduction in traffic congestion, restrictions, bottlenecks, size/load limits, and/or improve emergency access)? If yes, describe these improvements.

This is primarily a safety project and does not improve congestion or emergency access.

Criteria 2 - Economic Development

1. Identify the community or communities economically dependent on the network, and the elements that comprise the economy (e.g. timber, tourism, etc.). How is the economy tied to the transportation network and the proposed facility? How will the proposed project influence the community's economic goals/needs or development?

Cottonwood Pass has a significant economic benefit to all the local communities and businesses between Buena Vista and Gunnison. By improving Cottonwood Pass, the tourism industry will flourish.

2. If the proposed project is located on a designated federal, or state scenic byway or backway, identify the scenic byway/backway and explain the anticipated benefit related to it. Would the project meet the needs identified in the Byway's management plan?

NA

Criteria 3 - Preservation

1. Provide detail of the existing surface or facility condition. How will the project improve the surface/facility condition?

This project will reconstruct the existing roadway for one-half mile and stabilize the shoulders preventing erosion.

2. How will the project impact maintenance and operating costs?

The improvements proposed will drastically reduce the amount of required maintenance by stabilizing the slopes and shoulders and reconstructing the roadway prism.

3. Will this project improve a deficient rating or extend the service life of a structure?

The reconstruction of the roadway will extend the service life of the road by at least ten years.

Criteria 4 - Safety

1. How would the proposed project improve unsafe conditions such as crash sites, inadequate sight distance, roadside hazards, poor vertical / horizontal alignment, hazardous intersections, inadequate lane and shoulder widths, etc?

This safety project will improve the safety of the road by removing the failing guardrail, moving the road away from the unstable slopes and placing new guardrail on a new stabilized shoulder.

The project will also stabilize the cut slopes and provide for a catchment area for rock fall to prevent rocks from falling on the road.

2. Describe how the project will improve safety for a wide range of users (destination motorists, bicyclists, pedestrians, public transportation, etc.).

All users of the road will benefit from this safety improvement.

Criteria 5 - Sustainability and Environmental Quality Benefits

1. Describe how the proposed project contributes to the environmental goals and objectives of the Federal Land Management Agency.

The stabilization of the cut slopes and eroding shoulders will reduce sediment into surrounding drainage areas. Placement of curbs and improving drainage will reduce erosion and sedimentation.

2. How would the project enhance wildlife connectivity, wildlife habitat, and / or aquatic organism passage? How would the project reduce pollution (noise, emissions, water, dust, etc.)?

This project will not impact wildlife. Pollution will be reduced by installation of drainage structures and curb and stabilization of slopes and shoulders.

3. Would the project contribute to the use of sustainable energy sources for transportation?

This is a safety improvement project and will not have an effect on the use of sustainable energy.

4. Describe any known environmental compliance or permitting work completed or anticipated on this project.

There have not been any environmental clearance or permitted done for this project.

Criteria 6 - Funding and Coordination

1. Describe coordination and support from FLMA and other project stakeholders. Provide support letters.

The primary FLMA support is the San Isabel National Forest.
Other supporters include the Gunnison National Forest.

2. Describe how this project is in/consistent with applicable state, regional, FLMA, or local plans.

This project abuts the programmed FLAP project in Gunnison County.

Submittal Instructions:

1. Save your form as PDF to your computer, with file name similar to:
COLORADO FLAP APP 2016 <PROJECT NAME>
 - a. Check that all fields have been completed and that all your work has saved properly prior to e-mailing your application.
2. Attach all additional files:
 - a. Review the checklist you completed on page 1 and attach all photos, maps project estimates, and forms requiring signatures.
 - b. Maximum total for all files is 15MB. Using a zip application may help reduce file sizes but it is the responsibility of the sending party to ensure their file has successfully transmitted (not getting stuck in the e-mail "outbox").
 - c. **ATTENTION:** *DO NOT USE YOUR PDF SOFTWARE TO ATTACH DOCUMENTS INTO THE PDF DOCUMENT AS ALL YOUR FORM FIELDS WILL BE INVALID. ALL ATTACHED PHOTOS AND FILES SHOULD BE SEPARATE FILES.*
3. Save a copy for your records
4. E-mail your completed form to cfl.planning@dot.gov, using the subject: *COLORADO FLAP APP 2016 <PROJECT NAME>*
5. Check your e-mail's "sent box" to ensure that your file was sent. Larger files may take longer to send.
 - a. You should receive confirmation of receipt of your submission within 3 working days.

Cottonwood Pass Summit – East (Chaffee County Road 306) Safety Improvement Project

Project Location: Cottonwood Pass runs between Buena Vista and Altamont and includes two counties, Gunnison and Chaffee. The safety improvement project is located in Chaffee County and begins one-half mile east of the summit and ends at the Chaffee/Gunnison county line.

Description of Safety Deficiencies: The project will correct two safety deficiencies: failure of the w-beam guardrail caused by the eroding shoulders and frequent rock fall caused by the eroding barren cut slopes.

Summary of Proposed Improvements: The project will include the following improvements:

- Realignment of roadway away from unstable shoulder
- Relocation and replacement of w-beam guardrail
- Reconstruction and widening of paved roadway from 24 feet to 32 feet
- Placement of retaining wall in cut slope to create a rock catchment area
- Rock scaling

Cost Estimates:

Alternative #1: Incorporate into 13.5 mile Gunnison County project

Project Estimate: \$1,089,000

Chaffee County: \$187,000 FLAP: \$902,000

(17.21% (Local Match))

Alternative #2: Stand-alone project completed after Gunnison County 4R

Project Estimate: \$1,500,000

Chaffee County: \$260,000 FLAP: 1,240,000

17.21% (Local Match)

Engineers Estimates for Alternative 1 and Alternative 2

Alt 1 Include with 13.5 mile section

Preliminary Engineering	ls	1	\$72,152	\$72,152	
Mobilization	ls	1	\$25,000	\$25,000	
Rock Excavation	cy	8222	\$18	\$148,000	
removal of guardrail	lf	2000	\$5	\$10,000	
Erosion Control	ls	1	\$8,000	\$8,000	
Rock Scaling	hour	200	\$90	\$18,000	
Retaining Wall	cy	200	\$900	\$180,000	
Removal of Asphalt Mat	sy	6933	\$5	\$34,667	
Subgrade Preparation	sy	9822	\$5	\$49,110	
Aggregate Base Course	sy	2719	\$15	\$40,784	
Asphalt Mat (3")	sy	9244	\$30	\$277,333	
6" Curb	lf	5200	\$5	\$26,000	
guardrail type 3	lf	2000	\$25	\$50,000	
Drainage Structures	each	10	\$3,500	\$35,000	
Contingencies	ls	1	\$25,000	\$25,000	
Traffic Control	LS	1	\$0	\$0	\$901,894
Construction Engineering		1	\$90,189	\$90,189	

total estimate				\$1,089,235	
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Chaffee	\$187,457
FLAP	\$901,778

Alt 2 **Stand Alone Estimate**

Preliminary Engineering	ls	1	\$169,067	\$169,067	
Mobilization	ls	1	\$75,000	\$75,000	
Rock Excavation	cy	8222	\$20	\$164,444	
removal of guardrail	lf	2000	\$5	\$10,000	
Erosion Control	ls	1	\$10,000	\$10,000	
Rock Scaling	hour	200	\$100	\$20,000	
Retaining Wall	cy	200	\$1,000	\$200,000	
Removal of Asphalt Mat	sy	6933	\$5	\$34,667	
Subgrade Preparation	sy	9822	\$5	\$49,110	
Aggregate Base Course	sy	2889	\$15	\$43,333	
Asphalt Mat (3")	sy	9244	\$35	\$323,556	
6" Curb	lf	5200	\$10	\$52,000	
guardrail type 3	lf	2000	\$35	\$70,000	
Drainage Structures	each	10	\$4,000	\$40,000	
Contingencies	ls	1	\$50,000	\$50,000	
Traffic Control	LS	1	\$60,000	\$60,000	\$1,127,110
Construction Engineering		1	\$135,253	\$135,253	

total estimate

\$1,506,430

Chaffee \$259,257

FLAP \$1,247,173

**Cottonwood Summit East
(Chaffee County Road 306)
Safety Improvement Project**

Length: 2,600 feet

Alternative #1: (Add to Programmed
13.5 mile Gunnison County project)

Cost: \$1.5 Million

Alternative @2: (As Stand-alone Project)

\$1.1 Million

Improvements include:

- Roadway Realignment
- Rock Fall Mitigation (Rock Scaling,
Retaining Wall and Rock Catchment)
- Shoulder Stabilization
- Guardrail Replacement
- Wider Asphalt Pavement (24' to 32')

FLMA Sponsor: US Forest Service



Cottonwood Pass Road



**Cottonwood Pass East
(Chaffee County Road 209)
Safety Improvements**

End Project MP 25.2
Chaffee/Gunnison
County Line

Proposed Width: 32 feet
Proposed Length: 0.5 Miles
Project Type 4R/Safety

Begin Project
MP 24.7

Cottonwood Pass Summit - East

Existing Typical Section

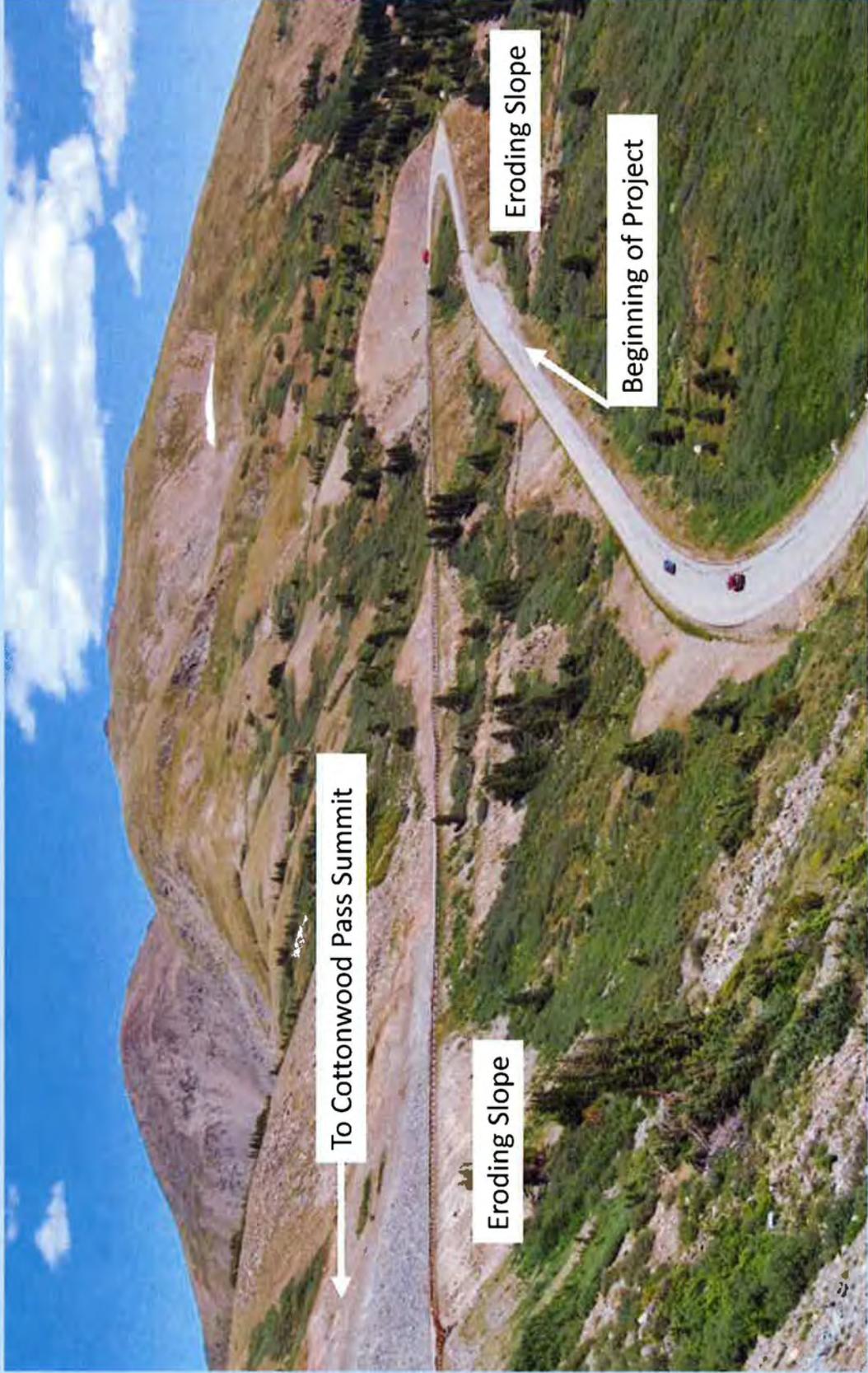


Frequent Rock Fall
Creates Safety Problem



Failing Guardrail &
Eroding Shoulder





Eroding Slope

Beginning of Project

To Cottonwood Pass Summit

Eroding Slope

Cottonwood Pass East (Chaffee County Road 306 Safety Improvements)



Proposed Typical Section

Install retaining wall at high cut areas (900')

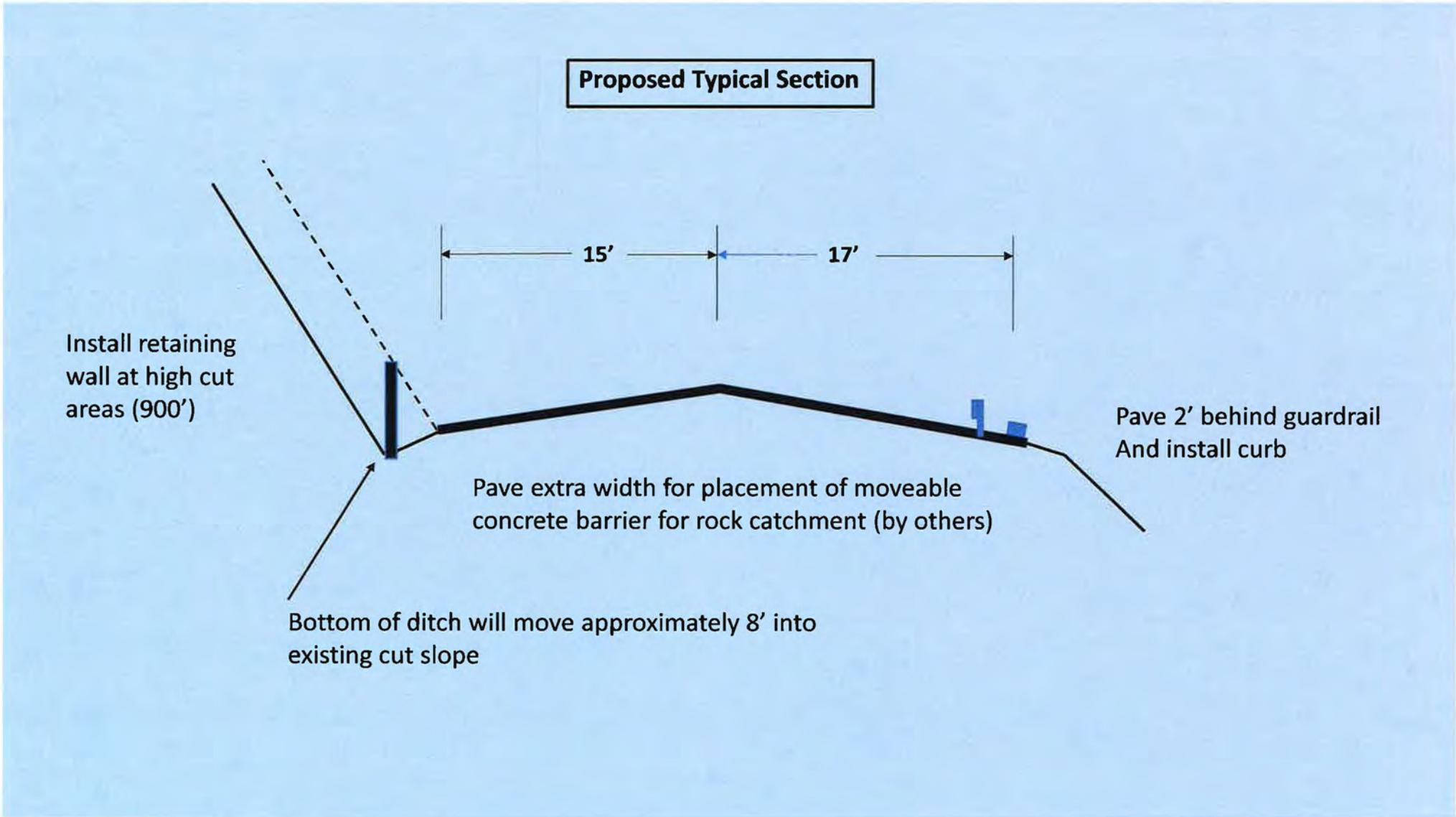
15'

17'

Pave extra width for placement of moveable concrete barrier for rock catchment (by others)

Pave 2' behind guardrail
And install curb

Bottom of ditch will move approximately 8' into existing cut slope



**The Advantages of Alternative #1:
Incorporating the Chaffee County Safety Project
into the 13.5 Mile Gunnison Reconstruction Project:**

- Reduced Construction Costs – No traffic control and economies of scale for common work items
- Reduced Costs for Design and Construction Engineering
- Adds only 4% to length of Gunnison project (14 miles vs. 13.5 miles)
- Completes work on entire corridor at same time
- Can complete work during the planned 2017-2018 closure of road to avoid additional traffic and economic impacts

Alternative #2: Stand Alone Project Constructed in 2019-2020

- More expensive - (\$1.5 Million compared to \$1.1 Million)
- Create another summer tourist season of impacting traffic and businesses
- After completion of Gunnison-side project, traffic will dramatically increase, creating additional working days from loss of production, further impacting the local economy

**Cottonwood Summit East
(Chaffee County Road 306)
Safety Improvement Project**

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13.5 mile Gunnison County project)

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- Rock Fall Mitigation (Rock Scaling,
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- Guardrail Replacement
- Wider Asphalt Pavement (24'to 32')

FLMA Sponsor: US Forest Service



© 2000 CL Anderson

Cottonwood Pass Road



**Cottonwood Pass East
(Chaffee County Road 209)
Safety Improvements**

End Project MP 25.2
Chaffee/Gunnison
County Line

Proposed Width: 32 feet
Proposed Length: 0.5 Miles
Project Type 4R/Safety

Begin Project
MP 24.7

Cottonwood Pass Summit - East

Existing Typical Section

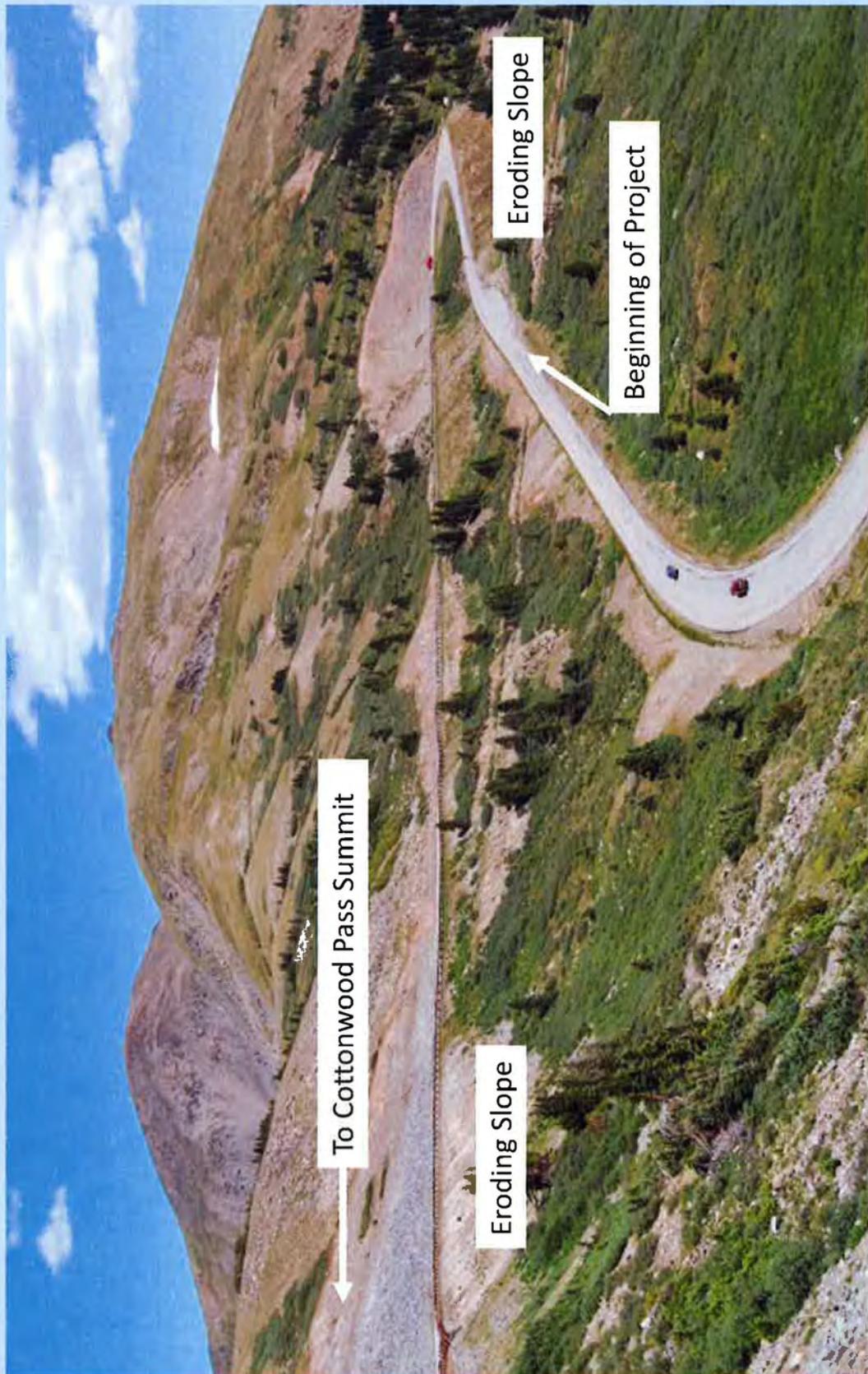
12'

12'

Frequent Rock Fall
Creates Safety Problem

Failing Guardrail &
Eroding Shoulder





To Cottonwood Pass Summit

Eroding Slope

Beginning of Project

Eroding Slope

Cottonwood Pass East (Chaffee County Road 306 Safety Improvements



Eroding Cut Slope

Failing Guardrail & Eroding Embankments

Proposed Typical Section

Install retaining wall at high cut areas (900')

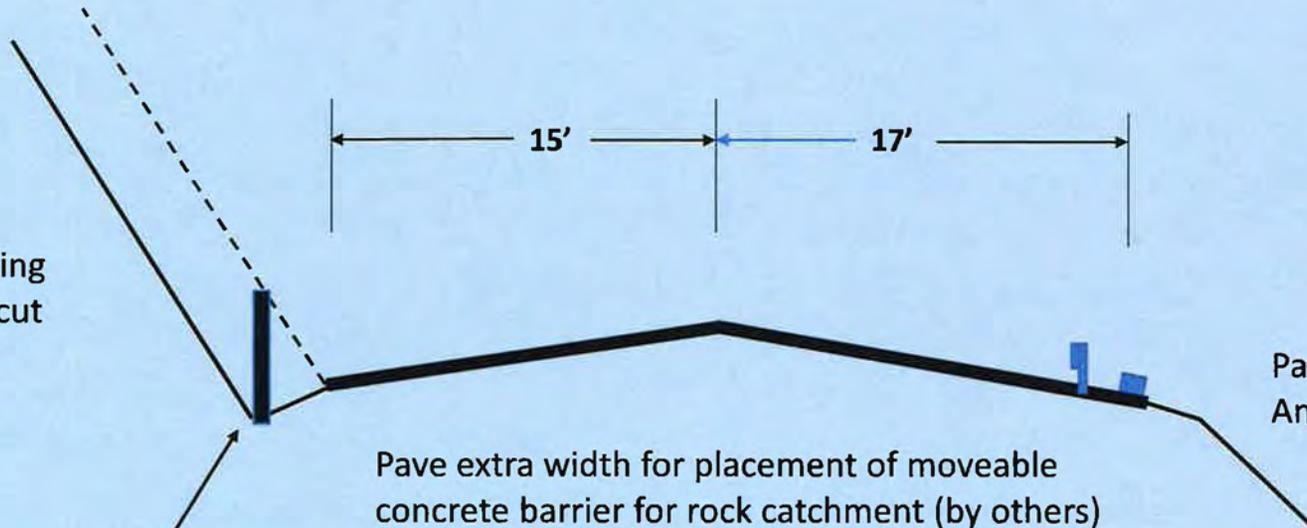
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Town of Buena Vista
P.O. Box 2002
Buena Vista CO 81211
Phone: (719)395-8643
Fax: (719)395-8644

DATE: May 10, 2016
TO: Mayor and Board of Trustees
FROM: Brandy Reitter, Town Administrator
SUBJECT: TOWN ADMINISTRATOR REPORT

Administration

Reminders:

- June 21- 24 CML annual conference in Vail, CO.

After the BOT approved the Boards and Commissions Manual at the last meeting, staff will conduct training with each advisory board starting in June.

Staff is attending the spring Colorado Airport Operators Association conference June 1 -3 in Durango. Last time town attended was in 2014.

A Compensation and Classification study was completed by Shannon Daily a graduate student from the University of Colorado Denver, School of Public Affairs. She will present the study to the BOT on May 24th. The study will provide the following:

- Compensation market analysis.
- Job description audit of the entire organization.
- Standard job description templates.
- Recommendations for improving our compensation and classification approaches.

Request for Proposals Update:

- The RFP park design project was placed out to bid April 30 and bids close May 18th.
- The level two electric vehicle charging stations bids closed on May 5th. A contract will be brought to the board on May 24th.
- The Rodeo Rd. trail paving project was placed out to bid and closes May 18th.
- The town server RFP was published May 9th and closes June 6th.
- Xeriscape Education Gardens RFP was published May 2nd and closed May 23rd.
 - Project includes 11 small curbside gardens along E. Main Street.

Recreation, Events & Trails

Tiny Detour was a success. Over 100 people attended the final concert by Laura Goldhammer and Chimney Choir on Wed, May 4. Over 175 visited the Tiny Detour events over the two days, May 3 & May 4.

Bike to School and Work week was a success. Over the first 3 days student participation numbers were 76, 125 and 151 with a total of 352 for the first 3 days. On May 4th, 151 participants took advantage of the event.

Recreation is hiring a seasonal employee to assist with programming and events for the busy summer season.

Events:

- Concerts in the parks start on June 9th at 7 PM and runs through August 4th.
- River Park Clean Up Day has been rescheduled for May 15th.
- Collegiate Peaks Trail Run was May 7th.
- PaddleFest is May 27th – 29th and town is ready!

Trails

- Staff will meet with CDOT on May 18th to discuss the Arizona Trail project in Durango.

Programming:

Summer programming starts in June. The following programs are scheduled:

- Softball
- Adventure Camp
- Bike Polo
- Swim Lessons

Upper Arkansas Water Conservancy District, Augmentation Plan, and Water Planning

Staff sent the UAWCD a notice to proceed with the feasibility study associated with expanding water storage capacity on Cottonwood Lake and is in the process of setting up a meeting with the Forest Service in May.

Staff is working to recommission the water treatment plant as a backup to the town's water supply. The project will include making the treatment plant operational and a set of standard operating procedures will be created to ensure that the town can run the plant at any time.

Main Street & Creative District, Community/Economic Development Initiatives

Staff submitted the Creative District application on April 28th and attended the Colorado Creative Summit in Carbondale on May 5th.

The Buena Vista Main Street board is hard at work and the progress and planning are listed:

- ACA donated 15.8 tons of sand to the Main Street People's Stage lot. Cub Scouts and volunteers helped spread the sand on April 25th and cleaned up the lot for Tiny Detour.
- New chairs were purchased at a discount using grant funds from Shopko.
- Main Street purchased the 1912 horse cart that is currently at the People's Stage.
- Rail Road parking lot improvements are being planned and will be presented to the BOT.

The first Economic Vitality Advisory Board met on April 28th. Staff went over roles and responsibilities, structure, and set a standing meeting. We had businesses from different parts of town. The next meeting agenda will include:

- Appointing officer's and establishing terms
- Town projects for 2016

- Grant review for an economic vitality master plan due May 28th
- Discuss mission statement
- Develop a BV Broadband Strategy Study sub-committee
- Invite other town advisory boards to introduce themselves to the board

This concludes my report. If you have any questions please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Brandy Reitter".

Brandy Reitter, Town Administrator
Town of Buena Vista, CO

Office of the Town Treasurer

Memorandum



To: Board of Trustees, Town of Buena Vista, Colorado
From: Michelle Stoke, Treasurer
Date: May 6, 2016
Subject: Report Transmittal for the May 10, 2016 Meeting

Sales Tax Update

-January 2016 Sales Tax is up 8.53% over January of 2015 and 19.07% over 2016 budget projection.

-February 2016 Sales Tax is up 12.03% over February of 2015 and 22.06% over 2016 budget projection.

These increases are likely a leading indicator of economic recovery. According to Business Insider, the Colorado economy ranks #3 compared to the other 49 states and Washington D.C. <http://www.businessinsider.com/state-economy-ranking-q4-2015-2016-1>.

Town Expenditures

Since the April 26, 2016 report, the Town has issued:

- 113 Accounts Payable checks for Town expenditures for a total of \$351,682.67.
- ACH withdrawals to the IRS, FPPA, and Colorado Department of Revenue for \$39,816.04 for the pay periods ending 4/9/2016 & 4/23/16.
- Net payroll of \$48,956.94 for the last pay period.

The breakdown by Fund for AP and payroll-related check disbursements plus the ACH payments is as follows: *(Note that all expenditures are not expenses since some are reimbursed or are withholdings from employees' gross payroll.)*

• General Fund -	\$ 142,310.93
• Water Fund -	\$ 193,733.44
• Capital Improvement Fund	\$ 6,833.31
• Airport Enterprise Fund -	\$ 48,541.33
• Total all Funds -	\$ <u>391,498.71</u>

Large expenditures this period:

-CEBT for \$36,915.41 for May Employee Medical Insurance

-Sangre De Cristo Electric Association for \$9,900.41 for April 2016 electric charges.

-CIRSA for \$16,426.00 for Liability Insurance

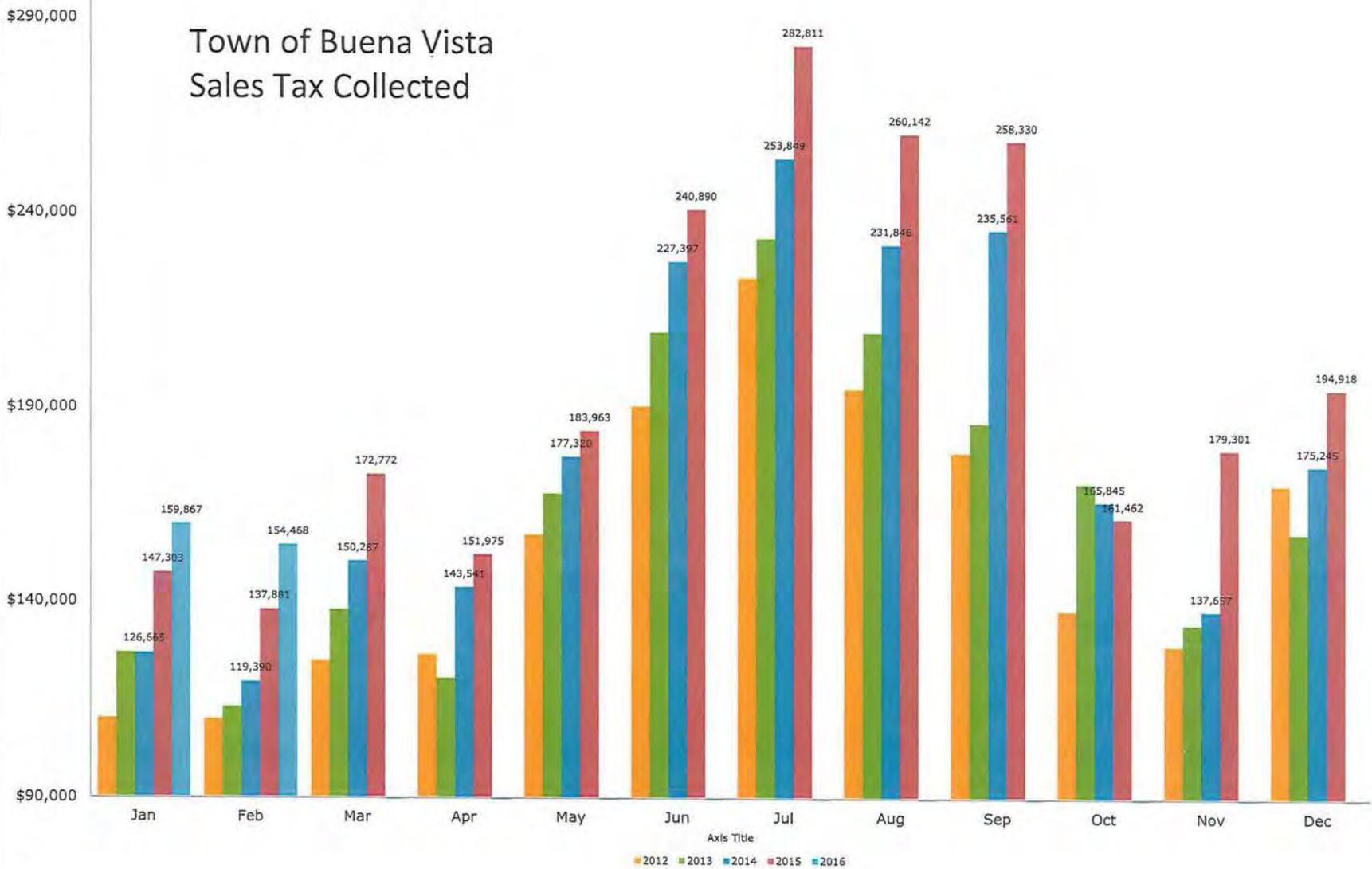
-Pinnacol Assurance for \$9,850.00 for Worker's Comp Insurance.

-Miles Construction for \$153,675.80 for Pay App #1 for Tee Road/Ivy League waterline for work done up to 4/1/2016

-Finish Line Systems for \$19,768.46 for water meters kept on hand.

-Ascent Aviation for \$38,040.85 for fuel for the Airport.

Town of Buena Vista Sales Tax Collected





Town of Buena Vista

Fund Balance Report

As Of 05/06/2016

Fund	Beginning Balance	Total Revenues	Total Expenses	Ending Balance
01 - General Fund	1,776,654.84	1,028,308.10	1,030,512.04	1,774,450.90
02 - Water Enterprise Fund	6,341,304.89	264,033.57	346,775.09	6,258,563.37
03 - Capital Improvement Fund	978,124.30	103,562.57	91,005.88	990,680.99
04 - Conservation Trust Fund	90,229.73	0.00	0.00	90,229.73
07 - Airport Enterprise Fund	1,764,076.40	12,207.03	105,794.90	1,670,488.53
Report Total:	10,950,390.16	1,408,111.27	1,574,087.91	10,784,413.52



Town of Buena Vista

General Fund Income Statement

Group Summary

For Fiscal: 2016 Period Ending: 04/30/2016

Obj Category	Original YTD Budget	Current YTD Budget	MTD Activity	YTD Activity	Budget Remaining
Revenue					
22 - Developer Deposits / Receivables	0.00	0.00	884.00	3,584.00	-3,584.00
31 - Taxes	967,181.32	967,181.32	217,818.80	919,234.65	47,946.67
32 - Licenses & Permits	8,857.04	8,857.04	2,056.25	8,617.00	240.04
33 - Charges for Services	195.92	195.92	18.00	222.25	-26.33
34 - Development Fees	38,084.92	38,084.92	2,982.36	39,890.04	-1,805.12
35 - Municipal Court Fines / Fees	13,090.88	13,090.88	4,452.59	12,219.77	871.11
36 - Park & Facility Fees	10,057.44	10,057.44	3,173.50	5,841.50	4,215.94
37 - Grants / Donations / Refunds / Misc	7,188.12	7,188.12	3,684.62	20,493.41	-13,305.29
39 - Recreation Fees	13,286.32	13,286.32	6,154.88	18,205.48	-4,919.16
Revenue Total:	1,057,941.96	1,057,941.96	241,225.00	1,028,308.10	29,633.86
Expense					
41 - Personnel	726,492.16	726,492.16	150,574.00	726,045.04	447.12
42 - Supplies	61,415.08	61,415.08	12,600.25	31,385.97	30,029.11
43 - Utilities / Insurance	81,097.44	81,097.44	34,272.94	76,028.27	5,069.17
44 - Services	136,023.72	136,023.72	23,726.46	122,406.12	13,617.60
45 - Capital Outlay	40,940.12	40,940.12	4,205.06	40,418.98	521.14
47 - Recreation	7,946.80	7,946.80	1,078.45	7,499.04	447.76
49 - Public Support / Transfers	211,218.08	211,218.08	2,407.45	26,728.62	184,489.46
Expense Total:	1,265,133.40	1,265,133.40	228,864.61	1,030,512.04	234,621.36
Total Surplus (Deficit):	-207,191.44	-207,191.44	12,360.39	-2,203.94	-204,987.50



Town of Buena Vista

Water Enterprise Fund Income Statement

Group Summary

For Fiscal: 2016 Period Ending: 04/30/2016

Obj Category	Original YTD Budget	Current YTD Budget	MTD Activity	YTD Activity	Budget Remaining
Revenue					
32 - Licenses & Permits	233.24	233.24	0.00	200.00	33.24
33 - Charges for Services	267,401.96	267,401.96	56,947.19	233,625.91	33,776.05
36 - Park & Facility Fees	33,545.88	33,545.88	12,000.00	29,700.00	3,845.88
37 - Grants / Donations / Refunds / Misc	269,366.00	269,366.00	126.84	507.66	268,858.34
Revenue Total:	570,547.08	570,547.08	69,074.03	264,033.57	306,513.51
Expense					
41 - Personnel	90,958.88	90,958.88	19,242.08	97,145.87	-6,186.99
42 - Supplies	18,092.68	18,092.68	6,395.04	13,840.63	4,252.05
43 - Utilities / Insurance	9,096.36	9,096.36	3,826.06	9,032.37	63.99
44 - Services	31,830.20	31,830.20	1,563.50	5,476.99	26,353.21
45 - Capital Outlay	5,364.52	5,364.52	1,369.00	4,907.21	457.31
46 - Debt Service	28,775.44	28,775.44	0.00	41,334.57	-12,559.13
48 - Capital Improvements	394,675.40	394,675.40	173,479.25	175,037.45	219,637.95
Expense Total:	578,793.48	578,793.48	205,874.93	346,775.09	232,018.39
Total Surplus (Deficit):	-8,246.40	-8,246.40	-136,800.90	-82,741.52	74,495.12



Town of Buena Vista

Capital Improvement Fund Income Statement

Group Summary

For Fiscal: 2016 Period Ending: 04/30/2016

Obj Category	Original YTD Budget	Current YTD Budget	MTD Activity	YTD Activity	Budget Remaining
Revenue					
31 - Taxes	115,127.24	115,127.24	23,238.48	103,562.57	11,564.67
36 - Park & Facility Fees	1,666.00	1,666.00	0.00	0.00	1,666.00
37 - Grants / Donations / Refunds / Misc	82,471.00	82,471.00	0.00	0.00	82,471.00
38 - Transfers to / From Funds	88,298.00	88,298.00	0.00	0.00	88,298.00
48 - Capital Improvements	117,302.72	117,302.72	0.00	0.00	117,302.72
Revenue Total:	404,864.96	404,864.96	23,238.48	103,562.57	301,302.39
Expense					
16 - Depreciable Assets	6,364.12	6,364.12	0.00	0.00	6,364.12
46 - Debt Service	83.28	83.28	0.00	250.00	-166.72
48 - Capital Improvements	510,186.12	510,186.12	7,392.87	90,755.88	419,430.24
Expense Total:	516,633.52	516,633.52	7,392.87	91,005.88	425,627.64
Total Surplus (Deficit):	-111,768.56	-111,768.56	15,845.61	12,556.69	-124,325.25



Town of Buena Vista

Airport Enterprise Fund Income Statement

Group Summary

For Fiscal: 2016 Period Ending: 04/30/2016

Obj Category	Original YTD Budget	Current YTD Budget	MTD Activity	YTD Activity	Budget Remaining
Revenue					
33 - Charges for Services	142,655.36	142,655.36	69.00	543.00	142,112.36
37 - Grants / Donations / Refunds / Misc	242,673.88	242,673.88	0.00	11,664.03	231,009.85
38 - Transfers to / From Funds	106,957.20	106,957.20	0.00	0.00	106,957.20
Revenue Total:	492,286.44	492,286.44	69.00	12,207.03	480,079.41
Expense					
41 - Personnel	60,490.76	60,490.76	12,204.07	59,948.97	541.79
42 - Supplies	7,660.60	7,660.60	1,556.81	9,308.31	-1,647.71
43 - Utilities / Insurance	15,013.32	15,013.32	4,340.86	12,168.13	2,845.19
44 - Services	110,003.00	110,003.00	1,181.40	2,161.40	107,841.60
45 - Capital Outlay	360.44	360.44	110.00	623.89	-263.45
48 - Capital Improvements	291,387.68	291,387.68	0.00	21,584.20	269,803.48
Expense Total:	484,915.80	484,915.80	19,393.14	105,794.90	379,120.90
Total Surplus (Deficit):	7,370.64	7,370.64	-19,324.14	-93,587.87	100,958.51

Town of Buena Vista
Public Works Operations Report
For
April 2016

Water Department

1. Average Consumption	Average Production
2014=177gpm	2014= 257gpm
2015=206gpm	2015= 267gpm
2016=166gpm	2016= 255gpm

Monthly Calculated Loss

2014= 31%
2015= 23%
2016= 35%

2. Continue analyzing meter reading based water loss analysis
3. Began Surface Treatment Plant start-up analysis (RG Waterworks)
4. Performed 6-meter change-outs
5. Finalizing SWPP for May board approval
6. Continue backflow certifications
7. Continue water loss analysis and investigation
8. Installed 1 new taps

Total New Taps

- 2013-9
 - 2014-26
 - 2015-15
 - 2016-3
9. Monthly required sampling conducted. No issues detected

Street Department

1. Continue snow and ice removal as necessary
2. Completed for lake dredging (April 11-13)
3. Street sweeping as necessary
4. Began shoulder grading
5. Street grading as necessary
6. Routine maintenance as necessary
7. Replaced 24" culvert at Gunnison/Curtis

Parks Department

1. Currently advertising for 3 seasonal parks workers
2. Routine maintenance and daily trash removal
3. Installed new sprinkler system at McPhelamy Park (Parks, Streets, Water Department, and DOC crews helped)
4. Routine sanding and painting of picnic tables
5. Continue ADA required renovations of Columbine Park

Building Maintenance

1. Routine janitorial services
2. Began bid process for Community Center bathroom ventilation install
3. Began gathering estimates for blinds and flooring

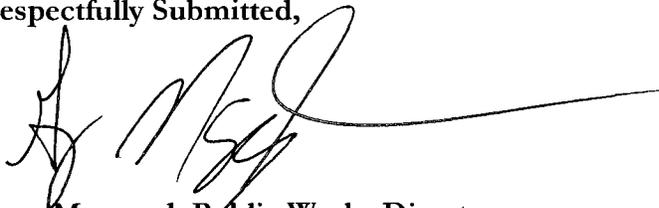
Capital Improvement Projects

- **Public Works Water Fill Station**-Training completed. Conducting water production cost analysis to determine fill station rate. Station should be ready by May 10.
- **Tee Road Tie-In**-Water main install complete. Will pave when plant opens.
- **Beldan Road Waterline Project**-Waterline has been installed and tested. Paving will commence in Spring.
- **Gregg Drive Paving**-Awaiting completion of IGA with CDOT. Work to commence Spring 2017.
- **Rodeo Road Paving**-Project out to bid. Bid opening May 20th.
- **Well #3**-Change order confirmed at \$10,682.78. Installation of revisions to placement of building currently in process. Project should complete by Early May.

Miscellaneous

- HWY 24 construction slated to begin early summer. Currently researching potential light poles and fixtures for street lighting upgrade.
- Water tank cleaning completed. No significant issues detected.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'G. Maggard', with a long horizontal line extending to the right.

Greg Maggard, Public Works Director



May 10th, 2016

To: Board of Trustees, Town of Buena Vista, CO
Airport Advisory Board/ Town of Buena Vista Board of Trustees

From: Jill Van Deel / Airport Manager

Subject: Airport Report

- Reach Air Medical Services has received their certificate of occupancy from the county and are open for business at the airport and flying. They are very happy in their new crew rest quarters. They have been very busy training new pilots and crews. The crews have been great to work with at the airport and they have purchased quite a bit of fuel already. We are working on a launch site for the summer and will soon be starting the sewer lift station hook up.
- I have been able to negotiate the sale of our existing Jet A truck to Chaffee County at Harriet Alexander Field. They are purchasing the truck for \$45,000. Their airport advisory board agreed to our asking price and they are seeking final approval at their next County Commissioners meeting in May. We will then begin using our newly acquired fuel truck as it has been calibrated and state certified. I had the fuel pressures properly set for use by the Army Chinooks and most all Jet aircraft. We will have the ability to fuel quickly and efficiently with updated streamlined accounting software.
- Bell Helicopter has scheduled a test for the Bell 525 at the Central Colorado Regional Airport for June through July. The Bell 525 is an 18 person helicopter. They will require hangar, office leases and large amounts of fuel and services from local businesses. This test will bring 25-30 people to our town for lodging, dining, recreation and shopping. We are working on a scope of work and a contract will then be prepared and reviewed by Jeff Parker and brought to the board for approval.
- A Polish Aircraft Manufacturer made a site visit to the airport last week to research the possibilities of manufacturing a ¾ scale, composite P-51 Mustang at our airport. They would like to lease two airport terminal offices and 1/3 of our hangar until a 60 x 60 hangar could be constructed. They would start with 7-9 employees and work up to 25 personnel within a year. They love Buena Vista and the Delaware based company wants the aircraft manufacturing and dealership in the state of Colorado. We are definitely in the running for this new business at the airport.

- We are in the final stretch for the Master Plan and had our PAC meeting last month. It was a very productive meeting and we feel confident that we will have a well thought out and strategically planned twenty year vision for the airport when complete this year.
- I met with the FAA and CDOT in Denver last week and presented the Jay Jones hangar for a possible SRE (Snow Removal Equipment Building) for the town in which we would use our FAA SRE grant and state/local match to purchase. The meeting went very well. The Jay Jones hangar is located on prime North end airport property. It would not require us to use much needed land for hangar construction elsewhere and we would be able to purchase this hangar at a very reasonable price. It is a strong, steel 4050 sf building that would provide much needed shelter for our expensive and vulnerable airport equipment. We are in the beginning stages of this process and I will keep you updated as things progress.
- I will be working with our new treasurer Michelle on new accounting software for the airport soon after she has a chance to settle in. We are very excited to get our accounting streamlined and efficient for the Airport Enterprise Fund.
- The entire airport staff has been CPR and first aid trained!
- Clearview Church will be helping with airport landscaping for a community outreach program for the town of Buena Vista, thank you!
- We are working on scheduling the prison crews to reroute the fence to enclose the town acquired Carpenter property and hangar. We are also working on improvements to the structure and interior as well as adding separate electric meters and interior door to separate hangars. We are also doing some much needed maintenance to the hangar doors.
- My airport board is working on a Construction Standards and Development Package for the airport as we are a big time of transition at the airport. We have a lot interest in hangar construction and new business at the airport. This will help us streamline the process and offer incentive for private development and new business.
- We have an application for a (4) 60' x 40' unit. We are currently working on a ground lease with the developer and the airport board and design review committee.
- Our high season begins within a month and we are very excited for a busy and successful summer season at the airport!

Thank you,

Jill Van Deel



Buena Vista School District

113 N. COURT ST. / P.O. BOX 2027 / BUENA VISTA, CO 81211

May 5, 2016

To whom it may concern,

Chaffee County High School is planning a dinner for seniors graduating in May and we would like to use the Community Center kitchen and the Pinon Room on Monday, May 23.

We request that you waive the fees for this use as we are part of the Buena Vista School District and a non-profit organization.

Sincerely,

Mike Post
Principal

Phone: 719-395-4064
Email: mikep@bvschools.org

I am emailing to ask you to waive the fee for the following reservation – May 25th 2016, River Park Pavillion (\$25). We are a non-profit preschool that is a part of the Buena Vista School District. Thank you for your time with this matter. If you have any questions please call at the number below.

Shaundra Moss
Family Partnership Specialist
PO Box 2027
Buena Vista, CO 81211
719-395-5271 Work
719-395-5524 Cell
shaundram@bvschools.org

United States Forest Service
Salida Ranger District
5575 Cleora Road
Salida, CO 81201

Buena Vista Chamber of Commerce
Board of Trustees
343 Hwy 24 South/P.O. Box 2021
Buena Vista, CO 81211

April 22, 2016

Dear Board of Trustees;

As you may recall, in 2013 the Forest Service issued a forest order closure of the Agnes Vaille Falls Trail after the tragic rockslide event that took the lives of 5 individuals near the falls. After the tragedy, the trail (formerly one of the most popular day hikes on the district) was closed and hasn't been reopened.

The US Forest Service Salida Ranger District has applied and received funding to re-open the area, with new improvements and amenities that safely facilitate and allow visitors and locals to once again view the falls (from an appropriate distance) and have a nearby, family-friendly hike in an area of geologic, historic, and scenic value.

As we come upon the 3rd year anniversary of the tragedy, we would like to honor the family and community affected, and have community involvement in the construction and improvement work. We have proposed to add an ADA-compliant trail segment, boardwalk, rest benches, waterfall observation deck, and picnic area/pavilion in the area.

We have many partners who wrote letters of support for the grant, including Greater Arkansas River Nature Association (GARNA), Historic St. Elmo and Chalk Creek Canyon Inc. (HSE&CCC Inc.), Salida Chamber of Commerce, Volunteers for Outdoor Colorado (VOC), Salida Mountain Trails (SMT, and Southwest Conservation Corps (SCC).

We intent to hold a community meeting at the Buena Vista Community Center on May 25th and offer an opportunity for those interested and affected to participate in the re-building and re-opening of the area, and learn of the re-design that consider safety and visitor goals. This is a time during which we can work together to share ideas, gather input, and bring the community together in celebration of what was a historically popular hike that has since been associated with the tragedy. The immediate family is involved in the planning and is in support of the community meeting.

We'd like to request the use of the room to hold this community meeting on the 25th from 5:30-7:30 at no cost. If you have any questions or follow-up, please contact me at allisonastewart@fs.fed.us or 719-530-3977.

Thank you,
Allison Stewart
Salida/Leadville Ranger District Volunteer Coordinator