TO: Town of Rico Board of Trustees

From: Chauncey McCarthy

Public Hearing: Disturbance permit for the Dolores River Trail Development, located on portions of the Hillside 1, 2, and Yankee Boy, Rebecca and Gordon Mortensen, applicants

Included in this packet is a disturbance permit application from Rebecca and Gordon Mortensen related to the improvements necessary for the Dolores River Trial subdivision. The culvert being proposed at Iron Draw and the shared driveway being located within a wetlands buffer zone require the applicants to obtain a disturbance permit before improvements can be constructed. In addition to the permit there is a wetlands delineation map, a wetlands assessment memo from SME environmental consultant, engineered plans and memo, and a staff memo discussing the Rico Land Use Code review standards.

The planning commission conducted a public hearing on December 14, 2022 and recommended approval of the disturbance permit for the Dolores River Trail Subdivision with conditions. The draft minutes are included in the packet.

Public Hearing: Disturbance permit for the Sam Patch patented mining claim, Rebecca and Gordon Mortensen, applicants

Included in this packet is a disturbance permit application from Rebecca and Gordon Mortensen. They would like to obtain a disturbance permit to be able to construct two small irrigation ponds within the restrictive inner buffer zone of the wetlands located on the Sam Patch patented mining claim. The applicant has been working with regional water commissioner, Dolores Water Conservation District, and has a proposed decree filed in water court. Also included are two memos from Rick Sherman, wildlife habit and natural resource specialists, a wetland delineation map, a memo from SME environmental consultant, and a staff memo discussing the Rico Land Use Code review standards.

The planning commission conducted a public hearing on December 14, 2022 and recommended approval of the disturbance permit for the construction of two ponds on the Sam Patch patented mining claim. The draft minutes are included in the packet.

Consideration of first reading Ordinance No. 2022-12 an Ordinance of the Town of Rico, amending the Rico Land Use Code Fee Schedule, and adopting the UBC 97 table no. 1-a – building permit fees

Included in this packet is Ordinance No. 2022-12 an Ordinance of the Town of Rico, amending the Rico Land Use Code Fee Schedule, and adopting the UBC 97 table no. 1-a – building permit fees. The proposed ordinance was a discussion item during the November 16, 2022, Board of Trustees meeting. There is also a staff memo reviewing this proposed Land Use Code amendment to the RLUC review standards.

The planning commission conducted a public hearing on December 14, 2022, and recommended approval of Ordinance No. 2022-12. The draft minutes are included in the packet.

Consideration of Ordinance No. 2022-13 An Emergency Ordinance of the Town of Rico, Colorado, enacting a temporary moratorium on the acceptance of applications for major or minor subdivisions, and residential or commercial planned unit developments

Legal is in the process of finalizing Ordinance No. 2022-13 An Emergency Ordinance of the Town of Rico, Colorado, enacting a temporary moratorium on the acceptance of applications for major or minor subdivisions, and residential or commercial planned unit developments. Once completed the ordinance will be made part of the public record and sent to all Board members. Additional items included this packet are a memo from Harris Engineering addressing the towns lack of water, and an email from Marti Whitmore stating that alternative point of diversion is not possible. The board will need to discuss withdrawing the application from water court.

According to the Harris Engineering report the town currently has enough water rights for 400 taps. There are over 700 possible building sites within the Town of Rico. We currently have 275 taps within the town and have forecasted an additional 20 connections within the next two years. With the state engineer objecting to the alternative point of diversion the town will need to reactivate Silver Creek. The proposed moratorium will allow the town and legal to design and implement impact fees.

Consideration of an agreement between the United States Forest Service and the Town of Rico regarding Forest Service Road 422 and Burnett Creek Bridge

Included in this packet is a letter from the Forest Service discussing Forest Service Road 422, which consists of Mantz, River, Picker, Eder Street, and continues past the town's boundary, accessing Forest Service land and Calico trail network. The FS reconstructed the Burnet bridge which crosses the Dolores River in 1991 with the intentions of conveying the bridge to the town. This never transpired and FS has provided an agreement that they would like to town to consider, changing custody of the bridge and road. This agreement is included in the packet along with a letter to past Mayor Jim Greene, dated June 2, 1992.

Donation to Southwest Colorado Rural Philanthropy Days

Included in this packet is a letter from Southwest Colorado Rural Philanthropy Days requesting a donation of \$250. Rural Philanthropy Days is a statewide program that connects non-profit organizations, governments, and local businesses with grant makers. I plan on attending the conference this upcoming summer as it will be a great opportunity to for Rico.

Voluntary lead soils clean up ("VCUP") agreement status

Mayor Pieterse to lead a discussion on the status of the Voluntary lead soils clean up ("VCUP") agreement.

Internet committee and grant update

A member of the Internet committee will provide an update on the DORA grant award, timeline, and next steps.

Town shop update

Included in this packet is the schematic design architectural package and updated civil work for the town shop project. Construction documents are on track to be completed prior to the start of March and the project is within budget. DOLA's EIAF grant application will open on March 1st and close on April 1st. If the Town is awarded a grant for this project, it will only cover 50% of the cost and we will need to

finance a portion of the required match. With the sale of the commercial main street property and the town providing some funds upfront it will leave around \$400,000 that will need to be financed. Included in this packet is a lease repayment schedule provided by Northland Securities. There will be an additional up-front cost necessary to setup finance option which can be paid from the financing or cash on hand. Northland Securities estimates these costs to be:

Northland\$8,000Bond counsel\$20,000Bank org. fee\$2,500Title Commit.\$7,000

Town park planning and grant update (Fisher Project Management and Consulting Services)

Fisher Project Management and Consulting, FPM, have completed their research related to potential funding sources for park and recreation improvements within the community. The scope of this project has broadened greatly since the town first engaged with the firm. Improvements are now being proposed in town park and within the river corridor south of the town shop location. These improvements could potentially include a skate park, bike jumps and pump track, pavilion/covered ice rink, primitive campground, RGS trail improvements and early childhood development features. FPM has determined there are five funders who align with this project and believe the town can reasonably request upwards of \$625,000 of funding. There are also an additional seven funders they believe may align with the project depending on the finalized scope who could bring an additional \$500,000 of funding.

The next step in this process will be community engagement and outreach. Community engagement will be a multifaceted approach and will start in January and continue through April. Fundraising and grant requests will start in August and continue through June of 2024 with the construction starting in July 2024, with grand open in October. The work plan can be provided upon request.

Wastewater preliminary engineering report addendum request for proposals

During last month's mangers report a memo from Bohannan Huston was presented to the Board addressing the need to revise the town's wastewater preliminary engineer report. An acceptable PER is one that meets the USDA RUS Bulletin 1780-2 and is normally required to be current, which is deemed to be five years or less by most agencies. None of the town's past PERs currently meet both criteria. This memo has been included in the packet.

A formal RFP has been drafted that addresses the items listed in the memo. This RFP is included in the packet for the Board to discuss. I have been working with some engineering firms to ensure that the proposed timeline in the RFP is realistic; I am still awaiting some responses. The proposed timeline will be completed prior to the meeting, and I will update the board then.

Work session regarding 2023 work plan

Would the board be interested in hosting a work session in January to determine the 2023 work plan? This approach has been used in the past and has value in providing some structure and guidance to the Town Manager in which projects are of importance. There are a fair number of projects in process currently (example include: town shop, parks and rec, VCUP, sewer system, silver creek water system) but I am curious what other prioritize the board has for 2023, 2024 and 2025. Looking towards the future will help in upcoming budgeting cycles.

RICO TOWN BOARD MEETING MINUTES

Date: November 16, 2022

Call to order

Mayor Nicole Pieterse called the meeting to order at 7:05PM.

Trustees Present:	Mayor Nicole Pieterse	
	Mayor Pro Tem Patrick Fallon	
	Trustee Benn Vernadakis	
	Trustee Joe Dillsworth	

Trustees Absent:

Trustee Christopher Condon
Trustee Joe Croke

Staff Present. Chauncey McCarthy, Anna Wolf, Wilton Anderson, Jen Stark

Approval of the Agenda

Motion

To approve the agenda. **Moved by** Trustee Benn Vernadakis, seconded by Trustee Joe Dillsworth.

Vote. A roll call vote was taken and the motion was approved, 4-0.

Approval of the Minutes

Motion

To approve the minutes.

Moved by Trustee Benn Vernadakis, seconded by Mayor Pro Tem Patrick Fallon.

Vote. A roll call vote was taken and the motion was approved, 4-0.

Consent Agenda Payment of the Bills

Motion

To approve the payment of the bills. **Moved by** Mayor Pro Tem Patrick Fallon, seconded by Trustee Benn Vernadakis.

Vote. A roll call vote was taken and the motion was approved, 4-0.

Public Comment:

Skip Zeller brought to the attention of the Board and the members of the public that the Forest Service has reduced the volume of land form 30 acres to close to 20 acres with the deal regarding ARCO. Public Comment is open until May 24th, 2023.

Action Items

Swearing in of the new member of the Rico Board of Trustees.

The Town Clerk Anna Wolf sworn in Joe Dillsworth as the new member of the Rico Board of Trustees.

<u>Consideration of a liquor License transfer, Boulder City Mixology LLC, applicnat.</u> The Town Clerk gave a summary of the transfer application.

Motion

To approve a liquor license transfer for Boulder City Mixology dba Enterprise Bar and Grill. **Moved by** Trustee Joe Dillsworth, seconded by Mayor Nicole Pieterse.

Vote. A roll call vote was taken and the motion was approved, 4-0

Consideration of second reading of Ordinance No. 2022-11 an Ordinance of the Town of Rico, Colorado adopting the year 2023 town budget; appropriating sums of money; and setting and certifying town mill levies.

Town Manager gave a summary of ordinance 2022-11 and the first reading of the ordinance. The only difference that was noted was the increase in revenue to the General fund due to the updated property tax estimation from the assessor's office.

Motion

To approve the second reading of Town of Rico Ordinance No. 2022-11 adopting the year 2023 town budget; appropriating sums of money; and setting and certifying town mill levies.

Moved by Mayor Pro Tem Patrick Fallon, seconded by Trustee Benn Vernadakis.

Vote. A roll call vote was taken and the motion was approved, 4-0.

Public hearing: preliminary plat of the Dolores River Trail Development, located on portions of Hillside 1, 2, and Yankee Boy, Rebecca and Gordon Mortensen, applicants.

Town Planner Jen Stark highlighted a report and chronological timeline of the process so far that are in the packet.

Chauncey McCarthy brought up the hazards from the conceptual plan have been resolved. The applicants and their lawyer provided comments.

Mayor Nicole Pieterse requested that the Town Planner read and explain the PUD table in the packet.

The question of whether the applicant was also rezoning was brought up during this discussion. Town Manager Chauncey McCarthy expressed that they were not rezoning. The application would result in 6 PUDs the tracks would be quick claimed to the neighboring owners.

Track F is the land dedication, it does not fulfill the 10% dedication that would also include the easement on the trail connecting Piedmont and West Rico. The acceptance of the land dedication is up to the Board of Trustees.

The Town requests that the plat not from the Sam patch be carried over to this plat regarding the Engle Barnette easement.

Clarifying questions were asked regarding the location of the access to FS 422.

Joe Dillsworth brought up the concerns from the Town staff regarding the snow storage and the width of the road.

Chauncey McCarthy explained the two options. The road being dedicated to the town and the Town maintaining it or a maintenance agreement with a private shared driveway.

Mayor Nicole asked the Town's legal counsel Wilton Anderson if the town can accept the trail easement as the land dedication. Traditionally the dedication must be usable land. Wilton assured the board that the easement would be sufficient and appropriate for the dedication.

Applicant's discussion.

Rebecca explained the process of the application thus far including the 2 years of discussion with the Planning Commission. She noted the access issues of her neighbors and the fact that they are using this land as their access. This development will solve those issues. The variances that are requested will keep the neighborhood feel rather that a very wide road. The 40' right of way would still be there just with a narrower road.

The applicant's lawyer explained that the biggest questions here are the land dedication and the issue of the road. She explained the variances are not necessary but address the needs that were heard during public hearings and from the community.

Nicole asked the applicants to consider putting no build zones on the plat as wetlands may change in the future.

Public Comment:

Greg Anderson questions why they would need to re-plat for the neighbors. He is also concerned about the non-motorized status of the trail as in the future we may not want it to be non-motorized. Should definitely be accessible via motorized vehicles for emergency responders.

Ed Merritt: While no one likes development in their back yard Rebecca and Gordon have been great at communicating with all of the neighbors. The Merritt's want to build here as well. In favor of this development.

Skip Zeller: Agrees with Ed Merritt and the communicative nature of the applicants. The importance of this for the community and to minimize the impact on the town and environment. HE would rather not see any trees taken down if possible.

Jill Carver: has had a concerns from the beginning. Would like to minimize the impact on the trees and forest. The road is narrow but would be a shame to blow it out to 24'. Adding more snow storage as needed should be enough. She likes the idea of non-motorized with access for emergency personnel. Since the owners have put a sign up there is less motorized traffic. Adding a dead end sign may help even more.

Jordan Carr: is in support of the development. This will give the opportunity to bring more people to the community. The reason people live in Rico is to access the outdoors the applicants are trying to make it right so people aren't trespassing.

Rebecca Adams agrees that the emergency motorized vehicles can be added for the trail.

Nicole asked the applicant if they will be putting signage or gates up for the trail. The applicant expressed that it will look very similar to how it is now. The changes will be the covert installation and a turnaround where their property ends.

Nicole asked if the applicant would be willing to put tree protection agreement in place.

The applicant expressed that the most sensitive area is the area that will be the land dedication.

Nicole asked if they would be willing to put an easement agreement on the Sam patch plat

Nicole asked Greg Anderson the town's engineer if the roads are to a driveway standard. Greg expressed that they are within the driveway standard.

Joe Dillsworth asked what actions the town could take if the roads are not maintained through the maintenance agreement.

Chauncey McCarthy expressed that the town could do the maintenance needed and put a lean on the properties.

Wilton Anderson the town attorney confirmed that the Town manager is correct regarding the lean process if the road is not maintained. There would be a provision in the PUD to maintain the driveway. The PUD allows municipal intervention to ensure maintenance is being done as required.

Nicole is concerned that central organizations have not worked in the past in Rico.

Board Discussion:

Nicole goes over all PUD standards to ensure the requirements are met.

The following were questioned.

Wetlands and how close the road comes to it. Chauncey expressed it comes within the buffer zone of the wetlands. The Disturbance application is in process.

The road width is currently only 16'. The roadway needs to be widened for the increase of traffic. Snow storage areas have not been identified yet.

Pat does not believe the Town should take on any more roads. Only if it was widened to 24' should the town consider taking over the maintenance.

Greg Anderson reminds the board that the FS 422 is moving back an additional 50' that is not compliant with the towns 24' road way.

Benn believes the town should continue to maintain the roadway that it has in the past. HE agrees that suitable snow storage is needed.

Joe Dillsworth is amendable if the roadway is widened to the standard of 24'. Only continue to maintain the currently maintained road if it is widened to the standard of 24'.

Nicole: is not in support of the road being maintained by the town. Need plat note indicating that and calling out the easement for the private access in the plat note. 20' wide utility easement and the town would maintain the utilities and other town wide utilities. Need a plat note for the private access. And being clear that the PUD statute allows for the town to come in and maintain it if the private driveway is not maintained.

Nicole: the plat notes need to not reference a maximum floor. The PUD size could change. IF the land use code changes the size determination could change. That would be dependent on when the applicant applies for a building permit.

Nicole would like an exact.

Motion

To approve preliminary large scale subdivision plat for the Dolores River Subdivision based on the findings tonight and with the following conditions. One that the area currently noted as the Dolores River Trail forty foot right of way not be dedicated to a town road but that the applicant come back with final plat showing it as a common area with a road maintenance association or a private easement and the proposed draft easement agreement for that based on what we discussed tonight. Modify plat note one concerning maximum floor area to reflect that the property within the subdivision is subject to PUD review under the RPUD Land Use Code provisions or any successor provisions in effect of the time of development or PUD review. Condition that plat note 2 regarding building envelops be revised to note that no building can occur outside of these areas as you stated in your application but it is not referenced on the plat. Meaning no fences houses, outbuildings, etc. The applicant should consider whether they want to include a plat note limiting the lots 1-6 to single family residence or maybe accessory dwelling units. A condition that the dedicated public access for Forest Service Road referenced in plat note 3 be revised to reference the Forest Service Road number and that you submit an easement agreement with your final plat submittal and it is referenced as being recorded in plat note 3. A new plat note dedicating a 20' wide exclusive public trail easement and also an easement agreement that supports that will allow non-motorized public access and motorized emergency access and Town public works access. Condition that you meet the requirements of the Town engineers letter dated November 7th, 2022 and the condition that the turnaround portion of the access area be noted on the plat not just in the construction drawings. That you show all of the drainage easement areas on the plat as well. Change the reference on tract F from open space to Land Dedication Area. Another condition is that you obtain or provide written approval of the land owners that will be transferring tracts A-E to and include a plat note stating that no building is allowed, no improvements are allowed other than access and landscaping in the tracts A-E. That the plat show calculation for the total size of the 10% land dedication area. The condition of dedication of the road currently maintained by the town to the Town to widen the travel way to 24' or if you want it to stay private what that option would look like. Condition on approval of a wetlands disturbance permit for that portion of the access that's in the wetlands buffer area and condition that you identify sufficient snow storage areas on you plat.

Moved by Mayor Nicole Pieterse, seconded by Trustee Joe Dillsworth

Vote. A roll call vote was taken and the motion was approved, 4-0. **Staff Report** <u>Clerk's Report</u> Provided business cards to all Board Members.

Manager's Report

Bear proof trash bins were awarded through a grant. One will replace the WM trash can. One will got to the new shop and the third will be used by the Town Hall.

Senior Transportation conversation has started. The Town is working with Montezuma Counties senior advocate who does the Montezuma county senior transport.

Park Planning: GOCO will source funding. The big picture is a pump trach, pavilion for the ice skating rink, and 10 primitive camp sites. The camp sites would offset a full time Park employee. This has turned into a much bigger project.

Discussion Items

Building Code discussion tabled.

VCUP Status Update

Mayor Nicole Pieterse gave a detailed summary. AR gave a revision. There will be a call with AR in the next 2 weeks. An updated draft has been submitted to the CDPHE. The board will receive it for review in December or January.

Ordinance No. 2022-12 an Ordinance of the Town of Rico, amending the Rico Land Use Code Fee Schedule, and adopting the UBC 97 table no. 1-a – building permit fees

Chauncey McCarthy gave a summary of the ordinance. This ordinance would be more so to offset the cost for staff and planning review.

The cost of building permits per the request of the board were available.

This will require a Land Use Code amendment and must go in front of the planning commission first.

Moratorium on Subdivision, PUD, and multifamily development applications.

Town manager gave a summary why the town should consider the moratorium. The value for a 6 month pause would be to discuss potential ways to have appropriate water. To burden the developers and not the town.

Discussion was had on future plans.

Staff was directed to write this up as an emergency ordinance to be read at the December meeting.

Rico Public Library Rent Proposal

Nicole gave a summary of the proposal. This would purely to reimburse the town's out of pocket expense.

Chauncey explained the 3 expenses that are in question: Propane, Electricity, and insurance.

Linda Yellowman expressed that she was there on behalf of the Library Board. She explained that when the library moved in they put the heating system in as well as the ADA access in the back. Linda expressed that she is against the rent proposal.

Chauncey McCarthy expressed that regardless it would be good to have a lease agreement with the Library district whether there is a charge in place or not.

Public Comment:

Jonathan Hay: Isn't this a public building it shouldn't matter.

Chauncey McCarthy explained that the citizens of Rico pay taxes to the Town and the Library district separately. This would be to offset the town from the Library budget. Right now the community is paying twice for the library.

Motion

To adjourn Board of trustee and enter Executive Session: North Argentine Access §24-6-402(4)(b), C.R.S., Conferences with an attorney for the public entity for the purposes of receiving legal advice on specific legal questions • Town owned commercial space §24-6-402(4)(e), C.R.S. Determination of positions relative to matters that may be subject to negotiations, development of strategy for negotiations and instruction of negotiators

Moved by Mayor Nicole Pieterse, seconded by Trustee Benn Vernadakis.

Vote. A roll call vote was taken and the motion was approved, 4-0.

The meeting adjourned at 10:34 PM.

Anna Wolf Rico Town Clerk Nicole Pieterse Mayor 12/15/22 at 16:05:00.30

NEW Town of Rico - General Fund Check Register For the Period From Dec 1, 2022 to Dec 31, 2022

1758412/13/22Greg Philips10000640.001758512/13/22Yeh and Associates100003,500.001758612/13/22Colorado Dept of Public H1000040.001758712/13/22Bulson Surveying1000022,668.751758812/13/22San Miguel Power Associ10000127.001758912/13/22Rico Telephone Company10000243.981759012/13/22Fraley Propane, LLC10000603.001759112/13/22Jon Kelly1000050.461759312/13/22Century Link1000050.461759412/13/22Goff Engeneering and sur100003,898.401759512/13/22Janet Wiley Architects, P.100004,451.521759612/13/22Karp Neu Hanlon, PC10000115.101759712/13/22Parick W. Drew1000092.35
1758512/13/22Yeh and Associates100003,500.001758612/13/22Colorado Dept of Public H1000040.001758712/13/22Bulson Surveying1000022,668.751758812/13/22San Miguel Power Associ10000127.001758912/13/22Rico Telephone Company10000243.981759012/13/22Fraley Propane, LLC10000603.001759112/13/22Jon Kelly10000375.001759212/13/22WM Corporate Services, 11000050.461759312/13/22Century Link100003,898.401759512/13/22Goff Engeneering and sur100004,451.521759612/13/22Karp Neu Hanlon, PC100002,715.501759712/13/22Xerox Corporation10000115.101759812/15/22Patrick W. Drew1000092.35
1758612/13/22Colorado Dept of Public H1000040.001758712/13/22Bulson Surveying1000022,668.751758812/13/22San Miguel Power Associ10000127.001758912/13/22Rico Telephone Company10000243.981759012/13/22Fraley Propane, LLC10000603.001759112/13/22Jon Kelly10000375.001759212/13/22WM Corporate Services, 11000050.461759312/13/22Century Link100003,898.401759512/13/22Janet Wiley Architeets, P.100004,451.521759612/13/22Karp Neu Hanlon, PC100002,715.501759712/13/22Xerox Corporation10000115.101759812/15/22Patrick W. Drew1000092,35
1758712/13/22Bulson Surveying1000022,668.751758812/13/22San Miguel Power Associ10000127.001758912/13/22Rico Telephone Company10000243.981759012/13/22Fraley Propane, LLC10000603.001759112/13/22Jon Kelly10000375.001759212/13/22WM Corporate Services, 11000050.461759312/13/22Century Link100003,898.401759512/13/22Janet Wiley Architects, P.100004,451.521759612/13/22Karp Neu Hanlon, PC100002,715.501759712/13/22Xerox Corporation10000115.101759812/15/22Patrick W. Drew1000092.35
1758812/13/22San Miguel Power Associ10000127.001758912/13/22Rico Telephone Company10000243.981759012/13/22Fraley Propane, LLC10000603.001759112/13/22Jon Kelly10000375.001759212/13/22WM Corporate Services, 11000050.461759312/13/22Century Link100003,898.401759412/13/22Goff Engeneering and sur100004,451.521759612/13/22Janet Wiley Architects, P.100002,715.501759712/13/22Karp Neu Hanlon, PC10000115.101759812/15/22Patrick W. Drew1000092.35
1758912/13/22Rico Telephone Company10000243.981759012/13/22Fraley Propane, LLC10000603.001759112/13/22Jon Kelly10000375.001759212/13/22WM Corporate Services, 11000050.461759312/13/22Century Link100003,898.401759412/13/22Goff Engeneering and sur100003,898.401759512/13/22Janet Wiley Architects, P.100004,451.521759612/13/22Karp Neu Hanlon, PC100002,715.501759712/13/22Zerox Corporation10000115.101759812/15/22Patrick W. Drew1000092.35
1759012/13/22Fraley Propane, LLC10000603.001759112/13/22Jon Kelly10000375.001759212/13/22WM Corporate Services, 11000050.461759312/13/22Century Link1000050.461759412/13/22Goff Engeneering and sur100003,898.401759512/13/22Janet Wiley Architects, P,100004,451.521759612/13/22Karp Neu Hanlon, PC100002,715.501759712/13/22Xerox Corporation10000115.101759812/15/22Patrick W. Drew1000092.35
1759112/13/22Jon Kelly10000375.001759212/13/22WM Corporate Services, 11000050.461759312/13/22Century Link1000050.461759412/13/22Goff Engeneering and sur100003,898.401759512/13/22Janet Wiley Architects, P.100004,451.521759612/13/22Karp Neu Hanlon, PC100002,715.501759712/13/22Xerox Corporation10000115.101759812/15/22Patrick W. Drew1000092.35
1759212/13/22WM Corporate Services, 11000050.461759312/13/22Century Link1000050.461759412/13/22Goff Engeneering and sur100003,898.401759512/13/22Janet Wiley Architects, P.100004,451.521759612/13/22Karp Neu Hanlon, PC100002,715.501759712/13/22Xerox Corporation10000115.101759812/15/22Patrick W. Drew1000092.35
1759312/13/22Century Link1000050.461759412/13/22Goff Engeneering and sur100003,898.401759512/13/22Janet Wiley Architects, P.100004,451.521759612/13/22Karp Neu Hanlon, PC100002,715.501759712/13/22Xerox Corporation10000115.101759812/15/22Patrick W. Drew1000092.35
1759412/13/22Goff Engeneering and sur100003,898.401759512/13/22Janet Wiley Architects, P.100004,451.521759612/13/22Karp Neu Hanlon, PC100002,715.501759712/13/22Xerox Corporation10000115.101759812/15/22Patrick W. Drew1000092.35
1759512/13/22Janet Wiley Architects, P.100004,451.521759612/13/22Karp Neu Hanlon, PC100002,715.501759712/13/22Xerox Corporation10000115.101759812/15/22Patrick W. Drew1000092.35
1759612/13/22Karp Neu Hanlon, PC100002,715.501759712/13/22Xerox Corporation10000115.101759812/15/22Patrick W. Drew1000092.35
17597 12/13/22 Xerox Corporation 10000 115.10 17598 12/15/22 Patrick W. Drew 10000 92.35
17598 12/15/22 Patrick W. Drew 10000 92.35
17599 12/15/22 Chauncey P. McCarthy 10000 2,036.41
17600 12/15/22 Michael T. O'Connor 10000 717.80
17601 12/15/22 Jerry A. Sam 10000 551,76
17602 12/15/22 Dennis E. Swank 10000 1,311.62
17603 12/15/22 Anna C. Wolf 10000 1,218.11
17604 12/15/22 Stephen C. Roberts 10000 1,508.50
Total 46,915.72

Page: 1

12/15/22 at 16:05:33.56

NEW Town of Rico - Water Fund Check Register For the Period From Dec 1, 2022 to Dec 31, 2022

Filter Criteria includes: Report order is by Date.

Check #	Date	Раусе	Cash Account	Amount
4468	12/13/22	AT&T Mobility	00001	111,43
4469	12/13/22	San Miguel Power Associ	10000	415,00
4470	12/13/22	San Juan Basin Health De	10000	35,00
4471	12/13/22	Fraley Propane LLC	10000	402.00
4472	12/13/22	Rico Telephone Company	10000	115.00
4450V	12/15/22	Plumbing Store	10000	-19.64
4473	12/15/22	Hockersmith & Whitmore,	10000	177.00
Total				1,235.79

Page: 1

12/15/22 at 16:05:57.63

NEW Town of Rico - Open Park Fund Check Register For the Period From Dec 1, 2022 to Dec 31, 2022

Filter Criteria includes: Report order is by Date.

Check #	Date	Раусе	Cash Account	Amount
1729	12/13/22	Fischer Project Manageme	11000	10,000.00
1730	12/13/22	San Miguel Power Associ	11000	23,00
1731	12/13/22	WM Corporate Services, 1	11000	50,46
1732	12/15/22	Town of Dolores	11000	3,855.00
Total				13,928,46

Page: 1

13

12/15/22 at 16:06:16:53

2018 NEW Town of Rico - Street Fund Check Register For the Period From Dec 1, 2022 to Dec 31, 2022

Filter Criteria includes: Report order is by Date.

Check #	Date	Раусе	Cash Account	Amount
2826	12/13/22	San Miguel Power Associ	10000	169.00
2827	12/13/22	Slavens, Inc	10000	209,13
2828	12/13/22	Partners in Parts, Inc	00001	6.99
2829	12/13/22	WM Corporate Services, 1	10000	140.31
2830	12/13/22	Rico Telephone Company	10000	42.82
Total				568.25

Page: I

PLANNING COMMISION MEETING MINUTES

Date: December 14, 2022

Call to order

Michael Contillo called the meeting to order at 6:05PM.

Present:

	Chairman Mike Contillo
	Gerrish Willis (Zoom)
	Andrew Romanyshyn
	Cristal Hibbard
	Leah Chmielewski (Zoom)
Absent:	
	Brad Fox

Staff Present.	Chauncev McCarthy.	Anna Wolf, Je	en Stark
otan i resent.	onduniocy wooditiny,		in otain

Discussion Items

Global revision of the Rico Land Use Code

The Town Manager provided a summary of previous month's review of the Rico Land Use Code (Global Revision).

The Town Manager expressed that there is pressure to continue this process in a faster manner. Suggestions were made that sections of the LUC can be assign to staff to revise and be looked at during the redline process.

Article II

Changes were made in the following sections of the working document:

2.4

2.5

2.6

2.7

Discussions were had regarding extra work sessions in the New Year.

Call to order

Michael Contillo called the meeting to order at 7:07PM.

Present:

Chairman Mike Contillo
Gerrish Willis (Zoom)
Andrew Romanyshyn
Cristal Hibbard
Leah Chmielewski (Zoom

Absent:

Brad FoxStaff Present.Chauncey McCarthy, Anna Wolf, Jen StarkApproval of the Agenda

Motion

To approve the agenda.

Moved by Cristal Hibbard, seconded by Andrew Romanyshyn.

Vote. A roll call vote was taken and the motion was approved, 5-0.

Approval of the Minutes

Motion

To approve the minutes. **Moved by** Cristal Hibbard, seconded by Chairman Mike Contillo.

Vote. A roll call vote was taken and the motion was approved, 5-0.

Action Items

Public Hearing: Disturbance permit for the Dolores River Trail Development, located on portions of the Hillside 1, 2, and Yankee Boy, Rebecca and Gordon Mortensen, applicants

Town Manager Chauncey McCarthy gives summary of the application. He addressed the Staff memo included in the packet. The application is complete and compliant.

Rebecca brings to the attention of the Planning Commission the map that was provided with the application.

Planning commission members asked what the checks and balances are to ensure the permit it completed as stated. Town Manager Chauncey McCarthy explains the process of the engineer that drafts the plans must be present to ensure the plan is executed according to their drawings.

Motion

To recommend the Board of Trustees approve this permit conditioned upon the successful approval of the final plat of the Dolores River Trail subdivision

Moved by Cristal Hibbard, seconded by Gerrish Willis.

Vote. A roll call vote was taken and the motion was approved, 5-0

Public Hearing: Disturbance permit for the Sam Patch patented mining claim, Rebecca and Gordon Mortensen, applicants

Town Manager Chauncey McCarthy gives summary of the application. He explained that this application is to build 2 holding ponds, this would enhance wildlife and would have positive impacts.

Cristal asked clarifying questions regarding the public comment last month.

Chauncey McCarthy explained the stop work order was given to the applicant to clarify the setback from the wetlands. The applicant stopped work. There was never a formal complaint filed. Rebecca apologizes for the misunderstanding the engineer they worked with was unaware of the extra steps the Rico LUC requires with the wetlands buffer zone. They got approval from the Army Corps of Engineers and assumed they were ok to start work.

Discussion was had regarding water rights questions.

Public Comment:

Larry Carver: asked clarifying questions regarding the water source to fill the ponds. Rebecca responded explain it will be piped from Iron Draw.

Larry Carver questioned what effects this would have on the Iron Draw area as well as the Dolores River.

More discussion ensued regarding water rights.

Cristal pointed out that the planning Commission as no say in water rights and this is just to approve the disturbance permit.

Motion

To recommend the Board of Trustees approve this disturbance permit for the Sam Patch mining claim Rebecca and Gordon Mortensen, applicants.

Moved by Chairman Mike Contillo, seconded by Andrew Romanyshyn.

Vote. A roll call vote was taken and the motion was approved, 4-0. Gerrish Willis Abstains from voting.

Recommendation of Ordinance No. 2022-12 an ordinance of the Town of Rico, amending the Rico Land Use Code Fee Schedule, and adopting UBC 97 table no.1-a – building permit fees. Chauncey McCarthy gives a summary of the ordinance. HE explains this is a bit of housekeeping as the previous fee schedule was not adopted into the land use code. This fee schedule would allow for the town to offset the cost of the building department. If this ordinance is adopted the fee schedule will automatically update when the UBC updates every 6 months.

Planning commission members requested Chauncey McCarthy go over the comparison of the building permit fee schedule currently in place versus the new building fee. Chauncey goes over a 2500sqft homes figures.

Leah expresses this is a big increase from the current fee schedule.

Chauncey McCarthy explains the current fee schedule reflects the fee schedules of 2006. With no increase since it was adopted.

Planning Commission members agree this needs to happen to keep the town up to date.

Motion

To recommend the Board of Trustees adopt Ordinance no. 2022-12 an ordinance of the Town of Rico, amending the Rico Land Use Code Fee Schedule, and adopting UBC 97 table no.1-a – building permit fees.

Moved by Gerrish Willis, seconded by Cristal Hibbard.

Vote. A roll call vote was taken and the motion was approved, 4-1.

Motion

To adjourn the meeting.

Moved by Chairman Mike Contillo, seconded by Cristal Hibbard.

Vote. A roll call vote was taken and the motion was approved, 5-0. The meeting adjourned at 7:59 pm.

Anna Wolf Rico Town Clerk Mike Contillo Chairman

Development Permit for Areas of Environmental Concern

Development Permits for Areas of Environmental Concern are required when any of the following conditions exist on the subject property:

- Avalanche Hazard Areas
- Flood Plane Areas
- Steep Slopes
- Wetland Areas
- Wildfire Hazard Areas
- Wildlife Habitat Areas

Maps of Areas of Environmental Concern are available on the Town Rico GIS system, on the ricocolorado.gov web site and at Town Hall in the Rico Land Use Code.

Development Permit for Areas of Environmental Concern Process Chart

Schedule a preapplication meeting with the Town Manager / Planner. Fill out the application and provide the documents and payment as shown on the check list.

Review of application by Town Manager / Planner for application completeness.

Areas of Environmental Concern Development Permit Process Chart

The Rico Planning Commission is authorized to review these applications and make a recommendation to the Board of Trustees. Development activities shall avoid areas of environmental concern wherever possible unless the reviewing body finds the following:

- Allowing the development activity would result in a better overall design with respect to the purposes set forth in Article 104, Purpose of the Rico Land Use Code.
- The affected area can be fully mitigated and supported by recommendations contained in engineered mitigation proposals.

Requirements, restrictions and recommended mitigations for specific hazards are addressed in Article VIII of the Rico Land Use Code. Some approvals may require indemnity agreement with the Town.



RICO
C O L O R A D O
COLORADO 1879 1879 1879

40	
IU.	
10	

Disturbance Permit Application

Phone Number ____ 917 327 9355 Applicant Name <u>Rebecca Adams</u> Address 747 V44w Norwood, CO 81423 Cell Phone Number Email rebeccaa002@gmail.com Fax Number Street Address of Subject Property <u>Dolores River trail Subdivison</u> Legal Description of Subject Property DOLORES RIVER SUBDIVISION

LOCATED IN THE NORTHEAST 1/4 OF SECTION 35, T40N, R11W, N.M.P.M., TOWN OF RICO, DOLORES COUNTY, COLORADO.

Zone District of Subject Property <u>RPUD</u>		
Contractor Name	Phone Number	
Address	Cell Phone Number	
Email	Fax Number	

Attachments Required:

☑ Two (2) 24" by 36" Site Plans and (1) electronic (pdf) site plan showing the following:

North Arrow	Boundary areas: water, wetlands, riparian areas, inner buffer zone, and boundary of proposed disturbance
Scale not greater than 1" = 20' unless the entire site will not fit on a 24"x 36" sheet	Topography 5 foot interval maximum, 2 foot preferred
Vicinity Map	Proposed grading and drainage
Lot lines with dimensions	Location of existing buildings if applicable
Easements with dimensions	Location of proposed building if applicable
Acreage of lot	Location of existing utilities if applicable
Adjacent streets with labels	Location of proposed utilities if applicable

- Grading, re-vegetation, and mitigation plan
- □ Alternative Analysis
- Army Corps. Permit (if required)
- \Box Letter of agency if applicant is other than the owner of the property
- \Box An application fee in the amount of \$400.00.
- \checkmark A copy of the deed for the property.

Flood planes must be determined by an Engineer licensed in the state of Colorado. Wetlands must be delineated by a certified technician and surveyed.

I swear that the information provided in this application is true and correct and that I am the owner of the property or otherwise authorized to act on behalf of the owner of the property.

Signature: <u>Rebecca Adams</u>	Date
Date Application Received	Application Reviewed by
Application Fee Received	Date of Hearing
Application Complete	Rico Planning Commission Action
Mailing Notice Complete	Approval Subject to Conditions

Other comments:



TOWN OF RICO INCORPORATED OCTOBER 11, 1879 2 North Commercial Street Post Office Box 9 Rico, Colorado 81332 Office # 970.967.2861 Fax # 970.967.2862 www.ricocolorado.gov

To: Rico Board of Trustees From: Chauncey McCarthy, Town Manager RE: Dolores River Trail Subdivision Disturbance permit review

12.15.2022

823. Disturbance permit application submittal requirements:

In addition to other submittal requirements for development applications, an Applicant shall submit the information identified below for any development that requires a Disturbance Permit pursuant to these Wetland Protection Regulations. Upon request, the Town Planner may perform a site inspection, verify that no wetland, water areas, or associated buffer zone exist on the site, and waive this submittal requirement.

823.1 Boundary Map. A map or diagram separately depicting the boundary of water areas, wetlands, and riparian areas, depicting the boundary of the restrictive inner buffer zone from water areas and wetlands, depicting any site specific triggers for a variable outer buffer zone listed in 824.3, and depicting the boundary of the proposed disturbance in wetland areas, water areas and buffer zone areas.

Submittal requirement met

823.2 Proposed Disturbance. A description of the proposed activity causing disturbance, including the amount, location, and acreage of water area or wetland fill, removal, or other alteration proposed, and location and extent of proposed disturbance in the buffer zone.

Submittal requirement met

823.3 Grading Plan. A grading and erosion control plan, utilizing soil stabilization measures and practices to minimize the impacts of the proposed disturbance described in 827, including a timeframe for installation of erosion control measures.

Submittal requirement met (Timeframe not provided)

823.4 Re-vegetation Plan. Plan showing quantity and type of plant material to be used for re-vegetation, time frame for re-vegetation, and proposed soil stabilization measures.

Submittal requirement met (Timeframe not provided)

823.5 Mitigation Plan. A plan to mitigate the impacts of proposed fill of water areas or wetlands showing the proposed on-site restoration improvements, including information of those wetland areas to be restored and/or created, in accordance with 828.

N/A

823.6 Alternative Analysis. A statement and analysis of any practicable on-site development configuration alternatives to the proposed development activity causing disturbance which reduce or avoid such disturbances, including reduction in the scale of the proposed development.

N/A

823.7 Army Corps. For activities that involve the fill of wetland areas, evidence of compliance acceptance of the Plan by the U.S. Army Corp of Engineers

N/A Applicant sent courtesy notice to Army Corp.

Section 825 Review Standards for Disturbance Permit states:

The reviewing entity shall use the standards in this section for review of Disturbance Permits for site development in wetlands, water areas, and buffer zones. The reviewing entity must find that the application meets at least one of the following standards in order to issue a Disturbance Permit. In all cases where an application for a Disturbance Permit meets one of the standards below, an acceptable Disturbance Plan that meets the standards in 826 and, if required, an acceptable Mitigation Plan that meets the standards in 827 are required as a condition to issuance of a Disturbance Permit. Unless otherwise approved by Town, the requirements set out in the Disturbance Permit shall be completed prior to acceptance of any improvements involving wetland disturbance.

The proposed disturbance within the buffer zone of the wetlands depicted on the SME delineation map meets multiple standards:

825.2 The proposed activity is necessary to achieve access to property or provide utility service to property, and no other access route avoiding wetland and buffer zone areas is practical or the proposed access route results in better overall design of the site development;

825.3 The proposed activity in a buffer zone is a temporary disturbance for customary construction and development of a property;

825.8 The proposed activity is (a) reviewed as a planned unit development application, (b) would not result in significant degradation to wetlands or natural water areas, and (c)results in a better overall design of the project that could not otherwise be achieved by the strict application of the standards in subsections 825.1 through 825.5 above

826. DISTURBANCE PLAN PRACTICE STANDARDS.

A Disturbance Permit for site development in a wetland area, water area or associated buffer zone include a Disturbance Plan that meets the following standards for development practices to the extent practicable.

826.1 Disturbed wetland soils shall be retained for on-site revegetation, on-site mitigation, or off-site mitigation, as set forth in the Disturbance Permit;

N/A

826.2 Site development in wetland, water areas, and buffer zones shall be confined to the designated boundaries of the Disturbance Permit;

Standard met

826.3 Appropriate erosion and siltation controls must be utilized. Areas not meant for development shall be protected with silt fence, snow fence, or other such barriers, and all exposed soil and other fill shall be permanently stabilized at the earliest practicable date;

Standard met

826.4 Grading and construction shall be timed to minimize soil exposure to heavy run-off and rainy periods;

Timeframe not provided

826.5 Runoff from impervious surfaces such as walkways, parking areas and driveways shall be detained and infiltrated;

Standard met

826.6 The grade of exposed slopes shall be minimized and erosion shall be controlled by utilizing mulching, erosion control blankets, barriers, such as straw bale dikes and silt fencing, and other appropriate means;

Standard met

826.7 Runoff velocities shall be maintained to prevent high erosion by using flow barriers (i.e.,

vegetation, rip-rap, etc);

Standard met **826.8** Drainage ways and outlets shall be protected from increased flows;

Standard met

826.9 On-site sediment shall be trapped by using check dams, temporary diversions, detention basins, straw bales, silt fences, or other appropriate means;

Standard met

826.10 Disturbed areas shall be revegetated with native vegetation or other appropriate vegetation acceptable to Town;

Standard met

826.11 Existing hydrologic flow shall be maintained through the site through the use of culverts, French drains, or other devices;

Standard meet

826.12 Cut and fill shall be minimized; *Standard met*

826.13 Heavy equipment working within a wetland area shall use measures to minimize soil disturbance; *Standard met*

826.14 Security in the amount of one hundred twenty five percent (125%) of the written estimated cost of the disturbance plan measures shall be provided;

This will be addressed in the SIA

826.15 Any other appropriate measure as deemed necessary by the reviewing entity shall be followed;

826.16 The project's runoff shall not violate other applicable regulations and laws (e.g., state water quality regulations, Endangered Species Act, National Environmental Policy Act), or significantly degrade wetland or water areas.

Standard met

Mountain Civil Engineering has provided a memo and plans that address the disturbance plan practice standards. A memo from SME has also been included with the application and speaks to the work being performed and the lack of impact it will have on the wetlands related to the road improvements. The applicant will provide a security as a requirement of the subdivision improvements agreement.

827 Mitigation Plan. A Mitigation Plan for proposed fill of, or impact to, wetland areas shall include the following information

A mitigation plan was not included with this application as the proposed disturbance is temporary and within the buffer zone not the wetlands.



To: Town of Rico
From: Mountain Civil Consulting, LLC
Date: 11/22/22
RE: Wetland Disturbance Permit Narrative Dolores River Trail Subdivision Preliminary Plat

This letter is being provided to support the wetland disturbance permit application for the Dolores River Trail Subdivision. The Dolores River Trail Subdivision involves infrastructure construction within the Wetland Buffer Zone as defined by Town of Rico Land Use code, there are no direct impacts to wetlands. Wetlands were delineated by SME Environmental Consulting.

The proposed infrastructure improvements include the construction of a gravel access road, an underground water line, and underground franchise utilities. The proposed improvements are outside of the delineated wetlands, but within the 25' and 100' buffer zone. The area of disturbance within the wetland buffer areas is approximately 0.40 acres. See Dolores River Trail Infrastructure Improvement Plans for detailed infrastructure plans.

To mitigate the impacts of the proposed construction the following mitigation measures shall be implemented for all work within 100' of the delineated wetlands:

- Work shall be completed per Town of Rico LUC Section 826. Disturbance Plan Practice Standards.
- Wetland area shall be flagged by a Professional Land Surveyor.
- Contractor shall install sediment logs or silt fence 3' from the wetland boundary to mitigate construction activity stormwater runoff and create a visual delineation of the wetland area for equipment to avoid.
- All disturbed areas within the buffer areas (and site wide) shall receive native seed and rolled erosion control products where slopes are greater than 3:1. This shall be installed at the earliest possible date after disturbance.



- Silt Fence and Straw Wattles shall be removed upon 70% establishment of native seed and vegetation.
- The contractor shall implement site wide Best Management Practices during construction to limit impacts to the wetland and buffer area.
- Currently, the existing road is not properly graded. The proposed road improvement includes grading changes to prevent concentrated runoff into the wetland area. Additionally, the impacted areas will be seeded with native seed, and this combined with the undisturbed native plants will provide infiltration of the sheet runoff from the east section of the gravel road. Runoff from the west half of the road will enter a roadside ditch and be discharged north of the wetland area adjacent to the road. These proposed improvements will provide long term benefits to the wetland and buffer areas by reducing the amount of sediment that reaches the wetland areas.
- The proposed road will not discharge concentrated runoff to the wetland area, the native seed and undisturbed native plants will provide infiltration of the sheet runoff from the east section of the gravel road. Runoff from the west half of the road will enter a roadside ditch and be discharged north of the wetland area adjacent to the road.
- The proposed road improvements have been designed to limit grading and earthwork near the wetlands as much as possible, while following the existing/historic road alignment, and limiting further major road scarring.

Sincerely,

Andrew Rapiejko, PE Mountain Civil Consulting, LLC





To: The Town of Rico

From: SME Environmental, Inc.

Date: September 2022

Re: Dolores River Subdivision Aquatic Resources Assessment

SME Environmental, Inc. (SME) was contracted by Rebecca Adams to perform a wetland assessment on the Dolores River Subdivision property located in Rico, CO. The purpose of this memorandum is to outline the environmental work that SME performed within the referenced site. All Figures are located in <u>Attachment 1</u>.

The Dolores River Subdivision project is located in Dolores County, Colorado in the Town of Rico, just north of West Elder Street and west of the Dolores River. A road map is provided as <u>Figure 1</u>. The general location and approximate boundary of the referenced project site is depicted on the Rico, Colo. 7.5' USGS quadrangle map (<u>Figure 2</u>). The project area elevation is approximately 8,730 to 8,850 feet (ft) above mean sea level (amsl) and lies within parts of Section 35 of Township 40 North, Range 11 West of the New Mexico Principal Meridian (NMPM). The approximate centroid location of the referenced project in decimal degrees is latitude 37.691374° and longitude -108.035768° (NAD 1983).

SME staff originally visited the site on May 5, 2021 to assess and delineate the boundaries of wetlands and other Waters of the U.S. (WOUS) in the project area. Due to May 2021 site conditions (prior to the main portion of the growing season) and climatic conditions (Dolores County was in extreme drought - U.S. Drought Monitor), SME was not able to accurately assess hydrology within the project area. Therefore, it was determined that an additional site visit should be conducted to reassess WOUS boundaries. SME revisited the site on June 27, 2022 during the growing season after the area had received some precipitation and site conditions were closer to "normal". Both site visits were conducted using the methodology defined in the Routine Determination procedure set forth in the U.S. Army Corps of Engineers Wetlands Delineation Manual (USACE 1987), the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region (Version 2.0), A Guide to Ordinary High Water Mark (OHWM) Delineation for Non-Perennial Streams in the Western Mountains, Valleys, and Coast Region of the United States (USACE 2014), and Regulatory Guidance Letter No. 05-05 Guidance on Ordinary High Water Mark Identification (USACE 2005), when applicable. The boundaries of wetlands and other WOUS identified in May 2021 and June 2022 were surveylocated by SME using a Trimble R1 GNSS receiver (real-time sub-meter accuracy) and are depicted on Figure 3.

Following the site visit, the limits of disturbance from the proposed access road improvements and the culvert installation in Iron Draw were overlaid on the wetlands map. Based on the alignment

of the road and the culvert and associated rip-rap, no impacts will occur in wetlands. The only impacts will be to Iron Draw and one of the associated intermittent streams. The western intermittent stream is anticipated to dry up once the new culvert has been installed since Iron draw will have a single outfall under the road. Prior to the construction of the dirt road, Iron Draw used to flow through the area in a single, confined channel. The construction of the dirt road caused the channel to fan out of the concentrated flow, resulting in sheet flow flooding and the creation of narrow intermittent channels further east. The culvert will divert flow back into the single main channel of Iron Draw and restore the stream to pre-existing conditions. As there are no impacts to wetlands, and because impacts to streams are under 0.03 acre, formal Pre-Construction Notification (PCN) under Nationwide Permit 14 (NWP 14) to the USACE is not required. However, SME has prepared a Courtesy Notification for this project which can either be sent to the USACE to get a formal letter stating that they agree that the USACE conducts a site visit.

Please contact us at (970) 259-9595 if you have any questions or require additional information.

Sincerely,

SME ENVIRONMENTAL, INC.

manths Bahn

Samantha Bohn, WPIT Environmental Scientist

ATTACHMENT 1 Figures



	Drawn by:	Rvwd. by:	Project No.:	ROAD VICINITY MAP	
	KB	SB	210027		
	Date:	Rsvd. Date:	Scale:	AQUATIC RESOURCES	FICURE
	9/4/2022	NA	1:4,000	ASSESSMENT MEMO	FIGURE
ENVIRONMENTAL CONSULTANTS	N	0 175	350	DOLORES RIVER SUBDIVISION	1
679 East 2nd Ave. Unit E2. Durango. Colorado 81301				DOLORES COUNTY, CO	
www.sme-env.com (970) 259-9595	V	Feet	t		



ENVIRONMENTAL CONSULTANTS 679 East 2nd Ave. Unit E2, Durango, Colorado 81301 www.sme-env.com (970) 259-9595

Drawn by:	Rvwd. by	y: Project No.:
KB	SB	210027
Date:	Rsvd. Dat	te: Scale:
9/4/2022	NA	1:24,000
N	0 1	,000 2,000
		Feet

AQUATIC RESOURCES **FIGURE**

ASSESSMENT MEMO DOLORES RIVER SUBDIVISION DOLORES COUNTY, CO

2

on ArcPro\Rico Subdiv e 2 Topog Delin": Coordinate System: NAD 1983 StatePlane Colorado South FIPS 0503 F Щ

1. Survey area boundary created by SME, based on plat sheets and plan data provided by Mountain Civil, a site walk Ordinary High Water Mark (OHWM) Delineation for Non-Perennial Streams in the Western Mountains, Valleys and Coast Region of the United States (USACE 2014. through with the project manager, and property boundary data collected by SME in the field.

2. SME Environmental, Inc. (SME) staff originally visited the site on May 5, 2021 to assess and delineate the 3. Wetland boundaries were defined based on presence of hydrophytic vegetation, hydric soils, and hydrologic boundaries of wetlands and other Waters of the U.S. (WOUS) in the project area. Due to May 2021 site conditions indicators that under normal conditions would indicate wetland conditions. Where wetland conditions did not (prior to the main portion of growing season) and climatic conditions (Dolores County was in extreme drought- U.S. occur adjacent to surface water, the jurisdictional boundary was identified based on evidence of the OHWM.

GENERAL NOT Drought Monitor), SME was not able to accurately assess hydrology within the project area. Therefore, it was 4. The boundaries of WOUS were survey-located using a Trimble R1 GNSS Receiver (real-time sub-meter accuracy). determined that an additional site visit should be conducted to recheck/reassess WOUS boundaries. SME revisited 5. Areas which likely satisfy the USACE criteria as WOUS are labeled. Note that WOUS continue beyond the the site on June 27, 2022 during the growing season after the area had received some precipitation and site survey area boundary.

conditions were closer to "normal". This map reflects the boundaries as assessed during the June 2022 site visit. 6. All WOUS boundaries, depicted hereon, are subject to modification until jurisdictional verification has been Both site visits were conducted using the methodology defined in the Routine Determination procedure set forth in completed the USACE.

the U.S. Army Corps of Engineers Wetlands Delineation Manual (USACE 1987), the Regional Supplement to the 7. Please be aware that impacts to WOUS may require authorization from Local, State and/or Federal regulatory Corps of Engineers Wetland Delineation Manual: Western Mountains Region (USACE 2010), and A Guide to agencies.







BENCHMARK:

1. CONTACT ALL POINTS LAND SURVEYING TO ESTABLISH BENCHMARK AND CONSTRUCTION CONTROL.

GENERAL NOTES:

- 1. THESE PLANS ARE FOR INFRASTRUCTURE IMPROVEMENTS ONLY.
- 2. EXISTING CONDITIONS SHOWN IN THESE PLANS IS FROM TOPOGRAPHIC SURVEY DATA PROVIDED BY ALL POINTS LAND SURVEYING SURVEYING.
- 3. ALL MATERIALS AND CONSTRUCTION SHALL BE COMPLETED PER TOWN OF RICO LAND USE CODE AND/OR STANDARDS AND REQUIREMENTS, MOST CURRENT VERSION. WHERE TOWN OF RICO STANDARDS AND REQUIREMENTS DO NOT COVER THE SCOPE OF WORK, CDOT STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION SHALL USED.
- 4. THE CONTRACTOR SHALL HAVE ONE APPROVED AND SIGNED (COUNTY AND ENGINEER) COPY OF THE PLANS ON THE JOB SITE AT ALL TIMES. CONTRACTOR SHALL ALSO HAVE THE JOB SPECIFICATIONS, AND CONSTRUCTION STANDARDS ON SITE.
- 5. CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND APPROVALS PRIOR TO CONSTRUCTION. CONTRACTOR SHALL HAVE A COPY OF ALL APPLICABLE PERMITS ON SITE.
- 6. AT LEAST TWO (2) FULL WORKING PRIOR TO CONSTRUCTION ACTIVITIES OF ANY KIND THE CONTRACTOR SHALL CONTACT THE UTILITY NOTIFICATION CENTER OF COLORADO AT 1-800-922-1987 OR 811 TO OBTAIN AN INQUIRE IDENTIFICATION NUMBER AND TO REQUEST THE UTILITY OWNERS TO MARK THE LOCATION OF ALL UNDERGROUND UTILITIES WHICH MAY BE IMPACTED BY CONSTRUCTION.
- 7. CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION OF ALL EXISTING UTILITIES, INCLUDING UTILITIES NOT SHOWN ON THE CONSTRUCTION DRAWINGS. PRIOR TO ADJUSTING ANY UTILITIES THE CONTRACTOR SHALL OBTAIN APPROVAL FROM THE UTILITY OWNER.
- 8. IF THERE ARE EXISTING UTILITIES IN CONFLICT WITH THE PROPOSED IMPROVEMENTS THE CONTRACTOR SHALL STOP WORK AND NOTIFY THE OWNER, ENGINEER, AND UTILITY OWNER TO DETERMINE A SOLUTION FOR THE CONFLICT. THE CONTRACTOR SHALL PROTECT ALL UTILITIES AND STRUCTURES FOUND AT THE SITE UNLESS OTHERWISE INDICATED IN THESE PLANS.
- 9. ALL TRENCHING CONSTRUCTION SHALL MEET OSHA STANDARDS AND REQUIREMENTS.
- 10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR IMPLEMENTING AND MAINTAINING CONSTRUCTION ACTIVITIES STORMWATER MANAGEMENT BEST MANAGEMENT PRACTICES. CONTRACTOR SHALL OBTAIN ALL REQUIRED LOCAL AND STATE CONSTRUCTION ACTIVITIES STORMWATER MANAGEMENT PERMITS.
- 11. ALL ABANDONED ROADS SHALL BE RESTORED TO NATIVE GRADE AND REVEGETATED WITH NATIVE SEED.

GRADING AND EROSION CONTROL NOTES:

- 1. ALL FILL MUST BE COMPACTED TO 90% MODFIFIED PROCTOR AT PLUS OR MINUS 2% OF THE OPTIMUM MOISTURE CONTENT OR AS REQUIRED IN THE PROJECT GEOTECHNICAL ENGINEERING SOIL REPORT.
- 2. UNSUITABLE MATERIAL SHALL BE REMOVED AS REQUIRED BY THE GEOTECHNICAL ENGINEER.
- 3. EARTHWORK SHALL NOT BE COMPLETED WHEN THE GROUND IS FROZEN.
- 4. TOPSOIL SHALL BE STOCKPILED FOR USE ON FINAL LANDSCAPING. STOCKPILES SHALL BE PROTECTED FROM EROSION.
- 5. AT ALL TIMES THE CONSTRUCTION SHALL INCORPORATE TECHNIQUES TO LIMIT WIND-CAUSED EROSION INCLUDING BUT NOT LIMITED TO WATERING.
- 6. CONTRACTOR SHALL KEEP STREET CLEAN OF DEBRIS AT ALL TIMES. CONTRACTOR SHALL CLEAN STREET AND ADJACENT PROPERTIES AS REQUIRED.
- 7. CONTRACTOR SHALL ESTABLISH A CONSTRUCTION ENTRANCE AND STORAGE/STAGING AREA.
- 8. ALL CULVERT INLETS AND OUTLETS SHALL BE RECEIVE RIP RAP PROTECTION.

WATER UTILITY NOTES:

1. ALL WATER UTILITY WORK, MATERIALS, AND CONSTRUCTION SHALL MEET TOWN OF RICO WATER OPERATIONS RULES AND REGULATIONS, MOST CURRENT VERSION.

FRANCHISE UTILITY NOTES:

- FRANCHISE (GAS, ELECTRIC, TELECOM, FIBER, ETC ...) DESIGN IS BY THE UTILITY PROVIDER. DEVELOPED SHALL PROVIDE CONTRACTOR FRANCHISE UTILITY DESIGN AND CONSTRUCTION IMPROVEMENT INFORMATION AND PERMITTING.
- 2. CONTRACTOR SHALL BE COMPLETE ALL WORK PER FRANCHISE UTILITY PROVIDER REQUIREMENTS.

DOLORES RIVER SUBDIVISION INSTRASTRUCTURE IMPROVEMENT PLANS

PRELIMINARY PLAT SUBMITTAL

11/1/22



LOCATION MAP: 1"=300'

- 1. LUC 272 PROPOSED OFF-STREET PARKING PLAN 1.1 INDIVIDUAL LOT OWNERS WILL BE REQUIRED TO PROVIDE OFF-STREET PARKING WITH SITE PLAN AND BUILDING PERMIT SUBMITTAL.
- 2. LUC 478.2 ROW WIDTH 2.1. THE ROW WIDTH FOR THE DOLORES RIVER TRAIL ROAD AND WATER LINE EXTENSION IS PROPOSED AS A 40 FOOT WIDTH. TOWN OF RICO STANDARD ROW WIDTH IS 60'.
- 3. LUC 478.3 A. ROAD SURFACE WIDTH 3.1 THE PROPOSED ROAD SURFACE FOR THE ACCESS ROAD IS PROPOSED AS 20' WIDTH TO LIMIT THE VISUAL AND PHYSICAL IMPACTS OF THE ROAD CONSTRUCTION. THE 20' WIDTH PROVIDED ADEQUATE ACCESS FOR EMERGENCY ACCESS, RESIDENTIAL ACCESS, MAINTENANCE, AND MAINTENANCE. TOWN OF RICO STANDARD ROAD MIN. ROAD WIDTH IS 24'.
- 4. LUC 478.4 ROAD GRADE 4.1 THE GRADE OF A PORTION OF THE ROAD IS PROPOSED AT 12% TO LIMIT THE VISUAL AND PHYSICAL IMPACTS OF THE ROAD CONSTRUCTION WHILE PROVIDING SAFE ACCESS FOR RESIDENTS, MAINTENANCE, AND EMERGENCIES. PER TOWN LUC THE MAXIMUM GRADE FOR ROADS IS 10%.

PRINTED NAME

SIGNATURE

EXCEVENTE ALLOW		
PRELIMINARY NOT FOR CONSTRUCTOIN		
Revisions: # DATE DESCRIPTION		
DOLORES RIVER SUBDIVISION COVER SHEET AND NOTES TOWN OF RICO, CO		
MOUNTAIN CIVIL CONSULTING 712 Eagle- Pass Durango, CO 81301 970-946-3175 PLAN NO. COOO Sheet 1 of 10 Project: 2021-002 Date: 11/1/22 Drawn By: ABR Checked By:		



SHEET INDEX

TITLE NAME

- 1. COOO COVER SHEET
- 2. C100 OVERALL SITE AND UTILITY PLAN
- 3. C101 SLOPE AND CONSTRAINTS MAP
- 4. C200 DRIVEWAY PLAN AND PROFILE
- 5. C201 DRIVEWAY PLAN AND PROFILE
- 6. C300 DRIVEWAY PLAN AND PROFILE
- 7. C400 DETAILS
- 8. C401 DETAILS
- 9. C402 DETAILS
- 10. C403 DETAILS

TOWN OF RICO APPROVAL

DATE





Checked By: ABR










% Smaller Than Given Size By Weight	Intermediate Rock Dimension (inches)	d ₅₀ * (inches)
70 - 100 50 - 70 35 - 50 2 - 10	12 9 6 2	6**
70 - 100 50 - 70 35 - 50 2 - 10	15 12 9 3	9**
70 - 100 50 - 70 35 - 50 2 - 10	21 18 12 4	12**
70 - 100 50 - 70 35 - 50 2 - 10	30 24 18 6	18
70 - 100 50 - 70 35 - 50 2 - 10	41 33 24 9	24





90° BEND	45° BEND	22–1/2* BEND
1780	960	490
2670	1440	740
3550	1920	980
4000	2160	1100
6000	3250	1650
8000	4330	2200
7110	3850	1960
10,660	5770	2940
14,220	7700	3920
11,110	6010	3060
16,660	9020	4600
22,210	12,020	6130
15,990	8660	4410
23,990	12,980	6620
31,980	17,310	8820
21,770	11,780	6000
32,650	17,670	9010
43,530	23,560	12,000
28,430	15,390	7850
42,645	23,080	11,770
56,860	30,780	15,690

2

2

3

4

4







EXTENSIONS AS NECESSARY

DRAIN PIT 1/3

GRAVEL 1 1/2"

C.Y. WASHED

TO 1"

LEGEND

A. TAPPING SADDLE PER APPENDIX B B. THREADED BRASS NIPPLE BASE

C. FEMALE-FEMALE THREADED BRASS BALL VALVE

E. DISCHARGE ELBOW

AIR VALVE ASSEMBLY LARGER THAN 2" SIZE SHALL BE SPECIALLY DESIGNED AND MEET WATER DISTRICT REQUIREMENTS.

THIS INSTALLATION WITH THE CHAIN SHALL ENABLE ISOLATING A DEFECTIVE AIR-VAC WITHOUT SHUTTING OFF THE MAIN.

4. PROVIDE THERMAL PROTECTION JACKET OVER ARV ASSEMBLY



GENERAL NOTES

1. FILL HEIGHTS GREATER THAN MAXIMUM ALLOWED IN THE HEIGHTS OF FILL TABLE ON THIS SHEET REQUIRE SPECIAL DESIGN OF STRUCTURE. PIPE DESIGN IS BASED ON SAFETY FACTOR OF 1.33 ON ULTIMATE STRENGTH. 5, THE HEIGHTS OF FILL OVER TOP OF PIPE ARE BASED ON UNIT WEIGHT OF SOIL AT

5. BEDDING IS CLASS B (MODIFIED) (FROM CONCRETE PIPE DESIGN MANUAL-AMERICAN CONCRETE PIPE ASSOCIATION) WITH SETTLEMENT RATIO R = 0.0 sd (YIELDING BED). BEDDING MATERIAL FOR RIGID PIPE IN SOIL SHALL BE 3 IN. LODSE THICKNESS STRUCTURE BACKFILL CLASS 2. BEDDING MATERIAL FOR RIGID PIPE IN ROCK SHALL BE 12 IN LODSE THICKNESS STRUCTURE BACKFILL CLASS 1. 6. CHANGES IN DESIGN FACTORS REQUIRE COMPENSATING CHANGES IN PIPE DESIGN. MINIMUM WALL THICKNESS DIMENSIONS ARE BASED ON AASHTO M 170 (WALL B) FOR

SPACING FOR MULTIPLE PIPE INSTALLATIONS SHALL CONFORM TO THE DETAILS SHOWN

AT THE OPTION OF THE CONTRACTOR, NONREINFORCED CONCRETE PIPE CONFORMING TO AASHTO M 86 MAY BE USED IN LIEU OF REINFORCED CONCRETE PIPE FOR ALL SIZES 36 INCHES IN DIAMETER AND SMALLER. THE NONREINFORCED CONCRETE PIPE SHALL MEET THE SAME D-LOAD TO PRODUCE THE ULTIMATE LOAD UNDER THE THREE-EDGE BEARING METHOD AS SPECIFIED FOR REINFORCED CONCRETE PIPE IN CONFORMANCE WITH AASHTO M 170. THE CONTRACTOR SHALL PROVIDE WRITTEN CERTIFICATION OF CONFORMACE. THE WALL THICKNESS OF THE NONREINFORCED PIPE MAY BE INCREASED

2. ALL REQUIREMENTS FOR REINFORCED CONCRETE PIPE, EXCEPT THOSE REFERRING TO REINFORCEMENT, SHALL APPLY TO NONREINFORCED CONCRETE PIPE.

HEIGHT OF FILL	OVER TOP OF PI	IPE, H (FEET)	
ASS OF PIPE	(0.01 IN. C	RACK D-LOAD)	
CLASS CIR III CLASS VE III CLASS HE III 1350 D	CLASS CIR IV CLASS VE IV CLASS HE IV 2000 D	CLASS CIR V CLASS VE V 3000 D	CLASS VE V
1 TO 25 1 TO 25 1 TO 25	± 25 TO 37 ± 25 TO 37 ± 25 TO 37	± 37 TO 45 ± 37 TO 45	± 45 TD 63

	STANDARD PLAN NO
-	M-603-2
E	Standard Sheet No. 1 of 1
51, 2019	Project Sheet Number:

GENERAL NOTES

2. HEADWALL SHALL BE PERPENDICULAR TO THE PIPE € UNLESS OTHERWISE SHOWN ON THE PLANS, TABULATED DIMENSIONS AND QUANTITIES MUST

BE ADJUSTED FOR SKEWED INSTALLATIONS. 3. FOR WINGWALL DETAILS, SEE STANDARD PLAN M-601-20.

4. VOLUME OCCUPIED BY PIPE HAS BEEN DEDUCTED FROM STEEL AND

5. EXPOSED CONCRETE CORNERS SHALL BE CHAMFERED 3/4 IN. 6. ALL REINFORCING BARS SHALL HAVE A 2 IN. MINIMUM CLEARANCE.

▲ WHEN TWO OR MORE PIPES ARE LAID SIDE BY SIDE, THEY SHALL BE PLACED SO THAT THE ADJACENT PIPES WILL BE 1/2 INSIDE DIAMETER APART, OR 1/2 INSIDE SPAN APART, OR 3 FT. APART (INCLUDING WALL

ADD 0.89 x (X OR X1) (LB.) WHEN APRON IS REQUIRED.

		16"]	-		_	_ ×1	_	+	
4" RISE	y = +52	" RISE 24 36"		(-SP	AN -	36"	SPAN)-	⊨24ª
		1	4		- 2 QU/	SPAN + 8 ANTITIES	4"— 5	•	
X1 TIN.	A1 IN.	FTIN.	B IN.	CO SGL CU. Y	NCF	DBL CU. YD.	SG LBS	EEL DBL L DBL LBS.	
20-6 21-6	7 7	9-3 9-7	171/2 101/2	2.7	25	5.10 5.34	250 275	0 467 5 531	
22-10 24-2	9 11	9-11 10-3	121/2 15	3.08	B	5.79 6.21	290 321	547 591]
25-8 26-6	8 7	10-7 10-11	16 ¹ /2 9 ¹ /2	3.5 3.6	23	6.65 6.86	314 358	606 672	
28-4	12	11-3	111/2	3.96	5	7.51	376	5 699]
QUANTITIES									
X1	1	y y	E				1	STEEL	

	FT	IN.	IN.	FT.	-1N.	IN	ł.	CŬ.	Ϋ́D.	сi	J. YD.	LB	š.	LBS	5,
z	19 21	9-2 1-0	11 10	8- 9-	-11 -5	15), 9)	12	2.	52 80	4 5	1.70 5.25	23 28	2	424 509	4
2	22 24	-10 4-8	9 8	9- 10	-11 -5	12 ¹ 15 ¹	12/2	3. 3.	08 36	5.6	5.79 5.33	29 30	1	54(622	2
2 2	28 28	6-6 5-10	7 9	10 11	-11 -5	9) 12	12/2	3. 4.	63 05	57	5.86 7.67	37 37	9	673 711	3
	3(32)-8 2-8	8 8	11- 12	-11 -8	15 <u>)</u> 11	/2	4. 4.	36 75	8	3.28 3.03	39 44	5	73:	1
z	35 37	5-2 7-8	11 8	13 13	-1 -7	13 16	1/2	5. 5.	17 69	11	9.86 0.88	44) 49)	8	93) 953	1 3
	-38	3-8	8	14	-2	11		5.	89	1	1.25	53	4	101	9
STRUCTURAL PLATE ARCH															
6	5	60	5	5	50	>	4	15	40)	35	3	50		
10	103 1.155 1.221 1.3		1.30)5	5 1.414 1		1.55	56	1.743	5 2.0	00	þ			
CTOR TABLE															

.105	1.155	1.221	1.505	1.414	1.556	1.745	2.000	
CT	DR T	ABLE	-					,
		S	TAN	IDA	RD	PLA	N N	0.
	M-601-10							
		St	and	ard S	Shee	t No	. 1 o	f 1
31, 2	019		P	roject	Sheet	Numbe	er:	







EC-6

RECP-7



1. Survey area boundary created by SME, based on plat sheets and plan data provided by Mountain Civil, a site walk Ordinary High Water Mark (OHWM) Delineation for Non-Perennial Streams in the Western Mountains, Valleys, through with the project manager, and property boundary data collected by SME in the field. and Coast Region of the United States (USACE 2014.

2. SME Environmental, Inc. (SME) staff originally visited the site on May 5, 2021 to assess and delineate the 3. Wetland boundaries were defined based on presence of hydrophytic vegetation, hydric soils, and hydrologic boundaries of wetlands and other Waters of the U.S. (WOUS) in the project area. Due to May 2021 site conditions indicators that under normal conditions would indicate wetland conditions. Where wetland conditions did not (prior to the main portion of growing season) and climatic conditions (Dolores County was in extreme drought- U.S. occur adjacent to surface water, the jurisdictional boundary was identified based on evidence of the OHWM.

Drought Monitor), SME was not able to accurately assess hydrology within the project area. Therefore, it was 4. The boundaries of WOUS were survey-located using a Trimble R1 GNSS Receiver (real-time sub-meter accuracy). determined that an additional site visit should be conducted to recheck/reassess WOUS boundaries. SME revisited 5. Areas which likely satisfy the USACE criteria as WOUS are labeled. Note that WOUS continue beyond the the site on June 27, 2022 during the growing season after the area had received some precipitation and site survey area boundary.

conditions were closer to "normal". This map reflects the boundaries as assessed during the June 2022 site visit. 6. All WOUS boundaries, depicted hereon, are subject to modification until jurisdictional verification has been Both site visits were conducted using the methodology defined in the Routine Determination procedure set forth in completed the USACE.

the U.S. Army Corps of Engineers Wetlands Delineation Manual (USACE 1987), the Regional Supplement to the 7. Please be aware that impacts to WOUS may require authorization from Local, State and/or Federal regulatory Corps of Engineers Wetland Delineation Manual: Western Mountains Region (USACE 2010), and A Guide to agencies.





Development Permit for Areas of Environmental Concern

Development Permits for Areas of Environmental Concern are required when any of the following conditions exist on the subject property:

- Avalanche Hazard Areas
- Flood Plane Areas
- Steep Slopes
- Wetland Areas
- Wildfire Hazard Areas
- Wildlife Habitat Areas

Maps of Areas of Environmental Concern are available on the Town Rico GIS system, on the ricocolorado.gov web site and at Town Hall in the Rico Land Use Code.

Development Permit for Areas of Environmental Concern Process Chart

Schedule a preapplication meeting with the Town Manager / Planner. Fill out the application and provide the documents and payment as shown on the check list.

Review of application by Town Manager / Planner for application completeness.

Areas of Environmental Concern Development Permit Process Chart

The Rico Planning Commission is authorized to review these applications and make a recommendation to the Board of Trustees. Development activities shall avoid areas of environmental concern wherever possible unless the reviewing body finds the following:

- Allowing the development activity would result in a better overall design with respect to the purposes set forth in Article 104, Purpose of the Rico Land Use Code.
- The affected area can be fully mitigated and supported by recommendations contained in engineered mitigation proposals.

Requirements, restrictions and recommended mitigations for specific hazards are addressed in Article VIII of the Rico Land Use Code. Some approvals may require indemnity agreement with the Town.





Applicant Name Rebecca Adams	Phone Number <u>917 327 9355</u>				
Address 747 V44w Norwood, CO 81423	Cell Phone Number 917 327 9355				
Email rebeccaa002@gmail.com	Fax Number				
Street Address of Subject Property Sam Patch					
Legal Description of Subject Property					
Sam Patch Patented Mining Calim 25545, Mi	neral Survey No. 8031				
Zone District of Subject Property RPUD					
Contractor Name Rick Sherman	Phone Number				
Address 13730 60.00 Rd Montrose, CO 81403	Cell Phone Number				
Email	Fax Number				

Attachments Required:

Two (2) 24" by 36" Site Plans and (1) electronic (pdf) site plan showing the following:

North Arrow	Boundary areas: Water. wetlands, riparian areas, inner buffer zone, and boundary of proposed disturbance
Scale not greater than 1" = 20' unless the entire site will not fit on a 24"x 36" sheet	Proposed grading and drainage
	Location of existing buildings if applicable
Vicinity Map	
	Location of proposed building if applicable
Lot lines with dimensions	Leasting of evicting utilities if gravitable
Free states with all second second	Location of existing utilities if applicable
Easements with almensions	Location of proposed utilities if applicable
Acreage of lot	
Adjacent streets with labels	

Proposed Disturbance description : Including: activity causing disturbance, amount, location and acreage of water are or wetland fill, removal or other alteration proposed, and location and extend of proposed disturbance in buffer zone.

- Grading, re-vegetation, and mitigation plan
- □ Alternative Analysis
- □ Army Corps. Permit (if required)
- \Box Letter of agency if applicant is other than the owner of the property
- \Box An application fee in the amount of \$400.00.
- A copy of the deed for the property.

Flood planes must be determined by an Engineer licensed in the state of Colorado. Wetlands must be delineated by a certified technician and surveyed.

I swear that the information provided in this application is true and correct and that I am the owner of the property or otherwise authorized to act on behalf of the owner of the property.

Signature: <u>Rebecca Adams</u>	Date
Date Application Received <u>10/27/22</u>	CM Application Reviewed by
Application Fee Received	Date of Hearing
Application CompleteYes	Rico Planning Commission Action
Mailing Notice CompleteYes	Approval Subject to Conditions

Other comments:



TOWN OF RICO INCORPORATED OCTOBER 11, 1879 2 North Commercial Street Post Office Box 9 Rico, Colorado 81332 Office # 970.967.2861 Fax # 970.967.2862 www.ricocolorado.gov

To: Board of Trustees From: Chauncey McCarthy, Town Manager RE: Sam Patch disturbance permit review

12.15.2022

823. Disturbance permit application submittal requirements:

In addition to other submittal requirements for development applications, an Applicant shall submit the information identified below for any development that requires a Disturbance Permit pursuant to these Wetland Protection Regulations. Upon request, the Town Planner may perform a site inspection, verify that no wetland, water areas, or associated buffer zone exist on the site, and waive this submittal requirement.

823.1 Boundary Map. A map or diagram separately depicting the boundary of water areas, wetlands, and riparian areas, depicting the boundary of the restrictive inner buffer zone from water areas and wetlands, depicting any site specific triggers for a variable outer buffer zone listed in 824.3, and depicting the boundary of the proposed disturbance in wetland areas, water areas and buffer zone areas.

Submittal requirement met

823.2 Proposed Disturbance. A description of the proposed activity causing disturbance, including the amount, location, and acreage of water area or wetland fill, removal, or other alteration proposed, and location and extent of proposed disturbance in the buffer zone.

Submittal requirement met

823.3 Grading Plan. A grading and erosion control plan, utilizing soil stabilization measures and practices to minimize the impacts of the proposed disturbance described in 827, including a timeframe for installation of erosion control measures.

Submittal requirement met (engineered plans not submitted and time frame not provided) 823.4 Re-vegetation Plan. Plan showing quantity and type of plant material to be used for re-vegetation, time frame for re-vegetation, and proposed soil stabilization measures.

Submittal requirement met (Time frame not provided)

823.5 Mitigation Plan. A plan to mitigate the impacts of proposed fill of water areas or wetlands showing the proposed on-site restoration improvements, including information of those wetland areas to be restored and/or created, in accordance with 828.

N/A

823.6 Alternative Analysis. A statement and analysis of any practicable on-site development configuration alternatives to the proposed development activity causing disturbance which reduce or avoid such disturbances, including reduction in the scale of the proposed development.

N/A

823.7 Army Corps. For activities that involve the fill of wetland areas, evidence of compliance acceptance of the Plan by the U.S. Army Corp of Engineers

N/A

Section 825 Review Standards for Disturbance Permit states:

The reviewing entity shall use the standards in this section for review of Disturbance Permits for site development in wetlands, water areas, and buffer zones. The reviewing entity must find that the application meets at least one of the following standards in order to issue a Disturbance Permit. In all cases where an application for a Disturbance Permit meets one of the standards below, an acceptable Disturbance Plan that meets the standards in 826 and, if required, an acceptable Mitigation Plan that meets the standards in 827 are required as a condition to issuance of a Disturbance Permit. Unless otherwise approved by Town, the requirements set out in the Disturbance Permit shall be completed prior to acceptance of any improvements involving wetland disturbance.

The proposed disturbance within the buffer zone of the wetlands depicted on the SME delineation map meets multiple standards:

825.6 The primary purpose of the proposed disturbance activity is to restore a wildlife habitat, create additional wetlands, improve existing wetland areas, or restore or improve existing water areas and associated riparian areas;

825.7 The proposed disturbance in a buffer zone would enhance the benefits of such buffer zone or involves residential landscaping that would not degrade the benefits of such buffer zone, or the proposed disturbance in a buffer zone is for construction of a storm water treatment area or equipment;

826. DISTURBANCE PLAN PRACTICE STANDARDS.

A Disturbance Permit for site development in a wetland area, water area or associated buffer zone include a Disturbance Plan that meets the following standards for development practices to the extent practicable.

826.1 Disturbed wetland soils shall be retained for on-site revegetation, on-site mitigation, or off-site mitigation, as set forth in the Disturbance Permit;

N/A

826.2 Site development in wetland, water areas, and buffer zones shall be confined to the designated boundaries of the Disturbance Permit;

Standard met

826.3 Appropriate erosion and siltation controls must be utilized. Areas not meant for development shall be protected with silt fence, snow fence, or other such barriers, and all exposed soil and other fill shall be permanently stabilized at the earliest practicable date;

Standard met

826.4 Grading and construction shall be timed to minimize soil exposure to heavy run-off and rainy periods;

Timeframe not provided

826.5 Runoff from impervious surfaces such as walkways, parking areas and driveways shall be detained and infiltrated;

N/A

826.6 The grade of exposed slopes shall be minimized and erosion shall be controlled by utilizing mulching, erosion control blankets, barriers, such as straw bale dikes and silt fencing, and other appropriate means;

Standard met

vegetation, rip-rap, etc);

N/A

826.8 Drainage ways and outlets shall be protected from increased flows;

Unknow

826.9 On-site sediment shall be trapped by using check dams, temporary diversions, detention basins, straw bales, silt fences, or other appropriate means;

Standard met

826.10 Disturbed areas shall be revegetated with native vegetation or other appropriate vegetation acceptable to Town;

Standard meet

826.11 Existing hydrologic flow shall be maintained through the site through the use of culverts, French drains, or other devices;

Standard met

- **826.12** Cut and fill shall be minimized; *Standard met*
- **826.13** Heavy equipment working within a wetland area shall use measures to minimize soil disturbance; *Standard met*
- **826.14** Security in the amount of one hundred twenty five percent (125%) of the written estimated cost of the disturbance plan measures shall be provided;

Standard not met

826.15 Any other appropriate measure as deemed necessary by the reviewing entity shall be followed;

826.16 The project's runoff shall not violate other applicable regulations and laws (e.g., state water quality regulations, Endangered Species Act, National Environmental Policy Act), or significantly degrade wetland or water areas.

N/A

The applicant has provided a memo from Rick Sherman, wildlife habit and natural resource specialists, addressing the creation of the ponds, grading, re-vegetation, and wildlife. The applicant will need to provide cost estimates so the town may hold a security 125% of the cost of the project.

827 Mitigation Plan. A Mitigation Plan for proposed fill of, or impact to, wetland areas shall include the following information

A mitigation plan was not included with this application as the proposed disturbance is within the buffer zone and does involve filling or degrading any of the wetlands.



September 28, 2021 Rico Property Report

Dear Rebecca and Gordon,

This report addresses some of the property conservation issues and recommendations we have talked about on the phone and during my site visit. Many things have been discussed but appear in writing as a reminder of things to do and think about. I have broken down the report in categories for easier reading. Each category is broken down into important bullet statements. Please call or email me if you have any questions or concerns.

WATER RIGHTS

- We want to establish the following uses in "absolute" use for your water rights filing: irrigation, livestock, fire control, domestic and wildlife.
- It is important to implement each use so one absolute filing can be done. Installing features for each use prior to the end of November is important to allow your water attorney to submit the water rights application no later than the last legal working day of 2021 if you wish to have a 2021 filing.
- We discussed filing for 0.25 cfs (112 gpm). This is enough water to irrigate 10 acres of ground. If you plan to irrigate more you should figure that 0.1 cfs will irrigate approximately four acres.
- You'll want to determine on what date you diverted the water and actually put it to beneficial use. On your water application form this is known as the appropriation date.
- A lockable diversion structure and measuring flume needs to be installed prior to filing your application to show absolute use of diversion. A 3" Parshall flume is all you'll need for measuring up to 1.86 cfs. This is a prerequisite of the water commissioner inspecting your property as part of the Colorado Division of Water Resources requirement to review, inspect and comment on absolute water filings. Their comments to the Water Court are paramount and heavily weighed upon.
- The final water rights adjudication by the Colorado Water Court will probably designate a specific amount of water for each of your uses. I.E., normally they won't give you 0.25 cfs for your domestic or livestock, but might designate a lower amount.
- Develop a water line that will deliver to the yurt for domestic purposes.
- Once the pond (s) is built you'll want to measure the surface area and volume so that your water filing can also file for a pond storage right. The surface area will be the average length of the pond x's the average width of the pond divided by 43,560. This will give you the surface acreage. The volume of the pond in acre feet will be the surface area in acres x's the average depth.
- The latitude and longitude coordinates for the water application can be determined using a GPS unit measured at the location of the middle of the pond dam. If more than one pond is constructed a location needs to be determined for each pond. The ponds need to be named for the application as well. There will be a filing for each of the ponds.
- The GPS location of the diversion point from the stream needs to be determined.

VEGETATION

- The goals for the vegetative cover on the property are to establish and maintain an excellent condition of grasses, forbs, shrubs and trees. It is desirable to utilize native plants, although I am recommending a couple species of non-native, and non-intrusive species to provide additional forbs for adding nitrogen to the soil and to provide better forage for livestock and wildlife.
- The current selection of plant materials on the property is diverse and healthy, although there are a few noxious weed species present that should either be eliminated or controlled (i.e. Musk and Canada thistle) to reduce the competition with desirable species. Both Canada and musk thistle are prevalent on the property. I know you like the musk thistle as a butterfly and hummingbird food source. If this specie is maintained it should be managed to keep from spreading as it produces abundant seeds and is a wind and animal carried seed.
- Ladac alfalfa, small burnet and sainfoin are recommended to be inter-seeded throughout the property as preferable nitrogen fixing legumes and nutritious food sources for livestock and wildlife. A light seeding of approximately 2 pounds per acre should be administered. Sainfoin and small burnet require more moisture, and it is recommended they be planted closer to water sources and moist areas.
- It is recommended that the pasture areas be scarified using an English harrow prior to the first snowfall or during early spring to stimulate grass growth and to develop the sod base.
- Fertilization should occur during the fall prior to snowfall using 100 lbs. /acre nitrogen. Livestock should be removed from the pasture prior to fertilization. The Ladac alfalfa can be spread at the same time as the fertilizer. I recommend dragging a harrow around the seeded areas to integrate the seed into the soil.
- Livestock grazing should be carefully monitored and grazing location should be changed regularly, as needed, to keep the pastures healthy and in good growing condition. The current grazing allotments are pretty good, but could be slightly changed as more monitoring and information becomes available. It is suggested that pastures be rotated when grass heights get down to 2-3 inches. Grazing below the crown of the plants will kill the plants with minimal chance of recovering.
- Distribution methods for irrigating as much of the property as possible is desirable and should be done at 2-3 week intervals depending on natural moisture. Much of your property is on south facing exposure so evaporation is a greater problem.

IRRIGATION

- An irrigation systems needs to be established ASAP to show absolute use for the water filing. There are a number of options from pump/sprinklers from the ponds; using polyethylene pipe and perforated pipe for a drip system; using gated pipe or utilizing ditches and gravity feed overflow. Most likely using polyethylene black pipe is the most practical and logical for the short term interim. For the purposes of your water filing you want to show you can irrigate 10 acres to get a 0.25 cfs water right. We can discuss water systems in more detail after you have an opportunity to review costs and benefits for installation and maintenance. Caution: Certain rodents will chew on the poly pipe creating issues.
- Irrigation or any of the uses don't have to be done daily to show diligence for a water filing. Simply put you have to show you have an irrigation system and proof that it is being used,

even if only for one day a year. Water rights can be legally abandoned if not used for 10 years.

Managing an irrigation system can be laborious and time consuming. It is important to
choose a system that maximizes water use while minimizing installation costs and irrigation
efforts. Effective screening is important to keep debris from the stream from blocking the
system no matter which system you select. Also, algae accumulation can be a problem so
protecting the head of the diversion system with some kind of cover to minimize
photosynthesis; keep leaves and windblown vegetation out of the structure and make
irrigation much easier.

WILDLIFE

- Wildlife habitat includes a diversity of cover, food and water. Multiple layers of vertically diversified habitat will increase the diversity and number of wildlife species. Some species need more solitude than others so providing some year round or seasonal secluded areas is important. This is particularly important during the mating, breeding and birthing periods, which are primarily in the spring and early summer months.
- Riparian areas around water or wetland areas are the most critical habitat for a diversity of wildlife. Enhancing and protecting the vegetation in these areas is very important. Selective fencing to keep livestock out of these areas will most likely be necessary.
- Distribution of wildlife water sources on the property is important. This can be done by spring developments, piping water from the main water source and collecting irrigation water in small ponds or depressions that will collect and hold water. Various types of water tanks or water guzzlers are also options. Water guzzlers collect rain and snow melt on a surface material and the water runs into a storage tank. Water from the tank is piped to a small water tank which is plumbed with a toilet type of valve that opens and closes as the tank water is depleted.
- Seasonal wildlife use, primarily in the early spring and fall, are important transitional ranges for some of the larger species such as deer and elk. Consideration should be given to removing livestock in early October to encourage more use by deer and elk.
- Developing wildlife friendly food species for wildlife is important. Species such as chokecherry, Gambel oak, golden current, elderberry, blue gramma, Kentucky bluegrass, Notting brome, orchard grass, mountain fescue, alfalfa, sainfoin, small burnet, wild rye, wild oats, dandelion, serviceberry and penstemons are favorable species for a multitude of wildlife.
- Dead conifer and aspen trees that are not prone to falling should be left as habitat for cavity nesting birds and as roosting trees for raptors and other species.
- Areas with ground litter such as dead shrubs and trees should be left intact for small rodents such as chipmunks, squirrels, rabbits, songbirds and other species that utilize thick pockets of ground cover. Pockets of rock and logs provide the same type of habitat and should be left in place or enhanced when possible. Wildlife, like humans, like high observation posts to view the area in which they live.

PONDS

• Construction of one or two ponds was discussed during the site meeting. It is recommended that these be built at the top of the wetlands so that overflow from the ponds will flow into the wetlands. Due to the steepness of the terrain, it is recommended that the ponds be developed long and narrow to replicate beaver ponds. Initially the vegetation

from the pond site needs to be removed. Excavated holes on the upland sides of the wetlands can be used to bury the vegetation and debris. Some of the soil materials from these holes might be used for constructing the dams. Enough material should be saved to cover the vegetation placed in the holes. Once the site is cleared, a 3-4' deep x bucket width wide core trench needs to be excavated in the middle of the entire dam site. This trench should extend 6-10' on each side of the dam. The materials from the trench, if good clay, can be used in the construction of the dam. Materials from the inside of the pond can then be used to start building the dam if the materials are suitable. It the materials are rocky and porous a more suitable material will need to be found for constructing the dams. If there is some clay material the construction of the dams can start by filling the core trench. Good compaction is necessary running the excavator back and forth on the new soil several times until a tight compaction is complete. The dam can then be started by placing materials in 6" lifts and compacting before placing the next lift. This will continue until the top of dam has a minimum freeboard of 12" above the established high water line. Ultimately the inside face of the dam needs to be protected by rock or sedge grasses to protect the dam from erosion and animal trampling. The minimal freeboard in the dam is simply to give the ponds a natural look and make them easier to vegetate and keep wet through moisture osmosis from the pond. The inside of the dam should be no less than 2:1 slope. The downslope will depend on the gradient between the two ponds and how far apart they will be. A relatively gradual slope (3:1) should be constructed around the rest of the pond for safety reasons.

- The dams will be 3-5' high by 4-6' wide at the top. A 10' wide by 6" deep emergency spillway should be placed at the end of each dam and directed toward the wetland. The depth of the pond behind the dams should be 4-6' + deep, if possible. Two to three small outlets should be built to flow into the next pond for circulation purposes and to supplement the wetland. The outlets should be lined with either a geotextile, polyethylene or rubber liner and should be anchored in a keyway ditch, then lined with rock to prevent erosion of the dam. The dams should be reseeded after construction with grasses and forbs to reduce erosion. Kentucky bluegrass, blue gramma, orchard grass and Ladac alfalfa are recommended for the dams at a rate of 30 lbs. /acre. The size of the disturbance can be measured and divided by 43,560 to determine the acreage affected and how much seed is needed.
- It is recommended that the dams not be straight but mimic a natural beaver pond. The gradient of the topography will determine much of the shape.
- It is recommended that a buried 4" water line from the water source to the top of the highest
 pond be installed with a valve at the source to regulate the flow into the pond. When other
 uses such as domestic, livestock or irrigation are not in place then it is recommended that
 the entire flow be diverted into the ponds to keep them full and fresh. The ponds will
 provide livestock water; a source for fire protection; a source for irrigation as well as for
 wildlife habitat and watering. The pond itself will provide diligence of use for several of your
 water rights. Water leaving the wetlands should be directed back to the natural drainage or
 used for irrigation below the wetlands prior to going back to a natural drainage, preferably
 to the original stream.
- The outlet of the pond should also be developed so that water leaving the pond can be used for irrigation. Something as simple as a polyethylene black pipe with a valve at the initial point can be used to irrigate adjacent and downstream areas using gravity.
- As mentioned in the water rights section, the ponds need to be measured for surface acreage and volume prior to filling. This information is necessary for the water rights filing.

CONCLUSIONS

- Most land management to enhance natural resource values simply requires common sense. • Become familiar with native plants, their needs and where they live. Find out what their biological, physical and chemical requirements are and try to mimic or enhance those needs. Water is extremely important and water distribution is your greatest tool to develop the greatest diversity and abundance of vegetation and wildlife habitat. Due to the relatively steep gradient of the property, care should be taken to prevent erosion during irrigation or natural storm events. Taking care of the sod and vegetation will biologically protect most of the soils during erosion events. Extreme care must be taken to prevent over grazing leading to erosive conditions. Wildlife diversity is dependent on habitat diversity which includes vegetation diversity and diverse protective habitat. Micro-ecosystems play an important part in land management. Important wildlife habitats need to be protected from grazing and livestock use and sometimes human encroachment. Once the final location for the access road, house and utility buildings and ancillary facilities are decided upon, a property management map can be prepared allocating different parts of the property for the various uses.
- The current priority is to develop an established diversion structure and measuring device and get the water features in place for the water application during fall 2021. This includes water lines, irrigation systems and the pond (s).

Habitat & Natural Resource Society RICK SHERMAN 13730 60.00 Rd. Montrose, CO 81403 Phone (970) 249-6154 (O), 970-901-9634 (C) E-mail: rtsherman@msn.com

Rico River Trail Ranch and Property 2-3-21

Rebecca Adams Rico, Colorado

Dear Rebecca:

This is a follow-up to the discussions we had last fall during my site visit regarding enhancing your Rico property for wildlife and natural resource values and protecting the lower parcels you wish to sell. The basic points I recommended for your property management enhancement included:

- Your initial call was to find a natural resource consultant to assist you with developing the property for natural resources, while increasing the forage for a small number of livestock, without impacting the natural values of the property.
- Improving the existing diversion from the stream to meet state Division of Water Resources and Water Court water rights needs and requirements.
- Distributing the water to enhance natural resources while meeting the needs for water rights: including irrigation, wetland enhancement, and ponding for fire protection, livestock watering, domestic use and aquatic/wildlife use.
- We discussed the need for enhancing old, decadent willow stands. I recommended that the decadent willows be cut to enhance willow sprouting and expansion of the existing wetlands.
- I suggested diverting water into the existing wetlands to extend the size of the wetlands. Development of a couple small ponds for wildlife and horse use was recommended. These ponds would also be used to collect natural and diverted flows for wildlife and to settle out sediments from natural run-off and irrigation. The additional flows would be used to increase hydric soils downstream of the ponds for enlarging wetlands as well as enhancing vegetation on the property. Diverted waters would eventually returned to the natural drainage and stream and be distributed to enhance the riparian area along the stream. All of this would occur on your property.
- We also discussed the area you wish to sell as development lots and how to exclude impacts on the wetlands.
- I also explained the Section 404 (B-1) guidelines of the Clean Water Act which allow you to remove materials from wetlands as long as any dredge materials are placed in uplands and not in any wetland or jurisdictional waterway. The U.S. Army Corps of Engineers regulates Section 404. The recommendations we discussed preclude

any need for a 404 permit. Should you need to install culverts or utilities for development that would require fill in wetlands, then you would need a nationwide 404 permit.

Please feel free to have the town manager call me if he has any questions on the recommendations I provided and your interests in enhancing your property for natural resource values. Thank you.

Best regards,

Rick Sherman

Rick Sherman Wildlife Biologist/Ecologist Wildlife Habitat & Natural Resource Specialists Montrose, CO



То:	The Town of Rico
From:	SME Environmental, Inc.
Date:	November 2022
Re:	Adams/Mortenson Pond Improvements- Aquatic Resources and Constructed Pond Assessment

SME Environmental, Inc. (SME) was contracted by Rebecca Adams to perform a wetland assessment and an assessment of constructed ponds for the Adams/Mortenson Pond Improvements project located in Rico, CO. The purpose of this memorandum is to outline the environmental work that SME performed within the referenced site, and to demonstrate that the constructed ponds are located outside of wetland areas. All Figures are located in <u>Attachment 1</u>.

The Adams/Mortenson Pond Improvements project is located in Dolores County, Colorado in the Town of Rico, just west of the Dolores River along Street 2. A road map is provided as <u>Figure 1</u>. The general location and approximate boundary of the referenced project site is depicted on the Rico, Colo. 7.5' USGS quadrangle map (<u>Figure 2</u>). The project area elevation is approximately 8,800 to 8,900 feet (ft) above mean sea level (amsl) and lies within parts of Section 35 of Township 40 North, Range 11 West of the New Mexico Principal Meridian (NMPM). The approximate centroid location of the referenced project in decimal degrees is latitude 37.68947° and longitude - 108.03729° (NAD 1983).

SME staff originally visited the site on May 5, 2021 to assess and delineate the boundaries of wetlands and other Waters of the U.S. (WOUS) in the project area. Due to May 2021 site conditions (prior to the main portion of the growing season) and climatic conditions (Dolores County was in extreme drought - U.S. Drought Monitor), SME was not able to accurately assess hydrology within the project area. Therefore, it was determined that an additional site visit should be conducted to reassess WOUS boundaries. SME revisited the site on June 27, 2022 during the growing season after the area had received some precipitation and site conditions were closer to "normal". Both site visits were conducted using the methodology defined in the Routine Determination procedure set forth in the U.S. Army Corps of Engineers Wetlands Delineation Manual (USACE 1987), the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region (Version 2.0), A Guide to Ordinary High Water Mark (OHWM) Delineation for Non-Perennial Streams in the Western Mountains, Valleys, and Coast Region of the United States (USACE 2014), and Regulatory Guidance Letter No. 05-05 Guidance on Ordinary High Water Mark Identification (USACE 2005), when applicable. The boundaries of wetlands and other WOUS identified in May 2021 and June 2022 were surveylocated by SME using a Trimble R1 GNSS receiver (real-time sub-meter accuracy) and are depicted on Figure 3 and Figure 4.

59

In addition to revisiting the boundaries of wetlands in June 2022, SME also survey-located the locations of the constructed ponds using a Trimble R1 GNSS receiver (real-time sub-meter accuracy). The ponds were constructed to further benefit the existing wetlands and wildlife in the area and create better drainage for the intermittent stream to the south. Additionally, they provide agricultural water storage for irrigation, as well as ponding for fire protection. Both ponds will be filled with water from Iron Draw (water rights are in the process of being obtained) and the ponds will outfall into the adjacent wetlands with the goal of expanding the size of the existing wetlands and enhancing vegetation on the property. Additionally, based on SME's site visit, and as depicted on Figure 4, the ponds were not constructed in a wetland or other Waters of the U.S. (WOUS). While they were constructed adjacent to wetland areas, no impacts to wetlands or WOUS occurred as a result of the action. The U.S. Army Corps of Engineers (USACE) regulates work in "navigable waters of the United States or the discharge (dump, place, deposit) of dredged or fill material in waters of the United States, including wetlands." (USACE, 2022). As there was no discharge of dredged or fill material in waters of the United States of the United States as a result of this action, no USACE permit is required. A site plan is provided as <u>Attachment 2</u>.

Per an article published by the Ecological Society of America (ESA), "Ponds are among the most biodiverse and ecologically important freshwater habitats globally... Cumulatively, ponds often support a greater biodiversity than other freshwater habitats (e.g., lakes and rivers), sustain many rare and endangered aquatic taxa, and act as important "refuges" in heavily modified landscapes (Davies et al. 2008). Alongside aquatic species, many terrestrial species, including insect pollinators, birds, bats, and other mammals rely on ponds for water, food, and habitat (Nummi et al. 2011, LewisPhillips et al. 2020)." (ESA, 2021) In addition to the environmental advantages of ponds on their own, water from the ponds will also be directed into the adjacent wetlands, thereby increasing the hydrological input, with the goal of expanding the wetlands.

In summary, two ponds were constructed in the project area, adjacent to delineated wetlands. These ponds were constructed to further benefit the wetlands and wildlife in the area and will also serve as agricultural water storage and fire protection. Based on SME's site visits and the aquatic resources assessment, the construction of the ponds did not impact wetlands or other WOUS. As the USACE only regulates work in "navigable waters of the United States or the discharge (dump, place, deposit) of dredged or fill material in waters of the United States, including wetlands", no USACE Section 404 permit is required for this action. Additionally, ponds provide many ecological benefits, and they will contribute additional hydrological inputs to the adjacent wetlands, with the goal of wetland expansion. Therefore, based on SME's assessment, no USACE Section 404 permit is required, and the ponds will not be detrimental to the existing wetlands, rather they will enhance the wetlands and habitat type for wildlife.

Please contact us at (970) 259-9595 if you have any questions or require additional information.

Sincerely,

SME ENVIRONMENTAL, INC.

Samantha Bohn, WPIT Environmental Scientist

References

- Ecological Society of America (ESA). Hill, M.J. et al. 2021. Pond ecology and conservation: research priorities and knowledge gaps. Ecosphere 12(12). Accessed at: <u>https://doi.org/10.1002/ecs2.3853</u>
- U.S. Army Corps of Engineers (USACE). USACE Headquarters Website. Regulatory Program Frequently Asked Questions. 2022. Accessed at: <u>https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-</u> <u>Permits/Frequently-Asked-Questions/</u>

ATTACHMENT 1 Figures



SME	Drawn by:	Rvwd. by:	Project No.:	ROAD VICINITY MAP	Ъ		
	KB	SB	210027				
	Date:	Rsvd. Date:	Scale:	AQUATIC RESOURCES AND CONSTRUCTED POND ASSESSMENT	FICIDE		
	11/18/2022	NA	1:12,000		FIGURE		
ENVIRONMENTAL CONSULTANTS	N A	0 500	1,000	ADAMS/MORTENSON POND	1		
679 East 2nd Ave. Unit E2, Durango, Colorado 81301 www.sme-env.com (970) 259-9595		Feet		IMPROVEMENT DOLORES COUNTY, CO	L		
cument Path: \\SERVER2\Shared\Project>210027 Rico Subdivision\GIS\Rico Subdivision AvePro\Rico Subdivision AvePro\Rico Subdivision ArePro.aprx "Figure 1 Road Vicinity MapSWA"; Coordinate System: NAD 1983 StatePlane Colorado South FIPS 0503 Feet							



SME	Drawn by:	Rvwd. by:	Project No.:	TOPOGRAPHIC LOCATION MAP	
	KB	SB	210027		
	Date:	Rsvd. Date:	Scale:	AQUATIC RESOURCES AND CONSTRUCTED POND ASSESSMENT	FICIDE
	11/21/2022	NA	1:24,000		FIGURE
ENVIRONMENTAL CONSULTANTS	N A	0 1,0	00 2,000	ADAMS/MORTENSON POND	2
679 East 2nd Ave. Unit E2, Durango, Colorado 81301 www.sme-env.com (970) 259-9595		Fe	et	IMPROVEMENT DOLORES COUNTY, CO	

Document Path: \SERVER2\Shared\Projects\210027 Rico Subdivision\GIS\Rico Subdivision ArcPro\Rico Subdivision ArcPro.aprx "Figure 2 Topographic Location MapSWA"; Coordinate System: NAD 1983 StatePlane Colonado South FIPS 0503 Fee

Щ

GENERAL NOT

1. Project area boundary created by SME, based on plat sheets and plan data provided by Mountain Civil, a site walk through with the project manager, and property boundary data collected by SME in the field.

determined that an additional site visit should be conducted to recheck/reassess WOUS boundaries. SME revisited

the site on June 27, 2022 during the growing season after the area had received some precipitation and site

conditions were closer to "normal". This map reflects the boundaries as assessed during the June 2022 site visit.

Ordinary High Water Mark (OHWM) Delineation for Non-Perennial Streams in the Western Mountains, Valleys and Coast Region of the United States (USACE 2014.

3. Wetland boundaries were defined based on presence of hydrophytic vegetation, hydric soils, and hydrologic 2. SME Environmental, Inc. (SME) staff originally visited the site on May 5, 2021 to assess and delineate the boundaries of wetlands and other Waters of the U.S. (WOUS) in the project area. Due to May 2021 site conditions indicators that under normal conditions would indicate wetland conditions. Where wetland conditions did not (prior to the main portion of growing season) and climatic conditions (Dolores County was in extreme droughtoccur adjacent to surface water, the jurisdictional boundary was identified based on evidence of the OHWM. U.S. Drought Monitor), SME was not able to accurately assess hydrology within the project area. Therefore, it was 4. The boundaries of WOUS were survey-located using a Trimble R1 GNSS Receiver (real-time sub-meter accuracy).

5. Areas which likely satisfy the USACE criteria as WOUS are labeled. Note that WOUS continue beyond the project area boundary.

6. All WOUS boundaries, depicted hereon, are subject to modification until jurisdictional verification has been Both site visits were conducted using the methodology defined in the Routine Determination procedure set forth in completed the USACE.

the U.S. Army Corps of Engineers Wetlands Delineation Manual (USACE 1987), the Regional Supplement to the 7. Please be aware that impacts to WOUS may require authorization from Local, State and/or Federal regulatory Corps of Engineers Wetland Delineation Manual: Western Mountains Region (USACE 2010), and A Guide to agencies.



Щ **GENERAL NOT**

1. Project area boundary created by SME, based on plat sheets and plan data provided by Mountain Civil, a site walk through with the project manager, and property boundary data collected by SME in the field. 2. SME Environmental, Inc. (SME) staff originally visited the site on May 5, 2021 to assess and delineate the boundaries of wetlands and other Waters of the U.S. (WOUS) in the project area. Due to May 2021 site conditions (prior to the main portion of growing season) and climatic conditions (Dolores County was in extreme drought- U.S. Drought Monitor), SME was not able to accurately assess hydrology within the project area. Therefore, it was determined that an additional site visit should be conducted to recheck/reassess WOUS boundaries. SME revisited the site on June 27, 2022 during the growing season after the area had received some precipitation and site conditions were closer to "normal". This map reflects the boundaries as assessed during the June 2022 site visit. Both site visits were conducted using the methodology defined in the Routine Determination procedure set forth in the U.S. Army Corps of Engineers Wetlands Delineation Manual (USACE 1987), the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains Region (USACE 2010), and A Guide to Ordinary High Water Mark (OHWM) Delineation for Non-Perennial Streams in the Western Mountains, Valleys, and Coast Region of the United States (USACE 2014.

3. Wetland boundaries were defined based on presence of hydrophytic vegetation, hydric soils, and hydrologic indicators that under normal conditions would indicate wetland conditions. Where wetland conditions did not occur adjacent to surface water, the jurisdictional boundary was identified based on evidence of the OHWM.

4. The boundaries of WOUS were survey-located using a Trimble R1 GNSS Receiver (real-time sub-meter accuracy). 5. The constructed ponds were survey-located by SME in June 2022 using a Trimble R1 GNSS receiver (real-time sub-meter accuracy).

6. Areas which likely satisfy the USACE criteria as WOUS are labeled. Note that WOUS continue beyond the project area boundary.

7. All WOUS boundaries, depicted hereon, are subject to modification until jurisdictional verification has been completed the USACE.

8. Please be aware that impacts to WOUS may require authorization from Local, State and/or Federal regulatory agencies.





ATTACHMENT 2 Site Plan- Provided by Mountain Civil Consulting



 EXISTING CONDITION SURVEY INFORMATION PROVIDED BY ALL POINTS LAND SURVEY LLC. SEE ILC FOR SAM PATCH MS 8031, HOME MS 8031, HILLSIDE AND HILLSIDE 2 MS 7994, AND YANKY BOY MS 6969, TOWN OF RICO, DOLORES COUNTY, CO FOR LOT DIMENSIONS AND ADDITIONAL INFORMATION.

 WETLANDS AND POND LOCATION ARE SHOWN PER AQUATIC RESOURCES DELINEATION MAPS BY SME DATED 7/3/22 AND 9/4/22.





 EXISTING CONDITION SURVEY INFORMATION PROVIDED BY ALL POINTS LAND SURVEY LLC. SEE ILC FOR SAM PATCH MS 8031, HOME MS 8031, HILLSIDE AND HILLSIDE 2 MS 7994, AND YANKY BOY MS 6969, TOWN OF RICO, DOLORES COUNTY, CO FOR LOT DIMENSIONS AND ADDITIONAL INFORMATION.

 WETLANDS AND POND LOCATION ARE SHOWN PER AQUATIC RESOURCES DELINEATION MAPS BY SME DATED 7/3/22 AND 9/4/22.



Щ **GENERAL NOT**

. Survey area boundary created by SME, based on plat sheets and plan data provided by Mountain Civil, a site walk through with the project manager, and property boundary data collected by SME in the field. 2. SME Environmental, Inc. (SME) staff originally visited the site on May 5, 2021 to assess and delineate the boundaries that under normal conditions would indicate wetland conditions. Where wetland conditions did not occur adjacent to of wetlands and other Waters of the U.S. (WOUS) in the project area. Due to May 2021 site conditions (prior to the

Monitor), SME was not able to accurately assess hydrology within the project area. Therefore, it was determined that an

Perennial Streams in the Western Mountains, Valleys, and Coast Region of the United States (USACE 2014.

surface water, the jurisdictional boundary was identified based on evidence of the OHWM.

main portion of growing season) and climatic conditions (Dolores County was in extreme drought- U.S. Drought 4. The boundaries of WOUS and the Constructed Ponds were survey-located using a Trimble R1 GNSS Receiver (realtime sub-meter accuracy).

additional site visit should be conducted to recheck/reassess WOUS boundaries. SME revisited the site on June 27, 2022 5. Areas which likely satisfy the USACE criteria as WOUS are labeled. Note that WOUS continue beyond the survey during the growing season after the area had received some precipitation and site conditions were closer to "normal". area boundary.

This map reflects the boundaries as assessed during the June 2022 site visit. Both site visits were conducted using the 6. All WOUS boundaries, depicted hereon, are subject to modification until jurisdictional verification has been nethodology defined in the Routine Determination procedure set forth in the U.S. Army Corps of Engineers Wetlands completed the USACE.

Delineation Manual (USACE 1987), the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: 7. Please be aware that impacts to WOUS may require authorization from Local, State and/or Federal regulatory Western Mountains Region (USACE 2010), and A Guide to Ordinary High Water Mark (OHWM) Delineation for Non-









TOWN OF RICO INCORPORATED OCTOBER 11, 1879 2 North Commercial Street Post Office Box 9 Rico, Colorado 81332 Office # 970.967.2861 Fax # 970.967.2862 www.ricocolorado.gov

To: Rico Board of Trustees

12.15.2022

From: Chauncey McCarthy, Town Manager RE: Application for Amendments to the Rico Land Use Code (RLUC), Ordinance No. 2022-12, an ordinance of the Town of Rico, Colorado amending the Rico Land Use Code fee schedule and adopting the UBC 97 table no. 1-a – building permit fees

Board of Trustees:

Included in this packet is draft Ordinance No. 2022-12 which would amend the Land Use Code fee schedule and adopt the UBC 97 table no. 1-a – building permit fees. Currently there is a building permit fee listed in appendix A of the Rico Land Use Code; it only addresses new construction and does not contemplate additional fees for plan review or other expenses. It is also not the fee schedule the town currently uses. Ordinance 2016-01 adopted the 2006 IBC, IRC and other international codes related to safety. Upon adoption of this ordinance the town created two fee schedules based upon the 2006 residential and commercial building code. These fee schedules became effective May 18, 2016.

The proposed ordinance would shift the town's fee schedule to a valuation driven one. It would also allow for the building official to determine valuation based upon the most recent ICC building valuation data. By using the current ICC building valuation data, the town should not need to go back and amend the building permit fees as the economy changes. It also moves the building permit fees back into the Land Use Code. Having all permit fees captured within the RLUC simplifies the building process for a developer.

Discussion of RLUC Amendment Requirements and Standards

Section 414: Application for Amendment Requirements

- 414.1: Applicant is the Town of Rico Staff (and the Rico Planning Commission if these changes are recommended to the Town Board)
- 414.2: The requested changes are summarized in this cover letter and shown in Exhibit A to Ordinance 2022-12. These changes are general and do not pertain to a specific property.

- 414.3: Not applicable.
- 414.4: Not applicable.
- 414.5: Not applicable.
- 414.6: Not applicable.
- 414.7: Not applicable.
- 414.8: This letter provides the applicable application information.
- 414.9: See above for an explanation of the rationale for the amendment request and see below for additional explanation.
- 414.10: Not applicable.

Section 418: Standards for Review of Amendment Applications

The Planning Commission shall find that either standard 418.1 is met or that standards 418.2 through 418.4 are met prior to recommending approval of the amendment.

418.1. The existing Zone District classification or desired Master Plan land use was adopted in error; or,

• *Not applicable.*

418.2. the proposed Amendment is compatible with the land uses in the surrounding area; and,

• Not applicable

418.3. the proposed Amendment will serve a community need and thereby promote the public health, safety, or welfare of the Rico community and the public services and infrastructure are adequate to meet the needs of the proposed Amendment; and,

• The proposed amendments serve the needs of the Town. The amendments will update the fee schedule so that the Town building permit fees are structure in a manner that they will stay current through the future and generate enough revenue to offset building department costs.

418.4. the proposed Amendment is consistent with the purposes of the RLUC and the goals and objectives of the Rico Regional Master Plan.

• The proposed amendments support the purposes of the RLUC, including to "establish a clear, consistent, predictable and efficient land development process."
TOWN OF RICO ORDINANCE NO. 2022-12

AN ORDINANCE OF THE TOWN OF RICO, COLORADO AMENDING THE RICO LAND USE CODE FEE SCHEDULE AND ADOPTING THE UBC 97 TABLE NO. 1-A – BUILDING PERMIT FEES

WHEREAS, the Town of Rico, Colorado ("Town") is a Colorado home rule municipality organized pursuant to Article XX of the Colorado Constitution and with the authority of the Rico Home Rule Charter; and

WHEREAS, The Board of Trustees of the Town ("Board") recognizes the need to amend the Rico Land Use Code ("RLUC") so that the Town recover the related costs and expenses of administer a building department and contracting plan review; and

WHEREAS, Section 3.1 of the Town of Rico Home Rule Charter provides that enactments of the Board imposing fees shall be made by ordinance; and

WHEREAS, The Rico Planning Commission may propose changes and amendments to the RLUC which are in the public interest pursuant to RLUC Sec. 412; and

WHEREAS, The RLUC may be amended by adoption of an ordinance by the Board of Trustees of the Town of Rico ("Board") after a public hearing and after the Rico Planning Commission conducts a public hearing on the amendments and makes a recommendation to the Board of Trustees; and

WHEREAS, the Rico Planning Commission has considered the amendments to the RLUC contained in this Ordinance, conducted a duly noticed public hearing regarding the amendments at its December 14 meeting, and recommended the Board adopt the amendments; and

WHEREAS, the Board has determined that the amendments contained in Exhibit A, attached hereto and incorporated by reference, meet the standards for review contained in Sec. 418 of the RLUC because the amendments will serve a community need and thereby promote the public health, safety, or welfare of the Rico community and the public services and infrastructure are adequate to meet the needs of the proposed amendments; and the proposed Amendment is consistent with the purposes of the RLUC and the goals and objectives of the Rico Regional Master Plan; and

WHEREAS, the Board finds and declares that the amendments to the RLUC set forth herein are proper in light of the needs and desires of the Town and in the promotion of the public health, safety, and welfare of the Town's residents.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF RICO THAT:

Section 1. The recitals hereinabove are hereby adopted as findings and incorporated herein.

Section 2. The Rico Land Use Code shall be and is hereby amended as set forth in Exhibit A to this Ordinance, incorporated by reference hereto.

Section 3. This Ordinance shall take effect immediately on final adoption.

THIS ORDINANCE WAS, FOLLOWING PUBLIC NOTICE, INTRODUCED, READ, AND APPROVED ON FIRST READING, AND ORDERED PUBLISHED BY TITLE ONLY THIS 21ST DAY OF DECEMBER 2022.

TOWN OF RICO, COLORADO

Nicole Pieterse, Mayor

ATTEST:

Anna Wolf, Town Clerk

THIS ORDINANCE WAS, FOLLOWING PUBLIC NOTICE, INTRODUCED, READ ON SECOND READING, PASSED AND ORDERED PUBLISHED BY TITLE ONLY TO BE EFFECTIVE IMMEDIATELY THIS 18 DAY OF JANUARY 2023.

TOWN OF RICO, COLORADO

ATTEST:

Nicole Pieterse, Mayor

Anna Wolf, Town Clerk

Effective Date: January 18, 2023

EXHIBIT A

AMENDMENTS TO THE RICO LAND USE CODE

Additions shown in <u>double underline</u>; deletions shown in strikethrough.

Rico Land Use Code

APPENDIX A – FEE SCHEDULE

FEE SCHEDULE

Building Permits (new construction) = \$25.00 minimum; 15 cents per square foot of construction for structures up to and including 2,500 sq.ft.; 20 cents per square foot of construction for structures over 2,500 square feet.

Electronic Copy of Rico Land Use Code	\$ 25.00
Hard Copy of Rico Land Use Code	\$ 100.00
Formal Interpretation of Rico Land Use Code - §408	\$ 200.00
Amendments to Code and Plans * - §410	\$ 500.00
Special Use Permit * - §420	\$ 300.00
All Variance Applications - §430	\$ 300.00
Development Permit for Areas of State and Local Interest * - § 804	\$ 400.00
Road Building * - §470	\$ 350.00
Road Vacation * - §480	\$ 350.00
Utility Improvements - §490	\$ 100.00
Excavation Permits - §494	\$ 100.00
Minor Subdivision * - Article V	\$ 750.00
Subdivision * - Article V	\$ 1,800.00
Planned Unit Development * - Article III	\$ 1,000.00
Annexation * - Article VI	\$ 2,000.00
Encroachment Permit * - Ord. No. 2019-02	\$ 200.00
HC District Fence Permit - §243.2	\$ 100.00
Special Sign Design Permit - §206.12	\$ 100.00
Septic Permit * - §405.6 & Ord. No. 2017-01	\$ 400.00
Extension of Subdivision Approval - §570	\$ 200.00

Hourly rate charged for any other approved contractual town employee review shall be determined by the Board of Trustees.

* These applications shall be treated as pass-through accounts whereby the Applicant shall be liable for all costs of review. Additional review fees will be paid by the Applicant where the application requires review by an approved contractual town employee.

TOTAL	FEE				
VALUATION					
\$1.00 to \$500.00	<u>\$23.00</u>				
<u>\$501.00 to \$2,000.00</u>	<u>\$23.50 for the first \$500.00 plus \$3.05 for each additional</u> <u>\$100.00, or fraction thereof, to and including \$2,000.00</u>				
<u>\$2,001.00 to \$25,000.00</u>	$\frac{69.25 \text{ for the first } \$2,000.00 \text{ plus } \$14.00 \text{ for each additional}}{\$1,000.00, \text{ or fraction thereof, to and including } \$25,000.00}$				
<u>\$25,001.00 to \$50,000.00</u>	$\frac{\$391.25 \text{ for the first }\$25,000.00 \text{ plus }\$10.10 \text{ for each additional}}{\$1,000.00, \text{ or fraction thereof, to and including }\$50,000.00}$				
<u>\$50,001.00 to \$100,000.00</u>	<u>\$643.75 for the first \$50,000.00 plus \$7.00 for each additional</u> <u>\$1,000.00, or fraction thereof, to and including \$100,000.00</u>				
<u>\$100,001.00 to</u> <u>\$500,000.00</u>	<u>\$993.75 for the first \$100,000.00 plus \$5.60 for each additional</u> <u>\$1,000.00, or fraction thereof, to and including \$500,000.00</u>				
<u>\$500,001.00 to</u> <u>\$1,000,000.00</u>	<u>\$3,233.75 for the first \$500,000.00 plus \$4.75 for each</u> additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00				
<u>\$1,000,001.00 and up</u> <u>\$5,608.75 for the first \$1,000,000.00 plus \$3.15 for each</u> <u>additional \$1,000.00, or fraction thereof</u>					
Other Inspections and Fees					
1. Plan review fee shall be 65% of the permit fee.					
2. Inspections outside of normal business hours \$50.00 per hour ^					
3. <u>Reinspection fees assessed under provisions of</u>					
<u>Section 305.8</u> \$50.00 per hour ^					
4. Inspections for which no fee is specifically indicated\$50.00 per hour ^					
(minimum charge – one-half hour)					
5. Additional plan review required by changes, additions					
or revisions to plans					
6. For use of outside consultants for plan checking and					
inspections, or bothActual costs ^^					

Building Permit Fees (Schedule Pursuant to 1997 UBC Table No. 1-A)

<u>^Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include</u> supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

^^ Actual costs include administrative and overhead costs.

Valuation of work

The determination of value or valuation shall be established by the Building Official utilizing the most recent valuation schedule printed in the Building Safety Journal, published by the International Code Council, as a guide using a modifier of one (1). Or, the applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the Building Official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the Building Official. Final building permit valuation shall be set by the Building Official.



Martha Whitmore <marti@Ourayla To townmanager Cc Steve Harris

i Follow up.

Chauncey,



Thu 9:44 AM

We have really run into a road block from the Division Engineer on the water application. He is going to insist on an augmentation plan, and we really have no source of water to cover the senior rights he is concerned about. We are also worried that if he spends to much time scrutinizing the existing decree for the North well field, he may decide that an augmentation plan is necessary to continue pumping from it as well. Steve and I have discussed this and concluded the safest thing to do it to withdraw the current application for an alternate point of diversion. The Town will still be able to use the Silver Creek water rights, but only at the existing point of diversion, as a surface diversion. I had thought with CWCB signing off on the application, and with no other opposition (Dolores District is in the case to observe and help, not object) the division engineer would as well. But, that's not how it is playing out. I need your approval or the Town board's approval to withdraw the application. Let me know what you want to do.

Best regards, Marti Whitmore



ATTORNEYS & COUNSELORS at LAW

HARRIS WATER ENGINEERING, INC. 954 EAST SECOND AVENUE, #202 DURANGO, COLORADO 81301 970-259-5322 steve@durangowater.com

June 30, 2016

Memorandum

To:Mike England, Town Manager
Marti Whitmore, Town AttorneyFrom:Steven C Harris, PESubject:Update of 2009 PER Water Supply and the Safe Number of Homes

I have been involved since 1995 with the Town of Rico in assessing the water supply and the safe number of homes that can be served from the available water supply. During the last 20 years there have been several evaluations and updates to reflect new information. This memo is an update of information available since the November, 2009 - Preliminary Engineering Report "Alluvium Pipeline Water Supply Project" (2009 PER).

Background Information

The following are key findings of the previous water supply evaluations.

- Previous to the 2002 and 2003 drought, the Silver Creek supply was believed to be adequate to supply the Town through buildout if not further. However, the drought showed that Silver Creek was not a reliable source of water and at best could serve the number of homes served by the water system in 2002 (about 250 connections).
- The increasing regulatory requirements for treatment of surface water has severely restricted the ability to treat Silver Creek water. The existing membrane GE units were installed over 10 years ago but can no longer consistently meet the water treatment criteria. A complete new water treatment plant would be required to continue to use Silver Creek water but funding is not currently available to construct a new facility.
- The alluvium well which began use in 2013 is permitted and decreed to provide up to 80 gpm. Testing prior to development of the well and use during operation, indicate that the well can provide 80 gpm on a consistent basis. Increasing this water supply beyond the current decreed amount would be very challenging for a number of reasons, including decreed instream flow rights that would be senior to any enlargement of this right.
- The alluvium well was determined to be a ground water source and therefore only needs disinfection, no filtration.

- Due to the 2002 drought and the current inability to treat the Silver Creek water, the alluvium well at 80 gpm is the only the reliable source of water currently available to the Town of Rico.
- The 2009 PER Section V.I.C. "Proposed Water Supply from Alluvium Well" page 10 estimated the safe number of homes that can be served at 410.

<u>Current Evaluation</u>

The 80 gpm well can provide a maximum of 110,000 gallons per day. The average daily use in June and July from 2007 to 2015 is approximately 70,000 gallons per day. There are currently approximately 270 single family homes or equivalent connected to the Rico water system. There are a few commercial connections but the water use is similar to a single family home. There are no large commercial uses such as an apartment buildings but there is the Rico Hotel that has about 25 rooms and a bed and breakfast with around 10 rooms.

There are approximately 1,300 platted historic lots in Rico. The Town required that two of the 25' by 100' historic lots are required to build a home in order to meet the septic requirements; therefore, there is approximately 650 buildable lots. Included in the 1,300 is the Atlantic Cable Subdivision with 45 ± 100 that are a little bigger (average 0.3 to 0.5 acres) and the Silver Glance #2 Subdivision with 13 lots around 0.5 ± 100 acres; however, these lots have plat restrictions that they cannot be re-subdivided, also cannot have an accessory dwelling. There are also ten or so larger parcels like the nine acres in the River Corridor plus others in the same area of smaller size of 1-4 acres that may be developed in the future; however, there may be flood plain issues with some of these lots. In summary, there are a maximum of approximately 650 buildable lots of which 270 are already developed, leaving a maximum of 380 homes that could be built. New homes are being constructed at a rate of 1 to 5 per year.

Proportioning the maximum available 110,000 gallons per day and the current usage of 70,000 gallons per day for approximately 270 single family homes, results in a maximum number of homes that can be served at approximately 400. Rico has a maximum of approximately 650 buildable lots; however, there is only a current water supply for approximately 400. Based on existing conditions, Rico will have difficulty providing water to all of the buildable lots assuming single family homes on each lot. Larger developments on any of these lots would exacerbate the potential water supply problem.

Potential methods to increase the water availability assuming that funds are available include:

Continue to upgrade the water distribution system to reduce leaks particularly to reduce the peak demand in June and July.

Rebuild the Silver Creek treatment plant to meet current regulations which would allow continued use of the existing 0.28 cfs (125 gpm) available during a drought. A cost estimate for this plant has not been prepared but is likely high. The new treatment plant should allow the Town to serve all 650 buildable lots.

80

The 1996 PER described another source of water which is to diverted water from the Dolores River downstream of Rico to a new treatment plant. This would be an entirely new set of facilities and much more expensive than any other options.

Based on the current facilities and water usage information, the existing 80 gpm cannot supply much more than about 400 lots which confirms the evaluation in the 2009 PER. Higher density of units on any of the lots will exacerbate the problem. To provide more water, significant funding is needed to first rebuild the Silver Creek treatment plant.

81

3



Forest Service San Juan National Forest

15 Burnett Court Durango, CO 81301 (970) 247-4874 Fax: (970) 375-2319

File Code: 2720 Date: 11/8/2022

The Honorable Nicole Pieterse Mayor of the Town of Rico P.O. Box 9 2 Commercial Street Rico, CO 81332

Dear Mayor Pieterse:

I am writing to clarify the status of the road that begins within the Town of Rico and becomes National Forest System (NFS) Road 422 outside of the Town plat boundary. This road begins on the west side of Colorado State Highway 145 as West Mantz Avenue, turns left and becomes South River Street, then turns right as South Picker Street, and right again, becoming West Elder Street until it crosses the boundary of the Rico Townsite. Please see the enclosed map.

The Forest Service does not have any records that the agency constructed, owns, holds easements for, is responsible for, or has maintained the portion of the road within the Town limits. According to the Rico Town Manager and Country Recorder and Assessor's Office, the Town does not have any records regarding the ownership of this road. It is our understanding that the Town or County has maintained this portion of road for more than 30 years. The Forest Service is updating its records to reflect that the portion of road within the Town boundary is not an NFS Road.

In 1991, the Forest Service reconstructed the Burnett Creek Bridge, which crosses the Dolores River on this portion of road, to improve access to NFS Road 422 and NFS lands. According to the agency's files, this was based on an informal agreement with the Town of Rico and Dolores County. The Forest Service and the Town intended for the custody and responsibility for the operation and maintenance of the Burnett Creek Bridge to be transferred to the Town of Rico. Please see the enclosed letter from William T. Sexton, Forest Supervisor dated June 2, 1992, to Jim Greene, Mayor of Rico. However, this transfer never occurred according to Town and agency records. It is our understanding the Town of Rico is still interested in the transfer of the Burnett Creek Bridge, and we have drafted the enclosed agreement for the Town's consideration.

Please respond whether: (1) the above conforms with the Town of Rico's records and understanding regarding the status of this portion of road within the Town plat boundary; and (2) the Town of Rico is interested in obtaining custody of the Burnett Creek Bridge and whether the draft agreement is satisfactory or requires changes.

Thank you for your time and consideration.

If you have any questions regarding this letter please contact Denise Kusnir, Dolores Ranger District Lands and Realty Specialist, at (970) 394-4792 or <u>mary.kusnir@usda.gov</u>.

Sincerely, KARA CHADWICK Digitally signed by KARA CHADWICK Date: 2022.11.08 14:12:29 -07'00' KARA L. CHADWICK Forest Supervisor

Enclosures - 2

cc: Derek Padilla, Cody Jones, Becca Smith, Denise Kusnir





AGREEMENT BETWEEN THE UNITED STATES FOREST SERVICE AND THE TOWN OF RICO Burnett Creek Bridge

This Agreement regarding the Burnett Creek Bridge within the Town of Rico ("Agreement") is entered into by and between the Town of Rico ("Town") and the United States Forest Service ("Forest Service"), collectively referred to as the "Parties" or individually as a "Party."

RECITALS

A. In 1991, the Forest Service reconstructed the Burnett Creek Bridge, which crosses the Dolores River within the boundaries of Rico, Colorado, to improve access to National Forest System (NFS) lands. The bridge is on a road that begins on the west side of Rico and eventually becomes NFS Road 422 after it crosses the boundary of the Rico Townsite ("Associated Road"). The attached map, which is incorporated into this Agreement as Exhibit A, shows the location of the Burnett Creek Bridge and Associated Road.

B. As documented in a June 2, 1992, letter from William T. Sexton, Forest Supervisor, to Jim Greene, Mayor of Rico, the Parties intended for custody and responsibility for the operation and maintenance of the Burnett Creek Bridge to be transferred the Town of Rico. In accordance with 16 U.S.C. § 571c, there was a mutual understanding the Forest Service would use the lands to reconstruct and maintain the Burnett Creek Bridge until it was transferred, or the lands were restored to their original condition.

C. This Agreement memorializes this transfer in exchange for the Town's commitment to maintain the Burnett Creek Bridge and Associated Road, which provide access to NFS lands.

D. The Town desires to accept the custody of the Burnett Creek Bridge and responsibility for its operation and maintenance. The Forest Service desires to transfer, convey, remise, release, and relinquish (collectively, "Transfer") all rights and interest it may have in the Burnett Creek Bridge, in accordance with the terms and conditions contained in the Agreement.

NOW, THEREFORE, the Forest Service and the Town agree as follows:

1. Upon execution of this Agreement, the Forest Service hereby Transfers all rights and interests it may have in the Burnett Creek Bridge. The Town accepts the Burnett Creek Bridge "as is" and relieves the Forest Service of any obligation to remove the Bridge or restore the property to its original condition.

2. In exchange for this Transfer, the Town shall ensure the Burnett Creek Bridge and the portion of the Associated Road within the Rico Townsite boundary are maintained in a manner that continues to provide access to NFS lands, unless the Forest Service notifies the Town this maintenance is no longer necessary. This Agreement does not preclude the Parties from entering into other agreements regarding maintenance and operation of the Associated Road.

84

3. This Agreement does not authorize the transfer of funds between the Forest Service and the Town. All activities under or pursuant to this Agreement are subject to the availability of funds. No provision of this Agreement shall be interpreted to require obligation or payment of funds in violation of the Anti-Deficiency Act, 31 U.S.C. § 1341.

4. The laws of the United States and the laws of the State of Colorado, to the extent they do not conflict with federal law, shall govern this Agreement.

5. This Agreement, upon execution, contains the entire agreement of the Parties and no prior written or oral agreement, express or implied, shall be admissible to contradict the provisions of this Agreement.

6. The Parties may modify or amend this Agreement only by the written, mutual agreement.

7. The Town attests its Town Manager has the authority to execute this Agreement.

8. The signatories to this Agreement covenant and warrant that they have authority to execute this Agreement. By signing below, the undersigned agree to the above terms and conditions.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the last date of signature.

DATED THIS ______ day of ______, 2022.

[SEAL]

TOWN OF RICO

ATTEST: _____

Town Clerk

By _____ Town Manager

Approved as to form:

Town Attorney

UNITED STATES FOREST SERVICE

By _____

Kara Chadwick Forest Supervisor San Juan National Forest



	Forest
Department	Service
Agriculture	

Del Rio, #301 303-247-4874

REPLY TO: 6320/7720

DATE: June 2, 1992

Town of Rico Attn: Jim Green, Mayor P.O. Box 56 Rico, CO 81332

Ref: Burnett Bridge No. 422-0.2 Contract No. SO- 82x9-1-032 G.A. Western Construction Co.

Dear Mr. Green:

As you are aware, the Burnett Bridge project is complete and the contractor, G.A. Western Construction Co of Palisade, CO. has been released from the contract. We appreciate the town government's and residents' assistance and cooperation throughout this project, especially from former mayor Ken Hazen, and Wayne Webster. As resolution to our original discussions with the Town of Rico and Dolores County about this bridge, the San Juan National Forest proposes that ownership and responsibility for the operation and maintenance of the structure be transferred to the Town of Rico.

The Town of Rico will be responsible for coordinating with Dolores County and the Colorado Department of Transportation for inventory, inspection, load rating, and maintenance. This does not preclude the possibility of future cooperative agreements with the San Juan National Forest that are of mutual benefit.

After the town accepts the transfer of ownership, we can forward copies of the new bridge information for your files. Please contact Van Chanay, Facilities Engineer, of this office at 385-1222 to arrange for this information.

Sincerely, # Quency file in Bernell Bridge Has WILLIAM T. SEXTON Forest Supervisor Cc: Chanay- COR Quency RLS Dolores District Scobell- CO, R2 Nolan w/L. Carbayal December 5, 2023

Town of Rico Chauncey McCarthy, Town Manager PO Box 9 Rico, CO 81332



Dear Mr. McCarthy:

In 2023, the Southwest region will be presented with a critical opportunity to organize and bolster support for our region's nonprofits, local governments, and the communities they serve.

The Southwest Rural Philanthropy Days conference will be held from June 7-9, 2023 in Durango. This unique event will bring together 350 nonprofit, government, and business leaders from Archuleta, Dolores, La Plata, Montezuma, and San Juan counties together with representatives from major statewide foundations, government, and corporate funding entities.

This conference presents an opportunity for organizations in Rico to connect face-to-face with dozens of grantmakers to secure funding for their important work; these grants help make transformational community projects possible.

Rural Philanthropy Days (RPD) is a statewide program supported by the Community Resource Center. The event is being planned by a Steering Committee of more than 40 local leaders with representatives from each county in our region.

RPD provides opportunities that are otherwise scarce in rural Colorado, including the opportunity to learn about best operational practices, meet funders, and as a result, become competitive in the grant landscape. The results of the program are staggering. The last time an RPD conference was held in our region was in 2018, and in the following year **funding to our region increased by 36%**.

Prior to Rural Philanthropy Days, which started in the early 1990s, only 3% of grant funding from the major funders in Colorado made its way outside the Front Range. As of 2019, rural communities are now receiving 21% of total funder contributions. For context, the 10 core funders of RPD alone gave more than **\$22,000,000** directly to Southwest based nonprofits, schools, and governments from 2016 - 2020.

The pandemic has been a catalyst for connecting nonprofits, local governments and your constituents to resources and helped provide stability through unprecedented challenges. Southwest RPD provides additional support through training, professional development, networking, presentations and discussions with funders about our region's unique needs and opportunities for growth. We hope you'll join us in investing in our community through sponsorship of Southwest Rural Philanthropy Days.

Local donors and sponsors are needed to make the RPD conference possible. These sponsors make the conference financially accessible to the small nonprofit organizations, who would benefit most from the conference, by enabling us to keep the registration prices low and accessible. By investing in the 2023 Southwest RPD, you invest in the economic health of your community and the region.

87

Early investment by local governments is an important first step for a successful event. We are grateful to have received the support of local governments from across the region to this event and respectfully request Rico to consider being a sponsor for the 2023 Southwest RPD Conference at the \$250 level.

As you consider this sponsorship request, please contact us with any questions. Kristi Smith can be reached at southwestrpd@gmail.com and Nellie Stagg can be reached at 720-637-8397 or nellie.stagg@crcamerica.org.

Thank you for your consideration of this request, and your continued support of our region's nonprofits and the people that they serve.

Sincerely,

Beth Kremer Southwest RPD Co-Chair San Juan Development Association

Tiffany Bordersen Southwest RPD Co-Chair Region 9

lellie

Nellie Stagg Senior Program Director Community Resource Center

2023 Southwest Rural Philanthropy Days Steering Committee:

Cynthia Aspen, Adaptive Sports, Compañeros, LPYS, Rainbow Youth Center, SASO Leah Ballard, Habitat for Humanity of Archuleta County Jenn Bartlett, BBBS of Southwest Colorado Lisa Branner, Community Connections Lana Burns, Community Connections Libby Cowles, Animas High School Nicci Crowley, LOR Foundation Ashley Carruth, San Juan Mountain SOLES Teresa DiTore, Southwest Conservation Corps Christine Fonner, Roam Life LLC Kathrene Frautsch, Boys & Girls Club of La Plata County Jenna Gannon, Pagosa Community Initiative Natalie Howard, Silver SPRUCE Academy, Inc. Rose Jergens, Four Corners Child Advocacy Center Tara Kiene, Community Connections Ronda Lancaster, The Community Voice Bruce LeClair, Boys & Girls Club of the Southern Ute Indian Tribe Chris Lopez, Colorado Housing and Finance Authority (CHFA)

Vanessa Malloy, Onward! A Legacy Foundation Chuck McAfee, Four Corners Farmers and Ranchers Coalition Katie McClure, Mancos United Vangi McCoy, Montelores Early Childhood Council Gabi Morey, Montezuma Inspire Coalition Vaughn Morris, Boys & Girls Club of La Plata County Katy Pepinsky, Community Resource Center Tracy Pope, Community Foundation serving SW CO Joe Poynter, Southern Ute Indian Montessori Academy Kristi Smith, Southwest RPD Event Coordinator Heidi Steltzer, Heidi Mountains Cooperative and Fort Lewis College Imo Succo, Indigenous Wellbriety Program/SWCAHEC Neil Umali, Archuleta Salvation Army

88

SOUTHWEST RURAL PHILANTHROPY DAYS

Archuleta, Dolores, La Plata, Montezuma, and San Juan counties



Durango | June 7-9, 2023



For more than 30 years, CRC has convened rural leaders and statewide grantmakers as partners in the Rural Philanthropy Days (RPD) program. Each year, two regional RPD conferences bring financial, professional development, and network building resources to rural communities. Through your sponsorship of Southwest Rural Philanthropy Days you are supporting nonprofits across the region, as well as each individual and community that benefits from the services of those organizations. Together we strengthen rural Colorado.

Regional Impact of Funding

The last time a Rural Philanthropy Days (RPD) conference was held in the Southwest region was 2018; from 2018 to 2019 **funding increased by 36%.** The 10 core funders of RPD alone gave more than **\$22,000,000** directly to Southwest nonprofits from 2016- 2020.



2023 Southwest RPD Steering Committee

Cynthia Aspen | Adaptive Sports, Compañeros, LPYS, Rainbow Youth Center, Sexual Assault Services Organization Leah Ballard | Habitat for Humanity of Archuleta County Jenn Bartlett | BBBS of Southwest Colorado Lisa Branner | Community Connections Tiffany Brodersen | Region 9 Lana Burns | Community Connections Jenna Gannon | Pagosa Community Initiative Natalie Georgalas | Community Resource Center (CRC) Libby Cowles | Animas High School Nicci Crowley | LOR Foundation Ashley Carruth | San Juan Mountain SOLES Teresa DiTore | Southwest Conservation Corps Christine Fonner | Roam Life LLC Kathrene Frautschy | Boys & Girls Club of La Plata County Natalie Howard | Silver SPRUCE Academy, Inc. Rose Jergens | Four Corners Child Advocacy Center Tara Kiene | Community Connections

Beth Kremer | San Juan Development Assoc. Chris Lopez | Colorado Housing and Finance Authority (CHFA) Vanessa Malloy | Onward! A Legacy Foundation Chuck McAfee | Four Corners Farmers and Ranchers Coalition Katie McClure | Mancos United Vangi McCoy | Montelores Early Childhood Council Gabi Morey | Montezuma Inspire Coalition Vaughn Morris | Boys & Girls Club of La Plata County Katy Pepinsky | Community Resource Center Tracy Pope | Community Foundation serving SW CO Joe Poynter | Southern Ute Indian Montessori Academy Kristi Smith | Community Resource Center (CRC) Nellie Stagg | Community Resource Center (CRC) Heidi Steltzer | Heidi Mountains Cooperative and Fort Lewis College Imo Succo | Indigenous Wellbriety Program/SWCAHEC Ken Tallman | 6512 Consulting Group Neil Umali | Archuleta Salvation Army

SPONSORSHIP OPPORTUNITIES

A sponsorship of this event demonstrates your organization's civic engagement and commitment to supporting a vibrant nonprofit sector across the Southwest region.

As a sponsor of Southwest RPD, you will connect with over 300 individuals from across the region including staff and board members of local nonprofits, community leaders, local government officials, as well as the state's leading grantmaking agencies.

If you have any questions you can contact our Southwest RPD Event Coordinator, Kristi Smith at southwestrpd@gmail.com.

Sponsorship Levels	Premier \$10,000	Platinum \$5,000	Gold \$2,500	Silver \$1,000	Bronze \$500
Premium recognition throughout the conference					
Opportunity to personalize recognition in conference materials					
Logo included on additional sponsor signage					
Feature on social media					
Recognized from stage at conference					
Logo with link to company page on RPD website					
Recognition in conference materials					
Recognized on screen at the conference					



CONSTRUCTION KEYNOTES

- 1. SEPTIC TANK, BUILDING SEWER, LEACHATE LINE, AND SAND-OIL INTERCEPTOR TO LEACH FIELD.
- LEACH FIELD @ 2,500 SF. FIRE HYDRANT ASSEMBLY AND BUILDING FIRE LINE FROM TOWN 3.
- MAIN. UNDERGROUND POWER SERVICE FROM EXISTING TRANSFORMER.
- INCLUDES UG TELECOMMUNICATIONS SERVICE LINE.
- EXTERIOR CONCRETE SLAB. NEW 6" BASE COURSE GRAVEL.
- FENCE AND GATE.
- BOULDERS
 STRIPING. STRIPING IN GRAVEL FOR REFERENCE ONLY.
 REVEGETATION AREA.
 FIRE ACCESS LANE.

PROPOSED CIVIL SITE FEATURES

CONCRETE PAVEMENT * * * * * * * * * REVEGETATION AREA PROPERTY LINE ------6S ------- SEWER & CLEANOUT ····· DAYLIGHT GRADING

BASE COURSE GRAVEL



GOFF ENGINE & SURVEYING 126 ROCK P DRIVE SUIT P.O. BOX DURANG COLORADO 3 (970) 247-1 www.GoffEnginee	EPING INC ERING A, INC. OINT E A 97 O, 81302 705 ring.com
PRELIMINA FOR REVIE ONLY	RY
Goff Engineering & Survi expressly reserves the co copyright and other prop in these plans. These pla to be changed or copier form or manner whatsoe they to be assigned to an party without first obtaini permission and consent Engineering & Surveying	eying, Inc. common law perty rights ins are not d in any ver nor are ny third ng written of Goff I, Inc. ©
ROAD & BRIDGE FACILITY REPLACEMENT OWNER & CLIENT: TOWN OF RICO	RICO, CO
Issue Record: PROGRESS	20221208
Revisions:	
Project Number: Drawn By:	22-154 TWE
Sheet C20	0
CIVIL IMPROVE PLAN	MENT

D



	Janet Wiley, RA, AIA, LEED AP Janet Wiley-Architects P.C. 1309 East Third Avenue, Durango, Colorado 81301 phone-970.946.7633 email: janet@jwadurango.com website: jwadurango.com
	RICO ROAD & BRIDGE MAINTENANCE FACILITY PICKER FACILITY PICKER STREET Rico, colorado
	Janet Wiley - Architects, P.C. Janet Wiley - Architects, P.C. reserves the common law copyright and all other property rights to these documents. These documents are not to be modified or copied in are not to be modified or copied in are not to be used by any third party without first obtaining written permission and consent of Janet Wiley - Architects, P.C.
	oject number 22-108 awn By jw iecked By JWA tue DD tue DD tte 12/1/2022
	SD1 SITE PLAN

	D:\ja		
	net\De		
	esktop		
	JWA		
S2100 More and long 2000-22-22-20 Example of the second of t	JOB		
Total Standard Stan Standard Standard S	S\22-		
	108 R		
	ico ro		
	ad an		
	d brid		
	ge\Re		
	vit Fi		
	les\Ri		
	co Ro		
Infection 2012	ad &		
	Bridg		
D142021 14023	;e_202		
	2-12-		
2019202110021	1.rvt		
	-		
2.14102.1402			
D142021-14022			
12142012 14002			
20142021:4023			
12.1402021:4023			
2.14202114023			
Di 142022 14023			
I2142022 14023			
Dil42021:4022			
12/14/2022 1:40:23			
M4	-		
12:14/2002 1:40:23			
12.14/2022 1:40:23			
12/14/2022 I:40:23			
PM PM			
12/14/2022 1:40:23			
12/14/2022 1:40:23			
12/14/2022 1:40:23 PM			
I2/14/2022 1:40:23			
12/14/2022 1:40:2 PM	~		
PM PM	:40:2.		
PM PM	022 1		
	2/14/2	Ξ	
	<u>,</u>		I



D:\jaı		
net\De		
sktop∖		
JWA		
JOBS		
\22-10		
08 Ric		
o roa		
dand		
bridge		
Revit		
Files		
Rico		
Road		
& Bri		
dge_2		
022-1		
2-1.rv		
4		
-		
-		
):23		
2 1:40		
14/202		
12/	M M	





3 BUILDING ELEVATION WEST 1/8" = 1'-0"







2 BUILDING ELEVATION EAST 1/8" = 1'-0"



1 BUILDING ELEVATION SOUTH 1/8" = 1'-0"



$- \frac{\text{TO HIGH PLT}}{17' - 0'} $	Janet Wíley, RA, AIA, LEED AP Janet Wíley-Archítects P.C. 1309 East Thírd Avenue, Durango, Colorado 81301 phone-970.946.7633 emaíl: janet@jwadurango.com website: jwadurango.com
EQ ROOF 31'-0" TO HIGH PLT 17'-0" TO LOW PLT 10'-0" TO LOW PLAN 0'-0"	RICO ROAD & BRIDGE MAINTENANCE FACILITY PICKER STREET RICO, COLORADO
TO HIGH PLT 17' - 0"	Janet Wiley - Architects, P.C. reserves the common law copyright and all other property rights to these documents. These documents are not to be modified or copied in any form whatsoever nor are they to be used by any third party without first obtaining written permission and consent of Janet Wiley - Architects, P.C.
TO LOW PLT 10' - 0" FLOOR PLAN 0' - 0"	Project number 22-108 Drawn By Author Checked By JWA JWA Issue DD Date 12/1/2022
	A301 BUILDING ELEVATIONS

Town of Rico, Colorado

\$400,000 Certificates of Participation, Series 2023 (Rate Indication as of 12/01/22)

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
02/01/2023	-	-	-	-	-
12/01/2023	15,000.00	5.400%	18,000.00	33,000.00	33,000.00
06/01/2024	-	-	10,395.00	10,395.00	-
12/01/2024	10,000.00	5.400%	10,395.00	20,395.00	30,790.00
06/01/2025	· _	-	10,125.00	10,125.00	-
12/01/2025	15,000.00	5.400%	10,125.00	25,125.00	35,250.00
06/01/2026	· _	-	9,720.00	9,720.00	-
12/01/2026	15,000.00	5.400%	9,720.00	24,720.00	34,440.00
06/01/2027	-	-	9,315.00	9,315.00	· -
12/01/2027	15,000.00	5.400%	9,315.00	24,315.00	33,630.00
06/01/2028		-	8,910.00	8,910.00	-
12/01/2028	15,000.00	5.400%	8,910.00	23,910.00	32,820.00
06/01/2029	-	-	8,505.00	8,505.00	· -
12/01/2029	15,000.00	5.400%	8,505.00	23,505.00	32.010.00
06/01/2030		-	8,100.00	8,100.00	
12/01/2030	15,000.00	5.400%	8,100.00	23,100.00	31,200.00
06/01/2031		-	7.695.00	7.695.00	
12/01/2031	15,000,00	5.400%	7,695,00	22,695,00	30,390,00
06/01/2032	-	-	7,290,00	7,290,00	-
12/01/2032	20,000,00	5 400%	7 290 00	27 290 00	34 580 00
06/01/2033	-	-	6,750,00	6,750,00	
12/01/2033	20,000,00	5 400%	6,750.00	26,750.00	33,500,00
06/01/2034	-	-	6,210,00	6,210,00	
12/01/2034	20,000,00	5 400%	6 210 00	26 210 00	32 420 00
06/01/2035	-	-	5 670 00	5 670 00	52,120.00
12/01/2035	20,000,00	5 400%	5,670,00	25 670 00	31 340 00
06/01/2036	-	-	5,130,00	5 130 00	
12/01/2036	25,000,00	5 400%	5,130,00	30,130,00	35 260 00
06/01/2037	-	-	4 455 00	4 455 00	
12/01/2037	25,000,00	5 400%	4 455 00	29 455 00	33 910 00
06/01/2038	23,000.00	5.40070	3 780 00	3 780 00	55,710.00
12/01/2038	25,000,00	5 400%	3 780 00	28 780.00	32 560 00
06/01/2039	23,000.00	5.40070	3,105,00	3 105 00	52,500.00
12/01/2039	25,000,00	5 400%	3 105 00	28 105 00	31 210 00
06/01/2040	25,000.00	5.40070	2 430 00	2 4 3 0 0 0	51,210.00
12/01/2040	30,000,00	5.400%	2,430.00	2,430.00	34 860 00
06/01/2041	50,000.00	5.40070	1,620,00	1 620 00	34,800.00
12/01/2041	30,000,00	5 400%	1,620.00	31,620,00	33 240 00
06/01/2041	50,000.00	5.40070	810.00	810.00	33,240.00
12/01/2042	30,000,00	- 5.400%	810.00	30 810.00	31 620 00
12/01/2042	30,000.00	3.40070	010.00	50,610.00	51,020.00
Total	\$400,000.00	-	\$258,030.00	\$658,030.00	-

Yield Statistics

Bond Year Dollars	\$4.778.33
Average Life	11.946 Years
Average Coupon	5.4000000%
Net Interest Cost (NIC)	5.4000000%
True Interest Cost (TIC)	5.3953208%
Bond Yield for Arbitrage Purposes	5.3953208%
All Inclusive Cost (AIC)	7.4486217%
IRS Form 8038	
Net Interest Cost	5.400000%
Weighted Average Maturity	11.946 Years

2023 COP 20 YR | SINGLE PURPOSE | 12/ 1/2022 | 3:24 PM

Northland Securities, Inc.

Public Finance

November 15, 2022

Chauncey,

Thank you for making time available to visit with Donzil and me last Thursday. Your time was greatly appreciated!

Your Rico Centralized Wastewater project is a critical and challenging one, however, it may be progressing at just the right moment in time. With the current newly anticipated funding opportunities, we may be able to access adequate grant funds to not only get it started, but potentially fund the full endeavor. As this may be the best opportunity to pull this off, it is important that your project team can optimize efforts to fund it, but also ensure the project is planned to accommodate both growth and increasingly restrictive effluent limits in the future. The goal is to maximize subsidized capital funding now and minimize future operations and capital costs over the life of the facilities. To facilitate this process, an amendment to the prior reports would aide with the funding requests to various agencies.

To revisit some of the points we discussed in our meeting Thursday:

- Most, if not all USDA/CWSRF/DOLA and new funding opportunities related to the bipartisan infrastructure bill, such as the congressional directed spending, will require or be substantially more likely to be awarded with a current project PER in place.
- An acceptable PER is one that meets the USDA RUS Bulletin 1780-2 (attached) and is normally required to be current, which is deemed to be five years or less by most agencies. To our knowledge, none of your past PER's currently meet both of these criteria.
- A PER meeting RUS Bulletin 1780-2 requires at least three alternatives analyzed with one identified as your selected alternative. This final selected alternative must be supported by an engineer's opinion as to project cost to include design, legal, land and right-of-way, permitting, and construction. Additionally, a projection for operating costs and debt service along with a projected timeline for implementation is required.
- It is anticipated that an amendment would be developed that will include a compilation of the prior PER's and utilization of some of the previously developed information in order to maximize value from prior PER investments. This should allow a more economical approach while still generating a document to meet state review requirements as well as support state and federal funding efforts.
- The amendment can be developed to propose potential phasing for the overall project and establish priority to best use the funds received from different sources.
- Your engineering team should also work closely with the Town staff to identify, prepare applications, support funding efforts, and assist with a strategy to maximize the potential for an acceptable funding outcome.
- The funding assistance task should be underway concurrently with the PER amendment, since the funding opportunity window is critical. The funding assistance services will be paid as a supporting task in the PER amendment cost.
- All tasks included for this work would be completed within the PER amendment project budget anticipated to be \$50,000. A more formal scope and fee estimate would be prepared once we have had a chance to review the scope of work with you.

Chauncey, we know more engineering (planning) costs is not what your governing body will want to hear, and we wish we did not have to propose it. However, the chances of receiving funding for your wastewater project without a good current approved planning document will put the Town in a much less competitive position based on our experience. Also even more critical, the project planning documents are the basis for successfully accessing the maximum project capital funds.

We are happy to provide additional or more detailed information at your request.

Respectfully,

Todd Burt and Donzil Worthington

DISCLAIMER: The contents of this guidance document does not have the force and effect of law and is not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

UNITED STATES DEPARTMENT OF AGRICULTURE Rural Utilities Service

BULLETIN 1780-2 RD-GD-2013-70

TO: Rural Development State Directors, RUS Program Directors, and State Engineers

EFFECTIVE DATE: Date of approval.

OFFICE OF PRIMARY INTEREST: Engineering and Environmental Staff, Water and Environmental Programs

INSTRUCTIONS: This bulletin replaces existing RUS Bulletins 1780-2 (September 10, 2003), 1780-3 (October 2, 2003), 1780-4 (October 2, 2003), and 1780-5 (October 2, 2003).

AVAILABILITY: This bulletin and all the exhibits, as well as any Rural Development instruction or Rural Utilities Service instructions, regulations, or forms referenced in this bulletin are available at any Rural Development State Office. The State Office staff is familiar with the use of the documents in their States and can answer specific questions on Agency requirements.

This bulletin is available on the Rural Utilities Service website at http://www.rurdev.usda.gov/RDU_Bulletins_Water_and_Environmental.html.

PURPOSE: This bulletin assists applicants and their consultants with instructions on how to prepare a Preliminary Engineering Report as part of an application for funding as required by 7 CFR 1780.33(c) and 7 CFR 1780.55.

MODIFICATIONS: Rural Development State Offices may modify this guidance when appropriate to comply with State statutes and regulations in accordance with the procedures outlined at Rural Development Instruction 2006-B (2006.55).

4/4/13

JACQUELINE M. PONTI-LAZARUK Assistant Administrator Water and Environmental Programs

Date

99

TABLE OF CONTENTS

- 1 GENERAL
- 2 PURPOSE
- 3 HOW TO USE THE INTERAGENCY TEMPLATE

Exhibit One Interagency Preliminary Engineering Report Template

INDEX:

Application Document Preliminary Engineering Report Project Planning Water and Waste Disposal Facilities

ABBREVIATIONS

- CDBG Community Development Block Grant
- CFR Code of Federal Regulations
- EDU Equivalent Dwelling Unit
- EPA Environmental Protection Agency
- GAO Government Accountability Office
- GPCD Gallons per Capita per Day
- HUD Department of Housing and Urban Development
- O & M Operations and Maintenance
- PER Preliminary Engineering Report
- RD Rural Development
- RUS Rural Utilities Service
- SRF State Revolving Fund
- USDA United States Department of Agriculture
- WEP Water and Environmental Programs
- WWD Water and Waste Disposal

1 GENERAL

A PER is a planning document required by many state and federal agencies as part of the process of obtaining financial assistance for development of drinking water, wastewater, solid waste, and stormwater projects. An applicant for funding from the WWD program must submit a PER as required by 7 CFR 1780.33(c) and 1780.55. The PER describes the proposed project from an engineering perspective, analyzes alternatives to the proposal, defines project costs, and provides information critical to the underwriting process.

In 2012 the USDA, Rural Development (RD), Rural Utilities Service, Water and Environmental Programs formed a working group to develop an interagency template for PERs for use by both federal agencies and state administering agencies. The USDA-led working group included 36 individuals representing 4 federal agencies, 16 state agencies, the Border Environment Cooperation Commission, and the North Carolina Rural Center. Also, the effort was supported by the Small Community Water Infrastructure Exchange. On January 16, 2013, the principals of the federal participants executed an interagency memorandum supporting use of the interagency template, attached as Exhibit One.

2. PURPOSE

This bulletin provides information and guidance for applicants and professional consultants in developing a PER for submittal with an application for funding. RD State Offices should provide a copy of the Bulletin to applicants and consulting engineers upon request or refer them to the website listed on the Bulletin's cover sheet for an electronic copy.

3 HOW TO USE THE INTERAGENCY TEMPLATE

There has been increasing interest throughout the government at both state and federal levels to improve coordination between funding agencies in the processes involved in applications for infrastructure funding. A recent GAO report, "Rural Water Infrastructure: Additional Coordination Can Help Avoid Potentially Duplicative Application Requirements" (GAO-13-111), released October 16, 2012, called the effort of the working group led by USDA to develop the attached Interagency PER Template "encouraging" and stated that it would "help communities".

<u>Content of a PER</u>: The attached Interagency PER Template describes the content of a PER and should be used without modification, except for items noted below. Often an applicant will initially consider only a single funding source and later determine that an application to additional funding agencies is necessary. To avoid having to revise the PER to meet the additional agencies' needs, the consulting engineer should provide

responses to all sections of the PER outline, unless specific sections do not apply to a proposed project.

<u>Short-Lived Assets</u>: The short-lived asset table in Appendix A is a list of examples of short-lived assets. Depending on local practices and applicants, some of these items may not be considered short-lived assets if they are considered part of O&M or long-term capital financing. Consulting engineers and applicants should coordinate with each other and with the Agency to determine which items should be considered short-lived assets for specific projects.

<u>Engaging State Partners</u>: State Offices should engage funding partners to encourage statewide adoption of the attached template as a standard for all state leveraging partners. Existing state-level agreements resulting from previous coordinated efforts for adopting a standard PER outline must be modified or replaced with this template. Efforts underway to adopt new state-level PER outlines must use this template. State-level agreements implementing this template between various leveraging partners should keep additional requirements to a minimum, but should not remove any required sections from the template.

Income Projections for Underwriting Purposes:

The State Office uses some of the information from the PER, especially Sections 6 (e) and (f), for underwriting purposes. Note that for income projection purposes, every effort should be made to identify actual data regarding water usage or wastewater generation. For metered systems, actual data should be used.

When financing construction of a new system or improvements to an existing system without any existing usage data, water use and wastewater generation approximations for income projection purposes should, if at all possible, be based on information from surrounding similar communities and systems. The source of data used should be documented in the PER.

The value of 100 GPCD shown in Section 6 is a general value and may not be appropriate for many rural systems financed with WWD funds, so in the absence of reliable data, a value of 5000 gallons per EDU per month (approximately 67 GPCD or 167 GPD per EDU) should be used.

Exhibit One: Interagency Preliminary Engineering Report Template



January 16, 2013

INTERAGENCY MEMORANDUM

Attached is a document explaining recommended best practice for the development of Preliminary Engineering Reports in support of funding applications for development of drinking water, wastewater, stormwater, and solid waste systems.

The best practice document was developed cooperatively by:

- <u>US Department of Agriculture, Rural Development, Rural Utilities Service, Water and Environmental Programs;</u>
- <u>US Environmental Protection Agency (EPA)</u>, Office of Water, Office of Ground Water and Drinking Water and Office of Wastewater Management;
- <u>US Department of Housing and Urban Development (HUD)</u>, Office of Community Planning and Development;
- US Department of Health and Human Services, Indian Health Service (IHS);
- <u>Small Communities Water Infrastructure Exchange;</u>

Extensive input from participating state administering agencies was also very important to the development of this document.

Federal agencies that cooperatively developed this document strongly encourage its use by funding agencies as part of the application process or project development. State administered programs are encouraged to adopt this document but are not required to do so, as it is up to a state administering agency's discretion to adopt it, based on the needs of the state administering agency.

A Preliminary Engineering Report (Report) is a planning document required by many state and federal funding agencies as part of the process of obtaining financial assistance for development of drinking water, wastewater, solid waste, and stormwater facilities. The attached Report outline details the requirements that funding agencies have adopted when a Report is required.

In general the Report should include a description of existing facilities and a description of the issues being addressed by the proposed project. It should identify alternatives, present a life cycle cost analysis of technically feasible alternatives and propose a specific course of action. The Report should also include a detailed current cost estimate of the recommended alternative. The attached outline describes these and other sections to be included in the Report.

Projects utilizing direct federal funding also require an environmental review in accordance with the National Environmental Policy Act (NEPA). The Report should indicate that environmental issues were considered as part of the engineering planning and include environmental information pertinent to engineering planning.

For state administered funding programs, a determination of whether the outline applies to a given program or project is made by the state administering agency. When a program or agency adopts this outline, it may adopt a portion or the entire outline as applicable to the program or project in question at the discretion of the agency. Some state and federal funding agencies will not require the Report for every project or may waive portions of the Report that do not apply to their application process, however a Report thoroughly addressing all of the contents of this outline will meet the requirements of most agencies that have adopted this outline.

The detailed outline provides information on what to include in a Report. The level of detail required may also vary according to the complexity of the specific project. Reports should conform substantially to this detailed outline and otherwise be prepared and presented in a professional manner. Many funding agencies require that the document be developed by a Professional Engineer registered in the state or other jurisdiction where the project is to be constructed unless exempt from this requirement. Please check with applicable funding agencies to determine if the agencies require supplementary information beyond the scope of this outline.

Any preliminary design information must be written in accordance with the regulatory requirements of the state or territory where the project will be built.

Information provided in the Report may be used to process requests for funding. Completeness and accuracy are therefore essential for timely processing of an application. Please contact the appropriate state or federal funding agencies with any questions about development of the Report and applications for funding as early in the process as practicable.

Questions about this document should be referred to the applicable state administering agency, regional office of the applicable federal agency, or to the following federal contacts:

Agency	Contact	Email Address	Phone
USDA/RUS	Benjamin Shuman, PE	ben.shuman@wdc.usda.gov	202-720-1784
EPA/DWSRF	Kirsten Anderer, PE	anderer.kirsten@epa.gov	202-564-3134
EPA/CWSRF	Matt King	king.matt@epa.gov	202-564-2871
HUD	Stephen Rhodeside	stephen.m.rhodeside@hud.gov	202-708-1322
IHS	Dana Baer, PE	dana.baer@ihs.gov	301-443-1345

Sincerely,

() 1/16/13

Jacqueline M. Ponti-Lazaruk, Assistant Administrator USDA, Rural Development, Rural Utilities Service, Water and Environmental Programs

Shoila E. Furace 01/16/13

Sheila Frace, Acting Deputy Director US EPA, Office of Water, Office of Wastewater Management

mak

1/16/13

Andrew Sawyers, Deputy Director

US EPA, Director, Office of Water, Office of Ground Water and Drinking Water

1/16/13 eris

Ronald Ferguson, PE, RABM, Director Division of Sanitation Facilities Construction, Indian Health Service

1-16-1

Stanley Gimont, Director) Office of Block Grant Assistance, US Department of Housing and Urban Development

Attachment

WORKING GROUP CONTRIBUTORS

Federal Agency Partners	
USDA, Rural Development, Rural Utilities Service (Chair)	Benjamin Shuman, PE
EPA, Office of Water, Office of Ground Water and Drinking Water	Kirsten Anderer, PE
EPA, Office of Water, Office of Ground Water and Drinking Water	CAPT David Harvey, PE
EPA, Office of Water, Office of Wastewater Management	Matt King
EPA, Office of Water, Office of Wastewater Management	Joyce Hudson
EPA, Region 1	Carolyn Hayek
EPA, Region 9	Abimbola Odusoga
HUD, Office of Community Planning and Development	Stephen M. Rhodeside
HUD, Office of Community Planning and Development	Eva Fontheim
Indian Health Service	CAPT Dana Baer, PE
Indian Health Service	LCDR Charissa Williar, PE
USDA, Rural Development, Florida State Office	Michael Langston
USDA, Rural Development, Florida State Office	Steve Morris, PE

State Agency and Interagency Partners	
Arizona Water Infrastructure Finance Authority	Dean Moulis, PE
Border Environment Cooperation Commission	Joel Mora, PE
Colorado Department of Local Affairs	Barry Cress
Colorado Department of Public Health & Environment	Michael Beck
Colorado Department of Public Health & Environment	Bret Icenogle, PE
Georgia Office of Community Development	Steed Robinson
Idaho, Department of Environmental Quality	Tim Wendland
Indiana Finance Authority	Emma Kottlowski
Indiana Finance Authority	Shelley Love
Indiana Finance Authority	Amanda Rickard, PE
Kentucky Division of Water	Shafiq Amawi
Kentucky Department of Local Government	Jennifer Peters
Louisiana Department of Environmental Quality	Jonathan McFarland, PE
Maine Department of Health and Human Services	Norm Lamie, PE
Minnesota Pollution Control Agency	Amy Douville
Minnesota Pollution Control Agency	Corey Mathisen, PE
Missouri Department of Natural Resources	Cynthia Smith
Montana Department of Commerce	Kate Miller, PE
North Carolina Department of Commerce	Olivia Collier
North Carolina Rural Center	Keith Krzywicki, PE
North Carolina Department of Commerce	Vickie Miller, CPM
Rhode Island Department of Health	Gary Chobanian, PE
Rhode Island Department of Health	Geoffrey Marchant

- NEPA National Environmental Policy Act
- NPV Net Present Value
- O&M Operations and Maintenance
- OMB Office of Management and Budget Report Preliminary Engineering Report

- SPPW Single Payment Present Worth USPW Uniform Series Present Worth
GENERAL OUTLINE OF A PRELIMINARY ENGINEERING REPORT

1) PROJECT PLANNING

- a) Location
- b) Environmental Resources Present
- c) Population Trends
- d) Community Engagement

2) EXISTING FACILITIES

- a) Location Map
- b) History
- c) Condition of Existing Facilities
- d) Financial Status of any Existing Facilities
- e) Water/Energy/Waste Audits

3) NEED FOR PROJECT

- a) Health, Sanitation, and Security
- b) Aging Infrastructure
- c) Reasonable Growth

4) ALTERNATIVES CONSIDERED

- a) Description
- b) Design Criteria
- c) Map
- d) Environmental Impacts
- e) Land Requirements
- f) Potential Construction Problems
- g) Sustainability Considerations
 - i) Water and Energy Efficiency
 - ii) Green Infrastructure
 - iii) Other
- h) Cost Estimates

5) SELECTION OF AN ALTERNATIVE

- a) Life Cycle Cost Analysis
- b) Non-Monetary Factors

6) PROPOSED PROJECT (RECOMMENDED ALTERNATIVE)

- a) Preliminary Project Design
- b) Project Schedule
- c) Permit Requirements
- d) Sustainability Considerations
 - i) Water and Energy Efficiency
 - ii) Green Infrastructure

iii) Other

- e) Total Project Cost Estimate (Engineer's Opinion of Probable Cost)
- f) Annual Operating Budget
 - i) Income
 - ii) Annual O&M Costs
 - iii) Debt Repayments
 - iv) Reserves
- 7) CONCLUSIONS AND RECOMMENDATIONS

DETAILED OUTLINE OF A PRELIMINARY ENGINEERING REPORT

1) PROJECT PLANNING

Describe the area under consideration. Service may be provided by a combination of central, cluster, and/or centrally managed individual facilities. The description should include information on the following:

- a) <u>Location</u>. Provide scale maps and photographs of the project planning area and any existing service areas. Include legal and natural boundaries and a topographical map of the service area.
- b) <u>Environmental Resources Present</u>. Provide maps, photographs, and/or a narrative description of environmental resources present in the project planning area that affect design of the project. Environmental review information that has already been developed to meet requirements of NEPA or a state equivalent review process can be used here.
- c) <u>Population Trends</u>. Provide U.S. Census or other population data (including references) for the service area for at least the past two decades if available. Population projections for the project planning area and concentrated growth areas should be provided for the project design period. Base projections on historical records with justification from recognized sources.
- d) <u>Community Engagement</u>. Describe the utility's approach used (or proposed for use) to engage the community in the project planning process. The project planning process should help the community develop an understanding of the need for the project, the utility operational service levels required, funding and revenue strategies to meet these requirements, along with other considerations.

2) EXISTING FACILITIES

Describe each part (e.g. processing unit) of the existing facility and include the following information:

- a) <u>Location Map</u>. Provide a map and a schematic process layout of all existing facilities. Identify facilities that are no longer in use or abandoned. Include photographs of existing facilities.
- b) <u>History</u>. Indicate when major system components were constructed, renovated, expanded, or removed from service. Discuss any component failures and the cause for the failure. Provide a history of any applicable violations of regulatory requirements.
- c) <u>Condition of Existing Facilities</u>. Describe present condition; suitability for continued use; adequacy of current facilities; and their conveyance, treatment, storage, and disposal capabilities. Describe the existing capacity of each component. Describe and reference compliance with applicable federal, state, and local laws. Include a brief analysis of overall current energy consumption. Reference an asset management plan if applicable.

- d) <u>Financial Status of any Existing Facilities</u>. (Note: Some agencies require the owner to submit the most recent audit or financial statement as part of the application package.) Provide information regarding current rate schedules, annual O&M cost (with a breakout of current energy costs), other capital improvement programs, and tabulation of users by monthly usage categories for the most recent typical fiscal year. Give status of existing debts and required reserve accounts.
- e) <u>Water/Energy/Waste Audits</u>. If applicable to the project, discuss any water, energy, and/or waste audits which have been conducted and the main outcomes.

3) NEED FOR PROJECT

Describe the needs in the following order of priority:

- a) <u>Health, Sanitation, and Security</u>. Describe concerns and include relevant regulations and correspondence from/to federal and state regulatory agencies. Include copies of such correspondence as an attachment to the Report.
- b) <u>Aging Infrastructure</u>. Describe the concerns and indicate those with the greatest impact. Describe water loss, inflow and infiltration, treatment or storage needs, management adequacy, inefficient designs, and other problems. Describe any safety concerns.
- c) <u>Reasonable Growth</u>. Describe the reasonable growth capacity that is necessary to meet needs during the planning period. Facilities proposed to be constructed to meet future growth needs should generally be supported by additional revenues. Consideration should be given to designing for phased capacity increases. Provide number of new customers committed to this project.

4) ALTERNATIVES CONSIDERED

This section should contain a description of the alternatives that were considered in planning a solution to meet the identified needs. Documentation of alternatives considered is often a Report weakness. Alternative approaches to ownership and management, system design (including resource efficient or green alternatives), and sharing of services, including various forms of partnerships, should be considered. In addition, the following alternatives should be considered, if practicable: building new centralized facilities, optimizing the current facilities (no construction), developing centrally managed decentralized systems, including small cluster or individual systems, and developing an optimum combination of centralized and decentralized systems. Alternatives should be considered in the NEPA, or state equivalent, environmental review. Technically infeasible alternatives that were considered should be mentioned briefly along with an explanation of why they are infeasible, but do not require full analysis. For each technically feasible alternative, the description should include the following information:

a) <u>Description</u>. Describe the facilities associated with every technically feasible alternative. Describe source, conveyance, treatment, storage and distribution

facilities for each alternative. A feasible system may include a combination of centralized and decentralized (on-site or cluster) facilities.

- b) <u>Design Criteria</u>. State the design parameters used for evaluation purposes. These parameters should comply with federal, state, and agency design policies and regulatory requirements.
- c) <u>Map</u>. Provide a schematic layout map to scale and a process diagram if applicable. If applicable, include future expansion of the facility.
- d) <u>Environmental Impacts</u>. Provide information about how the specific alternative may impact the environment. Describe only those unique direct and indirect impacts on floodplains, wetlands, other important land resources, endangered species, historical and archaeological properties, etc., as they relate to each specific alternative evaluated. Include generation and management of residuals and wastes.
- e) <u>Land Requirements</u>. Identify sites and easements required. Further specify whether these properties are currently owned, to be acquired, leased, or have access agreements.
- f) <u>Potential Construction Problems</u>. Discuss concerns such as subsurface rock, high water table, limited access, existing resource or site impairment, or other conditions which may affect cost of construction or operation of facility.
- g) <u>Sustainability Considerations</u>. Sustainable utility management practices include environmental, social, and economic benefits that aid in creating a resilient utility.
 - i) <u>Water and Energy Efficiency</u>. Discuss water reuse, water efficiency, water conservation, energy efficient design (i.e. reduction in electrical demand), and/or renewable generation of energy, and/or minimization of carbon footprint, if applicable to the alternative. Alternatively, discuss the water and energy usage for this option as compared to other alternatives.
 - ii) <u>Green Infrastructure</u>. Discuss aspects of project that preserve or mimic natural processes to manage stormwater, if applicable to the alternative. Address management of runoff volume and peak flows through infiltration, evapotranspiration, and/or harvest and use, if applicable.
 - iii) <u>Other</u>. Discuss any other aspects of sustainability (such as resiliency or operational simplicity) that are incorporated into the alternative, if applicable.
- h) <u>Cost Estimates</u>. Provide cost estimates for each alternative, including a breakdown of the following costs associated with the project: construction, non-construction, and annual O&M costs. A construction contingency should be included as a non-construction cost. Cost estimates should be included with the descriptions of each technically feasible alternative. O&M costs should include a rough breakdown by O&M category (see example below) and not just a value for each alternative. Information from other sources, such as the recipient's accountant or other known technical service providers, can be incorporated to assist in the development of this section. The cost derived will be used in the life cycle cost analysis described in Section 5 a.

Example O&M Cost Estimate	
Personnel (i.e. Salary, Benefits, Payroll Tax,	
Insurance, Training)	
Administrative Costs (e.g. office supplies, printing,	
etc.)	
Water Purchase or Waste Treatment Costs	
Insurance	
Energy Cost (Fuel and/or Electrical)	
Process Chemical	
Monitoring & Testing	
Short Lived Asset Maintenance/Replacement*	
Professional Services	
Residuals Disposal	
Miscellaneous	
Total	

* See Appendix A for example list

5) SELECTION OF AN ALTERNATIVE

Selection of an alternative is the process by which data from the previous section, "Alternatives Considered" is analyzed in a systematic manner to identify a recommended alternative. The analysis should include consideration of both life cycle costs and nonmonetary factors (i.e. triple bottom line analysis: financial, social, and environmental). If water reuse or conservation, energy efficient design, and/or renewable generation of energy components are included in the proposal provide an explanation of their cost effectiveness in this section.

- a) <u>Life Cycle Cost Analysis</u>. A life cycle present worth cost analysis (an engineering economics technique to evaluate present and future costs for comparison of alternatives) should be completed to compare the technically feasible alternatives. Do not leave out alternatives because of anticipated costs; let the life cycle cost analysis show whether an alternative may have an acceptable cost. This analysis should meet the following requirements and should be repeated for each technically feasible alternative. Several analyses may be required if the project has different aspects, such as one analysis for different types of collection systems and another for different types of treatment.
 - 1. The analysis should convert all costs to present day dollars;
 - 2. The planning period to be used is recommended to be 20 years, but may be any period determined reasonable by the engineer and concurred on by the state or federal agency;
 - 3. The discount rate to be used should be the "real" discount rate taken from Appendix C of OMB circular A-94 and found at (www.whitehouse.gov/omb/circulars/a094/a94_appx-c.html);
 - 4. The total capital cost (construction plus non-construction costs) should be included;

- 5. Annual O&M costs should be converted to present day dollars using a uniform series present worth (USPW) calculation;
- 6. The salvage value of the constructed project should be estimated using the anticipated life expectancy of the constructed items using straight line depreciation calculated at the end of the planning period and converted to present day dollars;
- 7. The present worth of the salvage value should be subtracted from the present worth costs;
- 8. The net present value (NPV) is then calculated for each technically feasible alternative as the sum of the capital cost (C) plus the present worth of the uniform series of annual O&M (USPW (O&M)) costs minus the single payment present worth of the salvage value (SPPW(S)):

NPV = C + USPW (O&M) - SPPW (S)

- 9. A table showing the capital cost, annual O&M cost, salvage value, present worth of each of these values, and the NPV should be developed for state or federal agency review. All factors (major and minor components), discount rates, and planning periods used should be shown within the table;
- 10. Short lived asset costs (See Appendix A for examples) should also be included in the life cycle cost analysis if determined appropriate by the consulting engineer or agency. Life cycles of short lived assets should be tailored to the facilities being constructed and be based on generally accepted design life. Different features in the system may have varied life cycles.
- b) <u>Non-Monetary Factors</u>. Non-monetary factors, including social and environmental aspects (e.g. sustainability considerations, operator training requirements, permit issues, community objections, reduction of greenhouse gas emissions, wetland relocation) should also be considered in determining which alternative is recommended and may be factored into the calculations.

6) PROPOSED PROJECT (RECOMMENDED ALTERNATIVE)

The engineer should include a recommendation for which alternative(s) should be implemented. This section should contain a fully developed description of the proposed project based on the preliminary description under the evaluation of alternatives. Include a schematic for any treatment processes, a layout of the system, and a location map of the proposed facilities. At least the following information should be included as applicable to the specific project:

- a) <u>Preliminary Project Design</u>.
 - i) <u>Drinking Water</u>:

<u>Water Supply</u>. Include requirements for quality and quantity. Describe recommended source, including site and allocation allowed.

<u>Treatment</u>. Describe process in detail (including whether adding, replacing, or rehabilitating a process) and identify location of plant and site of any process discharges. Identify capacity of treatment plant (i.e. Maximum Daily Demand).

Storage. Identify size, type and location.

<u>Pumping Stations</u>. Identify size, type, location and any special power requirements. For rehabilitation projects, include description of components upgraded.

<u>Distribution Layout</u>. Identify general location of new pipe, replacement, or rehabilitation: lengths, sizes and key components.

ii) <u>Wastewater/Reuse</u>:

<u>Collection System/Reclaimed Water System Layout</u>. Identify general location of new pipe, replacement or rehabilitation: lengths, sizes, and key components.

<u>Pumping Stations</u>. Identify size, type, site location, and any special power requirements. For rehabilitation projects, include description of components upgraded.

Storage. Identify size, type, location and frequency of operation.

<u>Treatment</u>. Describe process in detail (including whether adding, replacing, or rehabilitating a process) and identify location of any treatment units and site of any discharges (end use for reclaimed water). Identify capacity of treatment plant (i.e. Average Daily Flow).

iii) Solid Waste:

<u>Collection</u>. Describe process in detail and identify quantities of material (in both volume and weight), length of transport, location and type of transfer facilities, and any special handling requirements.

Storage. If any, describe capacity, type, and site location.

Processing. If any, describe capacity, type, and site location.

<u>Disposal</u>. Describe process in detail and identify permit requirements, quantities of material, recycling processes, location of plant, and site of any process discharges.

iv) Stormwater:

<u>Collection System Layout</u>. Identify general location of new pipe, replacement or rehabilitation: lengths, sizes, and key components.

<u>Pumping Stations</u>. Identify size, type, location, and any special power requirements.

<u>Treatment</u>. Describe treatment process in detail. Identify location of treatment facilities and process discharges. Capacity of treatment process should also be addressed.

Storage. Identify size, type, location and frequency of operation.

Disposal. Describe type of disposal facilities and location.

<u>Green Infrastructure</u>. Provide the following information for green infrastructure alternatives:

- Control Measures Selected. Identify types of control measures selected (e.g., vegetated areas, planter boxes, permeable pavement, rainwater cisterns).
- Layout: Identify placement of green infrastructure control measures, flow paths, and drainage area for each control measure.
- Sizing: Identify surface area and water storage volume for each green infrastructure control measure. Where applicable, soil infiltration rate, evapotranspiration rate, and use rate (for rainwater harvesting) should also be addressed.
- Overflow: Describe overflow structures and locations for conveyance of larger precipitation events.
- b) <u>Project Schedule</u>. Identify proposed dates for submittal and anticipated approval of all required documents, land and easement acquisition, permit applications, advertisement for bids, loan closing, contract award, initiation of construction, substantial completion, final completion, and initiation of operation.
- c) <u>Permit Requirements</u>. Identify any construction, discharge and capacity permits that will/may be required as a result of the project.
- d) <u>Sustainability Considerations (if applicable)</u>.
 - i) <u>Water and Energy Efficiency</u>. Describe aspects of the proposed project addressing water reuse, water efficiency, and water conservation, energy efficient design, and/or renewable generation of energy, if incorporated into the selected alternative.
 - ii) <u>Green Infrastructure</u>. Describe aspects of project that preserve or mimic natural processes to manage stormwater, if applicable to the selected alternative. Address management of runoff volume and peak flows through infiltration, evapotranspiration, and/or harvest and use, if applicable.
 - iii) <u>Other</u>. Describe other aspects of sustainability (such as resiliency or operational simplicity) that are incorporated into the selected alternative, if incorporated into the selected alternative.
- e) <u>Total Project Cost Estimate (Engineer's Opinion of Probable Cost)</u>. Provide an itemized estimate of the project cost based on the stated period of construction. Include construction, land and right-of-ways, legal, engineering, construction program management, funds administration, interest, equipment, construction contingency, refinancing, and other costs associated with the proposed project. The construction subtotal should be separated out from the non-construction costs. The non-construction subtotal should be included and added to the

construction subtotal to establish the total project cost. An appropriate construction contingency should be added as part of the non-construction subtotal. For projects containing both water and waste disposal systems, provide a separate cost estimate for each system as well as a grand total. If applicable, the cost estimate should be itemized to reflect cost sharing including apportionment between funding sources. The engineer may rely on the owner for estimates of cost for items other than construction, equipment, and engineering.

- f) <u>Annual Operating Budget</u>. Provide itemized annual operating budget information. The owner has primary responsibility for the annual operating budget, however, there are other parties that may provide technical assistance. This information will be used to evaluate the financial capacity of the system. The engineer will incorporate information from the owner's accountant and other known technical service providers.
 - i) <u>Income</u>. Provide information about all sources of income for the system including a proposed rate schedule. Project income realistically for existing and proposed new users separately, based on existing user billings, water treatment contracts, and other sources of income. In the absence of historic data or other reliable information, for budget purposes, base water use on 100 gallons per capita per day. Water use per residential connection may then be calculated based on the most recent U.S. Census, American Community Survey, or other data for the state or county of the average household size. When large agricultural or commercial users are projected, the Report should identify those users and include facts to substantiate such projections and evaluate the impact of such users on the economic viability of the project.
 - ii) <u>Annual O&M Costs</u>. Provide an itemized list by expense category and project costs realistically. Provide projected costs for operating the system as improved. In the absence of other reliable data, base on actual costs of other existing facilities of similar size and complexity. Include facts in the Report to substantiate O&M cost estimates. Include personnel costs, administrative costs, water purchase or treatment costs, accounting and auditing fees, legal fees, interest, utilities, energy costs, insurance, annual repairs and maintenance, monitoring and testing, supplies, chemicals, residuals disposal, office supplies, printing, professional services, and miscellaneous as applicable. Any income from renewable energy generation which is sold back to the electric utility should also be included, if applicable. If applicable, note the operator grade needed.
 - iii) <u>Debt Repayments</u>. Describe existing and proposed financing with the estimated amount of annual debt repayments from all sources. All estimates of funding should be based on loans, not grants.
 - iv) <u>Reserves</u>. Describe the existing and proposed loan obligation reserve requirements for the following:

<u>Debt Service Reserve</u> – For specific debt service reserve requirements consult with individual funding sources. If General Obligation bonds are proposed to be used as loan security, this section may be omitted, but this should be clearly stated if it is the case.

<u>Short-Lived Asset Reserve</u> – A table of short lived assets should be included for the system (See Appendix A for examples). The table should include the asset, the expected year of replacement, and the anticipated cost of each. Prepare a recommended annual reserve deposit to fund replacement of short-lived assets, such as pumps, paint, and small equipment. Short-lived assets include those items not covered under O&M, however, this does not include facilities such as a water tank or treatment facility replacement that are usually funded with long-term capital financing.

7. CONCLUSIONS AND RECOMMENDATIONS

Provide any additional findings and recommendations that should be considered in development of the project. This may include recommendations for special studies, highlighting of the need for special coordination, a recommended plan of action to expedite project development, and any other necessary considerations.

Estimated Repair, Rehab, Replacement Expenses by Item within up to 20 Years from Installation)		
Drinking Water Utilities	Wastewater Utilities	
Source Related	Treatment Related	
Pumps	Pump	
Pump Controls	Pump Controls	
Pump Motors	Pump Motors	
Telemetry	Chemical feed pumps	
Intake/ Well screens	Membrane Filters Fibers	
Water Level Sensors	Field & Process Instrumentation Equipment	
Pressure Transducers	UV lamps	
Treatment Related	Centrifuges	
Chemical feed pumps	Aeration blowers	
Altitude Valves	Aeration diffusers and nozzles	
Valve Actuators	Trickling filters, RBCs, etc.	
Field & Process Instrumentation Equipment	Belt presses & driers	
Granular filter media	Sludge Collecting and Dewatering Equipment	
Air compressors & control units	Level Sensors	
Pumps	Pressure Transducers	
Pump Motors	Pump Controls	
Pump Controls	Back-up power generator	
Water Level Sensors	Chemical Leak Detection Equipment	
Pressure Transducers	Flow meters	
Sludge Collection & Dewatering	SCADA Systems	
UV Lamps	Collection System Related	
Membranes	Pump	
Back-up power generators	Pump Controls	
Chemical Leak Detection Equipment	Pump Motors	
Flow meters	Trash racks/bar screens	
SCADA Systems	Sewer line rodding equipment	
Distribution System Related	Air compressors	
Residential and Small Commercial Meters	Vaults, lids, and access hatches	
Meter boxes	Security devices and fencing	
Hydrants & Blow offs	Alarms & Telemetry	
Pressure reducing valves	Chemical Leak Detection Equipment	
Cross connection control devices		
Altitude valves		
Alarms & Telemetry		
Vaults, lids, and access hatches		
Security devices and fencing		
Storage reservoir painting/patching		

Appendix A: Example List of Short-Lived Asset Infrastructure

Town of Rico Wastewater Treatment & Collection System Engineering Report 2023 Request For Qualifications RFQ-23-01

Table of Contents

Section I General Information

- 1.1 Pre-Submittal Conference
- 1.2 Submission of Statement of Qualifications
- 1.3 Number of Copies
- 1.4 Information
- 1.5 Offeror Due Diligence
- 1.6 Confidential or Proprietary Information
- 1.7 Addenda
- 1.8 Withdrawal or Modification of Offers
- 1.9 Acceptance
- 1.10 Preparation Cost
- 1.11 Award
- 1.12 Contract Administration.
- 1.13 Substantiative Submittals
- 1.14 Governing Law
- 1.15 Schedule of Events
- 1.16 Inquiries

Section II Minimum Specifications

- 2.0 Overview
- 2.1 Scope of Work

Section III Submittal Content

- 3.0 Summary
- 3.1 Submittal Format
- 3.2 Submittal Requirements

Section IV Evaluation Criteria

- 4.0 Evaluation Criteria
- 4.1 Selection Committee
- 4.2 Evaluation Process
- 4.3 Award of Contract

Section V Required Attachments

Attachment A - Hourly Rate Schedule

Attachment B - Insurance Clarification Agreement

SECTION I GENERAL INFORMATION

Section I provides general information to potential Offerors on subjects such as where to submit, number of copies, addenda, proprietary information designation, and other similar administrative elements.

1.1 PRE-SUBMITTAL CONFERENCE

There is no pre-submittal conference for this project.

1.2 SUBMISSION OF QUALIFICATIONS

All packets must be submitted in a sealed envelope clearly marked with the firm name, Town of Rico Wastewater Treatment & Collection System Engineering Report 2023, RFQ-23-01 and must be received by the Town of Rico, Town Clerk prior to the submission deadline.

Sealed offers are to be submitted to: Anna Wolf Town Clerk Town of Rico 2 Commercial Street P.O. Box 9 Rico, CO 81332

NO LATE OFFERS WILL BE ACCEPTED FACSIMILE OR EMAIL SUBMITTALS WILL <u>NOT</u> BE ACCEPTED

Submission Deadline: X:00 pm (MST) on XXXX XX, 2023

The opening <u>will not</u> be public. Offerors will be notified if their Submittal is not accepted. The Submittal shall remain the property of the Town of Rico.

1.3 NUMBER OF COPIES

Consultant shall submit seven (7) copies of requested documents and one digital version. The submittal shall remain the property of Town of Rico. The following materials shall be part of the requested documents:

- 1.Cover Letter
- 2. Items required by Section III.
- 3. One (1) electronic copy of all submitted documents on a Flash Drive and in Portable Document Format (.pdf). Electronic copies must include signatures where applicable.
- 4. Hourly Rate Schedule (Attachment A)
- 5. Insurance Clarification Agreement (Attachment B)

1.4 INFORMATION

All questions regarding the submittal preparation, the selection process, or specifications and interpretations of the terms and conditions of the RFQ, shall be submitted in writing no later than seven (7) calendar days prior to the deadline for submission of offers. Send all questions to Chauncey McCarthy, Town Manager <u>Townmanager@ricocolorado.gov</u> (See 1.16 below).

Following the award of a contract, responses to this solicitation may be subject to release as public information unless the response or specific parts of the response can be shown to be exempt from public information.

This is not a public bid opening; therefore, the Town of Rico will not release information pertaining to the number of offers received, names of Offerors, or pricing until an award is made. The Town of Rico will confirm receipt of your submittal if requested.

1.5 OFFEROR DUE DILIGENCE

Each Offeror shall judge for themselves as to all conditions and circumstances having relationships to the submittal and become informed about the unique challenges posed by this project. Failure on the part of any Offeror to make such examination and become informed shall not constitute ground for declaration of not understanding the conditions with respect to making a Submittal.

Be aware, if the Offeror has obtained this RFQ from any source other than directly from the Town of Rico, they will not be included in the Town's RFQ recipient record and will not be notified of any Addenda, which could result in submitting a non-responsive Statement of Qualifications.

1.6 CONFIDENTIAL OR PROPRIETARY INFORMATION

If an Offeror believes that parts of a submittal are confidential, then the Offeror must so specify. The Offeror must stamp in bold letters the term CONFIDENTIAL on that part of the offer which the Offeror believes to be confidential. The Offeror must submit in writing specific detailed reasons, including any relevant legal authority, stating why the Offeror believes the material to be confidential. Vague and general claims as to confidentiality will not be accepted. The Town of Rico will be the sole judge as to whether a claim is general and/or vague in nature. All submittals and parts of submittals which are not marked as confidential will be automatically considered public information after the contract is awarded. Other submittals or parts of submittals may be considered public in f o r m a t i o n pursuant to Colorado Law.

1.7 ADDENDA

In the event that it becomes necessary to revise any part of this RFQ, or if additional information is necessary to enable the Offeror to make an adequate interpretation of this RFQ, an addendum to the RFQ will be provided to each potential Offeror who has obtained

an RFQ from the Town of Rico. Addenda may be issued at any time prior to the time set for receipt of the Statement of Qualifications. The Offerors are required to acknowledge receipt of any addenda by acknowledgement in the submittal cover letter.

1.8 WITHDRAWAL OR MODIFICATION OF OFFERS

Any Offeror may modify or withdraw an offer in writing at any time prior to the deadline for submission of an offer (see 1.2 above) unless otherwise required in the RFQ. Any request for withdrawal of an offer must be signed by the individual who signed the initial submittal.

1.9 ACCEPTANCE

Any offer received shall be considered an offer, which may be accepted by the Town of Rico based on initial submission without discussions or negotiations.

By submitting a Statement of Qualifications in response to this solicitation, the Offeror agrees that any submittal may be accepted by the Town of Rico at any time within 90 days from the closing (see 1.2 above).

The Town of Rico reserves the right to reject any portion or the entire submittal and to waive informalities and minor irregularities in submittals received, and/or to accept any portion of the submittal if deemed in the best interest of the Town of Rico. Failure of the Offeror to provide any information requested in the RFQ in its offer may result in rejection for non-responsiveness.

1.10 PREPARATION COST

The cost of preparation is not a reimbursable cost. Statement of Qualifications preparation costs and presentation costs shall be at the Offeror's expense and are the Offeror's sole responsibility.

1.11 AWARD

It is the intent of the Town of Rico to select the firm best qualified and technically able to provide the required services within the project's proposed schedule. Selection of a firm will be made as set forth in Section IV.

1.12 CONTRACT ADMINISTRATION

The Town of Rico shall be responsible for administration of the contract for compliance and performance with the interpretation of terms and obligations, scope, schedule, and budget.

1.13 SUBSTANTIATIVE SUBMITTALS

The Offeror shall certify (a) that his/her submittal is genuine and is not made in the interest of, or on behalf of, any undisclosed person, firm, or corporation; (b) that he/she has not directly or indirectly induced or solicited any other Offeror to put in a false or sham bid; (c) that he/she has not solicited or induced any other person, firm, or corporation from submitting a Statement of Qualifications; and (d) that he/she has not sought by collusion to obtain for himself/herself any advantage over any other Offerors or over the Town of Rico.

1.14 GOVERNING LAW

The laws of the State of Colorado shall govern any contract executed between the successful consultant and the Town of Rico. Further, the place of performance and transaction of business shall be deemed to be in the Town of Rico, State of Colorado.

1.15 SCHEDULE OF EVENTS

The anticipated schedule of events is as follows: XX-XX Advertise Request for Qualifications XX-XX Document Available XX-XX **Ouestions Due Date** XX-XX Submittal Due Date XX-XX Award of Contract (estimate) XX-XX Kick-Off Meeting (estimate) XX-XX Draft report Presentation (estimate) XX-XX Final Report Acceptance (estimate)

1.16 INQUIRIES

Technical questions about the scope of services, budget and finance, or other project specific question regarding this RFQ shall be in writing and directed to Chauncey McCarthy, Town Manager. All procurement questions concerning the RFQ process, or any contractual question shall be directed to Anna Wolf, Town Clerk. A written response to any inquiry will be provided in the form of an Addendum to the solicitation to each RFQ recipient. All questions shall be submitted in writing no later than seven (7) calendar days <u>prior to the deadline</u> for submission. Questions shall not be permitted after this time, including that time between Statement of Qualification submission, presentations and final selection of a Consultant. Verbal inquiries will not be accepted.

Chauncey McCarthy	Anna Wolf
Town Manager	Town Clerk
2 Commercial St.	2 Commercial St.
P.O. Box 9	P.O. Box 9
Rico, CO 81332	Rico, CO 81332
970.967.2863	970.967.2861
Townmanager@ricocolorado.gov	Townclerk@ricocolorado.gov

SECTION II MINIMUM SPECIFICATIONS

2.0 OVERVIEW

The Town of Rico is requesting Statements of Qualifications from consultants interested in performing the necessary tasks to prepare an amended Town of Rico Wastewater System Engineering Report. The report will incorporate prior wastewater data previously commissioned by the Town, with additional current engineering analysis into an amended final report identifying the Town's selected alternative for implementation of a centralized wastewater system. Concurrent with the amended engineering report, the consultant will assist the Town to identify and support funding strategies to potentially arrive at an acceptable funding approach to support implementation of the selected capital project. Should acceptable funding be acquired, the Town may amend the professional services agreement to incorporate design and construction engineering services at a future date, if deemed in the best interest of the Town of Rico.

The successful consultant must be prepared to perform services as outlined in Section 2.1. The submittals will be evaluated by the Town of Rico. It is the Town's goal to select a consultant who will provide the highest quality of response, customer service, technical expertise, funding assistance, and project management. The award of the contract will be based on the evaluation criteria outlined in Section IV of this RFQ.

2.1 SCOPE OF WORK

The following minimal tasks are expected to be required as part of this project:

- Review and incorporate data from prior wastewater engineering reports for the Town of Rico and incorporate current town information and additional engineering services to arrive at an amended engineering report. This report is to comply with USDA RUS Bulletin 1780-2 and State of Colorado standards. It will support the Town's efforts to arrive at consensus for the implementation of a centralized wastewater collection and treatment system to serve the complete Town of Rico. Initial priority is to serve the commercial corridor, then existing residential development, and finally, accommodation for future growth and development.
- Identify and incorporate preliminary design data for a wastewater treatment facility with capacity to serve current demands, either phased or full and with potential for expansion of facilities for future demands. The treatment facility identified is to be compatible with the elevation, climate, discharge permitting requirements, and geographical constraints, while meeting the current town demands. Projected future growth and potentially more stringent future effluent discharge standards are to be considered in order to ensure the selected design and process can be economically expanded in the future.
- Identify and incorporate preliminary design data for a wastewater collection system to ultimately serve the full area of the Town of Rico. The collection system design identified should allow fully functional phases or full build out as funds are available.

- Coordinate with Colorado Department of Public Health and Environment (CDPHE) and Town of Rico, Board of Trustees and staff to obtain approval and acceptance of the report.
- Assist the Town of Rico with the identification and deployment of funding strategies to support efforts to fund the desired improvements. Ideally, as a full complete town wide project, or phased approach to allow implementation of fully functional standalone phases as acceptable funding is acquired. Funding services to include identification and preparation of applications, support of applications at local, state, and federal levels and assistance with funding administration to close and access funding awards.
- Assist the Town of Rico with selection and implementation of alternatives for organization, governance, rate structures, methodology of assessments or hookup fees, and operational budgets to maximize potential for a successful implementation and operations.
- The selected professional services provider that completes the engineering report may, at the Town's discretion, be authorized to prepare a scope and fee for consideration to move forward with design, bidding, and construction engineering services, if deemed to be in the best interest of the Town of Rico.

SECTION III SUBMITTAL CONTENT

3.0 SUMMARY

The Town of Rico will be using the evaluation criteria set forth in Section IV of this RFQ to make the award of this contract. All submittals shall be in a sealed envelope marked: Town of Rico Wastewater Treatment & Collection System Engineering Report 2023 RFQ-23-XXXX

3.1SUBMITTAL FORMAT

The Statement of Qualifications and Cover Letter shall include the information in the format outlined in this RFQ and be limited to no more than fifteen (15) pages. The submittal may be printed on double sided pages; however, each printed side shall be counted as one page toward the limit of fifteen (15). Two (2) 11x17 pages will be allowed. The following pages are exempt from this requirement: Cover letter, Submittal Cover, Tabs/Divider pages, Attachment A (Hourly Rate Schedule), Attachment B (Insurance Clarification Agreement), table of contents, resumes and references. The text and all supporting information must be provided using 10-point font or larger.

3.2 SUBMITTAL REQUIREMENTS

Submittals shall contain the experience and technical qualifications of the Offeror in relationship to the Scope of Work. Along with a Cover Letter, the submittal shall contain the following:

- Company Background and Overview
- Team Personnel and Technical Expertise
- Ability to meet project Schedule
- Previous Projects Similar in Scope
- Familiarity with Project and Project Area
- Project Approach and proposed Schedule
- Quality Assurances Methods
- References
- Attachment A Hourly Rate Schedule
- Attachment B Insurance Clarification Agreement

SECTION IV EVALUATION CRITERIA

4.0 EVALUATION CRITERIA

The following criteria will be used in the evaluation of the Statement of Qualifications:

- Cover Letter including acknowledgement of Addenda
- Previous Experience with Sanitary Sewer Treatment Designs
- Previous Experience with Sanitary Sewer Collection System Design
- Experience of the Proposed Project Team
- Previous Experience with Sanitary Sewer Grant and Funding Acquisition
- Project Approach and Schedule

Submittals will be evaluated on the criteria listed above. The Offerors with the highest scores then proceed for further evaluation.

The Town of Rico reserves the right to reject any and all Statement of Qualifications and to waive any formality in Statement of Qualifications received, to accept or reject any or all of the items in the Statement of Qualifications, and award the job in whole or in part, if it deemed in the best interest of the Town of Rico.

4.1 SELECTION COMMITTEE

A Selection Committee will screen all submittals. Submittals will be evaluated based on completeness and the evaluation criteria as outlined above. The Selection Committee will determine which submittals are acceptable or unacceptable. The Town of Rico, in writing will notify participating firms whose submittals are deemed unacceptable. Those firms offering submittals deemed to be acceptable by the selection committee will be evaluated on the criteria outlined in 4.0.

4.2 EVALUATION PROCESS

Initial ranking of Offerors will be performed based upon the written Statement of Qualifications received based on the criteria described in 4.0. A selection may be made based upon the Statement of Qualifications. If the selection committee decides to interview, a short list consisting of the top Offeror(s) as rated by the Statement of Qualifications will be developed. Those short-listed Offerors may be requested to give a presentation and interview for the selection committee to determine the final selection. If interviews with more than one firm are requested scores and ranks from the initial ranking will not carry over into the presentation and interview stage. It may be possible that the selection committee requests an interview with a single firm prior to final selection solely to clarify interpretation of the Statement of Qualifications.

The Offeror with the highest ranking will be selected to perform the required services (hereinafter the Consultant) and will be notified by telephone and in writing. Those Offerors who are not selected will be notified in writing. Questions regarding the Statement of Qualifications received, and the evaluation of those submittals and the following presentations will be permitted only after the Contract for award has been fully executed.

4.3 AWARD OF CONTRACT

Once a consultant is selected, the Town of Rico will enter into price negotiations with the Consultant to obtain a fair and reasonable price for the anticipated work. It is anticipated that a prenegotiation audit will be prepared for price negotiation of this contract. In the event the selected Consultant and Town of Rico can't agree on a contract price, the town will begin price negotiation with the second highest scoring qualified Consultant. This process will continue until a contract price is successfully negotiated pursuant to C.R.S.A. § 24-30-1404.

SECTION V REQUIRED ATTACHMENTS

ATTACHMENT A HOURLY RATE SCHEDULE ATTACHMENT B INSURANCE CLARIFICATION AGREEMENT (if required, example attached)

ATTACHMENT B INSURANCE CLARIFICATION AGREEMEN (Example Only)

- Contractor agrees to procure and maintain. at its own cost, a policy or policies of insurance/ bonds sufficient to insure against all obligations assumed by Contractor pursuant to this agreement and shall not start work under this agreement until such insurance coverage has been obtained and approved in writing by the Town's Contract Administrator.
- 2. Contractor shall require all subcontractors and sub-subcontractors to maintain during the term of this agreement. Commercial General Liability insurance, Comprehensive Automobile Liability insurance. and Workers' Compensation and Employers' Liability insurance, in the same manner as specified for Contractor. Contractor shall furnish subcontractors' certificates of insurance to the Town, with a copy to the Contract Administrator, immediately upon request.
- All insurance policies required hereunder shall include a written thirty (30) day notification of cancellation. In that notice the Town and the Town's Contract Administrator will be notified of any material changes in the insurance policy(s) such as: cancellation, non-renewal. or reduction in coverage or alteration of coverage.
- 4. Nothing herein shall be deemed or construed as a waiver of any of the protections to which the Town shall be entitled pursuant to the Colorado Government immunity Act, sections 24-1 0-1 01. C.R.S., as amended.
- 5. All required insurance coverages must be acquired from insurers authorized to conduct business in the State of Colorado and acceptable to the Town of Rico. The insurers must also have policyholders' rating of "A-" or better, and financial class size of "Class VII" or better in the latest edition of Best's Insurance Reports. unless the Town grants specific approval for an exception.
- 6. Contractor shall procure and continuously maintain the minimum insurance coverage listed below. and additional coverage as may apply, with forms and insurers acceptable to the Town. In the case of any claims-made policy, the necessary retroactive dates and extended reporting periods shall be procured to maintain such continuous coverage.
 - a. Workers' Compensation and Employer's Liability Including Occupations Disease Coverage in accordance with scope and limits as required by the State of Colorado of \$100,000 each accident, \$100.000 disease each employee: \$500.000 disease policy limit.
 - b. Commercial General Liability. "Occurrence form." with minimum limits of ONE MILLION (\$1.000.000) combined single limit per occurrence for bodily injury, personal injury and property damage. In addition, Contractor must either:

I) Agree to provide certificates of insurance evidencing the above coverage for a period of two years after the final payment for the contract

2)Purchase an extended (minimum two years) reporting period endorsement for the policy or policies in force during the term of this contract and evidence the purchase of this extended reporting period endorsement by means of a certificate of insurance or a copy of the endorsement itself.

- c. Comprehensive Automobile Liability insurance with minimum limits for bodily injury and property damage of not less than ONE MILLION (\$1,000.000) combined single limit per accident.
- d. PROFESSIONAL LIABILITY INSURANC E with an endorsement for work under this Agreement. and coverage of no less than ONE MILLION (\$1,000,000) per claim, and ONE MILLION (\$1.000,000) aggregate for all Design /Build. Professional Service and Design Contracts.
- e. EXCESS LIABILITY/UMBRELLA INSURANCE with a limit no less than ONE MILLION (\$1,000.000) per occurrence/ONE MILLION (\$1.000.000) aggregate. and coverage at least as broad as the primary Commercial General Liability policy.
- 7. The policies required by paragraphs (B) and (C) above shall be endorsed to specify "Town of Rico", their officers, officials. employees and volunteers as ADDI TIONAL INSUREDS, as respects liability, on behalf of Contractor, arising out of this Contract." All certificates of insurance are to be submitted on standard "ACORD 25(20140-05)" form.