



NOTICE OF THE REGULAR MEETING OF THE GENERAL ASSEMBLY

TOWN OF OPHIR, CO 81426

TUESDAY 7:00 PM, JULY 19, 2022

OPHIR TOWN HALL 36 PORPHYRY ST.

[Join Zoom Meeting](#)

Meeting ID: 867 0143 8435 Passcode: 373146

+16699006833,,86701438435#,,,,*373146# US (San Jose)

AGENDA

1. CALL TO ORDER
2. ADOPTION & SIGNATURE OF JUNE 21, 2022 MEETING MINUTES
3. APPROVAL OF AGENDA
4. BUSINESS ITEMS
 - a. Discussion- Tri State Transmission Line Vegetation Management Plan Update- John w/Staff
 - b. First Reading of Ordinance 2022-02 An Ordinance Amending Ordinance 2012-05 And Increasing Municipal Water Fees
 - c. Notice of Special Mayoral Municipal Election: September 20, 2022
 - d. Planning and Zoning Commission Appointments
 - i. 4 open positions – 3 regular, 1 alternate (all 1 year appointments)
 - e. Wildfire Awareness Banner- thoughts?
5. STAFF REPORTS
6. NEW BUSINESS
7. ADJOURN

MINUTES OF THE REGULAR MEETING OF THE GENERAL ASSEMBLY

TOWN OF OPHIR, CO 81426

TUESDAY, June 21, 2022 7:00 PM

REMOTE MEETING VIA ZOOM PLATFORM

CALL TO ORDER

(TIME: 7:10 PM)

Voting Members: Mason Osgood, Sarah Calicott, John Humphries, Phil Hayden, Elias Bahou, David Calicott, Lee Humphries, Jerry Oyama, Eric Beermann, Teri Steinberg, Mark Campbell, Allyn Hart

Non-Voting Members: John Wontrobski, Ken Page

ADOPTION & SIGNATURE OF April 19, 2022 & May 17th, 2022 MEETING MINUTES

John Humphries motions to approve and adopt the April 19th, 2022 & May 17th, 2022 Ophir GA meeting minutes, Mason Osgood seconds.

All in Favor (Yay): Mason Osgood, Sarah Calicott, John Humphries, Phil Hayden, Elias Bahou, David Calicott, Lee Hayden, Jerry Oyama, Eric Beermann, Teri Steinberg, Mark Campbell, Allyn Hart

Not in Favor (Nay): None

Motion to approve meeting minutes passes unanimously

APPROVAL OF AGENDA

John Humphries motions to approve the June 21st, 2022 Ophir GA Agenda

All in Favor (Yay): Mason Osgood, Sarah Calicott, John Humphries, Phil Hayden, Elias Bahou, David Calicott, Lee Hayden, Jerry Oyama, Eric Beermann, Teri Steinberg, Mark Campbell, Allyn Hart

Not in Favor (Nay): None

Motion to approve the agenda passes unanimously

BUSINESS ITEMS

4a Emergency Ordinance 2022- 2- Summer Fire Ban

Mason Osgood motions to approve Emergency Ordinance 2022-2-Summer Fire Ban, Phil Hayden seconds

All in Favor (Yay): Mason Osgood, Sarah Calicott, John Humphries, Phil Hayden, Elias Bahou, David Calicott, Lee Hayden, Jerry Oyama, Eric Beermann, Teri Steinberg, Mark Campbell, Allyn Hart

Not in Favor (Nay): None

Motion to approve the Emergency Ordinance 2022-02 is passed unanimously

4b Vote- Dan Reardon/Shums Coda Contract for Building Plan Review/Inspections/Code Update Services

Phil Hayden motions to approve the Dan Reardon/Shums Code contract, Mason Osgood seconds

All in Favor (Yay): Mason Osgood, Sarah Calicott, John Humphries, Phil Hayden, David Calicott, Lee Hayden, Jerry Oyama, Eric Beermann, Teri Steinberg, Mark Campbell, Allyn Hart

Not in Favor (Nay): None

Abstain: Elias Bahou

Motion to approve the Dan Reardon/Shums Code contract for Building Plan review passes unanimously.

4c Discussion- Tri State Transmission Line Vegetation Management Plan Update

Updates from the OEC council, John Humphries, John Wontrobski, and Mason Osgood were presented with questions from the GA. Concerns about road impacts, heli-logging, and impacts to high country meadows were expressed. Mark Campbell and Teri Steinberg also questioned about potential action for injunctions against Tri-State or USFS.

4d Discussion- Haul Permit Legislation

John Humphries presents an idea for legislation for haul permits in the town of Ophir. This would allow the town to help prevent road damage from large projects to be bonded and required to repair. Any potential legislation could be presented at the July 2022 GA meeting.

4e Discussion- Water Fee/Tap Fee Increase in 2023

Ken Page presents potential increase in water and tap fees to help to continue funding the upcoming water projects in Ophir. GA generally agrees that an ordinance for the July 2022 meeting for the water and tap fee increase is in order.

STAFF UPDATES

Corinne Platt (Mayor)-N/A

Mason Osgood (Clerk)-N/A

Cindy Wyszynski (Treasurer)-N/A

Jacey Depriest (OEC)- Thank you to all who participated in Ophir Days and the weed walk. OEC is trying to coordinate another community weed day. Tri-State project is taking up a lot of bandwidth with OEC and appreciate any community involvement with that.

Phil Hayden (P&Z)-July 7th is the Cornwall/Whittaker lot variance discussion. He advocates that GA members show up and show their support for the Town of Ophir.

John Wontrobski (Manager)-Ophir road work continues, holding off on speed humps, trying out the dips. This also helps the Tri-State project with their large trailers. Tri-State has made a written promise that if they damage any roads, they will repair them by the end of the year.

NEW BUSINESS

Lee presents new business, she had to return the flow meter that the Town of Ophir bought in May. Unfortunately it arrived broken and Lee sent it back, which then had to send it to the manufacturer, and finally a fixed flow meter should be arriving within the next week or so.

ADJOURN

Having reached the end of the agenda, and with no new business presented, Mason Osgood declared the meeting adjourned at 8:24pm

Town Clerk, Mason Osgood

Date

Minutes prepared by Mason Osgood, Town Clerk

Audio recordings of all General Assembly Meetings are available to the public. Please contact the Town Clerk if you would like a copy of this month's audio of the meeting minutes.

General Assembly Meeting Memorandum

To: Ophir General Assembly

From: John Wontrobski, Ophir Town Manager

Date: July 15, 2022 for July 19, 2022 GA meeting

4a. Discussion- Tri State Transmission Line Vegetation Management Plan Update- John w/Staff

General discussion- see Kim Wheel's addition to the packet for more information.

4b. First Reading of Ordinance 2022-02 An Ordinance Amending Ordinance 2012-05 And Increasing Municipal Water Fees

This proposed ordinance to raise annual water fees and tap fees was introduced at the June 21, 2022 General Assembly meeting and the GA held a straw vote which resulted in support of proceeding with it. This item is the first of two hearings by the General Assembly required to pass the ordinance, which is included in the packet. I also note that the last water fee increase occurred 10 years ago (Ordinance #2012-05). The following summary of the proposed ordinance was submitted by the Ophir Water Commission (OWC):

On behalf of the town of Ophir Water Committee (OWC), we have the following for your consideration:

In March, 2022, John Wontrobski received a letter via email from the Colorado Water Resources & Power Development Authority (CWRPDA). The CWRPDA letter indicated that the town of Ophir's water rate structure may be in violation of loan covenants from a 2009 loan made by CWRPDA to the town of Ophir. The 2009 loan was originally \$500,000, with a zero percent interest rate and paid off in \$12,500 bi-annual payments with a current balance of approximately \$225,000. The loan is scheduled to be paid in full in 2030. WRPDA estimates that Ophir needs to collect an additional \$5,810 annually in water fees to be in compliance. Water fees include water usage fees and tap fees in the calculation.

The OWC has compared the town's water usage rates and tap fees with other Colorado municipalities' rates. In general, Ophir's water fees are in line with comparable rates and the town's tap fees are lower than comparable rates..

WATER RATE COMPS

On a Statewide level, according to the Colorado DOLA survey for the years 2020/2021, the average monthly water bill is approximately \$74.00 per month, assuming 7,750 gallons used per month. Ophir's monthly water bill is \$56.67 per month regardless of the usage (Ophir average monthly household use in 2020 was 4,600 gallons). Other area water bill rates assuming 4,600 gallons per month usage include: Rico - \$48/month; Mountain Village - \$72/month; Telluride - \$50/month; Silvertown - \$100/month; Ridgway - \$52/month

TAP FEE COMPS

Ophir's current tap fee was last established in 2009 at \$7,000 per tap. Other area tap fees include: Mountain Village - \$10,000; Telluride \$29,538 in town and \$40,000 out of town; Silvertown - \$7,900; Rico - \$14,000

OWC Recommendations

The Water Committee recommends increasing the residential quarterly water rates from \$170 to \$195 per quarter (\$8.33 per month) to avoid defaulting on the CWRPDA loan. Additionally, the OWC recommends increasing the tap fee to \$15,000 to contribute to the pending water infrastructure upgrades and to be in line with nearby municipalities. The water rate and tap fee increase will be effective January 1, 2023.

Thank You,
The OWC (Dayna Baer, Chris Drew, Ernie Watenpaugh, Ken Page)

4c. Notice of Special Mayoral Municipal Election: September 20, 2022

Mayor Corinne Platt has long declared her desire to retire from the position after seven years. We have at least one candidate (current Clerk Mason Osgood) who has indicated an interest in running for the position. Following the Home Rule Charter, the earliest we can have an election is September 20, 2022. The GA will accept nominations from anyone else interested in running for the position at the August 16, 2022 GA meeting. Once all nominations have been accepted, a ballot for the September 20th election day will be finalized. If Mason Osgood is the only nominee, an election would not be necessary.

4d. Planning and Zoning Commission Appointment

i. 4 open positions – 3 regular, 1 alternate (all 1 year appointments)

As of the date of this memo, there are two regular positions open on the Planning & Zoning Commission. Our thanks to outgoing members Jen Rose and Valerie Sloan. The GA will accept nominations for appointment to the two positions for a one-year term.

4e. Wildfire Awareness Banner- thoughts?

Janice Gerona noticed the Ski Ranches has erected two wildfire safety awareness banners at each of their entrances. The banners are 2' x 5' and would cost \$61.29 each. (Picture included in packet) Does Ophir want to spend the money on these banners and erect them at either of the town entrances? The banners could be used over multiple years.

Memo: Tri-State Vegetation Management project discussion at July 19, 2022 Ophir GA meeting
Date: July 15, 2022

Dear Town of Ophir,

In preparation for discussion about the Tri-State Vegetation Management project at our GA meeting on Tuesday, July 19, I thought it would be helpful to pull together recent emails from June 17- July 14 with Tri-State and USFS representatives. I've done my best to clip non-essential pages & reduce redundancy, as well as to put them in order from most recent, to oldest. The email messages are contained within subsequent pages of this packet. Photos that were included in emails are also included. Photos are being collected by Mason to be stored by the Town.

Also included is Tri-State's haul permit with San Miguel County.

I'm hopeful that the information contained within these documents helps us have a comprehensive and productive discussion about the project on Tuesday, with actionable requests for desired outcomes that we can bring to future meetings and conversations with Tri-State and USFS representatives.

A few key topics of concern / questions that I have or I've heard from other Ophir residents:

- Improved 2-way communication between Tri-State / USFS and Ophir
- Existing plan to burn piles of leftover slash in environmentally sensitive areas
- Extent of roadwork performed, bar ditches for drainage and associated environmental damage
- Timing of operations – trucks, equipment, helicopter
- Request for gates on Swamp & Iron Springs roads at the Ophir Pass Road
- What is the plan for cut trees, branches, slash, and more that are currently lying along roadsides or under the power lines, in specific areas? In what status will Tri-State leave the project? Will native plant life be able to regrow with the existing plan?
- Can wood chips from the slash material be used on mining tailings piles to revegetate? Can they be used on the roads?
- More information regarding the USFS recent decision memo regarding cultural resources that have not been adequately surveyed

I know there are other concerns, questions, and ideas among community members. Please bring those to the discussion.

Thank you,
Kim Wheels



Kim Wheels <energy.tncc@gmail.com>

Following Up after the June 15th SMPA & Tri-State meeting

5 messages

John Humphries <Johntdog@gmail.com>

Fri, Jun 17, 2022 at 1:23 PM

To: Brad <bhauger@tristategt.org>, Diana <dleiker@tristategt.org>

Cc: "Cc: Corinne Platt" <mayor@ophir.us>, Jacey Depriest <oec@ophir.us>, Ken Haynes <manager@ophir.us>, Mason Osgood <mason@sheepmountainalliance.org>, wiley@smpa.coop, kim@ecoactionpartners.org, Lance Waring <lancew@sanmiguelcountyco.gov>, Megan -FS <megan.eno@usda.gov>, Starr Jamison <starrj@sanmiguelcountyco.gov>, Cody Neff <cody@vmwest.us>

June 17th, 2022

Doug Dean: Senior Transmission Manager Tri-State

Diana Leiker: Senior Environmental Planner

Hello Doug and Diana,

Thank you for attending Wednesday's SMPA meeting to discuss the Tri-State ROW project. After the SMPA meeting, members of the local community met with the Forest Service here in Ophir. During this meeting, the Forest Service (FS) made it clear that although during initial planning they did not require Tri-State to remove the burn piles, at this point, only Tri-State can initiate reducing and/or removal of the proposed burn piles.

- The town of Ophir and members of this community are still hopeful Tri-State will be receptive to the desire to have the burn piles reduced.
- Recent stated reasons for not reducing the piles given by Tri-State are as follows:
 - #1:** The Ophir Pass road would have to be improved
 - NOTE:** The Ophir road has in recent years seen enormous dump trucks carrying heavy loads of rock during an EPA project. After this significant use, the road did not require improvement.
 - #2:** 100 to 150 dump truck trips would be necessary to haul out all of the chipped wood.
- The community of Ophir has stated it is open to the possibility of 100 to 150 additional dump trucks in exchange for reducing the burn piles.
- A stated goal of the Tri-State plan is to maintain "harmonious relationships" with local communities. This is a goal Ophir shares with Tri-State.
- Below is an editorial summary of this current situation.

Thank you for your Consideration,
John M. Humphries

Burn Piles in the Ophir Valley are a Bad Idea

Chapman Gulch in the upper Ophir Valley is a "Sound of Music" like old-growth wildflower meadow beneath 13,000-foot snowcapped peaks. The meadow borders the proposed San Miguel Wilderness Area and is so remote and wild that it is where the endangered Canadian Lynx first had kittens after the species' 2001 reintroduction. This meadow is considered old-growth in nature because many of the plants and wildflowers have been developing in concert with the soil structure since the end of the last ice age. And they are mostly irreplaceable now that the wetter, cooler and weed-free conditions in which they developed no longer exist. The meadow is a special place of solitude, silence and ceremony.

Regrettably, Chapman Gulch is also where Tri-State and the United States Forest Service (USFS) wants to allow a logging operation to deposit an acre of burn piles. Those piles would then be burned resulting in sterilized soils and a landscape in need of years of “revegetation”. The piles will be the result of tree cutting as part of the Tri-State Powerline Right of Way (ROW) widening project intended to prevent forest fires due to trees landing on the powerlines.

The Ophir community shares the goal of lessening fire risk. No one is trying to shut down the Tri-State Project. But burn piles in this location are simply a bad idea.

Tri-State’s plan calls for the burn piles to be located in two places. One is Chapman Gulch, the other is in a spot that would be created by clearing one-half acre of lush, aspen forest. During June and July this forest is home to a cacophony of birdsong as mother and father birds sing with, and feed, their nested young.

Once Tri-State is done cutting, the slash piles of trees will be left behind for the Forest Service and Ophir to deal with. As currently written, the plan calls for the burn piles to be ignited during the winter when fire hazard is low and monitored by ground crews. Winter burning can make sense to reduce wildfire risk. But there are risks: The proposed piles are located directly in the track of two huge avalanche paths, in Chapman Gulch and Ophir Bowl. In the written plan, neither Tri-State nor the Forest Service have considered the avalanche hazard to ground crews charged with lighting and monitoring winter fires in these locations. Additionally, if these burn piles each measuring 40’x 40’x25’ were unable to be burned early this winter, it may be worth considering the consequences if they were hit by an avalanche and the trees and debris thrown into the power lines themselves. At a minimum, it would be a giant mess that Tri-State would have left behind.

Also, and importantly, just this spring, a holdover fire that burned underground and reignited together with another controlled burn caused the 350,000-acre wildfire now raging in New Mexico, the largest in the state’s history. Both climate and wildfire behavior are changing rapidly in the West. Old rules and practices need to be reevaluated. When alternatives to burning large piles of slash exist, it’s prudent, and often far less expensive, to use them.

Tub Chipping

There are smart alternatives to the burning plan. The Town of Ophir and many citizens have requested that Tri-State instead bring in a so-called Tub Chipper to chip and remove the slash piles. Tri-State has been unresponsive to this community request, with Doug Dean, the Transmission Asset Manager at Tri State stating during the June 15th SMPA meeting that “this is the decision we have made”. Yes, Tub Chipping would take more time and money, but chipping is certainly less expensive than putting out any size wildfire.

Partner in Planning

This project is moving fast. There has not been a public scoping period, as is usually required, because the project received a Categorical Exclusion that limits public involvement required under the National Environmental Policy Act. The Town of Ophir only received the written plan for this project in mid-May. Then, the burn pile impact area was nearly tripled in size during a May 26th Zoom meeting.

Citizens of Ophir and San Miguel county have been surprised. With limited opportunity for collaboration, and scarcely time to react, there is a growing frustration. Yes, the fear of wildfire is real and as a result, the project is being driven by fear and no one wants to be seen as slowing down the process.

We work best when we work together. To that end, Tri-State’s proposal should continue to evolve in protection of the irreplaceable high country. And let’s collaborate, to find a solution, in short order, that works for everybody — including the land all of us love. The community of Ophir asks Tri-State to amend this plan to the workable solution of chipping and removing the slash piles.

Wild Mercy,
John M. Humphries





Chapman Gulch looking south of the road where the Burn Piles area is proposed



Chapman Gulch looking southwest from road where the Burn Piles area is proposed

2 attachments



IMG_6887.HEIC
1487K

IMG_6884.HEIC
2175K



Wiley Freeman <wiley@smpa.coop>

Thu, Jun 23, 2022 at 1:10 PM

To: John Humphries <Johntdog@gmail.com>, Brad <bhauger@tristategt.org>, Diana <dleiker@tristategt.org>

Cc: "Cc: Corinne Platt" <mayor@ophir.us>, Jacey Depriest <oec@ophir.us>, Ken Haynes <manager@ophir.us>, Mason Osgood <mason@sheepmountainalliance.org>, "kim@ecoactionpartners.org" <kim@ecoactionpartners.org>, Lance Waring <lancew@sanmiguelcountyco.gov>, Megan -FS <megan.eno@usda.gov>, Starr Jamison <starrj@sanmiguelcountyco.gov>, Cody Neff <cody@vmwest.us>, Brad Zaporski <brad@smpa.com>, Alex Shelley <alex@smpa.com>, MartyJo Davis <martyjo.davis@smpa.com>

Good afternoon,

Thank you to everyone who attended the Zoom call last Wednesday regarding the powerline vegetation removal project. I wanted to let folks know that the June SMPA Board of Directors meeting will be held virtually on Tuesday the 28th. Here is a link to the meeting [agenda](#). While the tree removal/trimming is a Tri-state project, it is on the agenda for discussion. To register for the meeting please visit www.smpa.com or click [here](#).

Please inform any others who may be interested in attending next Tuesday's meeting. Thank you.

Wiley Freeman

Manager of Member Services



P.O. Box 1150

Ridgway, CO 81432



Kim Wheels <lotusenergysolutions@gmail.com>

Questions about roadwork on Ophir Pass & Resource Damage of July 11th

Eno, Megan -FS <megan.eno@usda.gov>

Thu, Jul 14, 2022 at 12:32 PM

To: Lance Waring <lancew@sanmiguelcountyco.gov>, John Humphries <Johntdog@gmail.com>

Cc: Diana <dleiker@tristategt.org>, Corinne Platt <mayor@ophir.us>, Jacey Depriest <oec@ophir.us>, John Wontrobski <manager@ophir.us>, Kim Wheels <lotusenergysolutions@gmail.com>, Mason Osgood <vista@sheepmountainalliance.org>, Starr Jamison <starj@sanmiguelcountyco.gov>, Teri Steinberg <teristeinberg1@gmail.com>, Tyler Shultz <telluridearborist@yahoo.com>, "kcooney.sblc@gmail.com" <kcooney.sblc@gmail.com>, "wiley@smpa.coop" <wiley@smpa.coop>, Hilary Cooper <hilaryc@sanmiguelcountyco.gov>, "Holstrom, Kris" <krish@sanmiguelcountyco.gov>

Thank you for taking the time to reach out and better understand the work you are seeing on the Tri-State utility corridor.

Operational Pause

Regarding the work schedule, Tri-State will be stopping operation over the weekend for the Hard Rock 100 event that includes a portion of the project area. Next week they will continue to fly already downed trees to the landing zones, and haul trees off-site.

A stop work order has been issued for any *new* vegetation work on federal lands within the project area. In the Decision Memo the Forest committed to surveying portions of the project area that had not been adequately surveyed for cultural resources, and to consult with State Historic Preservation Office on those findings. No work will be conducted until that consultation is complete.

Road Improvements

We have received several emails pertaining to the road improvements, specifically the "Swamp Road" as its referred to in town. This an administrative road that Tri-State is authorized to maintain to access the utility right of way. It is not open for vehicular access to the general public as you are aware. The intent of those improvements is to minimize erosion and sediment transfer in to the meadow from vehicle traffic, and our engineers have been on-site to review the work and provide recommendations including the use of on-site gravel on the wettest portions of the road. The use and maintenance of this road is authorized under the special use permit, and described generally in the accompanying Operation and Maintenance Plan including vegetation removal and grading. The armoring of the roads is currently only required on *0.05 miles of road, not 0.5 miles*. The administrative roads in question will be re-seeded once hauling is complete for erosion control. A two-track access route will remain in place to access the line as part of Tri-State's special use permit and new gates will be installed to prevent unauthorized vehicle access of the utility line. To be clear, there is no plan to conduct work that is beyond the scope of the authorization.

Several emails from community members have referenced resource damage concerns as the reason for the stop work order. There are no known resource damage concerns, natural or historical, that are precipitating this operational pause. We need to allow time for review of the cultural survey findings before proceeding with important fuels reduction work on this critical Tri-state Utility line.

Thank you for helping to share this message with other community members,



Megan Eno
District Ranger

Forest Service

Grand Mesa, Uncompahgre and Gunnison National Forest, Norwood Ranger District

p: 970-327-4261 x 4342

c: 720-369-5982

f: 970-327-4854

megan.eno@usda.gov

1150 Forest Street
Norwood, CO 81423

www.fs.fed.us



Caring for the land and serving people

From: Lance Waring <lancew@sanmiguelcountyco.gov>

Sent: Wednesday, July 13, 2022 10:09 AM

To: John Humphries <Johntdog@gmail.com>

Cc: Diana <dleiker@tristategt.org>; Corinne Platt <mayor@ophir.us>; Jacey Depriest <oec@ophir.us>; John Wontrobski <manager@ophir.us>; Kim Wheels

<lotusenergysolutions@gmail.com>; Mason Osgood <vista@sheepmountainalliance.org>; Starr Jamison <starrj@sanmiguelcountyco.gov>; Teri Steinberg <teristeinberg1@gmail.com>; Tyler Shultz <telluridearborist@yahoo.com>; Eno, Megan -FS <megan.eno@usda.gov>; kcooney.sblc@gmail.com; wiley@smpa.coop; Hilary Cooper <hilaryc@sanmiguelcountyco.gov>; Holstrom, Kris <krish@sanmiguelcountyco.gov>
Subject: [External Email]Re: Questions about roadwork on Ophir Pass & Resource Damage of July 11th

[External Email]

If this message comes from an **unexpected sender** or references a **vague/unexpected topic**;

Use caution before clicking links or opening attachments.

Please send any concerns or suspicious messages to: Spam.Abuse@usda.gov

Hello All,

Starr, Ryan, and I are wondering who shut down the project. We suspect it was the USFS. Can anyone confirm that?

If so, we're curious about the specifics that caused the shutdown. Perhaps this be discussed at the Ophir GA meeting next Tuesday?

thanks,

LW

On Tue, Jul 12, 2022 at 2:01 PM John Humphries <Johntdog@gmail.com> wrote:

July 12th, 2022

Diana Leiker

Tri-Sate

Senior Environmental Planner

Diana,

On July 6th the town of Ophir received an email from Tri-State regarding a permanent road improvement that Tri-State was planning for the Swamp Road. As an elected member of the Ophir Town government, I spoke with our mayor, other elected officials and responded on July 8th. Tri-State has not yet responded to the July 8th letter.



Kim Wheels <lotusenergysolutions@gmail.com>

Questions about roadwork on Ophir Pass & Resource Damage of July 11th

John Humphries <Johntdog@gmail.com>

Wed, Jul 13, 2022 at 2:58 PM

To: Lance Waring <lancew@sanmiguelcountyco.gov>

Cc: Corinne Platt <mayor@ophir.us>, Diana <dleiker@tristategt.org>, Hilary Cooper <hilaryc@sanmiguelcountyco.gov>, Jacey Depriest <oec@ophir.us>, John Wontrobowski <manager@ophir.us>, Kim Wheels <lotusenergysolutions@gmail.com>, Kris Holstrom <krish@sanmiguelcountyco.gov>, Mason Osgood <vista@sheepmountainalliance.org>, Megan -FS Eno <megan.eno@usda.gov>, Starr Jamison <starrj@sanmiguelcountyco.gov>, Teri Steinberg <teristeinberg1@gmail.com>, Tyler Shultz <telluridearborist@yahoo.com>, "kcooney.sblc@gmail.com" <kcooney.sblc@gmail.com>, "wiley@smpa.coop" <wiley@smpa.coop>

Hello Lance,

No word from Tri-State or the USFS regarding yesterday's shut down. The project is up and running again today July 13th.

Tri-State's ROW states that roads would have "**light grading**" or would be built "**without grading whenever possible**".

The reality on the ground in the Ophir Valley is that approximately 1/2-mile of the Swamp Road has been heavily graded with large water bars installed through sensitive meadow vegetation including the Chapman Gulch meadow.

From the ROW plan:

Access Roads for Vegetation Management Activities

*Tri-State may need to trim the roads and do some **light grading** to provide a 12-16 foot running width for forestry equipment. Tri-State's contractor will use a pole pruner to trim back vegetation on access roads and will travel overland **without grading** whenever possible.*

Vegetation Disturbance Photos:

Below are photos showing some of the vegetation disturbances in Chapman Gulch and Iron Springs.

#1 and #2: A bulldozer randomly drove a boulder 60-feet through Chapman meadow vegetation.

#3: This bar ditch installed in Chapman Gulch is large; at 10 feet wide and running downhill for 12 feet. It's installation has disturbed far more vegetation than what was necessary.

NOTE: Once water is directed downhill, I've personally never seen it turn around and come back uphill. Tri State has stated that the road work they have completed has been "approved" by the USFS.

#4: This picture shows a large bar ditch with vegetation disturbance directly above the beaver dam wetland site in Iron Springs. The wetland and beaver dam can be seen in the photo. This disturbance allows sediments to run directly into the wetland.





[Quoted text hidden]

3 attachments



IMG_7599.jpeg
2281K



IMG_7595.jpeg
3278K



IMG_7596.jpeg
2208K



Kim Wheels <lotusenergysolutions@gmail.com>

Questions about roadwork on Ophir Pass & Resource Damage of July 11th

John Humphries <Johntdog@gmail.com>

Tue, Jul 12, 2022 at 2:00 PM

To: Diana <dleiker@tristategt.org>

Cc: Corinne Platt <mayor@ophir.us>, Jacey Depriest <oec@ophir.us>, John Wontrobski <manager@ophir.us>, Kim Wheels <lotusenergysolutions@gmail.com>, Lance Waring <lancew@sanmiguelcountyco.gov>, Mason Osgood <vista@sheepmountainalliance.org>, Starr Jamison <starrj@sanmiguelcountyco.gov>, Teri Steinberg <teristeinberg1@gmail.com>, Tyler Shultz <telluridearborist@yahoo.com>, Megan -FS Eno <megan.eno@usda.gov>, "kcooney.sblc@gmail.com" <kcooney.sblc@gmail.com>, "wiley@smpa.coop" <wiley@smpa.coop>, Hilary Cooper <hilaryc@sanmiguelcountyco.gov>, krish@sanmiguelcountyco.gov

July 12th, 2022

Diana Leiker

Tri-State

Senior Environmental Planner

Diana,

On July 6th the town of Ophir received an email from Tri-State regarding a permanent road improvement that Tri-State was planning for the Swamp Road. As an elected member of the Ophir Town government, I spoke with our mayor, other elected officials and responded on July 8th. Tri-State has not yet responded to the July 8th letter.

The town of Ophir has since learned that this work to the Swamp Road had already been completed by July 8th. Permanent improvements were not part of the ROW plan that Tri-State has provided the public and the Town of Ophir was not given an opportunity to comment on this road construction. This is disappointing.

Ophir's Perspective

Towards an understanding of Ophir concerns Diana, please understand that Tri-State's tree cutting, road construction and native plant disturbances are difficult for Ophir's citizens to witness. This is a town full of people that cherish this valley and are working to sustain its environment. Towards this effort, Waterfall Creek was just given Outstanding Waters Designation, one of only 25 water courses on the western slope. The town spends thousands of dollars and puts in over 200-man/women hours each year to protect native plants by pulling invasive weeds. The greatest effort culminated in 2010 when after 10 years in the making, Ophir and the Trust for Public Lands completed a purchase of 1,100-acres of land to protect the valley from high country development. This was the final piece of more than 9,000 acres of high country mining claims in the triangle of land between Ouray, Silverton and Telluride. As a result, virtually all the private lands surrounding the tiny town of Ophir are now permanently protected.

The Town of Ophir requests that Tri-State include Ophir in advance of ROW work that is beyond the scope of the published plan. We do not want to be the last to know. Ophir seeks to be included in communication so that we can offer a local perspective towards the success of this project and protection of the fragile environment.

Burn Piles

Ophir restates its requests for the burn piles to be reduced and/or removed. Since Tri-State previously stated that road improvements were a major impediment towards reducing the burn piles and with permanent road work now completed, we request that Tri-State Tub Grind and at least begin reducing the piles. Such a gesture by Tri-State, would go a long way towards promoting goodwill within the valley.

Resource Damage

As of today July 12th, we understand that Tri-State's ROW project has been shut down for the time being due to resource damage occurring within the Ophir Valley by Tri-State or its contractor. Ophir requests that Tri-State detail the resource damage that has occurred, how it happened and the plan to repair this damage.

We look forward to your response. Thank you.

In Community,
John M. Humphries
Ophir Environmental Commision
Town of Ophir

On Fri, Jul 8, 2022 at 2:41 PM John Humphries <Johntdog@gmail.com> wrote:

July 8th, 2022

Diana amd Megan,

Thank you for this information regarding road armoring provided on July 6th.

In regards to armoring the Swamp road, below are my comments.

The Tri-State ROW plan states that this project in its entirety would be completed by the end of June 2022 to avoid increased impacts to vegetation that would occur in the rainy season.

Armoring the road would constitute a permanent improvement to the Swamp Road. Where in the Tri-State ROW plan are permanent road improvements for this project detailed?

"Approved road improvements" within the ROW plan is a vague term and we have been attempting to understand the scope and the entirety of the road work. So, I apologize in advance, but I am unable to find where the specifics of the road work is detailed within the ROW plan. Can you please provide the Town of Ophir the document that Tri State and its contractor are using to make operational decisions for road improvements within the valley?

There is concern about the operational decision making in the field. Tri State and its contractor's decision to bulldoze roads the day after a truly exceptional 4-hour heavy rain storm following a weekend of steady rain that produced 3 to 4 inches of liquid predication is alarming. Frankly, I am not sure if a worse time could have been chosen to bulldoze a road. Local knowledge would have dictated to wait a day or two. The inability of this project to follow its own schedule and subsequent decision to push through road bulldozing after one of wettest weekends in years has created a far greater mess and damage to vegetation than otherwise necessary. This is disappointing and speaks to a continued lack of collaborative communication with the town of Ophir and its citizens that we both feel and have been expressing. We remain hopeful that productive communication can improve.

The current NOAA forecast calls for less moisture in the next 10 days with warm temperatures. Today, Friday July 8th is the hottest day of the summer and it is dry. The glacial till that comprises the Ophir Valley means the soils drain exceptionally well and dry quickly under the sun.

My questions for Tri-State and the Forest Service are as follows.

- 1) What is the exact area to be armored? Does this include any portion of the Chapman Meadow? Can you provide a map? The current map lacks details of the area to be armored.
- 2) Based on the forecast for less moisture, can this armoring be limited to only wettest areas versus permanent improvements to .5 miles of road?
- 3) The Town of Ophir was informed about this armoring on July 6th. When will this work be done?
- 4) Tri-State has stated that road improvements to the Swamp Road were a major impediment to reducing the burn piles. With this permanent road work, is Tri-State now willing to use a Tub Grinder and trucks to at least begin reducing the burn piles of concern?

Wild Mercy,
John M. Humphries
Ophir Environmental Commission
Town of Ophir

From: Leiker, Diana>
Sent: Wednesday, July 6, 2022 4:13 PM
To: Jacey Depriest <oec@ophir.us>; John Wontrobski <manager@ophir.us>; Corinne Platt <mayor@ophir.us>
Cc: Dean, Doug <ddean@tristategt.org>; 'Eno, Megan -FS' <megan.eno@usda.gov>; Haley, Spencer - FS <spencer.haley@usda.gov>
Subject: RE: [EXTERNAL] Re: [External Email]RE: [EXTERNAL] Questions about roadwork on Ophir Pass

Hello,

The Town had asked last week if Tri-State needed to bring gravel in to armor the haul road. I had told everyone that we did not expect that to be required, however, with the moisture this area has received in the past few days, there is about 200 to 250 cumulative feet of the primary haul road on Forest lands that is starting to deteriorate with truck access. Our contractor met with the Forest Service road engineer and it was determined that we will need to add material to these sections of the haul road to reduce erosion and any damage to the vegetation adjacent to the road. The portions of the road requiring material are relatively flat, so drainage is challenging. All material will be kept within the existing access road footprint.

This access road is designated an administrative only access route to support Tri-State's current and future maintenance activities. Maintaining the road and managing stormwater and erosion is a requirement of our special use permit. Tri-State will be required to comply with all conditions of the Forest Service mineral use permit and the Operation and Maintenance Plan for this activity.

The Forest Service has identified a location at the Carbonaro crossing that will provide suitable and native material for us to use to armor the road. Native material is always preferred over hauling in gravel from outside locations due to the potential for the introduction of noxious weeds. The material to be removed from this location will be loose rockslide material consisting of loose sand and gravel. Please see below a map of the area from which material will be pulled.



Kim Wheels <lotusenergysolutions@gmail.com>

Re: Questions about roadwork on Ophir Pass

Kim Wheels <lotusenergysolutions@gmail.com>

Sat, Jul 9, 2022 at 11:58 PM

To: John Wontrobski <manager@ophir.us>

Cc: Corinne Platt <mayor@ophir.us>, Jacey Depriest <oec@ophir.us>, Lance Waring <lancew@sanmiguelcountyco.gov>, Mason Osgood <vista@sheepmountainalliance.org>, Starr Jamison <starrj@sanmiguelcountyco.gov>, John Humphries <Johntdog@gmail.com>, Teri Steinberg <teristeinberg1@gmail.com>, Tyler Shultz <telluridearborist@yahoo.com>, "kcooney.sblc@gmail.com" <kcooney.sblc@gmail.com>, "wiley@smpa.coop" <wiley@smpa.coop>

Hello everyone,

I walked the Swamp road today, as well as a section of the project that has been cut, including through some of the wetlands. I took photos - attached are some of them.

To answer John's question regarding when the armoring of the road will be done... The additional road improvements have already been implemented. Once again we've received information from Tri-State regarding a change to their plan of action, without being included in the discussion, and with no time to express our voices before action was taken.

The armoring was not done in Chapman meadow, but it was performed on sections of the Swamp Road as well as the Iron Springs Road. (forgive me if I'm not calling them by their proper names.).

Starr (or anyone) - do you know whether the county was or should have been contacted regarding use of the material at Carbonero Gulch, since it's on a county road?

Now that armoring has been done, and the roads are that much more easily drivable by the public, and they likely always will be with the armoring... can we request that the USFS install locked gates near the Ophir Pass road ASAP? and not wait until the project is complete? Based on tire tracks that I saw, motos / dirtbikes were in the Iron Springs area, driving over the mining tailings pile and beyond into the wetlands, just this week (since the last heavy rain). Signage isn't sufficient once the crews have gone home.

Based on these road improvements and the size of the equipment currently in Chapman meadow, directly next to several large slash piles which are likely to grow, as well as large piles of logs that will be hauled out, I wonder if there's any reason why Tri-State would be unable to haul away any slash material that can be brought to this location? From my perspective, burn piles are completely unacceptable and an inappropriate method of dealing with the leftover slash, for many reasons that have already been expressed. Anywhere that the material can be removed and repurposed would be preferable. John pointed out that the number of truckloads to haul chipped material increased significantly from what TS reported at the SMC BOCC meeting to what was said at the recent meeting with SMPA directors. Does this indicate that TS does not have an estimated volume of material if the slash were to be chipped? If material is chipped & hauled out, what can it be used for, in order to address the landfill concerns and hauling distances mentioned in Kevin's email...

In the section of the project that I walked... the area looks completely trashed. I counted rings on tree stumps for 100-150+ year old trees that have been cut. There is slash currently left on the ground everywhere, including in the wetlands and clogging streams, and along the roads due to the widening & "improvements". The "bar ditches" now on the roads look absolutely horrible (about 10 of them along Swamp road) and do not seem to have been done with concern for minimizing damage to the forest. In fact, Aspen trees were damaged during the work done. There's a stream along the Swamp Road that no longer has a distinct channel in which to run, which is likely to become an erosion problem during Spring thaws.

I'd like to know more specifics about what TS plans to do to clean up their work, and whether there's more that can be done to repair the damage as effectively as possible. I'd like to discuss how to make up for the environmental impact of the cutting of old-growth trees, even if it was "necessary" to maintain the safety of the power lines. We all knew we wouldn't like what the project looked like during or afterward, but I'm not sure many of us had an accurate perspective of what would be done, and now we're faced with being in reaction as the scope of work expands.

Is anyone interested in an impromptu meeting this next week to discuss the project and prepare to bring a unified voice of our concerns and ideas to TS & USFS at the GA meeting (if that's possible)? I've had several people ask me what they can do & how they can be involved in speaking about this project for Ophir. I can be available any evening except Wednesday. I'd really like to have actionable outcomes from a discussion with them that leads to different and agreed-upon solutions to our concerns. It's time that we're not just "listened" to, but that our input creates change. If these conversations aren't held now, while TS is performing work in Ophir Valley, then what will be their incentive to continue the discussions later, after they've completed their project? And what will be their incentive while they're working, to minimize their footprint on the land?

If others agree...

John, Mason - is the agenda for the next GA meeting full? I assume this project is on the agenda? Is there sufficient time to invite Tri-State & USFS representatives to a discussion about this project at the GA meeting?

Thank you all for your time, attention, and for caring.
Kim

--
Kim Wheels

On Fri, Jul 8, 2022 at 2:41 PM John Humphries <Johntdog@gmail.com> wrote:

July 8th, 2022

Diana amd Megan,

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27 attachments



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Kim Wheels <lotusenergysolutions@gmail.com>

FW: [EXTERNAL] Re: [External Email]RE: [EXTERNAL] Questions about roadwork on Ophir Pass

John Wontrobski <manager@ophir.us>

Thu, Jul 7, 2022 at 6:37 PM

To: "kcooney.sbllc@gmail.com" <kcooney.sbllc@gmail.com>, Teri Steinberg <teristeinberg1@gmail.com>, Corinne Platt <mayor@ophir.us>, John Wontrobski <manager@ophir.us>, Tyler Shultz <telluridearborist@yahoo.com>, "wiley@smpa.coop" <wiley@smpa.coop>, Starr Jamison <starrj@sanmiguelcountyco.gov>, Lance Waring <lancew@sanmiguelcountyco.gov>, John Humphries <johntdog@gmail.com>, Jacey Depriest <oec@ophir.us>, Kim Wheels <lotusenergysolutions@gmail.com>

This is the latest I've heard from TriState:

John Wontrobski

Ophir Town Manager

970-728-4943 (Office)

970-708-7412 (Cell)

From: Leiker, Diana <dleiker@tristategt.org>

Sent: Wednesday, July 6, 2022 4:13 PM

To: Jacey Depriest <oec@ophir.us>; John Wontrobski <manager@ophir.us>; Corinne Platt <mayor@ophir.us>

Cc: Dean, Doug <ddean@tristategt.org>; 'Eno, Megan -FS' <megan.eno@usda.gov>; Haley, Spencer - FS <spencer.haley@usda.gov>

Subject: RE: [EXTERNAL] Re: [External Email]RE: [EXTERNAL] Questions about roadwork on Ophir Pass

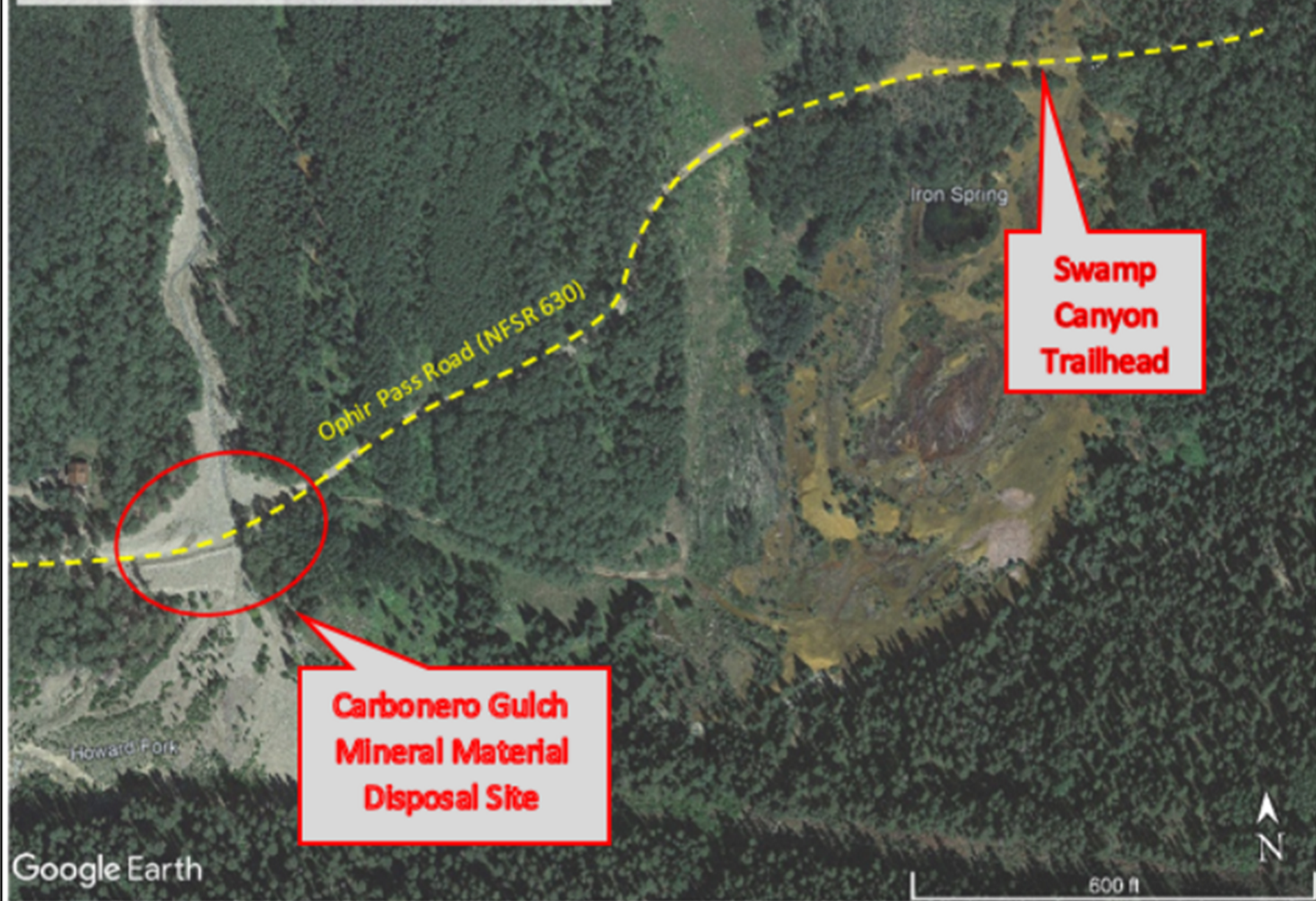
Hello,

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The Forest Service has identified a location at the Carbonaro crossing that will provide suitable and native material for us to use to armor the road. Native material is always preferred over hauling in gravel from outside locations due to the potential for the introduction of noxious weeds. The material to be removed from this location will be loose rockslide material consisting of loose sand and gravel. Please see below a map of the area from which material will be pulled.

Carbonero Gulch Mineral Material Site



Disturbance will only occur in the unvegetated active rockslide deposit area along the sides of Ophir Pass Road and will impact less than 0.5 acres total.

Post excavation of material, the slope of the deposit along the cut-side of the road may need to be reduced to ensure stability of the remaining slide deposits. All stormwater control features at the site (e.g. roadside drainage ditches, rolling dips, and/or water bars) shall be returned to their pre-excavation condition.

Please let us know if you have any questions or concerns. We appreciate your understanding of changing conditions and we will continue to update you on project status.

Thank you and have a good afternoon!

Diana

Diana Leiker

Senior Environmental Planner

Tri-State G&T

303-241-5653



Kim Wheels <energy.tncc@gmail.com>

FW: [External Email]Questions about roadwork on Ophir Pass

Eno, Megan -FS <megan.eno@usda.gov>
To: Kim Wheels <kim@ecoactionpartners.org>

Wed, Jun 29, 2022 at 12:40 PM

Kim,

I meant to copy you on this. After reviewing the Decision Memo, Tri-State has been authorized to maintain the administrative route for this project to improve access to the powerline and landing piles. The improvements they will be making are minimal.

Megan



Megan Eno
District Ranger

Forest Service

Grand Mesa, Uncompahgre and Gunnison National Forest, Norwood Ranger District

p: 970-327-4261 x 4342

c: 720-369-5982

f: 970-327-4854

megan.eno@usda.gov

[1150 Forest Street](#)
Norwood, CO 81423



Caring for the land and serving people

From: Eno, Megan -FS
Sent: Wednesday, June 29, 2022 12:39 PM
To: 'Jacey Depriest' <oec@ophir.us>; Leiker, Diana <dleiker@tristategt.org>; John Wontrobski <manager@ophir.us>; Corinne Platt <mayor@ophir.us>
Subject: RE: [External Email]Questions about roadwork on Ophir Pass

Jacey,

The road in question is an administrative route, not open to the public, that Tri-State has included in their authorization to maintain for access to the power line. The improvements are intended to minimize erosion and maintain a safe route for the equipment operators. At this time there is no plan to bring in gravel and I believe we discussed the possibility of re-seeding the route after the project was complete.

We can absolutely communicate the need to have the gate shut on evenings and weekends.

I had some videos sent to me yesterday from a resident filming the equipment operator whose vehicle was also on the admin site where it didn't belong so the case has been made!

Megan Eno
District Ranger



Forest Service

Grand Mesa, Uncompahgre and Gunnison National Forest, Norwood Ranger District

p: 970-327-4261 x 4342

c: 720-369-5982

f: 970-327-4854

megan.eno@usda.gov

1150 Forest Street

Norwood, CO 81423

www.fs.fed.us



Caring for the land and serving people

From: Jacey Depriest <oec@ophir.us>

Sent: Wednesday, June 29, 2022 10:27 AM

To: Leiker, Diana <dleiker@tristategt.org>; John Wontrobski <manager@ophir.us>; Corinne Platt <mayor@ophir.us>; Eno, Megan -FS <megan.eno@usda.gov>

Subject: [External Email]Questions about roadwork on Ophir Pass

[External Email]

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Hi Diana,

As the project gets started, I have had members of the community contacting me with questions. The grating and improvements to the roads to Chapman Gulch and lower Iron Springs have widened the roads. Because of the early monsoons the work was done on saturated soil. What is in the plan for the width of the roads upon completion? It is my understanding that there won't be any additional material, such as gravel brought in to improve the roads. The plan I have is dated 4/13/22. If there is an updated plan, please forward it to me.

The Forest Service gate to Chapman gulch has been left open by the VMW crews' evenings and weekends. There has been some motorized traffic driving in these areas after hours. With the holiday weekend coming up there are concerns about additional damage to the vegetation. Would it be possible to have signage stating that there is no motorized access on these side roads while the project is underway? And could we please request the contractors close the gates nights and weekends.

Thank you for your communication we truly appreciate all of your time and coordination on this project!

Best,

Jacey DePriest

Ophir Environmental Commission Chair

970-708-4004

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Kim Wheels <energy.tncc@gmail.com>

Fwd: Ames-Burro Bridge Vegetation Management Follow-up

1 message

Starr Jamison <starrj@sanmiguelcountyco.gov>

Tue, Jun 28, 2022 at 8:47 AM

To: Kim Wheels <kim@ecoactionpartners.org>

Here is the email from Diana. You mentioned someone was supposed to flag. Is this message consistent with what you know?
thanks

----- Forwarded message -----

From: **John Huebner** <johnh@sanmiguelcountyco.gov>

Date: Tue, Jun 28, 2022 at 8:38 AM

Subject: Fwd: Ames-Burro Bridge Vegetation Management Follow-up

To: Starr Jamison <starrj@sanmiguelcountyco.gov>

John Huebner
Senior Planner
San Miguel County Planning Department
Office: (970)728-3083
www.sanmiguelcountyco.gov



----- Forwarded message -----

From: **Leiker, Diana** <dleiker@tristategt.org>

Date: Wed, May 4, 2022 at 1:09 PM

Subject: Ames-Burro Bridge Vegetation Management Follow-up

To: Chris Hazen <chris@smcf-landtrust.org>, John Huebner <johnh@sanmiguelcountyco.gov>, John Wontrobski <manager@ophir.us>

Hello,

I hope everything went well last week on the Ames-Burro Bridge field review. I am really sorry I could not make it over. Thank you so much for your understanding. My pup is a bit better but going in for additional tests, so hoping for the best. I think losing our home to the Marshall Fire has been equally as hard on her.

I touched base with Doug and Brad and it is my understanding VMW is going to fly material out of the fen and wetlands on the conservation easement to reduce disturbance to these critical resources. I hope that you both are comfortable with that approach. I think we just will have to manage public concerns with the helicopter noise and presence.

I spoke with Shawn Conner and he will have his biologist flag the wetland and fen boundaries prior to work occurring in that area and we will let you know if the boundaries based on the data we have need to be amended. I have also tasked BIO-Logic with mapping noxious weeds on the entire ROW and conducting migratory bird nesting surveys through the spring and summer and I will share those results with you both.

I have a call with the Forest Service this afternoon and will ask that they provide everyone with a copy of the final BA and if possible, information on the cultural site we discussed.

I am working with Doug Dean and our communications staff on newspaper notices for this work and we will include helicopter operations in the notice.

If there is anything else anyone would like to discuss or needs please call me any time. I am around all week and should be in the office most of next week as well.

Thank you again for all of your help and time on this project.

I hope you all have a good afternoon,

Diana

Diana Leiker

Senior Environmental Planner

Tri-State Generation and Transmission Association, Inc.

303-241-5653

--

Starr Jamison

She|Her|Hers (*why pronouns matter*)

Natural Resources and Special Projects Director

San Miguel County



Kim Wheels <energy.tncc@gmail.com>

Fw: [EXTERNAL] Re: [EXTERNAL] Re: [EXTERNAL] FW: Ophir Requests for upcoming transmission line vegetation work

3 messages

Corinne Platt <mayor@ophir.us>

Tue, Jun 21, 2022 at 2:18 PM

To: Kim Wheels <kim@ecoactionpartners.org>, Tyler Schultz <info@telluridearborist.com>

Hi you two,
Kim, I lost you on the phone, but here is another piece of advice we're being asked to consider. Perhaps Tyler, you can weigh in.
Thanks so much!!

From: Chris Hazen <chris@smcf-landtrust.org>

Sent: Tuesday, June 21, 2022 11:25 AM

To: Leiker, Diana <dleiker@tristategt.org>

Cc: John Wontrobowski <manager@ophir.us>; Ryan Righetti <ryanr@sanmiguelcountyco.gov>; Haley, Spencer - FS <spencer.haley@usda.gov>; Hauger, Brad <bhauger@tristategt.org>; Dean, Doug <ddean@tristategt.org>; Hale, Cody <chale@tristategt.org>; Corinne Platt <mayor@ophir.us>; Jacey Depriest <oec@ophir.us>; Tyler Schultz <telluridearborist@yahoo.com>; Lance Waring <lancew@sanmiguelcountyco.gov>

Subject: Re: [EXTERNAL] Re: [EXTERNAL] Re: [EXTERNAL] FW: Ophir Requests for upcoming transmission line vegetation work

Hi Diana,

I walked the flagging through the corridor and looked at Bio-Logic's atlas of maps. In essence, Bio-Logic has flagged wetland areas in and around the F.O. at a minimum standard to eliminate any risk of the contractor moving into areas inappropriate for equipment. This basically covers the entire corridor between Towers 73 and 76. There are other wetlands in the area on the F.O. - my advice is for crews to access the corridor from the road leading down the the repository south of the F.O.

I also wanted to follow up on the vegetation removal plan. I understood from some of the conversation taking place with the BOCC that willows would only be cut low within the vicinity of the towers? Will this be the case for the bog-birch growing throughout the R.O.W. through the F.O.?

My preference would be that the bog-birch be preserved - it doesn't grow tall when mature. I understand the need to clear around the towers, but eliminating all vegetation in the corridor through the F.O. will dramatically change the ecological conservation values through the site.

Thanks for any clarification you can offer.

-Chris Hazen

On Wed, Jun 15, 2022 at 10:00 AM Leiker, Diana <dleiker@tristategt.org> wrote:

Thanks, Chris! Have a good day,

Diana

From: Chris Hazen <chris@smcf-landtrust.org>

Sent: Wednesday, June 15, 2022 7:46 AM

To: Leiker, Diana <dleiker@tristategt.org>

Cc: Chris Hazen <chris@smcf-landtrust.org>; John Wontrobski <manager@ophir.us>; Ryan Righetti <ryanr@sanmiguelcountyco.gov>; Haley, Spencer - FS <spencer.haley@usda.gov>; Hauger, Brad <bhauger@tristategt.org>; Dean, Doug <ddean@tristategt.org>; Hale, Cody <chale@tristategt.org>; Corinne Platt <mayor@ophir.us>; Jacey Depriest <oec@ophir.us>; Tyler Schultz <telluridearborist@yahoo.com>; Lance Waring <lancew@sanmiguelcountyco.gov>

Subject: [EXTERNAL] Re: [EXTERNAL] Re: [EXTERNAL] FW: Ophir Requests for upcoming transmission line vegetation work

CAUTION: This email originated from outside of Tri-State. DO NOT click links or open attachments unless you recognize and/or trust the sender. Contact the IT Service Desk with questions or concerns.

Thank Diana,

Alison @ Bio-Logic let me know the extent of what she delineated. I can't review the delineation until Monday or more likely Tuesday of next week. I'll let everyone know when I plan to be out there.

-Chris

On Tue, Jun 14, 2022 at 1:25 PM Leiker, Diana <dleiker@tristategt.org> wrote:

Hi Chris,

Hans with VMW just got back to me on the Ames-Burro Bridge Project schedule. They are going to be working from Structure 80 back to the east. They decided it was easier to work uphill to start. They do not expect to be on the Ferric Oxide property for a week (at the earliest). If BIO-Logic wraps up today, will this give you time the end of this week or early next week to review the flagging and mapping?

Thank you!

Diana

Diana Leiker

Senior Environmental Planner

Tri-State G&T

303-241-5653

From: Chris Hazen <chris@smcf-landtrust.org>

Sent: Monday, June 13, 2022 8:56 PM

To: Leiker, Diana <dleiker@tristategt.org>

Cc: John Wontrobski <manager@ophir.us>; Ryan Righetti <ryanr@sanmiguelcountyco.gov>; Haley, Spencer - FS <spencer.haley@usda.gov>; Hauger, Brad <bhauger@tristategt.org>; Dean, Doug <ddean@tristategt.org>; Hale, Cody <chale@tristategt.org>; Corinne Platt <mayor@ophir.us>; Jacey Depriest <oec@ophir.us>; Tyler Schultz <telluridearborist@yahoo.com>; Lance Waring <lancew@sanmiguelcountyco.gov>; Chris Hazen <chris@smcf-landtrust.org>

Subject: [EXTERNAL] Re: [EXTERNAL] FW: Ophir Requests for upcoming transmission line vegetation work

CAUTION: This email originated from outside of Tri-State. DO NOT click links or open attachments unless you recognize and/or trust the sender. Contact the IT Service Desk with questions or concerns.

Hi Diana,

I understand that Bio-Logic will be flagging the Ferric Oxide tomorrow. I am unable to be in Ophir tomorrow due to previously scheduled work in Rico. As discussed previously, I expect to be able to review the delineation work before the contractor begins work on the Ferric Oxide.

Please let me know the construction schedule so I can plan to review the delineation work in advance of the clearing activities.

Thanks-

Chris Hazen

On Fri, May 13, 2022 at 2:03 PM Leiker, Diana <dleiker@tristategt.org> wrote:

Hi John,

We are still working through approvals with the Forest Service, who are hoping to have our authorization by Memorial Day. We decided late this week to hold off on mobilizing the contractor until June 6th to allow for time to obtain that authorization and complete our required biological and cultural surveys. I will keep everyone in the loop if that schedule should change. This delay will allow us to hopefully finish the project in one mobilization.

BIO-Logic will mobilize on May 31st to start migratory bird nesting surveys, noxious weed surveys, and to flag all the wetlands in the project area ahead of the contractor beginning work. This work will occur on both private and public lands. Chris, we will also confirm the boundaries of the fen wetlands on the Ferric Oxide property and send you an updated shapefile.

We are working with the FS on measures to finalize siting of the decking location to minimize impacts to the meadow. Our contractor does not believe it is feasible to deck on Ophir Pass Road. We can provide copies of the traffic control plans that will be approved by San Miguel County as well as our helicopter safety plan to ensure public awareness and safety during our vegetation management activities.

We are working on press releases and radio announcements that should be published the week before we begin.

Please let me know if you have any questions. I hope everyone has a good weekend!

Diana

Diana Leiker

Senior Environmental Planner

Tri-State G&T

303-241-5653

From: John Wontrobski <manager@ophir.us>

Sent: Friday, May 13, 2022 11:39 AM

To: Ryan Righetti <ryanr@sanmiguelcountyco.gov>; Haley, Spencer - FS <spencer.haley@usda.gov>; Hauger, Brad <bhauger@tristategt.org>; Leiker, Diana <dleiker@tristategt.org>

Cc: Corinne Platt <mayor@ophir.us>; Jacey Depriest <oec@ophir.us>; Tyler Schultz <telluridearborist@yahoo.com>; Lance Waring <lancew@sanmiguelcountyco.gov>

Subject: [EXTERNAL] FW: Ophir Requests for upcoming transmission line vegetation work

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Hi folks,

Just checking in to see if there have been any changes to the vegetation management plan based on Ophir input (below)- I've heard through the grapevine that we should expect the first impacts of this project in the valley in about a week.

Thanks,

John Wontrobski

Ophir Town Manager

970-728-4943 (Office)

970-708-7412 (Cell)

From: John Wontrobski

Sent: Tuesday, May 3, 2022 4:22 PM

To: Ryan Righetti <ryanr@sanmiguelcountycogov.gov>; Haley, Spencer - FS <spencer.haley@usda.gov>; Hauger, Brad <bhauger@tristategt.org>

Cc: Corinne Platt <mayor@ophir.us>; Jacey Depriest <oecc@ophir.us>; Tyler Schultz <telluridearborist@yahoo.com>; Lance Waring <lancew@sanmiguelcountycogov.gov>

Subject: Ophir Requests for upcoming transmission line vegetation work

Hi all,

Thanks for joining us last week on the site walk- I think we all learned a lot. I definitely got the sense that this additional clearing is a task that no one is excited about doing, but that everyone knows needs to be done. I also got the sense that the parties involved would like some input from those who live in Ophir on minimizing the immediate and long-term impacts of the project, and that's the purpose of this email.

Ophir staff, including myself, Mayor Corinne Platt, Ophir Environmental Commission Chair Jacey DePriest and OEC Member/local arborist Tyler Shultz met yesterday to discuss the project, and came up with the following two “asks” for you to consider as we move forward. It was decided at our meeting that the proposed helipad/burn pile/decking area in Chapman Gulch, at the mouth of Swamp Canyon, is one of the more delicate and diverse ecosystems in the Ophir Canyon, and we'd like to avoid as much disturbance in that area as possible. Toward that end, we request:

- That as much activity that can be moved away from that area be moved- this could mean placing the burn piles on the Iron Spring property, where I'm told the ecology is much more damaged from past mining and reclamation efforts and where a mid-winter fire would cause less soil damage. If we could move the helipad elsewhere, we feel that would be a benefit too, though we know there are many factors to take into account with aircraft safety landing zones. The decking may be the most impactful activity in that area, so we'd like to see that moved as well, which leads to a second request:
- What are the possibilities that Ophir Pass Road be temporarily closed to the public while work in the Swamp Canyon area is performed, and then decking and truck loading and staging happen on Ophir Road itself? We feel this would greatly minimize the amount of disturbance in the valley, in general.

Thanks for considering these requests- we know that there will need to be some back and forth to fully flesh out these ideas, and we look forward to working with you to create the safest transmission line corridor while having the least impact possible on the land.

Sincerely,

John Wontrobski

Ophir Town Manager

970-728-4943 (Office)

970-708-7412 (Cell)

H

Kim Wheels <kim@ecoactionpartners.org>

To: Corinne Platt <mayor@ophir.us>

Cc: Tyler Schultz <info@telluridearborist.com>, jacey depriest <jaceyanne@gmail.com>

Wed, Jun 22, 2022 at 6:49 PM

Hi Corinne,

Thanks for forwarding this over. I was unaware that Chris Hazen has been included by Tri-State in the process, but I'm trying to come up to speed to see if I can help at all. I had a good call with Jacey today too. Did Diana provide a response regarding the bog-birch?

Cheers,
Kim



Kim Wheels
Energy Specialist
EcoAction Partners

Office: 970.728.1340 • Cell: 970.708.9674
Ecoactionpartners.org



[Quoted text hidden]

Kim Wheels <kim@ecoactionpartners.org>

Tue, Jun 28, 2022 at 10:06 AM

To: Starr Jamison <starrj@sanmiguelcountyco.gov>, Mason <clerk@ophir.us>

Starr - this is what I was referring to regarding Chris's review of Ophir's property.

Mason - do you know if there was a response from Diana regarding his request related to the bog birch?

Thank you,
Kim



Kim Wheels
Energy Specialist
EcoAction Partners

Office: 970.728.1340 • Cell: 970.708.9674
Ecoactionpartners.org



[Quoted text hidden]

ORDINANCE NO. 2022-02

AN ORDINANCE AMENDING ORDINANCE 2012-05 AND INCREASING MUNICIPAL WATER FEES

WHEREAS, the provision of healthy and dependable potable water supplies for regular municipal use and the provision of such supplies as needed to ensure adequate fire protection are necessary for the preservation and promotion of the health, safety and welfare of the Ophir community; and

WHEREAS, the Town of Ophir operates a public water system throughout the Town of Ophir, which system is fiscally maintained solely through the operation of the Town's Enterprise Fund; and

WHEREAS, the current user fees may be insufficient to cover the costs of current operations, together with anticipated costs of completing significant improvements to the system; and

WHEREAS, the Ophir General Assembly finds that raising the water user fees will promote the health, safety and general welfare of the Ophir community by raising revenues for water system improvements;

NOW, THEREFORE, BE IT ORDAINED BY THE GENERAL ASSEMBLY OF THE TOWN OF OPHIR:

SECTION 1: ORDINANCE 2012-05 AMENDED

Section 1 -- Water Fee -- of Ordinance 2012-05 is hereby repealed in its entirety and reenacted to read, "Water Fee: seven- hundred, eighty U.S. Dollars per year minimum for each tap-holder within the Town of Ophir. The \$780 per year minimum shall be paid quarterly at the rate of \$195 (one hundred ninety-five) dollars per quarter." In addition, the tap fee will be increased to \$15,000 per tap (from \$7,000).

SECTION 2: EFFECTIVE DATE: This Ordinance shall be effective as of January 1, 2023, following final adoption.

SECTION 3: PUBLICATION: Notice of final adoption of this Ordinance shall be published in the *Telluride Daily Planet* along with a brief description of this Ordinance.

Introduced, Read and Approved on First Reading by the General Assembly on the _____ day of _____, 2022.

Approved and Adopted on Second and Final Reading by the General Assembly of the Town of Ophir on the _____ day of _____, 2022.

By: _____
Corinne Platt, Mayor

Attest: _____
Mason Osgood, Town Clerk

Approved as to Form: Town Attorney

TOWN OF OPHIR
NOTICE OF SPECIAL MUNICIPAL (MAYORAL) ELECTION
September 20, 2022

Please take notice that a special municipal election of the Town of Ophir, Colorado shall be conducted on September 20, 2022 between the hours of 7:00 am to 7:00 pm at the Ophir Town Hall located at 36 Porphyry St., Town of Ophir, 81426, to elect the Mayor. Nominations will be accepted at the August 16, 2022 meeting and the ballot will be finalized at that time.

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facebook.com/sanmiguelcountysheriff/

Be Smart with Fire Pits & Grills

NO FIREWORKS

Think Before You Spark

FIRE MITIGATION STARTS WITH YOU