



**RESOLUTION 2021-2 ADOPTING OPHIR MASTER PLAN**

WHEREAS, Section 9 (A) of Ophir Ordinance 1993-03 provides that it is the function and duty of the Planning & Zoning Commission to make, adopt and recommend to the General Assembly a master plan for the physical development of the Town;

WHEREAS, public comment was solicited and a public hearing was held on December 8, 2020 to discuss the Ophir Master Plan in accordance with the requirements of Section 9 (D) of Ophir Ordinance 1993-03; and

WHEREAS, the Planning & Zoning Commission recommends to the General Assembly adoption of the Ophir Master Plan dated January 12, 2021, which replaces all prior versions and is attached hereto.

NOW THEREFORE, be it resolved by the General Assembly of the Town of Ophir that the Ophir Master Plan dated January 12, 2021, has been reviewed and is hereby adopted by a majority of the General Assembly of the Town of Ophir at an open meeting.

**DATED THIS 19TH DAY OF JANUARY 2021.**

**TOWN OF OPHIR, COLORADO**

By:   
Corinne Platt, Mayor

By:   
Sydney Roop, Town Clerk



## Ophir Master Plan 2021

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## **I. Introduction**

The Town of Ophir is a small, quiet, residential community that sits at about 9,800 feet above sea level in Colorado’s San Juan Mountains. Ophir has less than two hundred residents and there is no commercial activity, including short-term rentals, within town limits. Summers are short and winters are long with high winds and abundant snowfall. Ophir is accessed by a dead-end county road, which is sometimes closed during winter months due to avalanches. Spring Gulch, an avalanche slide path, divides the town into east and west Ophir. Lots are small and housing sizes are restricted because of State Regulations for septic systems. Additionally, drones, ATVs, snowmobiles and other off-highway vehicles are not allowed within town limits.

In an effort to preserve Ophir’s small, residential character and natural setting, the Ophir Master Plan (“Master Plan”) creates a framework for making decisions regarding the physical, social, economic and environmental development of the community. The Master Plan establishes certain objectives that anticipate the future through general guidelines but it does not contain specific details concerning every problem, issue, use or location that will be addressed in coming years.

Sections I-II provide certain background information about the Master Plan and Ophir. Sections III-VI set out goals (Goals A-M) relating to specific topics followed by detailed objectives describing how these goals can be achieved.

### **A. Background and Authority**

Origin. The Master Plan was first created and adopted on September 21<sup>st</sup>, 1993 and has since been regularly updated based on community input collected through public meetings, opinion surveys, and studies. Specifically, this plan incorporates results from the 2019 Master Plan Survey (“2019 Survey”), the 2016 Master Plan Survey (“2016 Survey”) and the 2019 OEC Recreational Use of Ophir Open Space Survey (“2019 OEC Survey”).<sup>1</sup> A complete review and update of the Master Plan should occur every five to ten years. This Master Plan, dated January 12, 2021, replaces all prior versions.

Applicability. The Master Plan applies to all lands within the Town of Ophir and also serves as a guide for public comments, positions or decisions regarding land uses outside of town but within the region that affect the Ophir community. This includes federal decisions about United States Forest Service (“USFS”) lands that surround Ophir.

Authority. As described in Ophir’s Home Rule Charter, the Town of Ophir is governed by the Ophir General Assembly, which consists of Ophir residents over the age of 18, and Ophir’s Home Rule authority provides broad powers for matters of local concern, including the adoption of this Master Plan.

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<sup>1</sup> The 2019 Survey was distributed to 138 recipients and 69 responses (50%) were received. The 2016 Survey was distributed to 124 recipients and 57 responses (46%) were received. The 2019 OEC Survey was distributed to 131 recipients and 65 responses (50%) were received

Additionally, Colorado Revised Statutes authorize municipalities to plan their communities as provided by the following statutes: §31-23-202 (Grant of power to municipality); §31-23-206 (Master Plan); §31-23-207 (Purposes in view); §31-23-212 (Jurisdiction); §31-23-213 (Scope of control).

## **B. Guiding Principles**

The Master Plan is founded on certain Guiding Principles that encompass the beliefs and views held by the Ophir community as identified through various public processes. These Guiding Principles form the foundation for the goals and objectives described throughout and should inform all decisions regarding planning for the future. Specifically, Ophir aims to limit the mass, size and scale of development and manage population growth and new development to ensure adherence to these Guiding Principles.

The Guiding Principles include the following:

- Preserve Ophir’s quiet atmosphere, small-scale community and connection to the natural environment.
- Preserve Ophir’s rustic character and residential nature.
- Preserve the natural setting of Ophir and the greater Ophir Valley.
- Protect the health and wellness of Ophir residents.

Additionally, Ophir employs the precautionary principle in all decision-making that if an action or policy has a suspected risk to the public or environment and there’s no scientific consensus on the potential risk, the burden of proof that it isn’t harmful falls on those advocating for the action.

## **II. Setting, History and Government**

Setting. The Town of Ophir sits at about 9,800 feet above sea level in Colorado’s San Juan Mountains in San Miguel County. It’s nestled in what is referred to as the Ophir Valley, with Waterfall Canyon to the south, Swamp Canyon to the southeast and Spring Gulch to the north. During winter months Ophir enjoys abundant snowfall and high winds. Summer months are short but beautiful.

History. For hundreds of years, nomadic Native Americans, including the Uncompahgre Utes, came to the Ophir Valley during the summer months. In 1881, the U.S. Army forcibly removed the Uncompahgre Utes from their native lands in the San Miguel River Basin, relocating them to Utah and making them part of the Ute Tribe on the Uintah and Ouray reservation.

In 1875, Lieutenant Howard and a group of prospectors from Silverton followed a creek (later named the Howard Fork of the San Miguel) up to a high valley where they found vivid orange sediments in the creek bed. In 1878, seventeen of these men returned

to build one-room cabins and named their settlement “Ophir” after the biblical mining villages of King Solomon.

By 1885, Ophir had a population of around 200 people, which fluctuated over the next ten years with the boom and bust of the mining trade. The period of 1896-1910 was Ophir’s most prosperous time with about 40 houses interspersed among two hotels, several saloons, a livery stable, a town hall, a meat market, two blacksmiths, a barbershop, a volunteer fire department, a restaurant, a school and the Suffolk Mill. The Crown Point, Nettie, Santé Cruz, Nevada, and Summit mines yielded gold bearing quartz. The Caribou Mine yielded silver, which was sent over Ophir Pass to Silverton for processing.

In 1891, a train station and depot was established by the Rio Grand Southern Railroad at the Ophir Loop. This connected Ophir with Telluride where goods and supplies could be bought. By 1908, electricity and telephone service were available.

Frequent avalanches in the gullies west of the town made travel difficult and caused power to go out for days at a time. The Spring Gulch slide path destroyed many buildings in town and major fires were frequent. Many of Ophir’s residents moved down valley to the Ophir Loop where the nearby Butterfly Mine provided employment and the railroad provided transportation.

In the early 1970s, decades after the mining boom had dissipated, new residents, attracted in part by the fledgling Telluride Ski Resort, settled in the Ophir Valley and rebuilt old mining shacks or constructed new homes in what is now referred to as west, or old, Ophir. When the state planned to take over the old town site, Ophir residents rallied to create a municipality, resulting in the town ownership of multiple properties and a formal recognition of the avalanche hazards. By 1980, there were about twenty residents and an old log structure was moved to a new foundation to become the Town Hall. In the 1990s, Ophir moved its water source from Waterfall Canyon to Warner “Springs” and built a new filtration facility with reserve tanks and a pumping station. This opened town land to the east of Spring Gulch to development and a Special Improvement District was created for what has become known as east Ophir. Ophir has since moved its primary water source back to Waterfall Canyon.

In the past three decades, services and facilities have been added to support the community. These include a maintenance garage, garbage facility, two parks, a renovated Town Hall with a community garden, composting facility, new water plant and town-wide Internet. The town’s current demographics are 75 houses and approximately 185 residents.

During the past three decades, Ophir has partnered with numerous stakeholders and government entities to promote preservation and collaboration in the Ophir Valley. For example, in the early 1990s Ophir completed the “Waterfall Canyon Land Exchange Project,” which acquired and protected 169 acres of mining claims in Waterfall Canyon in exchange for four building lots in east Ophir and allowed the annexation of West

Ophir to enable greater than county density. Additionally, Ophir assisted the San Miguel Conservation Foundation acquire land in Waterfall Canyon by selling a town building site. Throughout the next decade, the Town of Ophir partnered with San Miguel County, the USFS, congressional representatives, the Trust for Public Lands (“TPL”), and private landowners to protect more than 1100 acres in the Ophir Valley from private development and commercial use. Ultimately, the TPL brokered that acreage to the USFS in 2010. More recently, Ophir used a Great Outdoors Colorado grant to purchase the Ferric Oxide parcel, which is located east of Ophir, with the purpose of minimizing toxic contributions from the Ferric Oxide site to the Howard Fork. Presently, Ophir is working with the USFS to clean up the New Dominion mine site.

Government. The Town of Ophir is governed by the General Assembly, which is the sole decision-making body. The General Assembly consists of any person eighteen (18) years of age or older who has resided within the Town of Ophir for twenty-two (22) days immediately preceding any meeting of the General Assembly in which the person casts a vote and has registered to vote with the Town Clerk on or before the date of the meeting or election at which the person votes. All official action by the General Assembly is done through ordinance, resolution or motion.

Ophir’s elected officers include the Mayor, Mayor Pro Tem, Town Clerk, and Town Treasurer. The Town of Ophir also employs a Town Manager for town administration. In addition, certain boards and commissions have been established to assist with various governance issues. The following commissions are currently active:

- *Planning & Zoning Commission (“P&Z”).* The P&Z was created to provide guidance, regulation and review that ensure future development is compatible with existing development. This includes responsibility for taking feedback from the community and maintaining Ophir’s Land Use Code (the “LUC”), which governs development within the Town of Ophir, and for regularly presenting a Master Plan to the General Assembly. The P&Z consists of five regular members and two alternates. (See Ophir Ordinance 93-2.)
- *Ophir Environmental Commission (“OEC”).* The OEC was created to ensure the protection and restoration of the natural environment within and surrounding the Town of Ophir. This includes, but isn’t limited to, guidance about Ophir’s Open Space Program. The OEC consists of five members. (See Ophir Ordinances 93-4, 94-7 & 2020-3.)

### **III. Community Design & Land Use**

This section sets forth specific planning goals and detailed objectives that reflect community values. As new development occurs and the community changes, these should be incorporated in all future decision-making.

## **Goal A: Preserve Ophir’s Unique Character**

Residents value Ophir’s unique setting and character.

### *Goal A - Detailed Objectives:*

1. Inform and involve Ophir residents on issues that impact the community, including but not limited to conducting comprehensive opinion surveys at least every five to ten years. Ophir residents believe the General Assembly is an effective way of governing, though some desire broader engagement. (See 2019 Master Plan Survey Question (“2019 MPSQ”) 17.)
2. Increase participation in community surveys to ensure their effectiveness.

## **Goal B: Preserve Ophir’s Residential Character**

The Ophir community values the residential character and scale of Ophir. Ophir residents want to maintain this character and continue to discourage commercial activity.

### *Goal B - Detailed Objectives:*

1. Retain the residential character of the community and discourage commercial activity or tourism in the Ophir Valley. (See 2019 MPSQ 12; see also 2016 Master Plan Survey Question (“2016 MPSQ”) 73 and Section V.)
2. Implement stricter enforcement of Ophir’s Home Business Occupation regulations in the LUC and consider whether additional provisions, such as payment for use of Ophir’s trash and recycling facilities by home business owners should be added to the LUC to reduce any impact on Ophir residents without home businesses. (See 2019 MPSQ 12.)
3. Preserve the scale and size of Ophir. (See 2016 MPSQ 85.)

## **Goal C: Preserve Ophir’s Mountain Landscape**

The Ophir community values the town’s mountain landscape and aims to promote new development that is compatible with the existing rustic, historic architecture of town and the natural setting of the Ophir Valley while also encouraging Green Building practices. Unlike many communities throughout the country, Ophir doesn’t support homogenization caused by generic tract housing, bland architecture, or architecture that is misaligned with its setting and location. Further details about Ophir’s environmental stewardship objectives can be found in Section V below.

*Goal C - Detailed Objectives:*

1. Continue to promote mountain compatible design that preserves connection to the surrounding natural alpine environment and functions in Ophir's high altitude mountain setting.
2. Continue to protect the surrounding mountainsides as open space and discourage forest development of any type, including resource extraction. (*See also* Section V.)

**Goal D: Preserve Ophir's Historic Character**

Ophir's mining history is a part of Ophir's unique character. A handful of historic structures and numerous artifacts speak not only of Ophir's history, but the history and culture of the American West.

*Goal D - Detailed Objectives:*

1. Encourage opportunities for residents and visitors to appreciate Ophir's history.
2. Maintain the Ophir Cemetery and consider whether any improvements should be made as long as these are at a reasonable cost. (*See* 2019 MPSQ 3.)
3. Address historical and cultural preservation measures in the LUC. (*See* 2019 OEC Survey Question ("2019 OEC SQ") 9.)

**Goal E: Maintain Housing Opportunities for the Community**

Maintain single family housing opportunities and residential neighborhoods that meet the needs of the Ophir community.

*Goal E - Detailed Objectives:*

1. Through community surveys and discussion, determine whether Ophir should pursue local affordable housing projects or other similar mechanisms to ensure affordable housing. The 2019 Survey indicates that many residents aren't interested in pursuing affordable housing projects in Ophir, though there is no clear consensus on this subject and the 2016 Survey indicates residents are open to deed-restricted or price-capped housing. (*See* 2019 MPSQ 42, 2016 MPSQ 70.)

**Goal F: Update and Clarify Ophir's LUC**

In recent years, the Town of Ophir has spent significant resources in deliberations over the interpretation and enforcement of Ophir's Land Use Code ("LUC"). Ophir residents believe complaint-based enforcement of the LUC isn't adequate and would like Ophir to implement better enforcement mechanisms. (*See* 2019 MPSQ 4.) This is in part



because as a small community, enforcement that depends on neighbors' complaints is limited in its effectiveness.

*Goal F - Detailed Objectives:*

1. Update and clarify the LUC in line with Goals A-E described above.
2. Establish effective mechanisms for enforcing the LUC, including inspections and fines. (*See 2019 MPSQ 4.*) LUC violations should either be brought into compliance, go through the variance process and/or pay a fine. (*See also 2019 MPSQ 10.*)
3. Review and clarify exterior materials allowable under the LUC, including consider allowing siding stains and other siding materials, such as metals, that are in natural earth tones and fit with Ophir's historic character and natural setting. (*See 2019 MPSQs 5-7.*)
4. Through community surveys and discussion determine whether to allow lock-off units with certain restrictions, such as additional payment, parking restrictions, upgraded fire safety or occupancy limits. The surveys conducted in 2019 and 2016 returned conflicting results on this topic. (*See 2019 MPSQ 8 & 2016 MPSQ 41.*)
5. Implement stricter enforcement of the LUC's prohibition of short-term rentals. (*See 2019 MPSQ 9.*)
6. Conduct a survey to determine whether the LUC should be amended to a) revise setbacks for accessory buildings and/or b) size of the accessory buildings. Responses in the 2019 survey were inconclusive. (*See 2019 MPSQ 11.*)
7. Continue to restrict building heights and excessive mass and scale of new structures to preserve view corridors. (*See 2016 MPSQ 104.*)
8. Consider and implement incentives that encourage sustainability in building designs and architecture. (*See 2016 MPSQ 45.*)

## **IV. Public Facilities and Services**

This section provides an overview of the public facilities and services in the Town of Ophir followed by goals and detailed objectives for these facilities and services.

Town-Owned Land. The Town of Ophir owns 395 lots. Of these, approximately 32 potential building sites are not located in high or moderate zoned hazard areas. Some of these buildable sites have been set aside by Ophir Ordinance 96-1 as part of a "landbank" to support Ophir's preservation objectives. Contiguously located non-

buildable lots within the high hazard avalanche zones are thought of as “preserves.” All other buildable town-owned lots are not considered “open space” because they could be developed at the discretion of the Town. For discussion of Ophir’s Open Space Program, *see* Section V below.

Town Hall & Greenhouse. Town Hall is located at 36 Porphyry. Town Hall provides administrative office space, a public meeting space and a community greenhouse space.

Water System & Water Rights. Colorado is an arid state that manages the limited supply of water under the “doctrine of prior appropriation.” Ophir currently has a water right for a surface diversion in Waterfall Canyon and water rights for Warner Spring. The town’s water system treats surface water from Waterfall canyon at a treatment facility in town limits constructed in 2010. This is Ophir’s primary system and Warner Springs, on the north side of Ophir, is utilized as a back-up. Ophir can store up to 79,000 gallons of water and uses a three-stage filtration system followed by sodium hypochlorite treatment.

Source Water Protection Plan. Ophir worked with area stakeholders to develop a Source Water Protection Plan (“SWPP”) to insure best water management practices and reduce any potential risk of contamination to its water source. Specifically, Colorado Rural Water developed and filed Ophir’s SWPP with the state of Colorado in August 2020. The Source Water Protection Areas for Ophir’s water sources includes the Waterfall Creek watershed, the Warner Springs and Spring Gulch drainages, and a 100-foot buffer around the pipeline from Waterfall Creek to Ophir’s treatment facility.

Wastewater Treatment. Ophir does not have centralized wastewater treatment facilities. Individual septic systems are used and this limits the size of homes in Ophir. All septic systems are reviewed by the County Health Inspector and must be done in accordance with the State Individual Sewage Disposal Act. These regulations limit Ophir’s potential build-out capacity to 150 single-family homes.

Streets and Alleys. The street system in Ophir is based on the historic town site plat and follows a grid system, except where variation is necessary because of the land’s natural features. Alleys are used for access to utilities and construction or maintenance. Some alleys have been vacated (*see* Ophir Ordinance 79-1), while others are physically unrecognizable but legally exist.

Fire Protection. Fire protection is provided to Ophir by the Telluride Fire District at Station 2 in Mountain Village and Station 4 on Highway 145 near San Bernardo.

Education/Day Care. Ophir falls within the Telluride School District.

Telecommunication & Media. Quest provides telephone services and Visionary Communications provides Internet in Ophir. No cable television services are offered in Ophir and cell phone reception is only available through voice-over-Internet-Protocol services. Enhanced broadband may or may not be pursued.

Utilities & Energy Planning. Currently, Ophir is provided electricity through a franchise agreement with San Miguel Power Association, which purchases wholesale electricity from the Tri-State Generation and Transmission Association. In 2018, Ophir committed to transitioning to 100% Greenhouse Gas-Free or carbon-neutral electricity. (See Ophir Resolution 18-5.) As discussed further below, the Ophir community would like to develop and implement self-sustaining, renewable energy sources to move off the power grid. Ophir’s attempts to employ hydropower have so far been unsuccessful but may be resumed in the future.

Parks. Within the Town of Ophir there is a central park area in west Ophir and a park in east Ophir. The west Ophir Park contains a playground, basketball court, and picnic tables. The east Ophir Park contains a relocated historic mining cabin with a community gathering area.

In-Town Trails. There are no maintained footpaths within Ophir town limits.

### **Goal G: Serve the Health, Safety & Well-Being of Ophir Residents**

Ophir aims to develop, maintain, and enhance public facilities and services that are directly related to the health, safety and well-being of its residents. This includes maintaining reasonable affordability, in part by ensuring that new growth doesn’t reduce the level of service provided to or increase the financial burden on existing residents.

#### *Goal G - Detailed Objectives:*

1. Regularly assess the administrative demands of the Ophir community and ensure there is sufficient staffing to meet these needs.
2. Continue to provide and maintain adequate office space, equipment and furniture at Town Hall to meet Ophir’s administrative demands. Ophir residents believe the Town Hall is sufficient for Ophir’s current and foreseeable needs. (See 2019 MPSQ 13.)
3. Improve Ophir’s trash, recycling and compost facility and continue upkeep of the maintenance barn. (See 2019 MPSQ 16.)
4. Consider and implement ways to address water shortages caused by unpredictable fluctuations in water supply sources and Ophir’s storage capacity. Ophir residents believe water resources should be a top priority for Ophir. (See 2019 MPSQ 18, 19.)
5. Maintain compliance with the Safe Water Drinking Act and enhance the quality of Ophir’s municipal water.

6. Establish a rate structure that recovers cost of securing adequate water rights to serve any new development and a reserve fund for unexpected repairs or maintenance of the water system.
7. Implement stricter enforcement of Ophir's speed limits and consider other options for speed mitigation including permanent speed humps or implementing speed-camera enforcement.
8. Implement stricter enforcement of Ophir's winter parking regulations, particularly for day use visitors, to ensure proper road maintenance and safety for Ophir residents. (*See 2019 MPSQ 20, 21.*)
9. Through community surveys and discussion, determine whether Ophir should provide and maintain parking for recreational users. There is not consensus among Ophir residents on this point. (*See 2019 OEC SQ 4.*) There is, however, consensus that Ophir residents don't want the town to provide a public restroom. (*See 2019 OEC SQ 5.*)
10. Implement stricter enforcement of LUC's §305, which requires all residential structures provide at least two off-street parking spaces for lot areas equal to, or less than 5,000 square feet and three spaces for lot areas greater than 5,000 square feet. Ophir residents are concerned by the amount of on-street parking. (*See 2016 MPSQ 28.*)
11. Continue to maintain Ophir's roads through grading and snow removal, including regular clearing of fire hydrants, drainage ditches and culverts. Ophir residents believe these efforts are adequate and they would not pay higher taxes for more regular maintenance on in-town roads. (*See 2019 MPSQ 22, 24, 25.*) For further discussion of mitigating grading impacts on native vegetation, see Section V below.
12. Require landowners to remove any structural obstructions, such as sheds, retaining walls, trailers, campers or fences, from town alleyways within in a designated period of time. Designate alleyways necessary for emergency access and prioritize removal in those first. (*See 2019 MPSQ 27, 28.*)
13. Consider measures for fire protection within Ophir. The 2019 Survey indicates that there is no clear consensus on whether residents would be willing to pay additional taxes to build a firehouse within town limits. (*See 2019 MPSQ 29.*) The 2016 Survey, however, indicates that Ophir residents are interested in pursuing fire protection within town limits. (*See 2016 MPSQ 63, 64.*)
14. Continue to maintain and enhance the water system for fire protection.
15. Maintain a local Emergency Operations Plan for the Town of Ophir that the Town Manager regularly updates and educates town staff about.

16. Continue to pursue placing all electrical lines, including high voltage transmission lines, underground in the Town of Ophir and consider discussions to expand efforts to the broader Ophir Valley.
17. Continue to require all new development and new extensions of electrical lines to install electrical line extensions underground.
18. Maintain the Ophir Town Parks for the benefit of all Ophir residents. Ophir residents believe the parks and playground are adequate for the town's current needs and don't think the town should provide or maintain additional recreational venues. (*See 2019 MPSQ 15, 34; 2019 OEC SQ 8.*)
19. Through community surveys and discussion, determine whether to develop trails in town for non-motorized uses, such as hiking, walking or biking. There are currently unmaintained footpaths within Ophir town limits. The 2019 Master Plan Survey and 2019 OEC Survey returned conflicting results on this topic. (*See 2019 OEC SQ 3; 2019 MPSQ 35.*) Ophir residents are concerned that increased trail use could have negative impacts on the environment or quality of life and ways to mitigate these impacts should be considered in any discussion of trail development. (*See 2019 OEC 6, 7.*)
20. Pursue easements and/or permits that would allow Ophir to establish a non-motorized trail from town to the post office. This subject wasn't directly addressed in the 2016 or 2019 Surveys, though comments indicate there's still interest in such a trail.

### **Goal H: Promote Sustainability**

Ophir residents are interested in promoting and developing more sustainable energy supplies and sources to serve the community.

#### *Goal H - Detailed Objectives:*

1. Consider whether Ophir should dedicate funds and resources toward expanding the Ophir greenhouse. Ophir residents believe the current greenhouse isn't adequate, but they weren't asked whether town funds should be used for an expansion. (*See 2019 MPSQ 14.*)
2. Establish measures to conserve water use, including implementing water meters, encouraging watering times and/or alternating days and incentivizing Xeriscape landscaping. Ophir residents would like to implement these measures, but they don't want to prohibit car washing or lawn watering. (*See 2016 MPSQ 55, 56.*)
3. Continue to reduce the rate of water system leakage with leak detection programs, replacement of old distribution lines, and repair of failed distribution lines and

- insure distribution pipes are bedded properly with non-corrosive fill material that protects such pipes from damage and undue wear that causes leaks.
4. Consider establishing a method for assessing and correcting indirect contamination of the Howard Fork due to inadequate wastewater treatment by septic systems in Ophir.
  5. Prohibit any new development or uses that could result in further contamination of the Howard Fork or require Ophir to install centralized wastewater treatment.
  6. Consider and implement ways to reduce dust in Ophir. Some Ophir residents aren't satisfied with dust-suppression in Ophir. (*See* 2019 MPSQ 23.) Additionally, Ophir residents would support paving the County Road, which would help with dust suppression. (*See* 2019 MPSQ 26; 2016 MPSQ 18.) Ophir residents don't want to see in-town roads paved, despite dissatisfaction with dust-suppression and do favor green dust control measures. (*See* 2016 MPSQ 16, 27.)
  7. Pursue self-sustaining, renewable energy sources such as solar, wind or hydro. (*See* 2019 MPSQ 36.) Ophir residents support community solar and wind projects. (*See* 2019 MPSQ 37-38.) Many residents are willing to have solar panels or wind turbines installed on their roofs or property and some residents would like to reconsider hydropower. (*See* 2019 MPSQs 39-40, 2016 MPSQs 47-48.)
  8. Continue to consider pursuing a connection to the regional transportation system to reduce Ophir's carbon emissions. (*See* 2019 MPSQ 41.) The majority of Ophir residents don't use public transportation or carpools to travel to work or school. (*See* 2016 MPSQ 7-8.)
  9. Encourage energy efficiency and conservation by individual homeowners.
  10. Clarify design requirements in LUC for renewable energy mechanisms, including roof-mounted solar panels.

## **V. Environmental Stewardship**

As noted in Section III above, Ophir residents value Ophir's natural setting and are concerned with its preservation. This section outlines environmental stewardship goals and objectives that have been established over the last two decades. Environmental considerations include natural resource protection and environmental remediation.

### **Goal I: Protect Ophir's Natural Resources**

Ophir residents value connection to the natural world and want to protect the natural resources within the Town of Ophir and throughout the Ophir Valley.

### *Goal I – Detailed Objectives*

1. Minimize degradation to, or loss of, natural resources, including wildlife, through preservation, mitigation and restoration. (*See* 2019 MPSQ 30.)
2. Consider and implement ways to reduce the impact of human activity during elk or deer calving and rutting periods.
3. Protect and preserve wetland areas in and around Ophir.
4. Protect and preserve the natural meadows in their native state in and around Ophir.
5. Enforce current regulations concerning exterior lighting to preserve the natural night sky.
6. Continue to work with county, state and federal agencies to prevent environmental degradation from activities such as motorized-recreation, natural resource extraction and road development.
7. Advocate for the reduction of motorized recreation in the Ophir Valley and implement stricter enforcement of Ophir’s current regulations that prohibit unlicensed vehicles such as OHVs and snowmobiles within town limits. (*See* 2016 MPSQ 107.)
8. Continue to encourage residents to reduce, reuse, and recycle all materials.

### **Goal J: Remediate Environmental Impacts of Human Activity**

The Ophir community recognizes human activity, both past and present, has negative impacts on the environment and aims to reduce these impacts through remediation.

### *Goal J – Detailed Objectives*

1. Establish regulations and best practices to require reseeded of lands disturbed by new construction and regular right-of-way maintenance to prevent the spread of noxious weeds. (*See* 2016 MPSQ 58; *see also* 2019 MPSQ 32.) In February 2020, Ophir contracted with an organic weed management service to assist with weed control on town-owned property. (*See* Ophir Ordinance 19-6.)
2. Continue to promote cooperative plans to abate and remediate environmental impacts caused by past mining activity.
3. Promote cooperative plans to abate and remediate environmental impacts caused by recreational activity.

## **Goal K: Maintain and Preserve Ophir Open Space**

Preservation of the natural mountain landscape and non-development of land surrounding the Town of Ophir has been and continues to be important to Ophir residents. Ophir initiated an active Open Space Program in 1992 and singularly or in partnership has since acquired many mining claims to preserve as open space. These acquisitions were intended to promote, in perpetuity, stewardship of these properties in their original state, including vistas and vegetation, or to restore them to a more native state. Ophir is further supported in its preservation efforts outside of the Town boundaries by the San Miguel County's Land Use Code 5-321 High Country Area ("HCA").

### *Goal K – Detailed Objectives*

1. Continue to preserve previously acquired open space and to confine density and development in the Ophir Valley to within the town limits. Ophir residents believe Ophir's open space preservation is adequate. (*See* 2019 MPSQ 33; *see also* 2016 MPSQs 81-82.)
2. Preserve town-owned lots as assets for future town needs (*see* 2016 MPSQ 80) and ensure that any sale or use of town-owned lots doesn't result in over development, congestion or other negative impacts to Ophir's current residents.

## **VI. Human Wellness**

This section discusses additional ways, not discussed above, that Ophir aims to protect the health and safety its residents.

### **Goal L: Ensure Health and Safety of Residents**

In addition to environmental stewardship efforts discussed above, Ophir aims to protect the natural environment to ensure the health and safety of Ophir's present population and future generations. Ophir residents believe Ophir does a good job ensuring the health and safety of its residents. (*See* 2019 MPSQ 31.)

### *Goal L – Detailed Objectives*

1. Prevent any degradation to the environment that presents a measurable human health risk.
2. Continue to ensure that all ground and surface water in the Ophir Valley meets water quality standards capable of supporting aquatic life and that these waters do not pose any human or other environmental health threat in the valley.
3. Develop and implement reasonable noise standards to control nuisance noise.



## **Goal M: Prevent Damage Caused by Natural Hazards**

Ophir residents are susceptible to certain natural hazards given the town's location and Ophir aims to protect its residents through ongoing awareness and education.

### *Goal M – Detailed Objectives*

1. Work with San Miguel County to maintain maps and studies of potential natural hazards, including but not limited to avalanche, debris flows, flood plains, geologic hazards, rock fall, unstable slopes and wildfire areas. (*See Ophir Resolution 18-3; 2018 San Miguel County All Hazards Mitigation Plan; see also 1974 Art Mears Report on Hazard Studies.*)
2. Encourage and support the education of Ophir residents about fire safety, the natural hazards listed above and other emergency protocol.
3. Promote land use patterns that eliminate or reduce potential development in natural hazard areas.

## Bibliography and References

- 1992 Ophir Community Survey [on file at the Ophir Town Hall]
- 2003 Ophir Valley Community Questionnaire [on file at the Ophir Town Hall]
- 2003 Survey results for Open Space Planning [on file at the Ophir Town Hall]
- 2005 Ophir Community Survey [on file at the Ophir Town Hall]
- 2016 Ophir Community Survey [on file at the Ophir Town Hall]
- 2019 Ophir Community Survey [on file at the Ophir Town Hall]
- 2019 OEC Open Space Survey [on file at the Ophir Town Hall]
- 2010 Vikis Water Consultants Water Rights Report [on file at the Ophir Town Hall]
- 1974 Art Mears Report on Hazard Studies [on file at the Ophir Town Hall]
- Environment Studies organized by Lee Sullivan [on file at the Ophir Town Hall]
- Class I Areas at Risk: Event-Based Nitrogen Deposition to a High-Elevation, Western Site by Mark W. Williams and Dave Manthorne
- Increasing Eolian Dust Deposition in Western United States Linked to Human Activity by J. C. NEFF ,A. , P.BALLANTYNE , G.L.FARMER, N.M.MAHOWALD, J.L.CONROY, C. C.LANDRY, J. T.OVERPECK, T.H.PAINTER, C.R.LAWRENCE AND R.L.REYNOLDS
- 2018 USFS Biological Assessment on Waterfall Canyon: Swamp Canyon AML Safety Closure Project [on file at the Ophir Town Hall]

### Historical Books on Ophir:

- The R.G.S. Story, Vol. III, Over the Bridges, Vance Junction to Ophir; Collman, McCoy, Graves
- Guide to Colorado Historic Places; Thomas J. Noel
- Living (and Dying) in Avalanche Country; John Marshall & Jerry Robert