



Nathan Ruybal
CONEJOS COUNTY CLERK & RECORDER
6683 COUNTY ROAD 13 PO BOX 127
CONEJOS, COLORADO 81129
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nruybal@co.conejos.co.us

**Minutes of the Board of County Commissioners Regular Meeting held on May 5, 2022, at 9:00 am
in the Commissioners Board Room, 6693 County Road 13, Conejos, CO 81129**

Comm. Jarvies called the meeting to order at 9:00 am

Mitchell Jarvies – Chairperson – Present
Carlos Garcia - Vice Chair – Present
Joseph Baroz – Vice Chair – Present

Present: Nathan Ruybal-Clerk and Recorder, Nick Sarmiento-County Attorney, Connie Ricci-HR Director, Tressesa Martinez-County Administrator - **ALL PRESENT**

Pledge of Allegiance: Comm. Jarvies led everyone on the Pledge of Allegiance.

Prayer: Comm. Garcia gave the opening prayer.

Approval of Agenda:

- Remove April 21st Minutes from Agenda
- Motion to approve agenda as amended
Comm. Baroz First Motion
Comm. Garcia Second Motion
Motion Carries 3-0

Approval of Minutes:

- March 17th, 2020, Minutes
- Motion to approve agenda as amended
Comm. Garcia First Motion
Comm. Baroz Second Motion
Motion Carries 3-0

Public Comment:

- No Public Comment.

Administrative Correspondence – Tressesa Martinez:

- Tress did post the add for Board Members for the Capulin Draining District
- No Letters of Interest have been submitted.

Discussion of Road and Bridge pay increase, Connie has numbers on payroll.

Sheriff's Report – Garth Crowther

- Voice Over Internet Service - possibility of the Sheriffs Office using this service.
- Problem with this service is that when the internet goes down, you have no phone service.
- Shortage of Patrol Units – Cannot hire deputies since there are no units to place them in.
- Fire Danger - Will be a big problem this summer.
 - Sheriff would like to issue a fire ban
 - Everbridge notice will be sent as soon as possible.
- Firefighter Cordova who passed away after responding to a fire.
 - Sheriff and Under Sheriff will not be able to attend Funeral.
 - Sheriff will add these names to the “Killed in the Line of Duty Memorial”
 - Edwardo Dominguez and Rafael Pena

Motion to enter Executive Session 24-6-402 Sub Section B Conference with an Attorney to Discuss Town of Antonito IGA with County Sheriff Office at 9:20am.

Comm. Garcia first motion

Comm. Baroz second motion

Motion Carries 3-0

- Comm. Jarvies - Let the record reflect that we are coming out of Executive Session conference with an Attorney, no decisions were made, and it is 9:36 am.
- Attorney Sarmiento – It is the opinion of the County Attorney that the discussion had an Executive Session constitute Attorney and Client privilege and therefore no record was kept.

Land Use Report – Linda DeHerrera

Mr. Robins discusses reasons regarding the split into the smaller tracts, Mr Robins would like to make these smaller tracts more affordable for locals to purchase these smaller tracts.

Open to Public Comment

No Public Comment

Linda did not receive any letters submitted from any agencies regarding the subdivision.

Comm. Garcia asks for clarification on how the owners would access their tracts from the main road.

Comm. Baroz motions to approve the Minor Subdivision as presented.

Comm. Garcia second motion

Comm. Baroz withdraws his initial motion and recuses himself from this motion since he is purchasing a lot in the Rito Hondo Subdivision.

Comm. Garcia makes motion to approve the Minor Subdivision are presented

Comm. Jarvies seconds the motion

Motion Carries 2-0

Conejos County Land Use-Staff Report

NAME OF MINOR SUBDIVISION: RITO HONDO – TRACT 13 MINOR SUBDIVISION, AMENDED RITO HONDO SUBDIVISION.

OWNERSHIP/SUBDIVIDER: GARY & SUZAN ROBINS

CCLU Case #2022-0062

SURVEYOR: Toby Crowther, Davis Engineering

LOCATION/LEGAL DESCRIPTION: 35.58 acres + Tract 13 Amended Rito Hondo Subdivision, Located in Section 16, Township 32 North, Range 7 East, NMPM, Conejos County, Colorado.

EXISTING ZONING: Rural **ADJACENT ZONING:** North, South, East, West-RURAL. Far east is US Forest.

REQUEST: The applicants are requesting to create 6 lots from one parcel.

SITE DESCRIPTION - SEWAGE/WATER/ACCESS/ROADS:

Lot 13A contains 5.92 acres – Rural land – vacant – no improvements will obtain all permits when needed.
Lot 13B contains 5.91 acres – Rural land – vacant – no improvements will obtain all permits when needed.
Lot 13C contains 5.91 acres – Rural land – vacant – no improvements will obtain all permits when needed.
Lot 13D contains 5.91 acres – Rural land – vacant – no improvements will obtain all permits when needed.
Lot 13E contains 5.92 acres – Rural land – vacant – no improvements will obtain all permits when needed.
Lot 13F contains 5.92 acres – Rural land – vacant – no improvements will obtain all permits when needed.

Existing Public Access to all lots in the development is from Forest Service Road 103. The Rito Hondo Road and South Rito Hondo Court from the gate through the development to each lot is fully built and will be maintained by the Developer/HOA. The main subdivision road is a 60' Right-of-Way with 30' gravel-built road. Each Tract being created in the Minor SD will require an access from the private subdivision South Rito Hondo Court. Each purchaser will be responsible for the access into their lot. A culvert will be required to allow for proper road drainage.

The owners of the lots will be required to apply for physical addresses once they are ready for development. All permits will be required at the time of development.

All lots are eligible to apply for a well permit "household use only."

LAND USE CODE REVIEW PROCESS: Article 3 – Application Requirements, Article 10 – Subdivisions Division 10.3 – Minor Subdivision Regulations.

NOTICE REQUIREMENTS: Notice to surrounding landowners was mailed on 03/31/2022. Notice was published in the Valley Courier on 04/02/22 and 04/19/2022. Onsite posting was completed by Chris on 4/1/22.

PLANNING COMMISSION (PC) REVIEW: The PC hearing was held on 04/20/2022 at 6:15 PM. The PC made a recommendation for approval as presented. (M/S – Tom Stewart/Emily Lutringer – unanimous vote.)

BOARD OF COUNTY COMMISSIONERS REVIEW: Public hearing before the BOCC is scheduled for Thursday, May 5, 2022, at 9:30 AM.

CONEJOS COUNTY LAND USE STAFF REPORT
SPECIAL USE REVIEW

Case No. CCLU 2022-0059

APPLICANT: Lester Yoder

BACKGROUND: An application for a Special Use Permit was filed with the Land Use Office on 03/28/2022. The property is owned by Lester & Naomi Yoder. It is zoned Rural and is legally described as: 35 Acres \pm (6 acres to be used for the sawmill area) located in the Northeast Quarter of Section 24, Township 32 North, Range 8 East, NMPM, Conejos County Colorado. The common description of the property is 500 County Road B, in the Village of Ortiz. Parcel/Schedule #613524100042.

REQUEST: The applicant is requesting a Special Use Permit for a Sawmill with Retail Sales of the materials produced on site.

ADJACENT ZONING: North, South, East and West are all Rural.

APPLICABLE ZONING ORDINANCE: - Article 4 Zoning, Division 4.2 Zone District Regulations AND Article 5 Permits, Division 5.4 Special Use Review.

PUBLIC NOTICE REQUIREMENTS: Notice requirements were met by sending notice to the surrounding landowners within 500' on 3/31/22 notices to referral agencies on 04/04/22; notice was published in VALLEY COURIER on 04/05/22 and 04/19/22; and Onsite posting was posted by Inspector, Chris, on the property on 04/01/22.

PUBLIC HEARINGS:

PLANNING COMMISSION – The PC hearing was held on 04/20/2022 at 6:45 PM. The PC made a recommendation to approve the application with conditions. 1. No burning of any kind; 2. Oil & Fuel Containment is required; 3. One semi per week coming in and three goose neck trailers per week going out; and 4. Limit Saturday operations to once a month. (M/S Armando/Tom – motion carried by majority vote.)

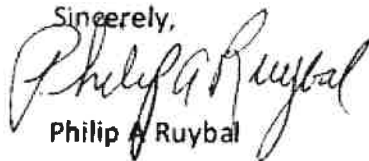
BOARD OF CONEJOS COUNTY COMMISSIONERS – The application will be presented to the Board of County Commissioners on 05/05/2022 at 9:45 AM.

4/19/2022

To whom it may concern,

This letter is to address the many concerns regarding the sawmill to be moved to Ortiz.

- 1) It is residential area, not a commercial area. People walk, jog, and ride bikes on the already narrow county roads.
- 2) The county roads are already in bad condition, with constant potholes, broken shoulders, culverts that wouldn't be able to support the tremendous weight of lumber trucks.
- 3) There will be tremendous pollution from the carbon monoxide produced by the many machineries been used, and the lumber trucks just passing through the peaceful residential area. The sawdust the wind will carry.
- 4) The amount of water being used will deplete the aquifer which will affect the residential usage.
- 5) The constant sound of the lumber trucks arriving and leaving the area and the constant loud whine of the sawmill in operation.
- 6) The fire danger, should anything happen to cause a fire and the possibilities of it spreading through the residential communities.
- 7) These are just a few of the multitude concerns of having a sawmill in a residential area.

Sincerely,

Philip A. Ruybal

LeeAnn Nielsen
1994 County Road 13
Antonito, CO 81120

April 18, 2022

Dear Planning Commission Members,

My name is LeeAnn Nielsen, and I live on the corner of County Road C and County Road 13 in San Antonio, Colorado. I have lived in Conejos County for over 22 years and was immediately drawn to the San Antonio and Ortiz area for its beauty and particularly for its tranquility.

As a local homeowner, taxpayer, and voter, I oppose the introduction of the proposed sawmill to the village of Ortiz because of the inevitable increase in heavy truck traffic that it will bring to neighboring San Antonio in general and to County Road C in particular.

There are only two roads leading to Ortiz from San Antonio: County Road 12.5 and County Road C, with County Road C being the shortest route from Highway 285. An increase in heavy truck traffic on County Road C, which is narrow and has no sidewalk, poses an unacceptable risk to this community's residents. Local pedestrians, many of them families with small children, should be able to enjoy walking without giant log trucks barreling past on a regular basis.

I also question whether our existing infrastructure is designed for continuous use by loads of this size, and I worry that approval of this commercial enterprise will open the door to future industrial operations in the area, further overburdening County Road C.

And finally, as a self-employed professional copy editor whose home office faces County Road C, I am concerned about the detrimental effect that year-round log truck traffic will have on my work, which requires sustained focus.

Given that a high percentage of a sawmill's sales are often tax-exempt, it is worth asking how much revenue the county actually stands to gain from the proposed sawmill in Ortiz and whether that amount will offset the downsides it poses to our safety, infrastructure, and quality of life.

Thank you very much for your time.

Sincerely,



LeeAnn Nielsen

Conejos County: Application for Sawmill in Ortiz Colorado_Public Hearing Comment Against the Saw Mill Proposal from Michele T. Trujillo

2 messages

Conejos County Website <noreply@conejoscounty.org>
Reply-To: "Dr. Michele Terese Trujillo" <Guadalupe81120@gmail.com>
To: landuse@co.conejos.co.us

Wed, Apr 20, 2022 at 11:21 AM

This is an enquiry email via <https://www.conejoscounty.org/> from:
Dr. Michele Terese Trujillo <Guadalupe81120@gmail.com>

Dear Linda and Conejos County Commissioners,

4/20/22

I am writing as a property owner in Ortiz Colorado who is against the application for the sawmill application/proposal in Ortiz Colorado. I received notification of the public hearing tonight. However, since I commute to Denver for work I am unable to be there in person.

I find it to be very concerning and illogical to build a sawmill in Ortiz or the surrounding communities for several reasons: 1) Ortiz is not zoned for industrial business, 2) Ortiz is part of the San Luis Valley National Heritage Area, 3) There is already a sawmill that exists less than 15 miles away from Ortiz, North of Antonito Colorado.

Ortiz is not zoned for industrial business and this business would put the area of Ortiz and surrounding communities at risk of increased air pollution, noise and visual pollution in the area. Ortiz is located in a small canyon and the smoke from the burning that takes place (from the sawmill processes) will cause increased air pollution in this small canyon. In addition, the piles of wood needed for the business would create an eye sore in this pristine valley. The increased noise in the area would be a disruption to the natural habitat, wildlife and the current residents that have lived in Ortiz for generations.

Ortiz is part of Conejos County which is one of the counties in the SLV that is part of the Sangre de Cristo National Heritage Area. Any major alterations of the community of Ortiz would put the community at risk of this designation. In addition, any industry would pose a risk to the pristine status, Heritage traditions of the Hispanos that have farmed and lived for multiple generations. My ancestors began their lives in Ortiz in the 1800s. All of my ancestors are buried in the Cemetery in Ortiz. It makes me very unsettled and sad to think that this heritage area would be transformed into a place for industry like a sawmill.

It is illogical why an industry like a sawmill would be built when one already exists in Conejos County outside of the town limits, North of Antonito. It seems unnecessary to have two of the same kind of businesses so close in proximity. In closing, as a person who has strong ties to my historical and heritage place of Ortiz Colorado, I strongly oppose the project and application of building a saw mill in Ortiz Colorado based on the facts that Ortiz is not suited for industry, is part of the Sangre de Cristo National Heritage Area and that it is illogical to build another sawmill because one already exists in Conejos County. There is NOT a need for another sawmill.

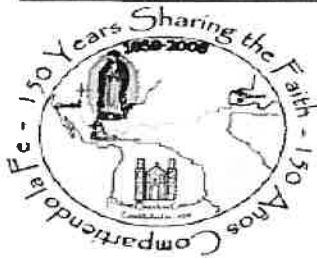
Thank you for time in reading my statement.

Sincerely,

Michele Trujillo, Ed. D. - Ortiz Land Owner and Conejos County Citizen.

Received 4/20/22
Email Land Use

Oldest Parish in Colorado
Established in 1858



Our Lady of Guadalupe
PARISH

305 West 8th Ave.
P.O. Box 305
Antonito, CO 81120

Ph (719) 376-5985
Fax (719) 376-2530

Rev. Sergio Robles, C.R.
Parish Administrator

e-mail: info@ologp.org

**Comments and Objections to the Proposed Sawmill in Ortiz
Submitted to: Conejos County Land Use Office
Re: Public Hearing Planning Commission Meeting (20 April 2022)
For: Lester Yoder Application for Special Use Permit – Sawmill in Ortiz**

Dear Planning Commission Members and Conejos County Commissioners,

My name is Fr. Sergio Robles, C.R., Pastor and Administrator of Our Lady of Guadalupe Parish. Our beloved Ortiz Church, San Juan Nepomoceno, 684 County Road B, Antonito, CO. is an active missionary church of Our Lady of Guadalupe Parish. Our people from this community, other nearby communities, and parishioners, regularly attend Catholic services in this beautiful and historic Church.

On behalf of myself and like-minded parishioners, we strongly object to this request for a "Special Use Permit" to build a saw mill in the back yard of our Church. This Church has been in this location for hundreds of years and was the center of this community for many years. We wish the Planning Commission to reject this application and not allow an industrial plant and commercial operations to be located in the pristine meadows of Ortiz. This is NOT the proper nor a good location for such an operation.


We believe an industrial and commercial operation such as a saw mill located in these pastoral agricultural meadows is NOT in the best interest of our community. We see NO benefit to our Community in allowing this industrial plant to be located in these meadows. Our historical and cultural legacies will be destroyed if you allow industrial development in our Community.

We believe the roads in this Community are not suited for large truck traffic. The dust and increased traffic would seriously impact the health and well-being of our parishioners, as well as directly impact this Church, which is a designated historical site. With irrigation season upon us, we expect, as is normal, for the water levels to rise and the land to be extremely inundated, which will cause lots of problems for the construction and the use of this land for an industrial and commercial operation.

The ancestors of this Community would never conceive of placing a large industrial and commercial operation in these low lands where flooding is always present. We pray the Planning Commission and the Conejos County Commissioners honor our request to reject this special use

Conejos County Land Use Office
Page 2

permit. There are many and more proper locations in Conejos County for industrial and commercial development.

With all due respect and sincerity,
Yours Truly,

Fr. Sergio Robles, C.R.
Pastor/Administrator

NICOLE MORA-ATENCIO & LAWRENCE ATENCIO

286 County Road 8, Antonito, CO 81120 | 719-588-5010, 719-588-6373 | atencionicole@yahoo.com

April 12, 2022

Conejos County Commissioner Garcia

Conejos County Commissioner Jarvies

Conejos County Commissioner Baroz

Dear Commissioners:

We are writing this letter to object to the proposed Hoschtetler Sawmill in San Antonio and Ortiz, Colorado. We truly do appreciate and respect our neighbors and want them to thrive. There are, however, several factors that should be considered on behalf of this rural, residential community.

Our first concerns are about the roads and safety of those living around the proposed sites. We are concerned that the roads, bridges, and culverts are not engineered to support the large amount of weight the trucks will be hauling. Many neighbors utilize these roads, that are already a struggle to maintain, to get to their homes and for farming or ranching purposes. The lack of emergency and merging lanes on this narrow road, which is often used by commuters, cyclists, walkers, runners, horses, buggies and to move herds of cows is a huge safety concern. We also have herds of deer that cross these roads. Heavy trucks and trailers will require a longer range in which to brake. Semi-trucks with air brakes, paired with the weight of their load, have a lag time that significantly increases the total stopping distance. At 40 miles an hour, an 80,000-pound semi will need a total of 169 feet to brake as determined by the Utah Department of Transportation. The risk of fire associated with industrial activity could jeopardize homes and two historical churches.

Secondly, we are concerned about health and the environmental impact, which is anticipated with any industrial activity. Emissions and hazardous waste from the production and fuel used will inevitably impact air quality and ground water. Noise pollution could impact the neighbors and wildlife. Wildlife migration patterns will be affected. Due diligence must be exercised in the form of having studies done on the water, air, noise, and wildlife and be taken into consideration before the sawmill is approved.

Our third concern is the legalities in operating such an industry, which has been going on for nearly a year in San Antonio, have not been followed. It is our understanding that the county complies with enforcing state and federal regulations and laws while upholding the county land use code. Disregard for accepting and following the law and regulations is not a practice that I believe is in the best interest of the county. This sets a precedence for other industries as well as compromises the integrity of the regulations set forth to properly establish a business.

With all this being said, we are uncertain how this sawmill's contributions will exceed the cost on the county and community in this area. Will a company that focuses on employing a select few be held accountable for paying taxes which could help repair the roads? Will they be required to follow OSHA regulations and safety protocols? Will they be held accountable if there is a fuel or hazardous waste spill or fire? These are viable questions in general, but especially important in this situation since the law hasn't been followed to construct the mill in San Antonio.

While we support industry, growth, and our neighbors' endeavors, we strongly assert companies such as this sawmill should remain in designated industrial areas and follow the law and requirements as expected in the county, state, and federal government.

The bottom line is this rural, residential community is not zoned or designed as an industrial area.

Respectfully,

Nicole Mora-Atencio & Lawrence Atencio



Dear Conejos County Commissioners:

Thank you for your consideration in allowing the following signed members of Conejos Clean Water (CCW) to engage in the public process. CCW is a registered 501c3 focusing on environmental, social, food and education justice in the San Luis Valley and northern New Mexico.

It is our stance that at this time the operating a "SawMill" and changing the zoning from residential/agricultural is not warranted in San Antonio, CO. CCW has not been provided with environmental, engineering, health or comprehensive studies/plans/impacts and opposes any further developments with regards to industrial or commercial use.

Mike Trujillo: Executive Director

Conejos Clean Water
Mike@cccwater.org
719.580.4331

All other documents submitted to Linda DeHerrera in Land Use either for or against will be attached as supporting documents for this Special Use Permit Public Hearing at the conclusion of these minutes. Submitters of the letters are both adjacent landowners and referral agencies alike.

The following is a list of those individuals that oppose the purposed Sawmill.

- *Lawrence Atencio*
- *Michelle Trujillo*
- *Phillip Ruybal*
- *Aaron Abeyta*
- *Mike Trujillo*
- *Larry Salazar*
- *Ru Trujillo-Abeyta*
- *Phyllis Garcia*
- *Donald Duran*
- *LeeAnn Nielson*
- *Nick Sandoval*
- *Walden Colbert*
- *Marty Vigil*
- *Clarence and Sarah Mooring*
- *Chris Garcia*
- *Father Sergio Robles*

Public Comment:
Yoder – Special Use Permit

Lawrence Atencio
286 County Road B

- Mr. Atencio believes that there is a conflict of interest with Mr. Valdez who is a member of the Conejos County Planning Commission and asks the BOCC to have the referral thrown out from any deliberation regarding the sawmill.
- Mr. Atencio claims that during the Planning Commission Mr. Valdez said that Mr. Valdez and Mr. Yoder were neighbors, and that Mr. Yoder is the Ditch Rider for a ditch that supplies water to Mr. Valdez's pasture.
- These reasons above is why Mr. Atencio believes there to be a conflict of interest with Mr. Valdez making any formal recommendations in his role in the planning commission for this case.
- Mr. Atencio concerns for the approval of the Sawmill are as follows.
 - Roads and Safety of Roads
 - Noise from Sawmill
 - Wildlife
 - Tranquility of Ortiz

Michelle Trujillo
364 County Road B

- Addendum to her opposition letter, Mrs. Trujillo plays a video of a sawmill in operation that is very loud.
- Ortiz is zoned as Agricultural and does not believe a Industrial or Commercial permit should be granted.
- Landowners near a sawmill in Hollidaysburg County had to sue an Amish sawmill to cease operation due to the loud sawmill.
- Melrose County, Wisconsin an Amish Special Use Permit was denied because the area was zoned Agricultural only.

Phillip Ruybal

- Read his letter verbatim that is attached to these minutes.

Aaron Abeyta
364 County Road B

- If this sawmill allowed to proceed this is just another example of the locals losing our land, our way of life because of poverty, neglect because of number of circumstances which have affected our community going on several generations.
- Because of this our land and water are being sold at an exorbitant rate.
- I am standing in front of you today to deny this Special Use Permit.
- To stem that loss of land, culture, and heritage.
- Land Use in Ortiz was never intended to be industrial.
- Many people from Ortiz and San Antonio were at the Planning Commission meeting all opposed to the sawmill.
- Planning Commission blatantly and overtly voted in opposition to the neighbors, to the people that live in Ortiz and to the collective voice that do not want the sawmill.

Mike Trujillo

Exec. Director of Conejos Clean Water

- Asks BOCC to confirm that they have received the letter from Conejos Clean Water.
- 32 members from the Ortiz area all of which have signed a petition opposing commercial and industrial use in.
- Petition is not opposing the sawmill, however all and any industrial and commercial use in Ortiz and San Antonio.
- Although there were parameters set at the planning commission meeting, Conejos Clean Water does not believe they were enough to protect the environment.
- No environment study was completed, environment includes culture, wetlands, transportation.
- No Master Comprehension Plan for the county.
- No Building inspector in Conejos.
- Conejos County Clean Water asks to deny the Special Use Permit.

Larry Salazar

Resident of Ortiz

- Worried about noise from Sawmill.
- Fire hazard
- Concern about burning saw dust and waste from sawmill.

Ru Trujillo Abeyta

Student at Justice and Heritage School

- Opposed because the loss of Culture from the area.
- We need to allow Ortiz to live its life and not disturb the tranquility.

Comm. Jarvies closes the Public Comment portion of the Public Hearing.

Lester Yoder

Applicant of Special Use Permit of Ortiz Sawmill

- Does not want Big Business
- Misconception that Amish do not pay taxes
- Yoder explains that he has spent over \$2000 in permit fees
- Amish pay property tax like everyone else in the County.
- Amish do not pay Social Security Tax but do not receive any of those benefits.
- Historically there has been commercial use in Ortiz.
- Contradicts opposition statement that all the individuals at the Planning Commission Meeting were all opposed, Yoder claims that is just not true.
- Concern about burning waste, there is no plans to burn on site.
- Would ancestors of the landowners want to see Ortiz lively or as it sits now?
- Nearest neighbor to proposed site have told Yoder that they have no problem with sawmill.
- Asks BOCC if the Permit is approved, that it would be transferable.
- Condition be added that one log truck a week come in and three gooseneck trailers going out.
- Possibility that a few smaller trucks be going out each week with lumber or firewood.

Comm. Garcia asks about the transferable clause if approved, who does Yoder expect to transfer this license to?

Yoder answers that transfer would be to Hochstetler, but possibly one other person before Hochstetler.

Attorney Sarmiento claims that the County has not approved a Permit to be transferable.

Comm. Jarvies admits that he cannot remember approving a permit to be transferable, but that is always considered in approving or denying a process.

Comm. Baroz comments his concern about water safety with operation of the sawmill.

Michelle Trujillo comments about manifest destiny and that Mr. Yoder does not know any plans of the landowners in Ortiz and he cannot assume that the other properties will sit abandoned.

Comm. Jarvies entertains a motion either way

Comm. Garcia is not ready to make decision, concerns about zoning and throwing out Planning Commission recommendation, Master Plan needing to be updated,

Comm. Garcia makes motion to table decision and extend decision to the May 19th BOCC Meeting.

Comm. Baroz seconds motion

Motion Carries 3-0

Morgan Drainage District Discussion – Margie and Max DeHerrera

- Can funds from American Rescue Plan be used to maintain the Ditch?
 - BOCC will discuss about the question asked by the DeHerrera's.
- Margie explains that the drainage district is having trouble with one landowner that will not clean or let anyone in to clean the ditch that runs through his property.
- Max discusses the issues between landowners along the Morgan Ditch...
- Comm. Jarvies stops Max and explains that the BOCC knows that there is open litigation between landowners and that none of that can be discussed during this meeting.
- Max continues to discuss the issues with cleaning the debris from the Ditch and the problems with the other landowners....
- Comm. Jarvies again stops Mr. DeHerrera from his explanation and asks what the DeHerrera's want from the BOCC?
- Mr. DeHerrera finally gets to the point and asks the BOCC to appoint someone to the Board of the Morgan Drainage District.
- Comm. Jarvies explains that the BOCC has an advertisement out seeking a board member that Closes on May 11th.
- Comm. Jarvies also includes that the BOCC will interview those interested candidates and appoint someone to the Board by May 19th, 2022.

Colorado Parks and Wildlife – Rick Basogoitia

- Discussion of current projects in the County.
- Access easement that is part of a large Conservation easement.
- Looking for concurrence from the BOCC regarding the easements.
- Fishing Only
- No Hunting
- Foot Traffic Only
- Asking BOCC for a letter of support for the access and conservation easement.

Contract to be signed for Public Health for ARIA Funds to be used.

Comm. Baroz makes Motion to allow Tress to sign contract for Public Health to use ARIA Funds
Comm. Garcia second motion
Motion Carries 3-0

Motion to enter Executive Session 24-6-402 Sub Section B Conference with an Attorney to Discuss
Legal Counsel regarding Special Use Permit on Yoder Sawmill.


Comm. Garcia first motion
Comm. Baroz second motion
Motion Carries 3-0

Comm. Jarvies - Let the record reflect that we are coming out of Executive Session conference with an
Attorney, no decisions were made, and it is 11:48pm.

Attorney Sarmiento – It is the opinion of the County Attorney that the discussion had an Executive
Session constitute Attorney and Client privilege and therefore no record was kept.

Meeting Adjourned at 11:50am

ATTEST:


Nathan Ruybal
Clerk of the Board


Mitchell Jarvies
Chair of BOCC

PETITION

Petition: The below named individuals, registered electors of Conejos County, do hereby state our opposition to the Lester Yoder application for Sawmill w/Retail Sales.

We, the undersigned, object to the application for the reasons listed, including but not limited to the following, which are not the complete list of reasons for the objection and request for denial of the application:

1. The applicant has been operating this illegal non-permitted sawmill for almost a year without ever requesting a permit from Conejos County and has only after objections from the community has an application been forthcoming. Until recently the applicant had an outdoor toilet which was recently removed when Conejos County officials inspected the property.

The applicant should not now be rewarded with a Special Use Permit after illegally operating the sawmill and having other zoning violations. Ignorance of the law is no excuse for violating and skirting the zoning laws of Conejos County and thereby the applicant should not be rewarded and the application should be denied.

2. This property and the surrounding neighborhood is in a rural residential zoned area and an industrial sawmill and commercial operation is incompatible with this neighborhood. The quality of life has been seriously eroded while this illegal sawmill has been in operation and would be seriously affected should the County allow the operation to continue.

3. Heavy logging trucks and increased commercial traffic through these narrow rural dirt roads has been dangerous to the community and people living in this area and would be seriously affected again should the County grant a Special Use Permit.

4. During the time this illegal and non-permitted sawmill has been in operation, the heavy truck traffic has caused tremendous harm and damage to the rural dirt roads. As we all know the County Roads are NOT in good condition and the County has a difficult time maintaining the roads. No provision in the Application has been presented to provide for the maintenance of these rural roads.

5. The applicant does not have permission from the land owner to use the private road for commercial and industrial traffic to access this illegal non-permitted operation nor will it be granted if the County grants the Special Use Permit for the sawmill, thus heavy trucks will not have access to the property and the illegal non-permitted sawmill should NOT be permitted or allowed to continue operations. The County should ensure the land is cleared of all construction debris and heavy equipment.

Name, signature, and address of the persons objecting are as follows:

Received - Land Use
APPROVED APR 20 2022 -

Name Printed: Andrew Gallegos
Signature: Andrew Gallegos
Address: 010 City Rd A.5
Antonito CO 81120

Name Printed: Andrew Gallegos
Signature: Andrew Gallegos
Address: 010 City Rd A.5
Antonito CO 81120

Name Printed: Greg Martinez
Signature: Greg Martinez
Address: 524 County Rd
Antonito CO

Name Printed: Harold L. Martinez
Signature: Harold Martinez
Address: 19 County Rd A.5
Antonito, CO

Name Printed: Patricia Gallegos
Signature: Patricia Gallegos
Address: 20 County Rd A.5
Antonito, CO 81120

Name Printed: MARVIN MARTINEZ
Signature: Marvin Martinez
Address: 1660 C-RD 13
Antonito color 81120

Name Printed: Jackie Martinez
Signature: Jackie Martinez
Address: Calico C. Rd 13
Antonito Co. 81120

Name Printed: Roy Martinez
Signature: Roy Martinez
Address: 32825 State Hwy 17
Antonito CO. 81120

Name Printed: Ernestina Martinez
Signature: Ernestina Martinez
Address: 2507 City Rd 12.5
Antonito CO 81120

Name Printed: ALFRED J. MADRIL
Signature: Alfred J. Madrill
Address: 13365 C. RD C
San Antonio

Name Printed: Michelle Martinez
Signature: Michelle Martinez
Address: 524 County Rd A.5
Antonito, CO 81120

Name Printed: Anthony Martinez
Signature: Anthony Martinez
Address: 524 County Rd A.5
Antonito, CO 81120

Name Printed: Larry Salazar
Signature: Larry Salazar
Address: 1622 BR 12.5

Name Printed: Philip Q Ruybal
Signature: Philip Q Ruybal
Address: 330157 Hwy 17
Antonito, CO 81120

Name Printed: Cherene Moorine
Signature: Cherene Moorine
Address: 712 County Rd - B
Antonito CO 81120

Name Printed: Martin Vigil
Signature: Martin Vigil
Address: 13375 CR 13.4
Antonito CO 81120

Name Printed: LeeAnn Nielsen
Signature: LeeAnn Nielsen
Address: 1994 County Road 13
Antonito, CO 81120

Name Printed: Lawrence Atencio
Signature: Lawrence Atencio
Address: 2500 County Rd B
Antonito, CO 81120

Name Printed: Nicole Mora-Atencio
Signature: [Signature]
Address: 206 County Rd B
Antonito, CO 8120

Name Printed: Michael Alvarez
Signature: [Signature]
Address: 195 Co Rd B 125
ARTIZ CO 81120

Name Printed: Jenny Ujail
Signature: Jenny Ujail
Address: P.O. Box 713
Antonito, Co, 81120

Name Printed: Martin Ujail
Signature: Martin Ujail
Address: P.O. Box 713
Antonito, Co 81120

Name Printed: Evila Duran
Signature: Evila Duran
Address: 1230 Rd 13
Antonito Co 81120

Name Printed: Lisha Duran
Signature: [Signature]
Address: 1230 Rd 13
Antonito, CO 81120

Name Printed: Eloy R. Atencio
Signature: [Signature]
Address: P.O. BX 63
Antonito Colo 81120

Name Printed: _____
Signature: _____
Address: _____

Name Printed: _____
Signature: _____
Address: _____



Dear Conejos County Commissioners:

Thank you for your consideration in allowing the following signed members of Conejos Clean Water (CCW) to engage in the public process. CCW is a registered 501c3 focusing on environmental, social, food and education justice in the San Luis Valley and northern New Mexico.

It is our stance that at this time the operating a "SawMill" and changing the zoning from residential/agricultural is not warranted in San Antonio, CO. CCW has not been provided with environmental, engineering, health or comprehensive studies/plans/impacts and opposes any further developments with regards to industrial or commercial use.

Mike Trujillo; Executive Director

Conejos Clean Water

Mike@cccwater.org

719.580.4331

Land use - 270
RECEIVED APR 20 2022

Name Printed: Maria Alice Trujillo
Signature: Maria Alice Trujillo
Address: 4205 N Pale Loop NE
Rd, Rancho, NM 87144

Name Printed: Jesmy Duran
Signature: [Signature]
Address: 1230 County rd 13 Antonito, CO 81120

Name Printed: Weldon Colbert
Signature: Weldon Colbert
Address: 1230 County Rd. 13
Antonito, CO 81120

Name Printed: DONALD DURAN
Signature: [Signature]
Address: 1230 RD 13
ANTONITO CO 81120

Name Printed: Matthew Samora
Signature: [Signature]
Address: 1230 Rd 13
Antonito, CO 81120

Name Printed: Steven Duran
Signature: [Signature]
Address: 1230 CNTY RD 13
81120

Name Printed: Danielle Mondragon
Signature: [Signature]
Address: 15297 county rd T 125
La Jara, CO 81140

Name Printed: Andrew Gallegos
Signature: [Signature]
Address: 020 CTY RD A.5
ANTONITO CO 81120

Name Printed: Andrew Gallegos
Signature: [Signature]
Address: 020 Cnty Rd A.5
Antonito CO 81120

Name Printed: Greg Martinez
Signature: [Signature]
Address: 101 County Rd A.S
Antelope Co 81120

Name Printed: Christina Velasquez
Signature: [Signature]
Address: 806 State St. Apt. 10
Gomez Manor Antonio, CO 81120

Name Printed: Marvin Martinez
Signature: [Signature]
Address: 1660 C. Rd 13
Antonio CO 81120

Name Printed: Jackie Martinez
Signature: [Signature]
Address: 1660 C. Rd 13
Antonio Co. 81120

Name Printed: Roy Martinez
Signature: [Signature]
Address: 32825 State Hwy 17
Antonio CO. 81120

Name Printed: Ernestina Martinez
Signature: [Signature]
Address: 2507 City rd 12.5
Antonio CO 81120

Name Printed: ALFRED J. MADRIL
Signature: [Signature]
Address: 13365 Co. Rd. C
San Antonio

Name Printed: Michelle Martinez
Signature: [Signature]
Address: 52A County Rd A.S
Antonio, CO 81120

Name Printed: Anthony Martinez
Signature: [Signature]
Address: 52A, County Rd A.S
Antonio CO, 81120

Name Printed: Martin Vigil
Signature: Martin Vigil
Address: 13375 CR 13.4
Antonito CO 81120

Name Printed: Lawrence Atencio
Signature: L. Atencio
Address: 286 County Rd B
Antonito, CO

Name Printed: Nicole Mora-Atencio
Signature: 286 County Rd. B
Address: Antonito, CO 81120

Name Printed: Rudy Quintana
Signature: Rudy B. Quintana
Address: 12560 Conty. Rd. C,
Antonito, Co. 81120

Name Printed: Jenny Vigil
Signature: Jenny Vigil
Address: P.O. Box 715
Antonito, Co 81120

Name Printed: Jenny Vigil
Signature: Jenny Vigil
Address: P.O. Box 713
Antonito, Co 81120

Name Printed: Evila Duran
Signature: Evila Duran
Address: 1230 Rd 13
Antonito Co 81120

Name Printed: Lisha Duran
Signature: Lisha Duran
Address: 1230 Rd 13
Antonito, CO 81120

Name Printed: Elroy A. Atencio
Signature: Elroy A. Atencio
Address: P.O. Box 63
Antonito CO 81120

Name Printed: Larry Salazar
Signature: Larry Salazar
Address: 1620 CR. 12.5

Name Printed: Philip G Ruybal
Signature: Philip G Ruybal
Address: 53057 Hwy 17
Antonito, CO 81120

Name Printed: Andre's Ruybal
Signature: Andre's Ruybal
Address: 53057 Hwy 17
Antonito, CO 81120

Name Printed: CLARENCE MOORENB
Signature: Clarence Moorenb
Address: 712 County Rd-15
Antonito, CO 81120

Name Printed: LeeAnn Nielsen
Signature: LeeAnn Nielsen
Address: 1994 County Road 13
Antonito, CO 81120

Name Printed: Robert J. Burybal
Signature: R.J. Burybal
Address: 34610 St Hwy 17
Mogote, CO

Nicolas Sandoval
12780 County Rd. C
Antonito, CO 81120

Conejos County Commissioner Garcia
Conejos County Commissioner Jarvies
Conejos County Commissioner Baroz

RE: Yoder-Hoschtetler Ortiz Sawmill Permit Application

Dear Planning Commission and County Commissioners:

I'm writing this letter to document my formal objection to the proposed Yoder/Hoschtetler Sawmills in the villages of Ortiz and San Antonio, CO. I find it unconscionable that the county is entertaining an application for yet another sawmill in an area zoned as residential, all while a decision has been delayed on the proposed San Antonio sawmill. It's pretty clear that the sawmills will be run by the same operator. These co-operators/applicants have a track record of noncompliance with the county land use code and among other things, operated a sawmill without authorization for over a year. Is there truly no meaningful penalty for these indiscretions? Is the county complacent or complicit with violators of the county codes?

As you all are likely aware, my objections and the objections of many of the Ortiz and San Antonio residents focus on concerns with impacts to the community's physical safety, health and wellbeing, as well as known and anticipated environmental concerns. I am primarily concerned with sharing the 18 ft to 20 ft wide road(s) with 12 ft wide log trucks that are utilizing Conejos County Roads C., 12.5, and 13. This industrial activity is very dangerous for all users of these roads including those of us that commute, walk, and especially for our children that ride their bikes and/or ride their buggies here. Residents of this community include tax paying United States military veterans, elderly, adults, and children of all ages.

I am not opposed to sawmills or industrial activities generally, but I know that there are much more appropriate locations for sawmills in the county. For example, just off of U.S. Highway 285 where commercial trucks are already utilizing ingress and egress to operations off of US-285 and Colorado Highway 17. These other industrial sites are in areas within a mile radius of the junction of the highways and are already zoned industrial. Why aren't these locations being considered for a sawmill? The entire community of southern Conejos County would support a sawmill in an industrial area because it could bring much needed jobs to the community. Such a

location would be better for even the county compliance staff because they will have an easier time managing the site for compliance rather than relying on the community to inform them of unauthorized activities.

In addition to physical safety concerns, I'm concerned with potential and anticipated environmental issues associated with industrial activities within the greater San Antonio watershed. The Conejos County Land Use Office only provided correspondence to adjacent landowners within a 500 ft radius. This correspondence only included a simple sketch drawing without a single description of what was being proposed. We have no clue how many trucks to expect on these poorly maintained roads. We have no clue what mitigation measures if any will be in place to protect life and health. I can go on and on regarding this issue, but I shouldn't have to because this is really a no brainer.

Again, please see the attached list of issues and concerns that require the county's attention and analysis. Industrial applications that include traffic and road use proposals of this significance should require studies to determine if these roads are adequate for consistent heavy truck traffic. These roads are narrow and not engineered for heavy truck use. Additional studies should be conducted for air, water, noise, and economics to properly analyze this proposal, to adequately assess whether another sawmill in the county will provide a greater public benefit than cost. Our elected officials should care more about the health and safety of their community and constituents over a few coins in the purse.

In conclusion, I'll add that I have been a Conejos County resident all my life and I strongly support the expansion and development of industry within the county. Industrial activities typically provide good jobs with high paying salaries. This poor county desperately needs the jobs, industry, and some kind of hope for the future. Nonetheless, industrial activities are incompatible with residential areas and sawmills in particular seem to generate more physical and environmental concerns than they might be worth, especially in communities of Ortiz and San Antonio. As I previously stated, this proposed sawmill will benefit very few in the county and approval of this and other permits of this nature will negatively impact many. There are often physical, social, and environmental costs to development. Knowing this, consider where industrial activities are appropriate and where they are not.

Respectfully,

Nicolas Sandoval

Yoder-Hoschtetler Sawmill(s) – Issues & Concerns Requiring Attention or Analysis

- 1. Road Use – Traffic and Safety Analysis**
 - a. County Rd. C, 12.5, and 13 are narrow roads and were not engineered for industrial use.
 - b. Log trucks weighing anywhere from 14,000 to 24,000+ pounds will cause significant damage to the crumbling shoulders of paved county roads and will all but destroy dirt roads.
 - c. Log trucks will create significant amounts of dust on unpaved county roads and private driveways.
- 2. Air Quality – Air Quality Analysis**
 - a. A sawmill operating in a residential area from “sunrise to sunset” or operating from 8-16 hours a day will generate significant amounts of sawdust and diesel particulate matter that is detrimental to the health and safety of San Antonio residents.
 - b. A stationary sawmill running on a diesel generator for 8-16 hours a day within the San Antonio River watershed will generate and funnel diesel exhaust, a known carcinogen, down the canyon directly impacting the health and safety of the community.
 - c. Sawmill burn pile smoke will be detrimental to air quality for extended periods of time and will impact all within the San Antonio River watershed as mentioned above.
- 3. Water Quality – Water Quality Analysis and Storm Water Permits**
 - a. Groundwater contamination from lubricants, fuel spills, equipment leaks, hydraulic fluid leaks and spills.
 - i. Potential contamination to wells in the unconfined aquifer can result in loss of health and safety.
 - b. Surface water contamination from lubricants, fuel spills, equipment leaks, hydraulic fluid leaks and spills without stormwater management plans resulting in contamination of the San Antonio River.
- 4. Hazardous Waste – Hazardous Communications Plan**
 - a. Fuel Spills – Contaminants: Benzene, Toluene, Ethylene, & Xylene (BTEX) are known carcinogens.
 - i. The county documented several large fuel spills at the unauthorized mill site. How was or is this contamination being treated? Was this spill reported to the State or National Response Team?
 - b. Fuel Storage – Containment, Secondary Containment, & Spill Prevention Plans
 - i. The county documented industrial fuel tanks in close proximity to ditches and the San Antonio River. An uncontained spill could contaminate the waters of the United States and loss fisheries and crops.

- ii. Common industry practices consist of utilizing secondary containment and double walled fuel storage containers. No secondary containment of fuel was documented by the county.

5. Fire Danger – Fire Management Plans

- a. Industrial activities create the risk of fire danger and in this case, in areas of severe drought, with significant vegetation that could result in loss of homes due to wildfire.

6. Noise – Noise Analysis & Noise Abatement Plans

- a. The unauthorized sawmill has been operating intermittently for over a year and significant noise has been heard by many community members.
- b. A noise study other than parking and listening to the mill not running should be conducted with equipment designed to quantify decibels generated from the operation.

7. Economics – Socioeconomic Analysis & Cost Benefit Analysis

- a. Will this mill create jobs for county citizens outside Amish community? How many jobs?
- b. What is the public benefit of industries within the county if they only hire exclusively within their own communities?
- c. What is the cost and benefit to deteriorating county roads?

Weldon R. Colbert

Son-in-Law to Donald & Joyce Duran

Conejos County Commissioners

Research Paper

4/15/2022

Sawmill Environmental Impacts and Issues

Sawmills create an array of issues and environmental impacts, within communities, in regard to water quality, waste generation, air emissions, noise, and fire. The International Finance Corporation (IFC) has guidelines on environmental, health and safety, when it comes to sawmills and manufactured wood products, as referenced in section 3.0, in their online resources.

Sawmilling generates significant amounts of solid waste, as it is directly related to the conversion of lumber or other final wood products, generated from sawmilling (IFC, Apr. 30, 2007). The solid waste must be disposed of and recycled properly, and according to the IFC (Apr. 30, 2007), "Opportunities for recycling of wood waste may exist through use of waste as inputs for secondary products in other industries or as a source of fuel for heat and power generation. The optimal recycling options depend upon local market conditions and the size (e.g. sawmill chips or sanding dust) and dryness of the material, however the larger-dimensioned wastes are usually more profitably utilized as fiber by-products than fuels. The value and disposal options for sawmill waste are usually enhanced if the waste is bark-free, which necessitates debarking logs before primary breakdown. Wood waste containing preservative chemicals should be treated as hazardous waste and disposed of in a landfill facility capable of handling wastes that may have chemical leaching properties or by high temperature incineration in an incinerator with effective air pollution control devices. Use of wood waste as an input for

secondary products should consider potential contamination caused by residues of preservative chemicals.” (1.1 Environment).

Emissions from the sawmills go into the air, and according to IFC (Apr. 30, 2007), “Air emissions from sawmill operations are generated from a number of sources. Combustion products emitted by boilers may include carbon monoxide (CO), nitrogen oxides (NOX), sulfur oxides (SOx) particulate matter (PM), and volatile organic compounds (VOCs) from bark and wood depending upon fuel selection. VOCs may also be emitted during kiln drying of wood and application of solvents, coatings, and lacquers. Wood dust and larger particulates are generated during sawing, machining and sanding operations. Sawmill operations may use controlled incineration to dispose of wood waste, which may result in emissions of carbon monoxide (CO), nitrogen oxides (NOX), particulate matter (PM), and volatile organic compounds (VOCs) from bark and wood.” (1.1 Environment).

When it comes to wastewater from the sawmills the IFC (Apr. 30, 2007) reported, “Wastewater effluent from sawmills is generated from runoff from irrigated storage areas known as log yards and log ponds. Wastewater is also generated from chemical coating of wood. Toxic wood preservation chemicals may include polynuclear aromatic hydrocarbons, pentachlorophenol, other pesticides, and compounds of chrome, copper and arsenic. Process wastewater containing chemical preservatives should be contained as part of a closed loop application system. The runoff from log yards and log ponds may contain toxic chemicals (such as tannins, phenols, resins, and fatty acids) leached from the timber, and soil and other materials washed out of the bark. The leachate typically has a high BOD (150 - 5000 mg/l) and COD (750 - 7500 mg/l).” (1.1 Environment).

According to IFC (Apr. 30, 2007), "Techniques for treating industrial process wastewater in this sector include: separation of floatable solids such as wood fines using Dissolved Air Flootation (DAF); filtration for separation of filterable solids; flow and load equalization; sedimentation for suspended solids reduction using clarifiers; biological treatment, typically aerobic treatment, for reduction of soluble organic matter (BOD); dewatering and disposal of residuals in designated waste landfills, recognizing that some residuals may be hazardous. Additional engineering controls may be required for (i) arsenic removal using ion exchange or membrane processes such as reverse osmosis, (ii) advanced metals removal using ion exchange or membrane filtration or other physical/chemical treatment technologies, (ii) removal of recalcitrant organics, pesticides, wood preservatives, and non-biodegradable COD using activated carbon or advanced chemical oxidation, and (iii) reduction in effluent toxicity using appropriate technology (such as reverse osmosis, ion exchange, activated carbon, etc.)". Lastly, wastewater in streams and water consumption, due to the sawmills waste generation, guidance should be as followed, According to International Finance Corporation (IFC, Apr. 30, 2007), "Guidance on the management of non-contaminated wastewater from utility operations, non-contaminated stormwater, and sanitary sewage is provided in the General EHS Guidelines. Contaminated streams should be routed to the treatment system for industrial process wastewater. Recommendations to reduce water consumption, especially where it may be a limited natural resource, are provided in the General EHS Guidelines" (1.1 Environment). The environmental impacts and health issues, within a community, are very impactful to day to day lives, as these sawmills should be allowed in industrial areas, and not within residential areas or local community lands, as many environmental and health issues will follow suit.

Sawmills in residential areas stir up controversies due to noise, dust, and traffic issues. From a news article written by Alex Keown and published from the Woodworking Network, an Amish furniture maker named Wilbur Yoder, in Melrose, WI was denied permits to operate a sawmill in an area that was used for agricultural (Keown, Apr. 30, 2014). In the article Keown states, "This month the Jackson County Zoning Board, denied the permit, after fielding opposition to Yoder's petition from residents who feared an increase in traffic as well as the noise of the gas-powered sawmills." (Keown, Apr. 30, 2014). A similar situation occurred in the state of Kentucky, as posted by, The News-Enterprise, and written by Marty Finley, to request to, "... rezone 42.6 acres of farmland on New Glendale Road west of Sonora from rural residential to agricultural, which the property owners hope will qualify them for a conditional use permit to run a commercial sawmill." (Finley, Oct. 17, 2013). The Amish resident Albert Miller, Cecilia, and Dean Pence had filled to legally continue the operation and work of the sawmill as Finley writes, "...saw mills are not a permitted use in any zone. but can be allowed with a conditional use permit that places limitations on activity, such as hours of operation and impact on neighbors, said Acting Planning Director Wesley Wright. Wright said conditional use permits can be granted in the agricultural and the light and heavy industrial zones but are not permitted in a rural residential zone, which means the permit would be off limits if the zone change is rejected." (Finley. Oct. 17, 2013). Finley also writes, "The mill has been shrouded in controversy as Miller was charged with two counts of violating county ordinance by having the sawmill within a front building setback area and operating without a zoning permit." (Finley. Oct. 17, 2013). With this a letter from Assistant Attorney Philip Moore, from Hardin County, stated from Finley's report that. "...Philip Moore directed Miller to comply with the building setback and complete a zoning permit form. He also suggested Miller consider one of three

options: reduce the activity and use to a noncommercial level that existed before 2009, request a zone change and conditional use permit or remove the sawmill.” (Finley, Oct. 17, 2013). Miller said that the sawmill was in existence for 25 plus years, as it was passed down through family, and Finley writes, “The mill was grandfathered in because it predated the initial zoning map created in 1995, but it came on the commission’s radar when the family built a new addition without obtaining a building permit and modified the mill’s use. Wright said.” (Finley, Oct. 17, 2013). Finley also writes, “Had Miller obtained a building permit, the commission could have considered options such as variances and a different configuration, Wright said. He said the Millers now are in compliance with the setback, but questions remain about the use.” (Finley, Oct. 17, 2013). The sawmills have also raised some complaints from its neighbors as Finley writes. “The mill has been riddled with complaints from neighbors, who object to the noise emitted from the operation and the blowing of saw dust onto adjoining properties. Complaints also have been raised about the use of heavy truck traffic on New Glendale Road. John Latham, a neighbor to the mill, said the truck traffic is the state’s problem, but he objects to the dust, which has settled on his house and voided the warranty on his roof after he invested around \$70,000 to remodel his home. Pete Tabb, meanwhile, said the noise emanating from the mill is disruptive to his home next door. Tabb wrote a letter to District Court Judge Kim Shumate in July asking her to issue an injunction against the mill, which was denied. In the letter, he implied the Amish were receiving preferential treatment because of their religious beliefs, disregarding rules and circumventing laws by which other residents must abide. He said he has no animosity toward the Millers or Pence, but they have a clear difference of opinion on the mill’s activity. To avoid this, they should have spent more time planning before starting such a large enterprise, he said.” (Finley, Oct. 17, 2013). Pete Tabb had also offered a compromise to the Millers or Pence

as they could move their sawmill further south of Tabb's property and would not pursue any legal actions or fines against the Millers if they did move (Finley, Oct. 17, 2013). The issues that have arose in communities, with sawmills that are not in industrial areas to mill, are issues with noise, dust, and traffic. The sawmills and big rig trucking produce noise with quite communities, as well as dust from the sawmill going into the air, and big rigs transporting sawmill goods that could have dust flying out as they drive, and traffic from big rigs transporting goods in and out of the sawmill business.

The cumulative environmental concerns will compound if not regulated in accordance with the Environment, Health, and Safety Guidelines for sawmilling and manufactured wood products, regardless of the location. Even if regulated to these standards, the environmental consequence of a sawmill permitted in a residential area will negatively impact communities, thus should only be authorized in industrial areas suitable for a sawmilling operation.

Work Cited

Finley, Marty (Oct. 17, 2013). *Amish saw mill stirs*

controversy. <https://subscriber.thenewenterprise.com/content/amish-saw-mill-stirs-controversy>

International Finance Corporation. (Apr. 30, 2007). *Environmental, Health, and Safety*

Guidelines SAWMILLING AND MANUFACTURED WOOD PRODUCTS.

<https://www.ifc.org/wps/wcm/connect/43cfc30d-37e2-4143-a4a1-793dfcf128cc/Final%2B-%2BSawmills%2Band%2BMWP.pdf?MOD=AJPERES&CVID=nPtisH>

Keown, Alex (Apr. 30, 2014). *Amish Woodshop Denied Town*

Permit. <https://www.woodworkingnetwork.com/wood-market-trends/woodworking-industry-news/custom-woodworking-news/Amish-Woodshop-Denied-Town-Permit-257340591.html>

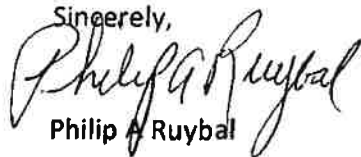
4/19/2022

To whom it may concern,

This letter is to address the many concerns regarding the sawmill to be moved to Ortiz.

- 1) It is residential area, not a commercial area. People walk, jog, and ride bikes on the already narrow county roads.
- 2) The county roads are already in bad condition, with constant potholes, broken shoulders, culverts that wouldn't be able to support the tremendous weight of lumber trucks.
- 3) There will be tremendous pollution from the carbon monoxide produced by the many machineries been used, and the lumber trucks just passing through the peaceful residential area. The sawdust the wind will carry.
- 4) The amount of water being used will deplete the aquifer which will affect the residential usage.
- 5) The constant sound of the lumber trucks arriving and leaving the area and the constant loud whine of the sawmill in operation.
- 6) The fire danger, should anything happen to cause a fire and the possibilities of it spreading through the residential communities.
- 7) These are just a few of the multitude concerns of having a sawmill in a residential area.

Sincerely,


Philip A. Ruybal

Received in LU Office
M Bradford - 4/19/22

LeeAnn Nielsen
1994 County Road 13
Antonito, CO 81120

April 18, 2022

Dear Planning Commission Members,

My name is LeeAnn Nielsen, and I live on the corner of County Road C and County Road 13 in San Antonio, Colorado. I have lived in Conejos County for over 22 years and was immediately drawn to the San Antonio and Ortiz area for its beauty and particularly for its tranquility.

As a local homeowner, taxpayer, and voter, I oppose the introduction of the proposed sawmill to the village of Ortiz because of the inevitable increase in heavy truck traffic that it will bring to neighboring San Antonio in general and to County Road C in particular.

There are only two roads leading to Ortiz from San Antonio: County Road 12.5 and County Road C, with County Road C being the shortest route from Highway 285. An increase in heavy truck traffic on County Road C, which is narrow and has no sidewalk, poses an unacceptable risk to this community's residents. Local pedestrians, many of them families with small children, should be able to enjoy walking without giant log trucks barreling past on a regular basis.

I also question whether our existing infrastructure is designed for continuous use by loads of this size, and I worry that approval of this commercial enterprise will open the door to future industrial operations in the area, further overburdening County Road C.

And finally, as a self-employed professional copy editor whose home office faces County Road C, I am concerned about the detrimental effect that year-round log truck traffic will have on my work, which requires sustained focus.

Given that a high percentage of a sawmill's sales are often tax-exempt, it is worth asking how much revenue the county actually stands to gain from the proposed sawmill in Ortiz and whether that amount will offset the downsides it poses to our safety, infrastructure, and quality of life.

Thank you very much for your time.

Sincerely,



LeeAnn Nielsen



Land Use <landuse@co.conejos.co.us>

Conejos County: Application for Sawmill in Ortiz Colorado_Public Hearing Comment Against the Saw Mill Proposal from Michele T. Trujillo

2 messages

Conejos County Website <noreply@conejoscounty.org>
Reply-To: "Dr. Michele Terese Trujillo" <Guadalupe81120@gmail.com>
To: landuse@co.conejos.co.us

Wed, Apr 20, 2022 at 11:21 AM

This is an enquiry email via <https://www.conejoscounty.org/> from:
Dr. Michele Terese Trujillo <Guadalupe81120@gmail.com>

Dear Linda and Conejos County Commissioners,

4/20/22

I am writing as a property owner in Ortiz Colorado who is against the application for the sawmill application/proposal in Ortiz Colorado. I received notification of the public hearing tonight. However, since I commute to Denver for work I am unable to be there in person.

I find it to be very concerning and illogical to build a sawmill in Ortiz or the surrounding communities for several reasons: 1) Ortiz is not zoned for industrial business, 2) Ortiz is part of the San Luis Valley National Heritage Area, 3) There is already a sawmill that exists less than 15 miles away from Ortiz, North of Antonito Colorado.

Ortiz is not zoned for industrial business and this business would put the area of Ortiz and surrounding communities at risk of increased air pollution, noise and visual pollution in the area. Ortiz is located in a small canyon and the smoke from the burning that takes place (from the sawmill processes) will cause increased air pollution in this small canyon. In addition, the piles of wood needed for the business would create an eye sore in this pristine valley. The increased noise in the area would be a disruption to the natural habitat, wildlife and the current residents that have lived in Ortiz for generations.

Ortiz is part of Conejos County which is one of the counties in the SLV that is part of the Sangre de Cristo National Heritage Area. Any major alterations of the community of Ortiz would put the community at risk of this designation. In addition, any industry would pose a risk to the pristine status, Heritage traditions of the Hispanos that have farmed and lived for multiple generations. My ancestors began their lives in Ortiz in the 1800s. All of my ancestors are buried in the Cemetery in Ortiz. It makes me very unsettled and sad to think that this heritage area would be transformed into a place for industry like a sawmill.

It is illogical why an industry like a sawmill would be built when one already exists in Conejos County outside of the town limits, North of Antonito. It seems unnecessary to have two of the same kind of businesses so close in proximity. In closing, as a person who has strong ties to my historical and heritage place of Ortiz Colorado, I strongly oppose the project and application of building a saw mill in Ortiz Colorado based on the facts that Ortiz is not suited for industry, is part of the Sangre de Cristo National Heritage Area and that it is illogical to build another sawmill because one already exists in Conejos County. There is NOT a need for another sawmill.

Thank you for time in reading my statement.

Sincerely,

Michele Trujillo, Ed. D. - Ortiz Land Owner and Conejos County Citizen.

*Received 4/20/22
Email - Land Use*

Land Use <landuse@co.conejos.co.us>
To: Linda DeHerrera <linda@co.conejos.co.us>

Wed, Apr 20, 2022 at 11:59 AM

[Quoted text hidden]

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*Oldest Parish in Colorado
Established in 1858*



*Our Lady of Guadalupe
PARISH*

305 West 8th Ave.
P.O. Box 305
Antonito, CO 81120

Ph (719) 376-5985
Fax (719) 376-2530

Rev. Sergio Robles, C.R.
Parish Administrator

e-mail: info@okgpp.org

Comments and Objections to the Proposed Sawmill in Ortiz

Submitted to: Conejos County Land Use Office

Re: Public Hearing Planning Commission Meeting (20 April 2022)

For: Lester Yoder Application for Special Use Permit – Sawmill in Ortiz

Dear Planning Commission Members and Conejos County Commissioners,

My name is Fr. Sergio Robles, C.R., Pastor and Administrator of Our Lady of Guadalupe Parish. Our beloved Ortiz Church, San Juan Nepomoceno, 684 County Road B, Antonito, CO. is an active missionary church of Our Lady of Guadalupe Parish. Our people from this community, other nearby communities, and parishioners, regularly attend Catholic services in this beautiful and historic Church.

On behalf of myself and like-minded parishioners, we strongly object to this request for a "Special Use Permit" to build a saw mill in the back yard of our Church. This Church has been in this location for hundreds of years and was the center of this community for many years. We wish the Planning Commission to reject this application and not allow an industrial plant and commercial operations to be located in the pristine meadows of Ortiz. This is NOT the proper nor a good location for such an operation.

We believe an industrial and commercial operation such as a saw mill located in these pastoral agricultural meadows is NOT in the best interest of our community. We see NO benefit to our Community in allowing this industrial plant to be located in these meadows. Our historical and cultural legacies will be destroyed if you allow industrial development in our Community.

We believe the roads in this Community are not suited for large truck traffic. The dust and increased traffic would seriously impact the health and well-being of our parishioners, as well as directly impact this Church, which is a designated historical site. With irrigation season upon us, we expect, as is normal, for the water levels to rise and the land to be extremely inundated, which will cause lots of problems for the construction and the use of this land for an industrial and commercial operation.

The ancestors of this Community would never conceive of placing a large industrial and commercial operation in these low lands where flooding is always present. We pray the Planning Commission and the Conejos County Commissioners honor our request to reject this special use

Conejos County Land Use Office
Page 2

permit. There are many and more proper locations in Conejos County for industrial and commercial development.

With all due respect and sincerity,
Yours Truly,

A handwritten signature in black ink, appearing to read "Fr. Sergio Robles, C.R.", written over a horizontal line.

Fr. Sergio Robles, C.R.
Pastor/Administrator

NICOLE MORA-ATENCIO & LAWRENCE ATENCIO

286 County Road B, Antonito, CO 81120 | 719-588-5010, 719-588-6373 | atencionicole@yahoo.com

April 12, 2022

Conejos County Commissioner Garcia

Conejos County Commissioner Jarvies

Conejos County Commissioner Baroz

Dear Commissioners:

We are writing this letter to object to the proposed Hoschtetler Sawmill in San Antonio and Ortiz, Colorado. We truly do appreciate and respect our neighbors and want them to thrive. There are, however, several factors that should be considered on behalf of this rural, residential community.

Our first concerns are about the roads and safety of those living around the proposed sites. We are concerned that the roads, bridges, and culverts are not engineered to support the large amount of weight the trucks will be hauling. Many neighbors utilize these roads, that are already a struggle to maintain, to get to their homes and for farming or ranching purposes. The lack of emergency and merging lanes on this narrow road, which is often used by commuters, cyclists, walkers, runners, horses, buggies and to move herds of cows is a huge safety concern. We also have herds of deer that cross these roads. Heavy trucks and trailers will require a longer range in which to brake. Semi-trucks with air brakes, paired with the weight of their load, have a lag time that significantly increases the total stopping distance. At 40 miles an hour, an 80,000-pound semi will need a total of 169 feet to brake as determined by the Utah Department of Transportation. The risk of fire associated with industrial activity could jeopardize homes and two historical churches.

Secondly, we are concerned about health and the environmental impact, which is anticipated with any industrial activity. Emissions and hazardous waste from the production and fuel used will inevitably impact air quality and ground water. Noise pollution could impact the neighbors and wildlife. Wildlife migration patterns will be affected. Due diligence must be exercised in the form of having studies done on the water, air, noise, and wildlife and be taken into consideration before the sawmill is approved.

Our third concern is the legalities in operating such an industry, which has been going on for nearly a year in San Antonio, have not been followed. It is our understanding that the county complies with enforcing state and federal regulations and laws while upholding the county land use code. Disregard for accepting and following the law and regulations is not a practice that I believe is in the best interest of the county. This sets a precedence for other industries as well as compromises the integrity of the regulations set forth to properly establish a business.

With all this being said, we are uncertain how this sawmill's contributions will exceed the cost on the county and community in this area. Will a company that focuses on employing a select few be held accountable for paying taxes which could help repair the roads? Will they be required to follow OSHA regulations and safety protocols? Will they be held accountable if there is a fuel or hazardous waste spill or fire? These are viable questions in general, but especially important in this situation since the law hasn't been followed to construct the mill in San Antonio.

While we support industry, growth, and our neighbors' endeavors, we strongly assert companies such as this sawmill should remain in designated industrial areas and follow the law and requirements as expected in the county, state, and federal government.

The bottom line is this rural, residential community is not zoned or designed as an industrial area.

Respectfully,

Nicole Mora-Atencio & Lawrence Atencio

Address 13375 CR. 134
San Antonio CO

Martin Lopez

To Whom it may concern, I'm writing this letter concerning the saw mill in San Antonio. I'm against it due to the impact it will bring to our peaceful community. The logging trucks going through our community will further damage our roads. They are bad as it is. For one the width of the road is narrow and it will be dangerous for oncoming traffic and pedestrians also kids ride bikes, walk, and play. Another concern is the weight limit on the bridge and culverts these trucks can range in weights up to 90,000 lbs depending on the moisture in the logs. The noise pollution can be heard all through San Antonio while the mill is running this affects our wild animals and is slowly driving them away it is also annoying to us as residents to hear these machines running. Our water quality will change due to fuel and oils being spilled on the ground and getting into our Aquatic and Rivers. This mill does not

April 18, 2022

Dear Ms. DeHerrera and Members of the Conejos County Planning Committee:

We are writing this letter in strong opposition to the proposed sawmill in our small ranching community of Ortiz, Colorado. We have been property owners in Ortiz for over 30 years and we own property on both side of County Rd. B. We are strongly opposing this sawmill because of the detrimental effects it will have on our quiet way of life, and our health and safety that all Ortiz residents are accustomed to.

A sawmill in our community will cause an increase in traffic with logging trucks coming and going; we have small children and are worried about the increased traffic and the effect this will have on their safety and well-being. Not only will a sawmill disrupt the lives of local community members, but it will also have a detrimental impact on the wildlife habitat and our environment. We all know that the lumber industry is far from being environmentally friendly. Our concerns include increased noise, increase in dust emissions and exposure to toxins which will eventually affect the respiratory health of all Ortiz community members. Our water system will be affected by added pollutants caused by the processes used in a sawmill.

In addition, we enjoy a peaceful way of life, and we respect one another in our small community. We care for others in our community as a family; however, we feel like we are being very disrespected by those individuals who have no concern for the established citizens of Ortiz. All of us in Ortiz and Conejos County have long established traditions, cultures, and a serene way of life. It is disheartening when individuals who do not understand the local history impose their ideologies and their ambitions on the citizens of Ortiz; thereby, showing a total lack of disrespect for all of our community members.

Please do not hesitate to contact us for any further information related to this strong letter of opposition. We hope you take not only our concerns to heart but the concerns of all the citizens opposing the sawmill. You are all our Conejos County leaders, and we have faith that you will make the right decision for the local community and the way of life that we have been accustomed to. Unfortunately, we are unable to attend the meeting to make our opinions heard, but this letter clearly states what we would have voiced should we have been present.

Sincerely and with Upmost Respect,

Clarence and Sarah Mooring
714 CR B
Antonito, CO 81120
Mobile (520) 280-4133 and (520) 840-3459

Received 4/19/22
Email Land use

Dear Conejos County Planning Committee,

4-20-22

I am writing to say that I am very much in favor of a sawmill being put in at the proposed Ortiz location. We need more businesses in our valley. This is a small sawmill, but it is a good start.

I am guessing some people will protest about the log trucks on the roads, but I choose to see them as a good sign. Maybe with enough businesses coming into the valley the county might eventually have enough money to fix those roads. The roads in the Ortiz/Los Pinos area have long needed attention, and have been ignored for way too long. All summer long RVs and campers use those roads; They are at least as hard on the roads as log trucks would be, and I can't imagine a log truck speeding the way some of those recreation vehicles do. We cannot or will not stop those RVs and campers from using the roads even though they are there for recreation purposes only, why should we stop log trucks from using those same roads, when they are bringing life and business to the valley?

I hope you can see the necessity of this sawmill, and other small businesses like it.

Sincerely,

Kevin Duran

*Received - 4/20/22
OTC - Hand Use*

Received by Commissioner Joseph Baroz
on 4/22/22.

April 22, 2022

Dear Commissioner,

This letter is submitted in opposition to granting a use permit to Lester Yoder's plans on setting up and operating a sawmill in Ortiz, CO. As a resident of Conejos County, I strongly oppose such a business for the following reasons in no particular order of importance:

1. Allowing a sawmill in Ortiz would destroy the rural agricultural nature of the area.
2. There will be an exponential increase of traffic. Currently, the road from Antonito to Ortiz is narrow and in bad condition. Allowing a sawmill to operate in Ortiz will increase traffic, not just small vehicles but semi-truck trailers. The increase in traffic will increase the chances of a major accident.
3. With increased traffic of various types, there will be an increase in traffic noise.
4. With increased traffic you also get increase of dust been raised with the surrounding homes literally

For these and other reasons I
request that the Yoder application
in which was approved by Planning/
Land Use Commission be denied.

Sincerely,
Chris Garcia

Received by Commissioner Joseph Baroz
on 4/22/22.

April 22, 2022

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This letter is submitted in opposition to granting a use permit to Lester Yoder's plans on setting up and operating a sawmill in Ortiz, CO. As a resident of Conejos County, I strongly oppose such a business for the following reasons in no particular order of importance:

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3. With increased traffic of various types, there will be an increase in traffic noise.
4. With increased traffic you also get increase of dust been raised with the surrounding homes literally

5. The Amish do not employ non-Amish in their business so any idea that there will be employment opportunities for the local Hispanic is mis-guided.
6. I am also concerned that the sawmill industry will eventually create water pollution.
7. The current road condition and width do not allow for increase semi-truck traffic.
8. The County is exposing itself to a major wrongful death lawsuit if someone is injured or hurt as a result of increased big vehicle/trailer traffic.
9. There is currently quite a bit of four wheeler and side-by-side vehicles traffic. Such users are going to be exposed to danger from the increased vehicle and heavy vehicle traffic. I don't need to remind you of the horrible accident that occurred years ago when a young boy on a bike was killed by a semi-truck on the San Antonio road.
10. Is there a need for another sawmill in Conejos County? There are already four at least four in the mountains that adequately meet the needs.

For these and other reasons I
request that the Yoder application
in which was approved by Planning/
Land Use Commission be denied.

Sincerely,
Chris Garcia





Linda DeHerrera <linda@co.conejos.co.us>

Hochstetler- Sawmill

1 message

Boyle - DNR, Kevin <kevin.boyle@state.co.us>
To: Linda DeHerrera <linda@co.conejos.co.us>

Thu, Feb 24, 2022 at 3:51 PM

Linda,

Aaron Hochstetler called me today about his application with the County to build a sawmill on his property. His properties served by a domestic well, permit no. 102595-A. This well can not be hydraulically connected to this business in any way. According to Mr. Hochstetler, there will not be any water required for the business, no employees beyond his family that live in the house and they will not be open to the public. As long as this remains the case there is no conflict with the well use.

Please let me know if you have any questions.

Thank You,

Kevin Boyle
Well Permit And Water Right Researcher
Division 3
(719) 589-6683 ext. 3119

kevin.boyle@state.co.us | water.state.co.us



PO Box 1137
Alamosa, CO 81101
(719) 587-0915

April 13, 2022

Lester Yoder
277 Cnty Rd 443
Antonito, CO 81120

Mr. Lester Yoder,

Thank you for your inquiry with CSFS on whether you need a wildfire mitigation plan for your Conejos County Special Use Permit. As your project is presented, you will **not** need a wildfire mitigation plan. This letter will be sufficient for your records. We based the need for the plan off our publication, *The Home Ignition Zone: A guide to preparing your home for wildfire and creating defensible space* (included).

Overall, your location has a minimal chance of a wildfire. You have a road with good firefighter access from the west. The general surrounding vegetation is agriculture fields and your planned sawmill operation site is in a field with low grass while also over 100' from other natural vegetation.

Your largest chance of a wildfire is embers coming from a fire in the cottonwoods. To decrease the chances of embers starting your mill on fire consider the following precautions:

Zone 1 – Structure and first 5'

- Remove flammable vegetation including any landscaping shrubs, mulch and woody debris.
- Regularly remove sawdust and woody debris and move it over 100' from the sawmill.

Zone 2 – 5-30'

- Keep grass mowed less than 4"
- Avoid large accumulations of surface fuels such as logs, branches, slash and mulch.
- Plan to store unprocessed logs outside this zone.

Other considerations-

- Ensure the address is labeled with large reflective numbers. This is available at the Conejos Land Use office.
- Make sure the business is registered with the SLV E-911 service. <https://www.slve911.org/emergency-alerts> or (719) 480-8469
- Work with South Conejos Fire Protection District, Antonito station to ensure adequate turnaround is available for fire engines.
- Ensure the culvert crossing over the ditch is designed to handle fire truck access.

Please contact me if you have any further questions.

Sincerely,

Adam Moore



Linda DeHerrera <linda@co.conejos.co.us>

Re: Send Digital Application to Donnie

1 message

Donnie Martinez <dmartinez@co.conejos.co.us>

Wed, Apr 20, 2022 at 11:05 AM

To: Linda DeHerrera <linda@co.conejos.co.us>

Good Morning Linda.

After reviewing the two special use saw mill applications I feel there could be some road impact from these applications.

Lester Yoder application.

This application in my opinion would create the most impact to County roads mostly because of its location. To get to this location there are a couple different routes that can be used. Starting in Antonito traveling down county road 12.5 which is already in poor condition then into Ortiz turning on to County road B. Other route would be State hwy 285 on to County road C through the residential area then on to County road 12.5 on to County road B. My concern is mostly on County road B in Ortiz. The road keeps water in the bar pits during irrigation season and the shoulders or lack of Shoulders make the road edge not suitable for heavy traffic. For large trucks to enter or leave the access point may require widening that portion of the road. Most fences are close to the road sides so there may not be a lot of room to build up and widen the access area.

Aaron Hoschstetler Application.

This application in my opinion would create the least amount of impact to County roads and community town sites. The location of this application would be the best of the two. This property could be accessed from State Highway 285 on to County road C for approximately 1800 feet then onto a private road 13.5. County road C in this location is not as impacted by community traffic, it's a better route using only County road C from State highway 285 as compared to the Yoder application. The shoulders or banks of County road C can easily be modified and are not impacted by spring and summer irrigation water. Heavy traffic and Customer traffic will turn onto private road 13.5 before it reaches the San Antonio town site.

The heavy traffic as listed in both applications are minimal at this point but these businesses may grow and traffic and road impact will also increase.

Feel free to contact me if you have any questions.

Thank you Don



Linda DeHerrera <linda@co.conejos.co.us>

Re: Scanned from a Xerox Multifunction Printer

1 message

Cassandra McCuen <cassandra@rgwcd.org>
To: Linda DeHerrera <linda@co.conejos.co.us>

Wed, Apr 20, 2022 at 10:34 AM

Good morning, Linda!

Attached is a map showing that the parcel is within the HCP boundary, and the willow/cottonwood habitat on that parcel. Unfortunately I do not have the shapefile from our update to the habitat that we completed last year. As I understand, there shouldn't be significant differences.

The HCP does not support the removal of willow/cottonwood habitat for development. Because the proposed work is on the southwest side of the property, where there are no willows/cottonwoods, there should be no HCP habitat impacts or coverage needed.

Please let me know if you have any other questions! Happy to provide a more formal letter stating HCP Impacts.

Cassandra McCuen
Habitat Conservation Plan (HCP) Coordinator
Program Technician
Rio Grande Water Conservation District



cassandra@rgwcd.org | www.rgwcd.org
(719) 589-6301 | ext. 1849

On Tue, Apr 19, 2022 at 4:05 PM Linda DeHerrera <linda@co.conejos.co.us> wrote:

Hi Cassandra, Please find below a scanned document. Application (attached below all of that Xerox stuff) for a Special Use Permit for a small bandsaw operation in the community of Ortiz. I want to know if it is within the HCP Boundaries. The Conejos County Parcel number is 613524100042.

The proposed 6 acre sawmill area is on the southwest side of the property.

I will plan to visit with you tomorrow to give more details if you need.

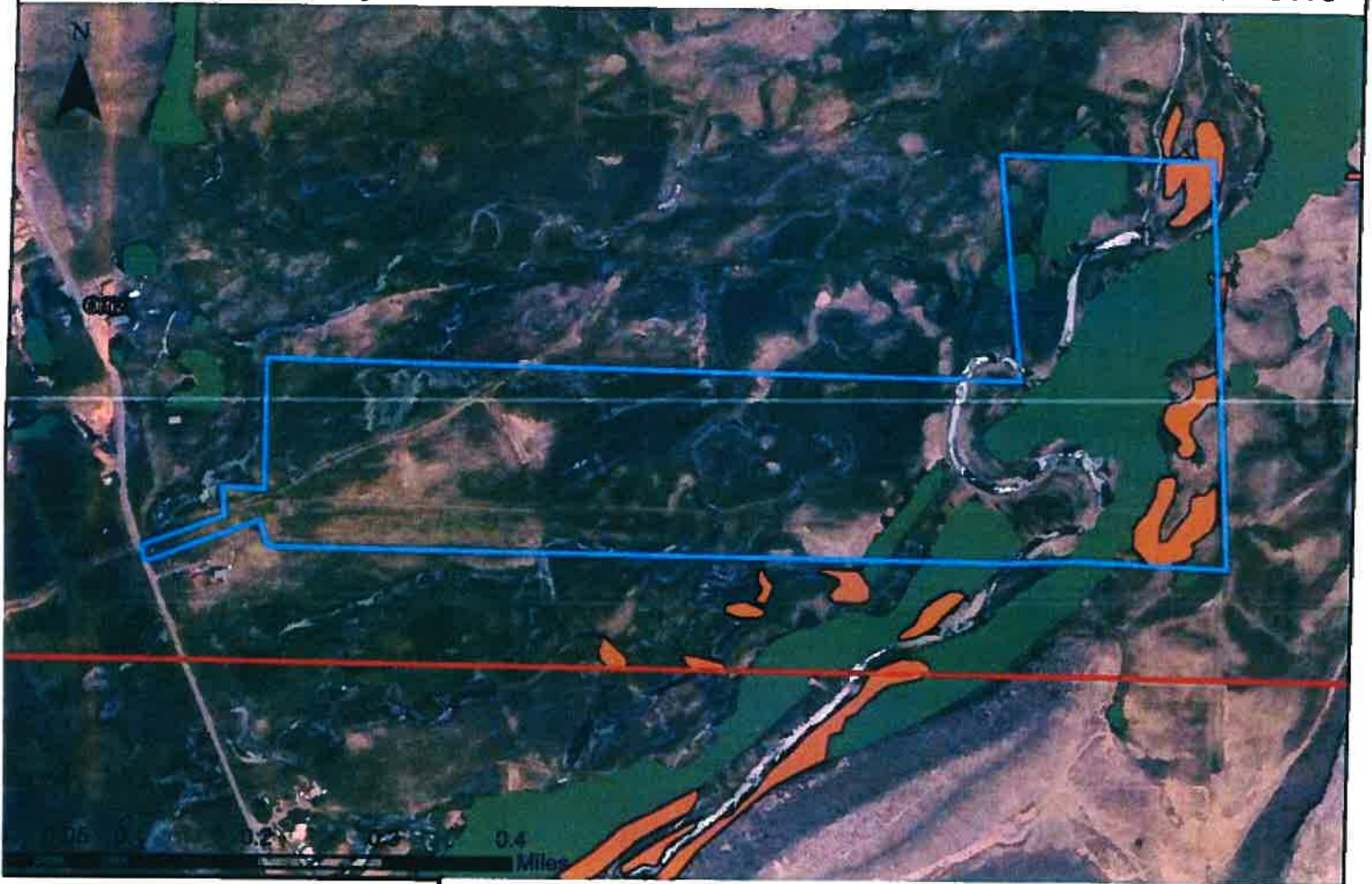
Thank you for your assistance.

Linda L. DeHerrera
Land Use Administrator
linda@co.conejos.co.us
719-376-2014 Phone
719-376-6769 Fax
6683 County Road 13, PO Box 197
Conejos CO 81129

A little progress each day adds up to big results.

----- Forwarded message -----
From: <adminsca@co.conejos.co.us>
Date: Mon, Apr 18, 2022 at 5:43 PM

Conejos County Permit No. 2022-0059 HCP Considerations



Legend

 Parcel 613524100042

 HCP Boundary

2011 SWFL Habitat

TYPE

 cottonwood