



PLANNING COMMISSION WORK SESSION AGENDA

July 13, 2023 at 11:00 AM

Commissioners Meeting Room - 401 Main Street, Suite 309, Walsenburg, CO 81089

Office: 719-738-3000 ex 200 | Fax: 719-738-3996

Join via Zoom: <https://us02web.zoom.us/j/82550511219> | Meeting ID: 825-5051-1219

1. ROLL CALL
2. OLD BUSINESS
3. NEW BUSINESS
4. DISCUSSIONS
 - a. 1041 Regulations
 - b. Comp Plan, IHOP, HMP Memos
5. ADJOURNMENT

Huerfano County
 Land Use Department
 400 Main Street, Suite B
 Walsenburg, Colorado 81089
 719-738-1220 ext. 103

**HUERFANO COUNTY
 AREAS AND ACTIVITIES OF STATE
 INTEREST REGULATIONS
 SECTION 7.00**



Item 4a.

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SANDY'S REVISION 7/11/2023 10:32 AM

7.01 INTRODUCTION

7.01.01 Short Title

These regulations may be cited as the "Huerfano County Regulations for Areas and Activities of State Interest" or the "Huerfano County 1041 Regulations" or "these Regulations."

7.01.02 Purposes and Intent

A. The general purpose of these regulations is to facilitate the identification, designation, and regulation of areas or activities of state interest consistent with applicable statutory requirements and **criteria**¹ set forth in Section 24-65.1-101 et seq, C.R.S.

B. The specific purposes and intent are as follows:

- 1) To encourage planned and orderly, efficient, economical land use development;
- 2) Provide for the preservation of agriculture, forestry, industry, business, residential communities, and recreation in future growth;
- 3) Encourage uses of land and natural resources per their character and adaptability;
- 4) **Conserve** soil, **water** and forest resources;
- 5) Protect the beauty of the landscape;
- 6) Promote efficient and economical use of public resources;
- 7) Regulate projects that would otherwise cause excessive noise, **water, and/or air pollution**, or which would otherwise degrade or threaten the existing environmental quality within the County.
- 8) Ensure that **new domestic water and sewage treatment systems** shall be constructed in areas which will result in the proper utilization of existing treatment plants and the orderly development of domestic **water** and sewage treatment systems of adjacent communities.
- 9) Ensure that major **extensions of domestic water and sewage treatment systems** shall be permitted only in those areas in which the anticipated growth and development that may occur as a result of such extension can be accommodated within the financial and environmental capacity of the area to sustain such growth and development.
- 10) Require that **water development and use projects** shall emphasize the most efficient use of **water**, including, to the extent permissible under existing law, the recycling and reuse of **water**, and preservation of associated resources impacted by such projects.

¹ Per C.R.S. 24-65.1-402(3) the requirements in the County's regulations may be more stringent than the criteria contained in the statute's §§ 203 [areas of state interest] and 204 [activities of state interest].

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- 11) Ensure that urban development, population densities, and site layout and design of **storm water and sanitation systems** shall be accomplished in a manner that will prevent the pollution of aquifer recharge areas.
- 12) Ensure that major facilities of public utilities are located to avoid direct conflict with adopted County land use plans, and otherwise serve the stated purposes of these regulations.
- 13) Provide that areas containing, or having a significant impact on, historical, natural, or archaeological resources of statewide importance are developed so as to be compatible with and not destructive to the historical, natural, and archaeological value of such resources.
- 14) Ensure that the site selection and development of new communities will not overload the facilities or services of existing communities of the region and will conform to the Huerfano County Comprehensive Plan and any duly adopted intergovernmental agreements or comprehensive development plans between the County and another governmental entity.²
- 15) Ensure that development in natural hazard areas minimizes significant hazards to public health or safety or to property or the environment.
- 16) Provide protection of lands within the County from activities which would cause immediate or foreseeable material impacts to significant wildlife habitat or endanger wildlife species, both flora and fauna, or adverse socio-economic impacts;
- 17) Provide preservation of areas of historical and archeological importance;
- 18) Regulate the use of land on the basis of the impact thereof on the community or surrounding areas;
- 19) Ensure that development involving all areas and activities designated hereunder is consistent with these regulations, the Huerfano County Comprehensive Plan, and any duly adopted intergovernmental agreements or comprehensive development plans between the County and another governmental entity. **[Is this too duplicative of 14), above]**
- 20) Protect the public health, safety, welfare and the **environmental integrity of the County.**

7.01.03 Findings

The Board of County Commissioners finds that:

- A. All applicable notice and public hearing requirements have been followed;
- B. Based on duly noticed public hearings the Board has considered the current and foreseeable development pressures, and the applicable guidelines for designation issued by applicable state agencies; and
- C. These regulations are necessary because of the current and foreseeable development pressures on and within the County; and

² **NEED TO STAIGHTEN OUT THE OVERLAP AND DUPLICATION BETWEEN 14 & 19**

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D. These regulations are necessary to fulfill the purposes and intentions specified in Section 7.01.02, above.

7.01.04 Authority

These regulations are authorized by C.R.S. 24-65.1-101, et seq., and C.R.S. 29-20-101, et seq., These regulations are necessary for the preservation of the public health, safety and welfare.

7.01.05 Applicability

These regulations shall apply to all proceedings concerning the identification and designation of areas and activities of state interest, and the control of development in any area of state interest or the conduct of any activity of state interest, and regulation of the associated use of land pursuant to the authorities cited herein, which has been or may hereafter be designated by the Board of County Commissioners in the unincorporated areas of Huerfano County, whether on public or private land.

7.01.06 Relationship with Other Requirements

A. Where these regulations overlap with the County's requirements for zoning ~~special~~ **conditional** use approval, Subdivision Regulations or subdivision exemption or exemption plat review, or for Comprehensive Plan location and extent review pursuant to C.R.S. 30-28-110(1) these regulations shall control³, and a separate review process under conditional use review, zoning, subdivision regulations or subdivision exemption, or location and extent review shall not be required, unless expressly stated to the contrary in these regulations. Where these regulations overlap with other applicable County requirements, including but not necessarily limited floodplain regulations, all applicable regulations shall be followed and all required County permits or approvals shall be obtained.

B. Review or approval of a project by a federal or state agency or other authority does not preclude, and will not substitute for, the need to obtain a permit for that project under these regulations for impacts ancillary to such federal or state agency or other authority approvals, and subject to these regulations. However, where in the opinion of the Board of County Commissioners, federal or state review and approval processes adequately address the impacts that these regulations are designed to address, the County may agree to rely on that review and approval, and issue the applicable permit on that basis, in the Board of County Commissioners sole and reasonable discretion.

C. In the event these Guidelines and Regulations are found to be less stringent than the statutory criteria for administration of matters of state interest set forth in Section 24-65.1-202, C.R.S., the statutory criteria shall control.

D. In the event these Guidelines and Regulations are found to be more stringent than the statutory criteria for administration of matters of state interest set forth in Section 24-65.1-202 and 24-65.1-240, C.R.S., these regulations shall control pursuant to the authority of Section 24-65.1-402(3), C.R.S.

E. These Guidelines and Regulations are intended to be applied in addition to, and not in lieu of, all other regulations of the County of Huerfano.

³ Sky, your thoughts? Should 1041 control over other regs as per 7.01.06.A?

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7.01.07 Maps⁴

The following maps are hereby incorporated into this Article by this reference, for the purpose of specifying or aiding in the identification of the boundaries of the adopted area of state interest with which each map is associated. To the extent any map identified below has not otherwise been officially adopted, it shall be considered to be officially adopted for purposes of administering these regulations by virtue of its inclusion in this Section 7.01.07.

- A. Exhibit A: The Official flood hazard area map for unincorporated Huerfano County, Colorado. Approved and adopted on July 26, 2011, by the Board of County Commissioners. All areas of Unincorporated Huerfano County not designated on this map must meet the requirement of the Flood Damage Prevention Resolution No: 88-13 adopted by the Board of County Commissioners on 31, August 1988.
- B. A map of areas of Huerfano County presently under **irrigation (map⁵ not available at time of adoption)**.
- C. Significant wildlife habitat areas (map not available at time of adoption)

7.01.08 Duties of the Board of County Commissioners

Unless otherwise specifically provided, it shall be the duty of the Board of County Commissioners to perform all functions pertaining to matters of state interest or otherwise pertaining to the regulation of the use of land as set forth in these regulations. The Board shall also be generally empowered to hear appeals from any person aggrieved by any decision of the County Staff made in the course of administering these regulations.

7.01.09 Severability

If any section, clause, provision, or portion of these regulations should be found unconstitutional or otherwise invalid by a court of competent jurisdiction, the remainder of these regulations shall not be affected thereby and are hereby declared to be necessary for the public health, safety, and welfare.

7.01.10 Definitions⁶

- A. "Applicant" means any person or entity applying for a permit under these regulations.
- B. "Aquifer Recharge Area" means any area where surface **waters** may infiltrate to a **water**-bearing stratum of permeable rock, sand, or gravel. This definition also includes wells used for disposal of wastew**ater** or other toxic pollutants.
- C. "Area around a Key Facility" means an area immediately and directly affected by a key facility.

⁴ Do we have these maps?

⁵ I'm aware of only one map of irrigated land. It is in the 1970s study by HCWCD' consultant. Measurement of irrigated land has been made a couple of times in the development of the Colorado Water Plan. We should check to see if those maps are available. I do have, for various years, the number of irrigated acres in the County. They are declining.

⁶ Do we want to define and address "Alluvial Fans" as in the Paradise Acres context?

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D. "Area of Special Flood Hazard " means the land in the floodplain within a community subject to a one percent (1%) or greater chance of flooding in any given year.

E. "Aspect" means the cardinal direction the land surface faces, characterized by north-facing slopes generally having heavier vegetation cover.

F. "Board of County Commissioners" or "the Board" or "BOCC" means the Board of County Commissioners of the County of Huerfano, State of Colorado.

G. "Change of **Water** Rights" means the activity of seeking administrative or judicial approval for the temporary or permanent use of **water** and **water** rights historically utilized in Huerfano County for uses or for use in other places than such **water** rights have been vested and decreed, as part of a municipal or industrial **water** project.

H. "Corrosive soil" means soil that contains soluble salts that may produce serious detrimental effects in concrete, metal, or other substances that are in contact with such soil.

I. "Debris-fan floodplain" means a floodplain that is located at the mouth of a mountain valley tributary stream as such stream enters the valley floor.

I.1 "Desiccated water rights" mean those irrigation water rights for which the historic consumptive use has dramatically declined over the years to very little or none.⁷

J. "Designation" means that legal procedure for designating areas or activities of state interest specified by 24-65.1-101, et seq., C.R.S., to be carried out by the Board of County Commissioners.

K. "Developer" means any person engaging or proposing to engage in development in an area of state interest or in conduct of an activity of state interest designated or proposed to be designated under these regulations.

L. "Development" means any construction or activity which changes the basic character or the use of the land on which the construction or activity occurs but excludes any construction, activity, or use exempted from the County's permit process pursuant to this Article or under State Law.

M. "Domestic **water** or sewage treatment system" or "system" means a major domestic **water** or sewage treatment system, and includes wast**water** treatment plants, **water** supply systems, and **water** treatment plants, more specifically defined as follows:

- 1) "Wast**water** treatment plant" is the facility or group of units used for the treatment of industrial or domestic wast**water** from sewer systems and for the reduction and handling of solids and gases removed from such wastes, whether or not such facility or group of units is discharging into state **waters**. "Wast**water** treatment plant" specifically excludes any facility or group of units used for pretreatment, treatment, or handling of industrial **water**, wast**waters**, reuse **waters**, and wastes which are not discharged into state **waters**.

⁷ Need provision at pp 16-18 making an activity of state interest the plumping up of desiccated water rights.

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- 2) "**Water** supply system" means the system of pipes, structures, and facilities through which a **water** supply is obtained, treated, and sold or distributed for human consumption or household use, if such system has at least **fifteen service connections** or regularly serves at least **twenty-five individuals**.⁸
- 3) "**Water** treatment plant" means the facility or facilities within the **water** supply system which can alter the physical, chemical, or bacteriological quality of the **water**

N. "Dry Up" means that activity which removes historically irrigated acreage from irrigation and results in a cessation of application of irrigation **water** and a subsequent "dry-up" of said historically irrigated acreage for purposes of placing **water** and **water** rights historically utilized for irrigation to other uses, or to similar uses in other places.

O. "Dry wash channel and dry wash floodplain" means a small **watershed** with a very high percentage of runoff after torrential rainfall.

P. "Efficient use of **water**" means the employment of methods, procedures, controls, and techniques to ensure the amount of **water** and the purpose for which **water** is used in the County will yield the greatest benefit to the greatest number of people. Such benefits will include but are not limited to economic, social, aesthetic, environmental, and recreational. **[Do we want to introduce "maximum utilization?"]**

Q. "Enclave" means an unincorporated area of land entirely contained within the outer boundaries of a municipality, provided that not more than 30 percent of the enclave is surrounded solely by annexed right-of-way.

R. "Expansive soil and rock" means soil and rock which contains clay and which expands to a significant degree upon wetting and shrinks upon drying.

S. "Extension" means a major extension and is an increase in hydraulic capacity, an upgrade in treatment or transmission capability, an increase in facility size, or a replacement of an existing facility in a new or altered location.

T. "Flood" or "flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- 1) the overflow of **water** from channels and reservoir spillways;
- 2) the unusual and rapid accumulation of runoff or surface **waters** from any source; or
- 3) mudslides (i.e. mudflows) which are proximately caused by flooding as defined in Subsection (2) of this definition and which are sufficiently fluid so as to flow on and over the surface of normally dry land areas, as when earth is carried by a current of **water** and deposited along the path of the current, **such as on alluvial fans such as in Paradise Acres in 2019**.

U. "Flood hazard area" means an area containing or directly affected by a flood.

⁸ **Sky, do you feel these values remain appropriate?**

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V. "Floodplain" means an area adjacent to a stream, which area is subject to flooding as the result of the occurrence of an intermediate regional flood and which area thus is so adverse to past, current, or foreseeable construction or land use as to constitute a significant hazard to public health and safety or to property. The term includes but is not limited to:

- 1) Mainstream floodplains;
- 2) Debris-fan floodplains; and
- 3) Dry wash channels and dry wash floodplains.

W. "Geologic hazard" means a geologic phenomenon which is so adverse to past, current, or foreseeable construction or land use as to constitute a significant hazard to public health and safety or to property. The term includes but is not limited to:

- 1) Avalanches, landslides, rock falls, mudflows, and unstable or potentially unstable slopes;
- 2) Seismic effects;
- 3) Radioactivity; and
- 4) Ground subsidence.

X. "Geologic hazard area" means an area containing or directly affected by a geologic hazard.

Y. "Ground subsidence" means a process characterized by the downward displacement of surface material caused by natural phenomena such as removal of underground fluids, natural consolidation, or dissolution of underground minerals or by man-made phenomena such as underground mining.⁹

Z. "Historical or archaeological resources of statewide importance" means those resources which may have been officially included in the national register of historic places, designated by statute or included in an established list of places compiled by the state **or county**¹⁰ historical society, or as may be identified by the Board regardless of whether or not such inclusion has occurred, including but not limited to those designated by the Board in accordance with C.R.S. 30-11 -107(1)(bb) as amended.

AA. "Industrial **Water** Project" means all activities, or any activity, whether phased or otherwise staged in development, related to projects involving manufacturing, mineral extraction or processing, coal and oil and gas development, commercial agricultural operations (**including marijuana cultivation**), commercial recreational services and facilities, and similar activities in which the use of **water** is an integral component.

BB. "Key Facility" means a building, plant, development or other structure or facility which is integral to the area or activity for which a County permit under these regulations is sought.

⁹ Sky, do we want to expand this to wood preservation (carbon sequestration)?

¹⁰ Need to engage or involve Huerfano County Historical Society since it has a list of historical sites in the County including GPS location, general description, and photograph. I don't think that the County can delegate the designation to a nonprofit but it could be made a referral agency and we might want to acquire the list and reference it. John VanKueren (sp?) is the contact.

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CC. "Layman's description" means a general, non-legal description and the popular name, if any, of the tract of land on which the activity or development is to be conducted. The term "general description" means "layman's description."

DD. "Legal Description" means any description from which it is possible to locate accurately on the ground the boundaries of the land being described.

EE. "Mainstream floodplain" means an area adjacent to a perennial stream, which area is subject to periodic flooding.

FF. "Major facility of a public utility" means:

- 1) Central office buildings of telephone utilities;
- 2) Transmission lines, power generation facilities, and substations of electrical utilities; and
- 3) Pipelines and storage areas of utilities providing natural gas or other petroleum derivatives and includes extensions to those facilities.

GG. "Major publicly owned reservoir" means any body of **water** formed by an embankment or structure 10 feet in vertical height or having a surface area at high **water** line, in excess of 5 acres, or collection of smaller **water** storage structures cumulatively totaling 5 acres of surface area and utilized in concert, for which public funds have been used in the construction of all or any part of the dam or where a public entity or agency owns or administers the described property. ~~The ownership of stock in a mutual ditch or reservoir company does not constitute ownership or administration. Furthermore, any loan of funds for construction, operation, maintenance, repair, or replacement of all or any part of a dam does not constitute the use of public funds.~~

HH. "Matter of state interest" means an area of state interest or an activity of state interest or both as defined under 24-65.1-101, et seq., C.R.S.

II. "Mudflow" means the downward movement of mud in a mountain **watershed** because of peculiar characteristics of extremely high sediment yield and occasional high runoff. **[Do we want to be more specific, i.e. calling out the circumstances of Paradise Acres, an alluvial fan?]**

JJ. "Municipal **Water** Project" means all activities, or any activity, whether phased or otherwise staged in development, related to or associated with a system, development, or project, and all related components thereof, intended to provide **water** supply or service to persons, not necessarily part of a municipality, for uses typically associated with "municipal" use, including but not limited to, domestic, irrigation, landscape, commercial, stock**water** and augmentation uses, whether such **water** supply is derived from surface or subsurface sources, and whether or not such provision of supply involves a temporary or permanent change of **water** rights.

KK. "Municipality" means a home rule or statutory city, town, or a city and county or a territorial charter city.

LL. "Natural hazard" means a geologic hazard or a flood.

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MM. "Natural hazard area" means an area containing or directly affected by a natural hazard.

NN. "Natural resources of statewide importance and/or local concern" means any material source such as timber, fresh **water**, or mineral deposit that occurs in a natural state and has economic value.

OO. "Net Effect" means the impact of an action or activity after mitigation.

PP. "New communities" means the major revitalization of existing municipalities or the establishment of urbanized growth centers in unincorporated areas. New communities shall not include those established through the municipal annexation of unincorporated territory. **[Sky, do we need to beef this up?]**

QQ. "Person" means any individual, limited liability company, partnership, corporation, association, company, or other public or corporate body, and includes without limitation any political subdivision, **district**, agency, instrumentality, or corporation of the State or the United States government.

RR. "Planning Commission" means the Huerfano County Planning Commission.

SS. "Proposed Project" means the construction and operation of a **proposed special development projects**,¹¹ including Municipal **Water** Project or Industrial **Water** Project throughout its lifecycle, including all ancillary structures, facilities, improvements, and activities, and all integrated components thereof, and any proposed land use directly related to such project if such project is to be located wholly or partially within the County.

TT. "Public Utility" means a public utility as defined by state law, with the exception of utilities owned and operated by a municipality located within Huerfano County.

UU. "Radioactivity" means a condition related to various types of radiation emitted by natural or man-made radioactive minerals that occur in deposits of rock, soil, and **water**.

VV. "Regulations" means these regulations as finally enacted and approved, and as may be amended and supplemented in the future.

WW. "Reservoir" (except in the context of the separately defined term "major publicly owned reservoir") means an area of land where **water** is retained or an area intended for **water** retention, and which is used or proposed for use in whole or in part as part of a Municipal **Water** Project, Commercial Water Project, or Industrial **Water** Project or storage of **water** which is part of a domestic **water** treatment system.

XX. "Re-vegetation" means permanent re-establishment of native plant growth necessary for erosion control, soil conservation and environmental stability upon land from which historically applied irrigation **water** has been removed, such land being "dried up" from irrigation, as defined herein. Re-vegetation requirements may be either temporary or permanent, depending on the nature of the dry up and change of **water** rights applicable.

YY. "Seismic effects" means direct and indirect effects caused by an earthquake or an underground **nuclear** detonation.

¹¹ **What are these, "proposed special?"**

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ZZ. "Siltation" means a process that results in an excessive rate of removal of soil and rock materials from one location and rapid deposit thereof in adjacent areas.

AAA. "Shorelands" means all lands extending a minimum of 200 feet shoreward of the high **water** line, and all wetlands associated with a reservoir.

BBB. "Slope" means the gradient of the ground surface that is definable by degree or percent.

CCC. "Unstable or potentially unstable slope" means an area susceptible to a landslide, a mudflow, a rock fall, or accelerated creep of slope-forming materials.

DDD. "Urbanized growth center" means an establishment of any use requiring urban services **and not otherwise allowed under the Huerfano County Land Use Code, the Huerfano County Comprehensive Plan, or associated intergovernmental planning agreements.**¹²

EEE. "Water related activities" include a Municipal Water Project, an Industrial Water Project or a domestic water or sewage system.

7.02 DESIGNATION OF MATTERS OF STATE INTEREST

7.02.01 Board of County Commissioners to Make Designations

Designations and amendments of designations may be initiated in the following ways:

- A. The Board of County Commissioners may in its discretion designate and adopt regulations for the administration of any matter of state interest.
- B. The Planning Commission may on its own motion or upon request by the Board of County Commissioners, recommend the designation of matters of state interest following public hearing before the Planning Commission. The Board of County Commissioners shall decide, in its sole discretion, and pursuant to the requirements of 24-65.1-101, et seq., C.R.S., whether or not to designate any or all of the requested matters of state interest so recommended.

7.02.02 Moratorium

- A. Whenever the Board of County Commissioners designates a matter of state interest, pursuant to 24-65.1-404, C.R.S., no person shall engage in any development in such area, and no activity shall be conducted, until the designation and guidelines or regulations for such an area or activity are finally determined and a permit has been issued thereunder.

7.02.03 Public Hearing Required

- A. The Board of County Commissioners shall hold a public hearing before designating any matter of state interest **or** ~~and~~ adopting regulations for the administration thereof. Said hearing shall be noticed and

¹² **Why is this here? Shouldn't 1041 review be in addition to that provided elsewhere in the County LUC? I propose that we delete the highlighted language near the top of the page.**

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held pursuant to 24-65.1 -404 through -407, C.R.S. Said hearing shall be held not less than thirty (30) days nor more than sixty (60) days after the giving of public notice of said hearing.

- B. The Board in its discretion may request that the Planning Commission hold a hearing and provide a recommendation to the Board on the proposed designation prior to the Board's hearing. Notice of any hearing before the Planning Commission shall be published no less than seven days before the Planning Commission hearing date in a newspaper of general circulation in the County.
- C. The Board of County Commissioners shall prepare a notice of any designation hearing which shall include:
 - 1) The time and place of the hearing;
 - 2) The place at which materials relating to the matter to be designated and any guidelines and regulations for the administration thereof may be examined;
 - 3) A description of the area or activity proposed to be designated in sufficient detail to provide reasonable notice as to property and/or activities which would be included;
 - 4) The **County Planner**¹³ shall maintain a mailing list of those persons requesting they be placed on the list and paying to the Clerk an annual fee of twenty (\$20) dollars to cover the costs of production, handling and mailing of notices of all hearings pursuant to Sections 24-65.1-402(2)(b) and 24-65.1-501(2)(c), C.R.S. In order to have their name and address maintained and retained on the list, the person shall resubmit their name and address and pay said annual fee before January 31 of each year.

7.02.04 Factors to be considered at Designation Hearings

At the public hearing, the Planning Commission and Board of County Commissioners shall consider such evidence as they deem appropriate, including, but not necessarily limited to testimony and documents addressing the following considerations:

- A. The intensity of current and foreseeable development pressures;
- B. The matters and considerations set forth in any applicable guidelines for identification and designation issued by any applicable state agency;
- C. The boundaries of any area proposed for designation;
- D. Reasons why the particular area or activity is of state interest, the adverse impacts that would result from uncontrolled development of any such area or uncontrolled conduct of such activity, and the advantage of development of such area or conduct of such activity in a coordinated manner;
- E. The extent to which other governmental entities regulate the area or activity proposed to be designated;

¹³ Is this, "County Planner," still the correct title? How about something like "Land Use Department?"

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- F. The applicable criteria for administration of the proposed area or activity as set forth in these regulations and 24-65.1-201, et seq., C.R.S.;
- G. The legislative declarations stated in 24-65-102, 24-65.1-101, and 29-20-102, C.R.S.; and
- H. The Huerfano County Comprehensive Plan or any duly adopted intergovernmental agreements or comprehensive development plans adopted as part of, pertaining to, or affected by the area or activity under consideration.

7.02.05 Record of Designation Hearing

The Board will collect and preserve the following record of the designation process, at minimum:

- A. Notice of the hearing;
- B. Certificate of publication of the notice;
- C. Written testimony presented by any persons at the public hearing;
- D. An audio recording of the hearing; and
- E. The written resolution or order making appropriate findings supporting any designation and adopting the accompanying guidelines or regulations pursuant to Section 7.03.06, below.

7.02.06 Adoption of Designation and Regulation

- A. At the conclusion of the hearing, or within 30 days thereafter, the Board of County Commissioners may, by resolution, adopt, adopt with modification, or reject the proposed designation and accompanying guidelines or regulations.
- B. Each designation order adopted by the Board shall, at a minimum:
 - 1) Specify the boundaries of the designated area of state interest;
 - 2) State reasons why the designation is appropriate in light of the factors considered at the public hearings pursuant to Section 7.03.04, below; and
 - 3) Specify the regulations applicable to the designated matter of state interest.

7.02.07 Combined Designation and Permit Hearing

If a person proposes to engage in development in an area of state interest or to conduct an activity of state interest not previously designated and for which regulations have not been adopted, the Board of County Commissioners may hold one hearing for determination of designation and regulations as well as for granting or denying the permit, provided all applicable notice requirements are adhered to.

7.02.08 Specific Designations

- A. Activities of State Interest. The Board of County Commissioners, having considered the intensity of current and foreseeable development pressures and applicable guidelines for identification and designation adopted and issued by applicable state agencies, as well as the other relevant factors set

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forth in Section 7.03.04, below, at duly noticed public hearings held in accordance with Part 4 of Article 65.1, C.R.S., does hereby **find and declare the following activities to be matters of state interest and does hereby adopt the accompanying regulations** requiring permits for these designated activities as further set forth herein:

- 1) Site selection and construction of major new domestic **water** and sewage treatment systems;
- 2) Major extensions of existing domestic **water** and sewage treatment systems;
- 3) Efficient utilization of municipal and industrial **water** projects;
- 4) Site selection and construction of major facilities of a public utility;
- 5) Site selection and development of new communities;
- ~~6) Activities concerning changes of **water** rights or the use of **water** or land resources which may affect the agricultural nature and culture of Huerfano County, and the socio-economic stability thereof, and which may further effect the retention and quality of soil and other agricultural resources, including but not limited to dry up and re-vegetation requirements.~~
- ~~7) Activities which concern changes in reservoir operations for decreed **water** rights located within Huerfano County, and the socio-economic stability thereof, the result of which could be changes in the agricultural nature and culture of Huerfano County, and/or effects upon the retention and quality of soil and other agricultural resources, including but not limited to dry up and re-vegetation requirements.~~
- ~~8) Activities which may effect the quantity and/or quality of **water** bearing aquifers underlying lands in Huerfano County, including but not limited to, alluvial, confined and unconfined aquifers, both tributary and non-tributary.¹⁴~~
- 9) Site selection of Key Facilities.

The conduct of any of these activities within the boundaries of unincorporated Huerfano County shall be subject to the foregoing designations, as further set forth in these Regulations and/or regulations to be developed pursuant to the designations herein or matters of state interest which may hereinafter be designated by the board and subject of supplemental regulations hereto.

B. Areas of State Interest: The Board of County Commissioners, having considered the intensity of current and foreseeable development pressures and applicable guidelines for identification and designation adopted and issued by applicable state agencies, as well as the other relevant factors set forth in Section 7.03.04, below, at duly noticed public hearings held in accordance with Part 4 of Article 65.1, C.R.S., does hereby find and declare the following areas to be matters of state

¹⁴ **These three activities, ## 6), 7) and 8), are beyond those for which the enabling act gives the power to designate and regulate. I have tried to integrate them into the criteria for selection of activities which are available for County designation.**

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interest and does hereby adopt the accompanying regulations requiring permits regarding these designated areas as further set forth herein:¹⁵

- 1) Areas around key facilities in which development may have a material effect upon the key facility or the surrounding community;
- 2) Areas containing or having significant impact upon historical or archaeological resources.
- 3) Areas containing or having significant impact upon natural resources of statewide importance; and
- 4) Natural Hazard areas, which are flood hazard areas and geologic hazard areas.
- 5) ~~Areas historically and presently irrigated, the dry up of which or cessation of irrigation would have significant impact upon soil, air and/or water quality;~~
- 6) ~~Areas historically and presently in agricultural production, the cessation of which would have significant economic and/or socio-economic impacts upon the citizens of Huerfano County.~~

Development in any of these areas within the boundaries of unincorporated Huerfano County shall be subject to the foregoing designations **and shall be protected and administered** as further set forth in these Regulations.

7.03 PERMITS REQUIRED FOR VARIOUS DESIGNATED AREAS AND ACTIVITIES INVOLVING WATER RELATED MATTERS

7.03.01 ~~Water and Sewage Treatment Activities~~ Water Related Projects Requiring Permits

A permit shall be required for any proposed project, including but not limited to major new domestic **water** or sewage treatment system, major extension to existing major domestic **water** or sewage treatment system, or Municipal or Industrial **Water** Project, which is proposed to be located in whole or in part in the unincorporated portions of Huerfano County, **and which will divert or store raw, augmentation or treated water** and meets any of the following criteria:

- A. New **water** supply systems (excluding reservoirs which are separately covered under (C), below), or new **water** treatment plants, or extensions of those systems or plants (excluding line extensions which are separately covered under (E), below), that serve **more than 25 year round residents [?]** or provide the equivalent amount of **water** service and are not located entirely within an **approved** service area **approved by the County**.
- B. New wast**water** treatment plants, or extensions to existing plants (excluding line extensions which are separately covered under (E), below).
- C. Construction of any new reservoir where:

¹⁵ **This was added to make clear the designation of these areas of state interest. I understood that the areas were designated along with the activities; just wanted to make sure.**

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- 1) 30 percent or more [?] of the capacity is owned, controlled, used, or intended to be used for the storage of municipal or industrial **water** supplies or of **water** which is part of a domestic **water** treatment system; or
 - 2) less than 30 percent but more than one percent [?] of the capacity is owned, controlled, used, or intended to be used for the storage of municipal or industrial **water** supplies or of **water** which is part of a domestic **water** treatment system, and the reservoir has not been permitted pursuant to the **special use review**¹⁶ provisions of the Huerfano County Land Use Code; or
 - 3) the reservoir is lined.
- D. Expansion of any existing reservoir for a Municipal or Industrial **Water** Project or domestic treated **water** use.
- E. Extensions to **water** supply and wastew**ater** systems where:
- 1) Use 12” or larger [?] distribution or transmission lines¹⁷; or
 - 2) use two or more lines of any size which are parallel to and located within 100 feet of one another, and have a total cross section equal to or greater than 120 square inches [?]; and
 - 3) are not located entirely within an approved service area.¹⁸
- F. Systems, extensions, or projects located partly or entirely on land which is owned or managed for open space, recreation, environmental protection, or other land preservation purposes, except land which is owned by the entity proposing the system, extension, or project.
- G. Systems, extensions, or projects located partly or entirely on land that has been designated as an area of state interest.
- H. Systems, extensions, or projects partly or entirely on land which is designated in accordance with the Huerfano County Comprehensive Plan **or otherwise** as any one of the following: a historic site, archaeologically sensitive area, natural hazard area, critical wildlife habitat, critical plant association, or wetland.
- I. Any system, extension, or proposed project which relies upon or uses **water** decreed to agricultural land in the unincorporated County, and which:
- 1) is proposed to be converted to any different type or place of use, including but not limited to industrial use, municipal use, or domestic treated **water** use as part of a Municipal **Water** Project or Industrial **Water** Project;
- OR
- 2) requires total or partial dry up of the **below-described** ~~above referenced~~ agricultural land;

¹⁶ I'm not sure what is meant by "special use review." Could it be conditional use review?

¹⁷ Sky?

¹⁸ I think this should be a service area approved by the Huerfano BOCC?

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OR

- 3) serves primarily a municipality or other group of users located in a county other than Huerfano County;

OR

- 4) **Proposes to increase the historic use of desiccated water rights, at the expense of the land use supported by junior water rights, for the purpose of increasing the value of one or more senior desiccated water right.**

OR

- 5) **Proposes to adversely affect areas within Huerfano County historically and presently irrigated, the dry-up of which or cessation of irrigation would have significant impact upon soil, air and/or water quality.**

OR

- 7) **Proposes to adversely affect areas within Huerfano County historically and presently in agricultural production, the cessation of which would have significant economic and/or socio-economic impacts upon the citizens of the County.**

J. Any of the above which may

- 1) **affect the agricultural nature and culture of Huerfano County, and the socio-economic stability thereof, and which may further affect the retention and quality of soil and other agricultural resources.**

OR

- 2) **cause changes in reservoir operations for decreed water rights located within Huerfano County, and the socio-economic stability thereof, the result of which could be changes in the agricultural nature and culture of Huerfano County, and/or effects upon the retention and quality of soil and other agricultural resources.**

OR

- 3) **may affect the quantity and/or quality of water bearing aquifers underlying lands in Huerfano County, including but not limited to, alluvial, confined and unconfined aquifers, both tributary and non-tributary.**

~~This provision shall not apply to any agricultural water conversion which occurs as part of a use allowed under the County's Land Use Code (with the exception of uses reviewed under the County's location and extent process under 30-28-110(1), C.R.S. and Section 7.01 of this Code).~~¹⁹

¹⁹ The highlighted language makes no sense. What am I missing?

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7.03.02 Specific **Water** and Sewage Treatment Activities **Exempted** from the Permit Process.

A permit shall **not** be required for any major new domestic **water** or sewage treatment system, major extensions to existing major domestic **water** or sewage treatment system, or municipal and industrial **water** project, which is proposed to be located in whole **or in part** in the unincorporated portions of Huerfano County, and which meets any of the following criteria:

- ~~A. Any system, extension, or project not covered under Section 7.03.01, above.~~
- B. Systems, extensions, or projects which are located on unincorporated land that is an enclave within the municipality proposing the activity.
- C. Upgrades to existing facilities that are required maintenance or otherwise required by federal, state, or county regulations, including repairing and/or replacing old or outdated equipment, or installing new equipment, provided the improvements do not expand levels of service beyond design **or current** capacity, and provided further that the upgrade does not alter the location of the existing facility.
- ~~D. Any system, extension, or project proposed as part of a County exemption plat application (i.e., a re-plat of an existing platted subdivision where no new density is proposed).~~
- ~~E. Any system, extension, or project necessary to serve any platted subdivision or other use approved under the County's Land Use Code (with the exception of uses reviewed under the County's location and extent process under 30-28-110(1), C.R.S. and Section 7.01 of this Code), provided that the service provider obtains a specific exemption from the Board, based upon a public meeting of which the service provider shall receive reasonable prior notice, that review of the proposed service facilities falls outside the purposes of these regulations, or provided that the Board specifies in its approval of the platted subdivision or other use that separate review of the system, extension, or proposal is not necessary under these regulations.²⁰~~

7.03.03 Specific Public Utility Activities Requiring Permits

A permit shall be required for any major facility of a public utility, which is proposed to be located in whole **or in part** in the unincorporated portions of Huerfano County, and which meets any of the following criteria:

- A. New natural gas or other petroleum derivative transmission lines that serve more than 25 year round residents and are not located entirely within an approved service area.
- B. Extensions to natural gas or other petroleum derivative transmission lines which:
 - 1) use 12" or larger distribution or transmission lines; or
 - 2) use two or more lines of any size which are parallel to and located within 100 feet of one another, and have a total cross section equal to or greater than 120 square inches.
- C. Natural gas or other petroleum derivative storage areas.

²⁰ I didn't know what the highlighted text meant so I deleted it.

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- D. New electric transmission lines or extensions that are 115,000 volts or greater.
- E. Power plants generating 50 megawatts or more.
- F. Substations of electrical utilities which control electricity in amounts of 115,000 volts or more.
- G. Central office buildings of telephone utilities.

7.03.04 Specific Public Utility Activities **Exempted** from the Permit Process

A permit shall not be required for any major facility of a public utility, which is proposed to be located in whole or in part in the unincorporated portions of Huerfano County, and which meets any of the following criteria:

- A. **Any facility not covered under Section 7.03.03, above.**
- B. Facilities which are located on unincorporated land that is an enclave within the municipality proposing the activity.
- C. Any facility proposed as part of a County exemption plat application (i.e., a re-plat of an existing platted subdivision where no new density is proposed).
- D. Any facility necessary to serve any platted subdivision or other use approved under the County's Land Use Code (with the exception of uses reviewed under the County's location and extent process under 30-28-110(1), C.R.S.), provided that the service provider obtains a specific exemption from the Board, based upon a public meeting of which the service provider shall receive reasonable prior notice, that review of the proposed service facilities falls outside the purposes of these regulations, or provided that the Board specifies in its approval of the platted subdivision or other use that separate review of the system, extension, or proposal is not necessary under these regulations.

7.03.05 Other Designated Areas and Activities Requiring a Permit

- A. Site selection and development of new communities.
- B. Development located in areas containing or having a significant impact upon historical, archaeological or natural resources of statewide importance, and/or socio-economic impacts within the County, unless the development is otherwise regulated with full and binding effect under other Articles of this Code. The boundary of the areas regulated hereunder shall be the area which physically contains the designated historical, archaeological or natural resource, or in the specific case of significant wildlife habitats the areas shown on the maps identified in Section 7.01.07 (C) of this Article, and an area within a radius of 1,500 feet from the area containing the resource. However, the County Staff may determine that development within a larger area (up to one mile in radius) may be regulated, provided that the County Staff identifies specific land use impacts by which the larger area will be immediately and directly affected within the stated purposes of this Article.
- C. Development located in flood hazard areas.

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- D. If any proposed development is located partly within and partly out of the boundary of an area of state interest as designated in these regulations, the impacts of the entire development will be subject to review under these regulations. All construction or uses which compose or are directly associated with the development shall be considered to be part of the development, including but not necessarily limited to buildings, other associated structures, access roads or drives, utility lines, and parking areas.

7.03.06 Determination of whether a Proposed Activity or Development must go through the Permit Process

- A. The **County Staff** shall determine the applicability of Section 7.04 to the conduct of any proposed activity or development. The County Staff shall make this determination within **10 calendar days** **[?]** after the **Planner** ²¹ receives a written request from the applicant stating the reasons why the proposed activity or development is or is not subject to Section 7.04.
- B. If any person is aggrieved by the decision of the County Staff to include an activity within or exempt it from these regulations, that person may file an appeal to the Board with the County Staff, no later than ten days **[?]** after the date of the County Staff's written decision (with three days added for mailing if the decision is mailed). The appeal shall be accompanied by a statement why the County Staff's decision is incorrect.
- C. The Board shall schedule a public hearing on the appeal to be held no more than 30 days after the appeal is filed.
- D. For the purpose of deciding the appeal, the Board may require the developer to provide a description and declaration of the scope of the activity or development, including, but not necessarily limited to;
- 1) The site of the proposed activity or development.
 - 2) The size, if proposed, of any transmission lines, storage tanks, dams and or reservoirs.
 - 3) The number of residents to be served by the activity, or in the case of wastewater treatment plants, the average flow, in gallons, of wastewater a day.
 - 4) The increase in the County population that is projected as a result of the activity.
 - 5) The **water** rights on which the activity relies.
 - 6) Any geologic hazards areas or flood hazard areas mapped within one mile of the site.
 - 7) Potential socio-economic impacts of the proposed activity or development.
- E. At the appeal hearing, the appellant will have the burden of proving that the County Staff erred in the decision to include or exclude the activity or development from these regulations.

²¹ **Three thoughts. We need to make this consistent with the current departmental names or position titles. Sky, I think it would be OK if the planning commission made the decision. Ten calendar days isn't very long for a complex matter or when things get busy. Sky?**

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7.03.07 Specific Uses Exempted from the Permit Process in Areas of State Interest

- A. Operation, maintenance, repair and replacement of existing **water** and sewage collection, treatment, storage and delivery facilities and associated works, provided that improvements or replacements of existing facilities **do not expand the level of service beyond existing design capacity²²** and do not materially alter the location of the existing facility.
- B. A building site within the boundaries of the Flood Hazard Area as set forth in Section 7.01.07 (a) that evidence demonstrates to the satisfaction of the Board is not within an area of special flood hazard.

7.04 APPLICATION PROCEDURES

7.04.01 Permits Required after Designation; Receipt of Application Form

- A. Any person desiring to engage in a development in a designated area of state interest or to conduct a designated activity of state interest in whole or in part within the unincorporated area of Huerfano County must first obtain a permit pursuant to these regulations.
- B. An application shall not be accepted unless the County Staff determines that it is complete pursuant to the application submittal requirements of this Section and of Section 7.04.07, below. If the application is considered incomplete by the County Staff, the County Staff shall specify what additional information is required. When a submitted application is considered to be complete by the County Staff, the County Staff shall note upon the application the date and hour of its receipt.
- C. When an applicant seeks a permit to engage in development involving more than one area or activity of state interest regulated hereunder, the County Staff shall require that a single application be completed including all affected areas and activities.
- D. For any application to be considered complete under these Regulations, in addition to meeting the requirements of Section 7.04.07, below, the application shall include the entire development as contemplated or reasonably foreseeable for the subject property in question for at least a ten-year period. Said ten-year forecast shall in no way act as a limitation on the scope of the project or subject property which is the subject of the Application. The County shall have and maintain the absolute right to review all elements and components of the project or activity, and shall expressly be entitled to re-review all such elements and components at a later date should a component be added to the project or activity. There shall be no piece-mealing of projects for permit approval. For purposes of this Subsection, the subject property is the property on which the development is located, and any other contiguous property which is under the developer's ownership or control and is otherwise subject to regulatory jurisdiction under this Article. At a minimum, the application shall include all development

²² I have trouble with “existing design capacity.” We have reservoirs in the County which have been breached due to safety reasons or have silted up due to poor operations. In each case junior water rights have been able to divert and grown reliant upon water passed by the breached or poorly maintained reservoir. Between this draft and the next, we need to think this through.

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which has been planned for the subject property as shown in any capital improvements plan, facilities master plan, or other acceptable master planning document which the applicant has approved as of the time of application or anticipates approving at anytime while the application is in process, including all proposed project phases. If the Applicant has not approved such a master plan covering at least a ten-year period, it shall approve such a plan before the application will be accepted as complete. The purpose of these requirements is to assure that development for a subject property is reviewed in a rational context of reasonably foreseeable development for the property, to avoid piecemeal analysis of applications, and to allow for a comprehensive consideration of the cumulative impacts of development under these Regulations.

- E. For any application submitted after the effective date of these regulations by the Board [?], the following requirements shall apply to any amendment to that approval which is submitted within a ten-year period after the date of the approval. Any such amendment shall be presumed to constitute piecemeal development which cannot be rationally or adequately reviewed under the applicable standards of Section 411 of this Article, unless the Applicant demonstrates one of the following circumstances:
- 1) The Board approved less than the complete development pursuant to Section 7.04.11 (B) (15) of this Article, and the subject amendment includes development reflected in the applicable master plan but not previously approved.
 - 2) The additional application addresses or corrects a matter of health or safety presented by the approved development.
 - 3) The amendment clearly equals or reduces the impact or scope of the approved development, in the context of the applicable criteria under Section 7.04.11 of this Article.
 - 4) The amendment implements an amendment to the Huerfano County Comprehensive Plan or a land use intergovernmental agreement to which the County is a party, and which was adopted after the County's approval of the development.

Any amendment for which the Applicant cannot demonstrate that one of the foregoing circumstances exists, shall not be approved, unless the Applicant clearly overcomes the presumption that the amendment constitutes piecemeal development which cannot be rationally or adequately reviewed under the applicable standards of Section 7.04.11 of this Article, or unless the County instead elects to re-review all elements and components of the entire project as a new application, with the costs associated therewith to be borne by the Applicant.

- F. The County Staff's determination regarding whether a permit application is complete under Subsections 7.04.01 (B) and 7.04.01 (D) and Section 7.04.07 may be appealed to the Board by any person aggrieved by the determination, provided that an appeal is filed with the Board no later than 30 days after the date of the County Staff's written determination (with three days added for mailing if the determination is mailed). The appeal shall be accompanied by a statement describing the specific reasons why the appellant alleges the determination was in error, based on the criteria listed in Subsections 7.04.01 (B)

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and 7.04.01 (D) and Section 7.04.07. The Board shall convene a duly noticed public hearing on the appeal, at which hearing the appellant shall have the burden of proving that the County Staff erred in the determination regarding the completeness of the application.

- G. Applicants shall be bound by and subject to reliance upon all statements and representations made by Applicant in an Application for a permit pursuant to these regulations, or subsequent regulations enacted pursuant to designations made herein or future designations of matters of state interest. Applicants shall be similarly bound to the contents of all reports, testimony and other evidence submitted in support of such an application, and the Board of County Commissioners may, in its sole discretion, require Applicants' strict compliance with such statements, reports, testimony, and other evidence.

7.04.02 Application Fee

For all applicants, (1) a nonrefundable fee of \$300.00 [?] shall be required with each application; (2) before the application is deemed complete by the County Staff, certified funds in the amount estimated by the County to be sufficient for complete review by the County and its consultants shall be deposited with the County, and any amounts in excess of actual costs incurred in the review and processing of the permit application including all hearings conducted therefore, shall be refunded; (3) should the initial deposit prove inadequate to cover the costs for application review by the County, the Applicant shall make additional deposits to cover estimate future review costs. These components in total shall constitute the Application Fee. The fee shall be set by the Board of County Commissioners in its reasonable discretion.

7.04.03 Waiver of Submission Requirements

The County Staff may waive any part of the submission requirements which are not relevant to a decision on the application. The County Staff may not waive any requirements which are otherwise required by law, such as by Article 65.5 of Title 24, C.R.S. Any waiver by County Staff is subject to reconsideration by the Board of County Commissioners.

7.04.04 Intergovernmental Agreements

Upon request of the State of Colorado or a political subdivision of the state as defined by 29-1 -202(1), C.R.S., proposing to develop in an area of state interest or to engage in an activity of state interest, the requirements of these regulations may be met by the approval of an intergovernmental agreement in lieu of a permit application and review as provided by these regulations. In the event such an agreement is approved by the Board, no permit application to develop in the area or to conduct the activity of state interest may be required, in the discretion of the parties to such IGA, provided that all of the following conditions are met:

- A. The state or political subdivision/developer and the County must both be authorized to enter into the intergovernmental agreement.
- B. The purpose and intent of these regulations must be satisfied by the terms of the intergovernmental agreement.

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- C. A public hearing must be conducted by the Board to publicly review and approve of the proposed intergovernmental agreement. Notice of the public hearing shall be published once at least 30 and not more than 60 days prior to the hearing in a newspaper of general circulation in the County.
- D. Both the Board and the governing body of the state or political subdivision/developer must approve the agreement in the manner required of each of them by the Colorado Constitution, state statutes and any applicable charter, ordinance or resolution.
- E. Exercise of the provisions of this section by the state or political subdivision/ developer will not prevent that entity from electing at any time to proceed under the permit provisions of these regulations. Additionally, any entity which has previously proceeded under the permit provisions of these regulations may at anytime elect to proceed instead under this Section.

7.04.05 General Process Outline **[leave this procedural stuff to Sky]**

The following is a general outline of the steps required for any permit decision under these regulations. Specific information regarding each of the referenced steps follows this section.

- A. Pre-application conference
- B. Application
- C. Referral to adjacent and/or nearby property owners and affected agencies
- D. Staff review
- E. Public review before the Planning Commission and Board of County Commissioners
- F. Post-approval requirements

7.04.06 Pre-application Conference

- A. A pre-application conference is required of all applicants.
 - 1) The pre-application conference shall be held between the applicant the Land Use Department Staff.
 - a. This meeting is intended to provide an understanding of the applicable review procedures, requirements, and standards, and provide information pertinent to the application and the geographical area affected by the application.
 - b. The staff will explain the application procedures and the materials required for submittal.
 - c. The applicant shall bring a conceptual site plan to the conference.
 - 2) If the staff feels that the proposal raises any of the following issues, the applicant shall also meet with members of the appropriate County department to discuss the proposal.
 - a. For road, access, traffic concerns, and all vehicular movement patterns and volumes, the applicant will meet with a member of the Huerfano County Road & Bridge staff.

Huerfano County
Land Use Department
400 Main Street, Suite B
Walsenburg, Colorado 81089
719-738-1220 ext. 103

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- b. For **water** supply, sanitation, **water** quality or other public health concerns, the applicant will meet with members of the Environmental Health Section of the Huerfano County Health Department.
 - c. For open space or environmental concerns, the applicant will meet with a member or members of the Planning Commission to discuss any potential effects of the application on open space and environmental resources in the County.
- B. Any comments or commitments made by any member of the County's Staff during this pre-application conference are only preliminary in nature and should not be relied upon by the applicant. All prospective applicants should be informed that formal comments cannot be made by staff until after the application is submitted and adjacent and/or nearby property owners and referral agencies have had an opportunity to respond.
- C. Pre-application conferences may be held individually with each department, or a joint conference for all, or some, of the departments may be scheduled.
- D. County staff will make available to the applicant any public information regarding the application which is in the County's possession.

7.04.07 Application Submittal Requirements

A. Application

- 1) Before any request for County approval under these regulations may be processed, a complete application, meeting the requirements of this Section must be filed with the Land Use Department.
 - a. The application must include a General Land Use Application Form designating all agents for the applicant and exhibiting the applicant's or agent's signature, and has all necessary information completed. The form shall be accompanied by all fees, maps, plans, and reports required by these regulations.
 - b. The signature on an application form will be assumed to indicate the applicant's concurrence with all submissions and commitments made by their designated agent.
 - c. A written description of the proposal.
 - d. Any application which requires compliance with Article 65.5 of Title 24, C.R.S. shall not be considered to have been submitted as complete until the applicant has provided a certification signed by the applicant confirming that the applicant or its agent has examined the records of the Huerfano County Clerk and Recorder for the existence of any mineral estate owners or lessees that own less than full fee title in the property which is the subject of the application, and stating whether or not any such mineral estate owners or lessees exist.
 - e. In addition, for purposes of the County convening its initial public hearing on any application involving property for which mineral estate owners or lessees owning less than full fee title in the property have been certified by the applicant to exist, the application shall not be considered

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to have been submitted as complete until the applicant has provided an additional signed certification confirming that the applicant has, at least 30 days prior to the initial public hearing, transmitted to the County and to the affected mineral estate owners and lessees the notices required by Article 65.5 of Title 24, C.R.S.

B. Professional Qualifications

- 1) A professional consultant may not be necessary for all applications. Applicants shall determine in what instances professional consultation may be necessary for purposes of preparation of an Application, and the **Board [Staff]** shall determine in its reasonable discretion whether the absence or adequacy of such professional consultation materially affects the completeness or acceptability of such application.
- 2) All data and plans submitted for review must show the qualifications of the individual in charge of the work.

C. Consultants

- 1) If the County does not have qualified staff to review certain elements of an application or referral agencies are not able to adequately advise the County regarding certain elements of an application, the Board of County Commissioners may authorize the review be performed by a consultant engaged or approved by the County Staff. Unless specifically resolved by the Board of County Commissioners to the contrary, the applicant shall pay all consultants' fees, based upon the nature and extent of consulting expertise required, and a deposit for the estimated costs thereof shall be included in the application fee, as discussed herein at Section 7.04.02.
- 2) A referral agency may impose a fee for the review of the application. No hearings will be held if any such referral agency's fee has not been paid.

D. Application requirements – All topics discussed in this paragraph are for purposes of providing examples of issues generally addressed in an application of this nature and the likely minimum contents of such application. The contents of any particular application are at the discretion of the applicant, and to the extent that such application may be deemed complete, the County will provide a review and consideration of such application pursuant to these regulations and any subsequent regulations enacted pursuant to designations contained herein, or subsequent designations of matters of state interest.

- 1) The following are general requirements for any map or plan required as part of the application for a County approval. Minimum requirements include:
 - a. The name of the proposed development or use and total number of acres under consideration.
 - b. Since all maps and plans may be used for public presentation, the map scale and size should be large enough for effective presentation and should accurately illustrate the application.
 - c. Name, address, and telephone number of the applicant, designer, engineer, surveyor, and any other consultants of the applicant.

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- d. Date of preparation, revision box, written scale, graphic scale, and north arrow for each map.
 - e. A copy of the capital improvements plan, facilities master plan, or other applicable master planning document covering the subject development and property, as required in Subsection 7.04.01(D) above.
- 2) The following requirements shall apply only to applications for **designated water-related matters** ~~the water and sewage treatment activities designated in Section 7.02.08(A)(1-3)~~ above.
- a. Detailed plans for the activity or development including the proposed system capacity and service area plans and maps.
 - b. A description of all existing or approved proposed domestic **water** or sewage treatment systems within the jurisdiction of the applicant as well as adjacent communities (incorporated and unincorporated).
 - c. The design capacity of each domestic **water** or sewage treatment system and the distribution or collection network identified in (3) below.
 - d. A detailed inventory of total commitments already made for current **water** or sewage services in terms of taps or other appropriate measurement.
 - e. The source of the existing or new **water** supply for the proposed activity including applicable decreed **water** rights or plans, and information on any agricultural **water** rights decreed to land in unincorporated Huerfano County and converted **or to be converted** to provide the supply.
- 3) The following requirements shall apply only to applications for major facilities of a public utility.
- a. Detailed plans for the facility including, but not limited to, the associated system capacity and proposed service area plans and maps.
 - b. A description of existing and proposed service in the area to be served.
 - c. A description of the distribution network for the area proposed to be served.
- 4) The following requirements apply only to development located in Historical and Archeological Resource Areas of statewide importance.
- a. A state historical site survey form completed by a qualified professional, as may be acceptable to the State Historic Preservation Officer for all resources affected by the development, in the discretion of the Board of County Commissioners.
 - b. A description of the mitigating efforts to be taken to preserve the designated resource.
 - c. Plans and procedures for notification to the State Historical Society and State Archaeologist upon discovery of historical or archaeological resources, as may be required in the discretion of the Board of County Commissioners.
 - d. A report from the Huerfano County Historical Society regarding its understanding of the historical or archaeological resources at that site.**

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- 5) The following requirements apply only to development located in Natural Resource Areas of statewide importance.
 - a. A survey of habitat of applicable species, both fauna and flora, by a qualified professional.
 - b. A plan of construction and operations, which shall contain an analysis of the effects of the proposed development upon wildlife species within the designated wildlife habitat, both fauna and flora.
- 6) The following requirements apply only to development located in Natural Hazard Areas.
 - a. For development in a natural hazard area as set forth in Section 7.02.08 (B)(4):
 - i. A flood hazard impact report that addresses the criteria for developing in a flood hazard area, certified by a registered Colorado Professional Engineer.
 - ii. Maps or reports addressing flood hazard areas must be prepared by a registered Colorado Professional Engineer, a hydrologist or other professional with appropriate expertise in the issues addressed in the map or report as determined by the Land Use County Staff.
 - b. For developments located within a natural hazard area which is a geologic hazard area:
 - i. A geology report documenting and assessing the nature and extent of the applicable geologic hazard, its impact on the proposed development, and proposed mitigation measures if any, prepared by either a member of the American Institute of Professional Geologists, a member of the Association of Engineering Geologists, or an individual registered as a geologist by a state.
- 7) Requirements applicable to all applications
 - a. Detailed description of the scope and need for the proposed development or activity, including but not limited to:
 - i. The present population of the area to be served and the **projected** population to be served.
 - ii. The predominant types of users or communities to be served by the proposal, over the lifecycle of the project.
 - iii. The percentage of the design capacity at which the current system is now operating.
 - iv. If the proposal is a new **water** or **wastewater** treatment system or public utility facility and that system exceeds a ten year projected increase in demand, a detailed explanation of the excess service capacity and the cost of the excess capacity.
 - v. The relationship of the proposal to the applicant's long-range planning and capital improvements programs, including specific reference to the **County** master plan.

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- 8) Environmental Impact Analysis, applicable to all applications.
- a. Land use:
 - i. Specify whether the proposal conforms to local governments planning policies and master plans.
 - ii. Detail the agricultural productivity capability of the land affected by the proposal (SCS classification).
 - iii. Specify how the proposed development will utilize existing easements or rights-of-way for any associated transmission, distribution, or collector networks.
 - iv. Specify any additional right-of-way or easements for new or expanded transportation facilities.
 - b. **Water** resources:
 - i. On an appropriate map, indicate any flood hazard areas associated with the proposal. Documentation of historical flooding activity on the parcel where the activity or development will be located, and on other property affected by the activity or development, should be included. Detail potential, adverse impacts related to the associated flood hazard area.
 - ii. Map and describe all **surface**²³ **waters**, including applicable state **water** quality standards, which may be affected by the project.
 - iii. Describe the immediate and long-term impact and net effects that the activity would have on the quantity and quality of surface **water** under both average and worst case conditions.
 - iv. Map and describe all **groundwater**, including any aquifers and aquifer recharge areas. Describe the potential impacts and net effect of the activity on **groundwater**, both quantity and quality. At a minimum, the description should include:
 - 1. Seasonal **water** levels in each platted subdivision of the aquifer affected by the activity.
 - 2. Artesian pressure in aquifers.
 - 3. **Groundwater** flow directions and levels.
 - 4. Existing aquifer recharge rates and methodology used to calculate recharge to the aquifer from any recharge sources.
 - 5. For aquifers to be used as part of a **water** storage system, methodology and results of tests used to determine the ability of aquifer to impound **groundwater** and aquifer storage capacity.

²³ Does “surface” mean stream water? Better go back and check definitions.

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6. Seepage losses expected at any subsurface dam and at stream-aquifer interfaces and methodology used to calculate seepage losses in the affected streams, including description and location of measuring devices.
7. Existing groundwater quality and classification.
8. Location of all water wells and their uses.
9. Location of all aquifer recharge areas.
- v. Describe the impacts and net effect of the activity on wetlands and riparian areas.
 1. Map and describe wetlands, and riparian areas to be affected by the activity, including a description of each type of wetlands, species composition, and biomass, both fauna and flora.
 2. Describe the source of water interacting with the surface systems to create each wetland (i.e., side-slope runoff, over-bank flooding, groundwater seepage, etc.).
 3. Describe impacts and the net effect that the project would have on the wetlands and riparian areas.
 4. Describe impacts on quantity and quality of water in Aquifer Recharge Areas.
- 9) Terrestrial and Aquatic Animals and Habitat, as applicable:
 - a. Map and describe terrestrial and aquatic animals including the status and relative importance of game and non-game wildlife, livestock and other animals; a description of stream flows and lake levels needed to protect the aquatic environment; description of threatened or endangered animal species and their habitat.
 - b. Map and describe critical wildlife habitat and livestock range to be affected by the activity including migration routes, calving areas, summer and winter range, and spawning beds.
 - c. Describe the impacts and net effect that the activity would have on terrestrial and aquatic animals, habitat, and food chain.
- 10) Terrestrial and Aquatic Plant Life, as applicable:
 - a. Map and describe terrestrial and aquatic plant life including the type and density, and threatened or endangered plant species and habitat.
 - b. Describe the impacts and net effect that the activity would have on terrestrial and aquatic plant life, including plant life resulting from agricultural irrigation, dry up of the same, and revegetation efforts to mitigate the same.
- 11) Air quality, as applicable:
 - a. Detail how many average daily trips will be generated by the proposal.
 - b. Explain any other adverse impacts on air quality anticipated from the proposal.

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- c. Describe how any state or federal air quality standards will be impacted and if the proposed transportation facility has been included in the region's air quality models to verify conformity with the air quality plan.
 - d. Describe the air sheds to be affected by the activity, including the seasonal pattern of air circulation and microclimates.
 - e. Describe the impacts and net effect that the activity would have on air quality during both construction and operation under both average and worst case conditions.
- 12) Significant environmentally sensitive factors, as applicable:
- a. Identify and locate on a map of appropriate scale the juxtaposition of any of the following features present in the proposed development or activity and its environs, and detail the potential impact of the proposal upon each feature:
 - i. Potential natural hazards
 - ii. Public outdoor recreation and open space areas.
 - iii. Unique areas of geologic, historic, and archaeological importance.
- 13) Visual aesthetics and nuisance factors, as applicable:
- a. Identify view sheds, scenic vistas, unique landscapes, or land formations.
 - b. Identify any significant deterioration of existing natural aesthetics, creation of visual blight, noise pollution, or obnoxious odors which may stem from the proposal.
 - c. Identify and describe any structures, excavations, and embankments that will be visible as a result of this project.
- 14) Transportation impacts, as applicable:
- a. Describe what impacts the proposal will have upon transportation patterns in the area intended to be served or affected by the proposal through the submittal of a traffic impact analysis of the proposed transportation facilities. The traffic impact analysis should include but not be limited to the following:
 - i. Identify the facilities required to support the existing and future land uses being served by the proposed transportation facility.
 - ii. Provide the existing and proposed traffic volume impacts to the adjacent road system, including local roads.
 - iii. Provide the existing and future Level of Service (LOS) before and after the proposed project is completed.
 - iv. All transportation access information as required by the CDOT State Highway Access Code, 1998 revisions or the most current edition thereof.

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- v. Submittal of a benefit/cost analysis of the proposed transportation improvements and identify the distribution of the burden of the cost for the proposed improvements to the project as well as the adjacent state or local road system.
- 15) Potential Socio-Economic impacts of the proposal, including but not limited to impacts related to the historical rural-agricultural culture of the County, employment impacts/opportunities and other related socio-economic factors.
- 16) Less damaging alternatives, applicable to all applications:
 - a. If the County Staff or Planning Commission determines that the nature or extent of the proposal involves the potential for significant environmental and/or socio-economic damage and warrants examination of specific, less damaging alternatives, the County Staff or Planning Commission may request that the Board require that the applicant evaluate and present information on such alternatives and mitigation as part of the application.
 - b. Required information on alternatives may include, but shall not necessarily be limited to, information on the environmental impacts and cost-effectiveness of the alternatives in relationship to the proposal presented, as well as mitigation alternative which might lessen such impacts.
- 17) For any application requiring compliance with Article 65.5 of Title 24, C.R.S., certification of compliance with Article 65.5 of Title 24, C.R.S., signed by the applicant confirming that the applicant or its agent has examined the records of the Huerfano County Clerk and Recorder for the existence of any mineral estate owners or lessees that own less than full fee title in the property which is the subject of the application, and stating whether or not any such mineral estate owners or lessees exist.²⁴

18) Any application involving a water-related matter shall described its impact on:

- a. Water rights.**
 - i. In addition to the impact analysis, the application shall contain copies of decrees of the District Court or of the Water Court relating to the water rights involved.**
- b. Water structures, including headgates, ditches, wells, dams/reservoirs, etc.**
 - i. In addition to the impact analysis, the application shall contain copies of any orders of the appropriate Water Commissioner(s), the Division Engineer or the State Engineer regarding any of the water structures related to the water rights or irrigated lands involved.**

²⁴ **Interesting requirement in that the Assessor doesn't maintain a separate schedule of severed mineral estates.**

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- c. All engineering, hydrological, or hydrogeological analysis related to the water rights involved.**
- d. Legal description and map of all irrigated acreage proposed to be dried up.**
- e. Give some thought to this....**

7.04.08 Referral Requirements

A. Referral of Applications – nothing herein is to be deemed to define the potential impact area of any project, but rather to define only where specific referrals are to be required.

- 1) When an application meeting the requirements of Section 7.04.07 is filed with the Land Use Department, and deemed complete by County Staff, the application materials shall be referred to interest holders in any property proposed to be **occupied** ~~physically disturbed~~ by the activity or development, property owners within **one mile** ~~1,500 feet~~ of any property proposed to be physically disturbed and appropriate referral agencies. Based on the specifics of the application, the County Staff may waive referral requirements if those requirements are unnecessary.
 - a. The applicant is responsible for preparing the referral packets²⁵ in the manner prescribed by the County Staff. An error made either intentionally or unintentionally by the applicant in the preparation of referral packets may result in a delay in processing of the application so that the proper referrals can be accomplished.
 - b. All mailings shall be by U. S. Mail, first-class postage prepaid, with the exception of referrals to offices and agencies in the Huerfano County interoffice mail delivery route. Referral Packets

B. Referral Packets

- 1) Each referral packet shall contain one copy of the site plan (full size or reduced to letter size) and application, and other materials as deemed appropriate by the Land Use County Staff. The number of referral packets required shall be determined by the County Staff.
- 2) Referral notices shall be mailed to agencies specified in this Section 7.04.08 and to each owner of an interest in any property proposed to be physically disturbed by the proposal, and to property owners within 1,500 feet of any property proposed to be physically disturbed, unless otherwise specified by County staff. Referral notifications may be distributed electronically.
- 3) Referral notices shall also include the name of the proposal, name of owners of the affected property, permit number, general location, and number of acres, proposed use, and any other information deemed appropriate by the County Staff. The notice shall also include information on where to access referral packets on the County's website, and provide staff contact information in case the person receiving the notice wishes to request a hard copy of the referral packet. The complete application referral packet shall be available for public review in hard copy form at the County Land Use Department during business hours.

²⁵ **Would it be wise to provide that the referral packets could be in electronic form?**

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- C. Review of Applications by Agencies and Individuals – while this section provides for referral of applications to specific agencies and individuals for comment, such comments are advisory only, and no referral comments shall be binding upon the Board of County Commissioners.
- 1) Referral responses from agencies and individuals.
 - a. Referral responses must be received by the County Staff within **75** ~~30~~ days²⁶ of transmittal in order to insure that recommendations and findings are considered.
 - b. Failure of any office, agency district, or individual to respond within the above-mentioned time period, or within the period of an extension which may be expressly granted by the County Staff, will be regarded as a response with no conflict.
 - 2) The State Engineer may review the application to insure conformity with all applicable regulations of the Colorado Division of **Water** Resources and for comment on applicable **water** rights administration and determination concerns.
 - 3) The Colorado and County Health Departments may review the application for conformity with all applicable State and County health related regulations.
 - 4) The Colorado Geological Survey may evaluate those geologic factors which would have a significant impact on the proposed use of the land.
 - 5) The Colorado Public Utilities Commission may review all applications for major facilities of a public utility, and provide information on any decisions, orders, or findings which the Commission has made or proposes to make with respect to the facility, and any other pertinent information.
 - 6) Colorado Department of Transportation may review the application for conformity to the State Highway Access Code, STIP and the regulations relative to the administration of state and federal transportation systems.
 - 7) The Colorado Division of Wildlife may review all applications in areas affecting natural resources.
 - 8) The County Land Use Department shall evaluate the application for conformance with the Comprehensive Plan, these regulations, sound planning, and comments from the referral agencies and individuals.
 - 9) The Colorado **Water** Conservation Board may review the application for flood hazard impacts.
 - 10) The City of Walsenburg, Town or La Veta, or any other governmental jurisdictions or Special District may review the application for conformance and possible impact of their future land-use plans.
 - 11) The Huerfano County Historical Society may review the application for any impacts on identified historical or archeological sites or features within the County.**

²⁶ **To get thoughtful (maybe any) responses from districts requires more than 30 days. Decisions are made by the District's board which usually meets once a month.**

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12) The Huerfano County Water Conservancy District may review the application for the proposal's impact on the County's water resources.

- D. Post referral action if there are referral comments received by the Land Use Department which require a response from the applicant, the following actions shall occur:
- 1) The Land Use staff will transmit by first class mail, electronic mail, or hand delivery, the comments from referral agencies and individuals as soon as possible following the required referral response period.
 - 2) Within 30 days after transmittal of those comments, or by a later date specified by the County Staff, the applicant shall respond in writing to all issues raised during the referral process.
 - a. Such response shall be considered an amendment to the application, and shall be made part of the application to be used as a basis for a final Planning Commission and Staff recommendation.
 - b. If the County Staff or the Planning Commission finds that this new information results in a substantial change in the proposal, the County Staff may re-refer the amended application and supporting materials to those referral agencies and individuals outlined in Section 7.04.08, above. The processing schedule will be amended accordingly.
 - c. If the applicant is unable to supply responses within the 30 days allowed, then the applicant may request, in writing, a delay in processing the application for up to 90 days.
 - d. If the applicant fails to supply satisfactory responses within the specified time, the County Staff may either base the Land Use Staff recommendation on review of the file as it exists, or reject the application as a result of the failure to provide information necessary to its proper review. In the case of the latter, the County Staff shall inform the applicant in writing.
 - 3) The Land Use Staff shall make a recommendation based on its analysis of the record on the application, the referral comments, and the applicant's responses to the referral comments.

7.04.09 Notice of Permit Hearing²⁷

- A. Not later than 30 days after receipt of a completed application for a permit, the County Staff shall set and publish notice of a date, time, and place for a joint public hearing before the Board of County Commissioners and the Planning Commission. The notice shall be published once in a newspaper of general circulation in Huerfano County, not less than 30 nor more than 60 days before the date set for the hearing. Notice shall also be mailed to the applicant, and to any other persons or agencies requesting notice of the hearing, at the same time the notice is published. Inadvertent failure to notify every such property owner, person, or agency shall not affect the validity of any hearing or any determination of the Board.

²⁷ All these notice and procedural matters should be conformed to the new simplified construct being adopted by the County Commissioners.

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- B. Not less than thirty days before the date scheduled for the joint public hearing the applicant will send notice by, certified mail, return receipt requested, or by a nationally recognized overnight courier, to all property owners indentified in Section 7.04.08 (B) (2), and all mineral estate owner pursuant to CRS 24-65.5-103. Inadvertent failure to notify every such property owner, person, or agency shall not affect the validity of any hearing or and determination of the Board.
- C. The application shall be considered complete and therefore received by the Land Use Department for purposes of this Section 7.04.09, once the applicant supplies satisfactory responses to the referral comments as required by Section 7.04.08(D)(2), above, or, if no responses are required, within 60 days after the County Staff transmits information on the application to the referral agencies and individuals pursuant to Section 7.04.08(C), or at such later date as the County Staff may have approved under Section 7.04.08(C), above. Completeness of the application shall also be determined based upon the applicant's compliance with any applicable requirements of Article 65.5 of Title 24, C.R.S., as set forth in Section 7.04.07(A) (1)(D), above.
- D. Notwithstanding any other provision of this Article the Applicant shall be solely responsible for complying with any applicable requirements of Article 65.5 of Title 24, C.R.S. Therefore, if the application is one which requires compliance with Article 65.5 of Title 24, C.R.S., and if the applicant has certified as part of its application submittal that mineral estate owners or lessees owning less than full fee title in the property which is the subject of the application exist, the County's initial public hearing on the application (before the Planning Commission or the Board, as applicable) shall not be held unless the applicant provides a further signed certification confirming that the applicant has, at least 30 days prior to the initial public hearing, transmitted to the County and to the affected mineral estate owners and lessees the notices required by Article 65.5 of Title 24, CR.S.
- E. In any case where information becomes known to the Planning Commission, Board, or County Staff that an applicant has failed to provide notice of an initial public hearing on an application as required Article 65.5 of Title 24, C.R.S. at least 30 days prior to the initial County public hearing on the application, as required by Article 65.5 of Title 24, C.R.S., the Planning Commission, the Board, or the County Staff on behalf of the Planning Commission or Board may continue, may reschedule, or may vacate the initial public hearing to allow proper notice to be provided under Article 65.5 of Title 24, C.R.S.

7.04.10 Conduct of the Permit Hearings

- A. The Board shall conduct its public hearing in such a manner so as to solicit all relevant testimony from the applicant and members of the public.
 - 1) The Board and Planning Commission shall hear testimony and receive evidence and documents presented at the public hearing.
 - 2) The County Staff shall conduct and preserve the following record of the public hearing:
 - a. The permit application.

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- b. Any written statements or documents presented in support of or in opposition to the permit application.
 - c. The names and addresses (as available) of all persons making oral or written statements, appearing as witnesses, or offering documentary evidence.
 - d. Any tape recording of the hearing.
 - e. The Planning Commission's recommendation.
 - f. The resolution of the Board granting or denying the permit application.
 - g. A copy of the permit, if issued.
- B. Any application submitted by a public utility or a power authority providing electric or natural gas service, which relates to the location, construction, or improvement of a Major Facility of a Public Utility as contemplated by Section 29-20-108, C.R.S., as amended, and which is presented to the Planning Commission for review, shall be considered to be a "preliminary application" under Section 29-20-108. Final County action on any such application shall thus be required to be taken within 120 days after submission of the application, or the application under Section 29-20-108 is deemed approved. Any such application for a major electrical or natural gas facility which is presented to only the Board, shall be considered to be a "final application" under Section 29-20-108, on which final County action shall be required to be taken within 90 days after submission of the application, or the application under Section 29-20-108 is deemed approved. For purposes of this Subsection C., "submission" shall be considered to be the submission of a complete application as required by this Regulation, including but not limited with respect to compliance with any applicable notice requirements to the mineral estate owners and lessees constituting less than full fee title in the subject property as required by Article 65.5 of Title 24, C.R.S.

7.04.11 Standards for Approval of a Permit Application

A. General Approval Requirements

- 1) A permit application for development of a matter of state interest may not be approved unless the applicant satisfactorily demonstrates that the proposal, including all mitigation measures proposed by the applicant, complies with all of the applicable criteria set forth in this Article. If the proposal does not comply with all of the applicable criteria, the permit shall be denied, unless the Board determines that reasonable conditions can be imposed on the permit which will enable the permit to comply with the criteria.
- 2) If the Board determines at the public hearing that sufficient information has not been provided to it to allow it to determine if the applicable criteria have been met, the Board may continue the hearing until the specified additional information has been received. The Board shall adopt a written decision on a permit application as soon as practicable after the completion of the permit hearing.

B. Standards for approval of all permit applications. Notwithstanding this Section 7.04.11.B., applicable standards may be waived pursuant to Section 7.04.03 of these Regulations.

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- 1) The applicant has obtained or will obtain all property rights, permits, and approvals necessary for the proposal, including surface, mineral, and **water** rights. The Board may, in its discretion, defer making a final decision on the application until necessary property rights, permits and approvals for the proposal are obtained.
- 2) The applicant has the necessary expertise and financial capability to develop and operate the proposal consistent with all requirements and conditions.
- 3) Adequate **water** supplies, as determined by the Board of County Commissioners, with referral comments from the State Engineer's Office, the Division Engineer's Office, **and** the Colorado Department of Health **and the Huerfano County Water Conservancy District** are available for the proposal if applicable.
- 4) The proposal will not cause unreasonable loss of significant agricultural lands as identified in the Comprehensive Plan, or identifiable on or near the site.
- 5) The proposal shall not significantly degrade or pose a significant hazard to any aspect of the environment, including environmental resources and open space areas as identified in the Comprehensive Plan, and other features or elements that are deemed to be significant components of the natural environment worthy of preservation. For purposes of this section, the following aspects of the environment shall be considered:
 - a. Air quality: The proposal shall not significantly deteriorate air quality. In determining impacts to air quality, these considerations shall apply.
 - i. Changes to seasonal ambient air quality
 - ii. Changes in visibility and microclimates
 - iii. Applicable air quality standards
 - b. Visual quality. The proposal shall not significantly degrade visual quality. In determining impacts to visual quality, these considerations shall apply.
 - i. Visual changes to ground cover and vegetation, **water**falls and streams, or other natural features.
 - ii. Interference with view sheds and scenic vistas.
 - iii. Changes in appearances of forest canopies.
 - iv. Changes in landscape character types or unique land formations.
 - v. Compatibility of building and structure design and materials with surrounding land uses.
 - c. Surface **water** quality. The proposal shall not significantly degrade surface **water** quality. In determining impacts to surface **water** quality, these considerations shall apply.

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- i. Changes to existing **water** quality, including patterns of **water** circulation, temperature, conditions of the substrate, extent, and persistence of suspended particulates and clarity, odor, color or taste of **water**.
 - ii. Applicable narrative and numeric **water** quality standards.
 - iii. Increases in point and non-point source pollution loads.
 - iv. Increase in erosion.
 - v. Increases in sediment loading to **water** bodies.
 - vi. Changes in stream channel or shoreline stability.
 - vii. Changes in storm **water** runoff flows.
 - viii. Changes in trophic status or in eutrophication rates in lakes and reservoirs.
 - ix. Changes in the capacity or functioning of streams, lakes, or reservoirs.
 - x. Changes in flushing flows.
 - xi. Changes in dilution rates of mine waste, agricultural runoff and other unregulated sources of pollutants.
- d. **Groundwater** quality. The proposal shall not significantly degrade **groundwater** quality. In determining impacts to **groundwater** quality, these considerations shall apply:
- i. Changes in aquifer recharge rates, **groundwater** levels, and aquifer capacity including seepage losses through aquifer boundaries and at aquifer-stream interfaces.
 - ii. Changes in capacity and function of wells within the impact area.
 - iii. Changes in quality of well **water** within the impact area.
- e. Wetlands and riparian areas. The proposal shall not significantly degrade the quality of wetlands and riparian areas. In determining impacts to wetlands and riparian areas, these considerations shall apply:
- i. Changes in the structure and function of wetlands.
 - ii. Changes to the filtering and pollutant uptake capacities of wetlands and riparian areas.
 - iii. Changes to aerial extent of wetlands.
 - iv. Changes in species' characteristics and diversity.
 - v. Transition from wetland to upland species.
 - vi. Changes in function and aerial extent of floodplains.

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- f. Terrestrial and aquatic animal life. The proposal shall not significantly degrade the quality of terrestrial and aquatic animal life. In determining impacts to terrestrial and aquatic animal life, these considerations shall apply.
 - i. Changes that result in loss of oxygen for aquatic life.
 - ii. Changes in flushing flows.
 - iii. Changes in species composition or density.
 - iv. Changes in number of threatened or endangered species.
 - v. Changes to habitat and critical habitat, including calving grounds, mating grounds, nesting grounds, summer or winter range, migration routes, or any other habitat features necessary for the protection and propagation of any terrestrial animals.
 - vi. Changes to habitat and critical habitat, including streambed and banks, spawning grounds, riffle and side pool areas, flushing flows, nutrient accumulation and cycling, **water** temperature, depth and circulation, stratification and any other conditions necessary for the protection and propagation of aquatic species.
 - vii. Changes to the aquatic and terrestrial food webs.
- g. Terrestrial and aquatic plant life. The proposal shall not significantly degrade the quality of terrestrial and aquatic plant life, including plant life resulting from agricultural irrigation, dry up of the same, and revegetation efforts to mitigate the same. In determining impacts to terrestrial and aquatic animal life, these considerations shall apply.
 - i. Changes to habitat of threatened or endangered plant species.
 - ii. Changes to the structure and function of vegetation, including species composition, diversity, biomass, and productivity.
 - iii. Changes in advancement or succession of desirable and less desirable species, including noxious weeds.
 - iv. Changes in threatened or endangered species.
- h. Soils and geologic conditions. The proposal shall not significantly degrade soils and geologic conditions, including soil impacts resulting from agricultural irrigation, dry up of the same, and revegetation efforts to mitigate the same. In determining impacts on soils and geologic conditions, these considerations shall apply.
 - i. Changes to the topography, natural drainage patterns, soil morphology and productivity, soil erosion potential, and flood hazard areas.
 - ii. Changes to stream sedimentation, geomorphology, and channel stability.
 - iii. Changes to lake and reservoir bank stability and sedimentation, and safety of existing reservoirs.

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- iv. Changes to avalanche areas, mudflows and debris fans, and other unstable and potentially unstable slopes.
 - v. Exacerbation of seismic concerns and subsidence.
- 6) The proposal will not have a significant adverse effect on the quality or quantity of recreational opportunities and experience.
 - 7) The proposal will not cause unreasonable loss of significant cultural resources, including but not necessarily limited to historical structures or sites and archaeological artifacts or sites, as identified in the Comprehensive Plan or identifiable on or near the site.
 - 8) The proposal or its associated transmission collector or distribution system will not create blight, or cause other nuisance factors such as excessive noise or obnoxious odors.
 - 9) The proposal will not be subject to significant risk from floods, fires, earthquakes or other disasters or natural hazards.
 - 10) The proposal or its associated transmission collector or distribution system will not create an undue financial burden on existing or future residents of the County.
 - 11) The proposal will not have a significant adverse effect on the capability of local government to provide services or exceed the capacity of service delivery systems.
 - 12) The planning, design and operation of the proposal will reflect appropriate principles of resource conservation, energy efficiency and recycling or reuse.
 - 13) For those applications for which the County has required information on the environmental and socio-economic impacts and costs of alternatives under Section 7.04.07(D)(8-15) above, the proposal represents the least damaging alternative of reasonable cost among the alternatives analyzed.
 - 14) The proposal is in accordance with the Huerfano County Comprehensive Plan and any applicable intergovernmental agreement affecting land use and development, including but not limited to any applicable land use designations. In cases where a person who is not a service provider with a County-approved service plan or service area, proposes a development within an approved service area, the Board shall not be compelled to consider the development be in compliance with the applicable adopted comprehensive plan or intergovernmental planning agreement simply by virtue of the fact that the development is located within, or is proposed to serve, an approved service area.
 - 15) The proposal represents the complete, reasonably foreseeable development for the subject property as required under Section 7.04.01(D), above, except that the Board may approve development constituting less than the complete development provided that the Applicant clearly demonstrates that a lesser proposal constitutes a discrete phase of the complete development as supported by the applicable master planning document required under Subsection 7.04.01(D), which can be logically and adequately reviewed as a separate project under the applicable criteria of these Regulations, and documents the relationship of such phase to future phases of the same project. Amendments to

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approvals of applications submitted after the effective date of February 22, 2011 shall be subject to the further requirements of Subsection 7.04.01(E), above.

- C. Additional standards for approval of **municipal and industrial water-related** projects.
 - 1) The proposal shall emphasize the most efficient use of **water**, including, to the extent permissible under existing law, the recycling and reuse of **water**. Urban development, population densities, and site layout and design of storm **water** and sanitation systems shall be accomplished in a manner that will prevent the pollution of aquifer recharge areas.
 - 2) To promote the efficient utilization of **municipal and industrial water-related** projects, utilization of the following **water** sources shall be favored:
 - a. Utilization of existing municipal and industrial **water** supplies, for example, by lease, exchange, sale, or other disposition between persons or entities within Huerfano County, ~~or between persons or entities within Huerfano County and those outside Huerfano County.~~
 - b. **Water** supplies from sources which do not involve the removal of **water** from irrigated agriculture or open space or preserved lands in Huerfano County, or which do not involve increased use of native flows of **water** in the streams of Huerfano County.
 - c. **The proposal is not part of a scheme to export water from the County by change of water right, by the plumping of desiccated water rights, or otherwise.**
- D. Additional standards for approval of site selection and construction of major new domestic **water** and sewage treatment systems and major extensions of existing domestic **water** and sewage treatment systems.
 - 1) New domestic **water** and sewage treatment systems and major extensions of existing domestic **water** and sewage treatment systems shall be constructed in areas which will result in the proper utilization of existing treatment plants within the County and will ensure the orderly development of domestic **water** and sewage treatment systems of adjacent communities within the County.
 - 2) Major extensions of domestic **water** and sewage treatment systems shall be permitted in those areas in which the anticipated growth and development that may occur as a result of such extension can be accommodated within the financial and environmental capacity of the area to sustain such growth and development.
 - 3) Existing **water** and sewage treatment systems servicing the area must be at or near operational capacity.
 - 4) The scope and nature of the proposal will not compete with existing **water** and sewage services or create duplicate services.
 - 5) The age of existing domestic **water** and sewage treatment systems, operational efficiency, state of repair or level of service is such that replacement is warranted.

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- 6) Existing facilities cannot be upgraded or expanded to meet waste discharge permit conditions of the Colorado **Water** Control Division.
- E. Additional standards for major facilities of a public utility.
 - 1) Facilities shall be sited and constructed in areas which will result in the proper utilization of existing facilities and associated systems within or serving the County.
 - 2) Facilities shall be permitted in those areas in which the anticipated growth and development that may occur as a result of such facility can be accommodated within the financial and environmental capacity of the area to sustain such growth and development and are in accordance with the applicable County land use plans.
 - 3) Existing facilities and associated systems servicing the area must be at or near operational capacity.
 - 4) If a facility extension or replacement is proposed, the age of existing facilities and associated systems, their operational efficiency, and their state of repair or level of service are such that extension or replacement is warranted.
 - 5) If a new facility is proposed, existing facilities cannot be feasibly upgraded or expanded.
- F. Additional standards for site selection of new communities.
 - 1) The design shall, at a minimum, provide for transportation, waste disposal, schools, and other governmental services in a manner that will not overload facilities of existing communities of the region.
- G. Additional standards for development in natural resource areas of statewide importance.
 - 1) Development shall be designed to preserve the integrity of the resource.
 - 2) Development shall be conducted in a manner which will be compatible with the preservation of the resource and minimize damage to the resource.
 - 3) The proposed development will not adversely affect **either surface or subsurface water** rights.
 - 4) The proposed development will not significantly deteriorate significant wildlife habitat.
 - 5) The proposed development will not significantly degrade existing natural scenic characteristics, create blight, or cause other nuisance factors such as excessive noise or obnoxious odors.
- H. Additional standards for development in flood hazard areas.
 - 1) Development shall preserve the integrity of the flood hazard area by not altering or impacting it in any way which is likely to pose a significant threat to public health or safety or to property (including the subject property, other impacted properties, or the environment).
 - 2) Development which, in time of flooding, will likely pose a significant threat to public health or safety or to property (including the subject property, other impacted properties, or the environment)

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shall be prohibited. In determining whether there will likely be a significant threat, the following factors shall be considered:

- a. creation of obstructions from the proposed development during times of flooding, and vulnerability of the proposed development to flooding;
 - b. use of flood protection devices or flood proofing methods;
 - c. nature or intensity of the proposed development;
 - d. increases in impervious surface area caused by the proposed development;
 - e. increases in surface runoff flow rate and amount caused by the proposed development;
 - f. increases in flood **water** flow rate and amount caused by the proposed development;
 - g. proximity and nature of adjacent or nearby land uses;
 - h. impacts to downstream properties or communities;
 - i. impacts on shallow wells, waste disposal sites, **water** supply systems, and sewage disposal or on-site wast**water** systems.
- 3) Areas of Unincorporated Huerfano County not designated on the Flood Hazard Area Map must meet the requirement of the Flood Damage Prevention Resolution No: 88-13 adopted by the Board on 31, August 1988.
- 4) Open space activities such as agriculture, passive recreation (recreation not requiring the development of playing fields, spectator stands or other significant structures), and mineral extraction, shall be presumed to be the favored form of development in the flood hazard area and shall be encouraged. Applications proposing other forms of development, which make a more intensive use of the land such as by increasing the structural coverage or impervious surface on the land, shall be presumed to generate adverse impacts on the flood hazard area and shall not be approved unless the applicant clearly demonstrates that the criteria of this Section 7.04.11(H) and of Section 7.04.11(B) have been met.
- I. Additional standards for development in geologic hazard areas.
- 1) Development shall not aggravate the hazardous condition or otherwise pose a significant risk to public health and safety or to property.
 - 2) Open space activities such as agriculture, passive recreation not requiring the development of playing fields, spectator stands or other significant structures, and mineral extraction, shall be encouraged provided they can be conducted in a manner which does not aggravate the hazardous condition or otherwise pose a significant risk to public health and safety or to property.
 - 3) Any approved development shall be designed in a manner that mitigates any significant risk posed by the geologic hazard, as confirmed by a registered professional engineer or other qualified expert in the field.

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- 4) Shallow wells, solid waste disposal sites, **water** supply systems, and on-site **wastewater** systems and sewage disposal systems shall be protected.
- 5) Development shall comply with all applicable County Building Code and Health Department regulations.

7.04.12 Issuance of Permits

- A. The permit shall be issued on the form adopted by the Board of County Commissioners, which may be the Board's written resolution of decision on the application.
- B. The permit may be issued for an indefinite term or a specified number of years.

7.04.13 Financial Security

- A. Before any permit is issued, the Board may, in its discretion, require the applicant to file a guarantee of financial security deemed adequate by and made payable to the Board.
- B. The purpose of this financial guarantee shall be to assure that the applicant or permittee shall faithfully perform all requirements of the permit.
- C. Any requirement for a financial guarantee shall be specified in the written decision of the Board on the permit application.

7.05 POST APPROVAL REQUIREMENTS

7.05.01 Enforcement of Permit Requirements

- A. When it comes to the attention of the Board that the provisions of any permit have been violated by the permittee, the Board, if it determines that enforcement action is appropriate, shall give the permittee written notice of the specific violation and of a hearing on the proposed violation which the Board shall schedule no sooner than 30 days after the date of the written notice. If the Board determines that an emergency situation exists the Board may schedule the hearing sooner than 30 days, provided that the permittee receives at least five working days' prior notice of the hearing.
- B. If the permittee fails to correct the violation by the public hearing date, and the Board determines at the public hearing that the violation exists, the Board, in its discretion, may impose an appropriate sanction, including but not necessarily limited to temporary suspension of the permit for a reasonable time certain; an order to correct the violation within a reasonable time certain; the requirement for additional financial guarantees; or revocation of the permit.
- C. The Board shall have the authority to seek an injunction or other appropriate relief in the appropriate state or federal district court if the permittee fails to correct the violation or to comply with any sanction imposed at the public hearing.
- D. Any permit issued under these regulations shall be deemed to include the granting of the permittee's consent to entry and inspections by the Board and its authorized representatives as may be necessary at

Huerfano County
Land Use Department
400 Main Street, Suite B
Walsenburg, Colorado 81089
719-738-1220 ext. 103

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any time during regular County business hours, without prior notice to the permittee, to determine compliance with the terms of the permit.

- E. Any person engaging in a development in a designated area of state interest or conducting a designated activity of state interest who does not obtain a permit pursuant to these regulations may be enjoined by the Board **or any other person** from engaging in such development or conducting such activity, and may be subject to such other criminal or civil liability as may be prescribed by law.
- F. To the extent the Board **or any other person** may be forced to seek injunctive relief as provided in this Section 7.05.01, any permittee, applicant or other person subject of such injunctive relief as may be awarded by a court of proper jurisdiction shall be liable to the County for costs and fees incurred in securing such injunctive relief, including reasonable attorney fees.

Transportation Existing Conditions Memo

About the Analysis

This memo summarizes existing conditions related to transportation in Huerfano County. It was developed as part of the 2023 Huerfano County Cooperative Planning Projects. This memo will inform the transportation recommendations in the Huerfano County Comprehensive Plan and will complement the other chapters of this plan.

Key Takeaways

- Driving is currently the main mode of transport in the county, but public engagement conducted as part of this project shows that there is interest in having access to more transit and options for walking and bicycling. This sentiment aligns with policies in local and regional plans that identify the need for investment more multimodal facilities.
- Huerfano County has limited infrastructure and programs to accommodate and encourage walking, biking, and the use of transit. However, it has the foundation for a comprehensive multimodal network, and opportunities to enhance connectivity and transportation options for all ages, abilities, and income levels in the years ahead.
- There are ample opportunities for recreational bicycling and hiking in the county, but access to facilities can be limited and connections between them in some locations are limited or not available.
- Access to transportation for commuting purposes (within the county and to neighboring counties) is a major need. A variety of high-quality transportation options helps enhance economic opportunities for residents.

Defining Transportation

The county's transportation network consists of assets and facilities linking origins and destinations and allowing for the movement of people and goods. There are many users of Huerfano County's network, including motor vehicles, public transit passengers, bicyclists, pedestrians and off-road recreational vehicles such as snowmobiles and all-terrain vehicles.

How Transportation Relates to the Larger Goals of This Plan

Reliability of transportation access has a notable effect on the county's quality life. Transportation is essential to county residents' and visitors' ability to access goods, services, employment, education and recreation. Beyond just maintaining the current system, the county's future investments in transportation facilities, services, and connections will be essential to achieving the goals of the updated comprehensive plan.

Risk Reduction

A connected network in a state of good repair is key to emergency routing and conducting evacuation(s) in the event of natural disaster. In addition, adequately designed roadways and multimodal facilities reduce the likelihood of crashes, creating a safer transportation system for all users and modes.

Connecting People to Opportunity

Residents rely on the transportation network to get them to work, to activities, and to their homes. Creating a reliable transportation system allows people to move about their community safely and efficiently.

Recreation and Tourism

Huerfano County is a unique and inviting setting for outdoor recreation and tourism. Investments in trails and improving transportation access to recreation opportunities can help promote tourism, a key local industry.

Public Health

A healthy community is one that benefits from access to opportunities for hiking, biking, and walking. Investments in infrastructure that supports walking and biking produce public health benefits for both residents and visitors.

Sustainability

Creating a holistic transportation network that accommodates all modes of transportation is essential to a sustainable future in Huerfano County. By providing residents and visitors with more opportunities for everyday walking, biking and use of transit, the county can steadily reduce its carbon footprint and improve air quality.

Economic Prosperity

Investment in local transportation infrastructure supports access to economic prosperity. Providing reliable and safe transportation infrastructure to travelers ensures they can move about the community and access local businesses, education, and jobs.

Background, Services & Trends

Huerfano County is rural with several small clusters of development including incorporated and unincorporated communities spread out across an area of about 1500 square miles. Walsenburg and La Veta (the municipalities within the County) each have a grid-style network of downtown streets connecting multiple land uses. Cuchara has a mostly mountainous residential network of roads on either side of Highway 12, and Gardner has a small number of flat, residential roads on either side of Highway 69. Interstate-25 (I-25) is a regionally significant corridor, a vital piece of the network that funnels travelers through to other major highways and beyond.

This section describes the existing facilities and services within the county along with current transportation-related trends and data. Analysis of this information will help inform recommendations to improve access, mobility, and connectivity. A map of primary transportation facilities in Huerfano County is included at the end of this section.

Assets / Facilities

To help identify transportation gaps and opportunities, an inventory of the county’s existing transportation assets and facilities is provided here.

I-25 Corridor

The I-25 corridor runs from El Paso, Texas and the U.S.-Mexico border through Albuquerque and Santa Fe to Walsenburg, Pueblo, Denver, and Wyoming where it merges with I-90 near the Montana border. The corridor, which spans the entirety of Colorado and is a lifeline for movement of both people and goods through the state, is a major north-south highway on the eastern edge of Huerfano County. Walsenburg, which is the most populous municipality in the county and a hub for local business, lies just west of the corridor.

Improvement Projects

There are two near-term improvement projects underway on the I-25 corridor over the next couple of years that affect the county. These improvements may have short-term impacts on traffic due to lane closures and diversions but are expected to have positive long-term impacts with regards to safety. These projects include:

- **I-25 Bridge Safety Project:** In March 2023, CDOT began work to improve the safety of two bridges that will support increased traffic on the I-25 corridor in Walsenburg. The structures cross over Highway 10 and the Burlington Northern Santa Fe (BNSF) and Union Pacific Railroad lines. This project is scheduled for completion in September 2024.
- **I-25 Resurfacing North of Walsenburg:** In May 2023, CDOT began paving operations between Huerfano Butte and the Lascar Road interchange. This work also involves new safety improvements (such as striping and guardrail updates) and bridge repairs at the Huerfano River and Greasewood Arroyo. This project is scheduled for completion in October 2023.

Completed Projects:

MBI researching whether any notable projects on I-25 (section within county) were completed since 2018. Findings will be included in next draft.

Implications and Opportunities

The improvements that CDOT is currently making to the section of I-25 in the county, and those it will make in the future, present important opportunities for increasing customer and shipping access to the businesses at the interchanges, within Walsenburg, and to the whole county. To maximize these opportunities, it’s critical that county staff proactively work with CDOT so future projects align with the goals and objectives in the county’s long range planning document, including the updated Comprehensive Plan.



Major Roads

There are several state highways within Huerfano County that serve a key role in providing connectivity within the county and to adjoining counties. Each of these is owned and maintained by CDOT.

State Highway 10

- Two-lane highway that travels east to La Junta where it connects with US Highway 50 providing access to southeast Colorado and Kansas.
- Heavily used for truck traffic traveling east and west.

State Highway 12

- The core of the Highway of Legends Scenic Byway. The two-lane byway allows travelers to bypass a section of I-25 to the east and experience numerous scenic vistas and unique geologic features.
- The 82-mile Highway of Legends extends from Walsenberg to I-25 in Trinidad and passes through the communities of La Veta, Cuchara, and Cokedale.
- Designated by CDOT as a High Demand Bicycle Corridor, which is used to plan and prioritize bicycle investment and maintenance.

State Highway 69

- Two-lane highway that starts at I-25 in Farista, just north of Walsenburg, and heads northwest over Long Saddle Pass and Promontory Dive Pass with a northern terminus at the Texas Creek junction with US Route 50.
- A critical connection between Gardner and the Walsenburg area, Highway 69 also passes Thorn Ranch, an important recreational tourism opportunity for the county. The route also extends past Gardner to Westcliffe and Crestone.

State Highway 160

- Primary route through Downtown Walsenburg that runs west over La Veta Pass to Alamosa and the San Luis Valley, then on to Durango and the Four Corners Region.
- Truck traffic can be especially heavy through Downtown Walsenburg. A community survey indicated a bypass for truck traffic around downtown should be considered. Notable hot spots where trucks contribute to congestion are the sections of 5th & 7th Streets in the downtown that overlap with Highway 160. A proposal for a roundabout in downtown Walsenburg intended to improve truck travel has been met with some pushback from the community.

County and Local Roads

County and local roads primarily provide access to destinations such as residential subdivisions, downtown businesses, and farms. Some characteristics related to local roads in Huerfano County include:

- Some, but not many, roads have sidewalks, bicycle facilities, and/or wide shoulders.

- Curb, gutter, and storm drains are not commonly found except for in Walsenburg and Main Street in La Veta.
- To add further information about private roads

Bike Facilities

State Highway 160 and SH 12 provide access to Lathrop State Park, Trinidad Lake State Park, San Isabel National Forest, and numerous State Wildlife Management Areas. It is popular as a long-cycling route but has very narrow shoulders. Investment is planned that will increase the width of the shoulder along the highway to allow for more comfortable cycling. Improvements such as this will continue to attract visitors. In addition, there are some multi-use trails in Walsenburg and La Veta that are used for recreation. These trails are discussed more in-depth in the Recreation Existing Conditions Memo. Engagement with the community in the form of Open House and Visioning Survey results has shown that there is local demand for more walking and biking trails and improved access to existing trails.

High Demand Bicycle corridors are recognized as main streets through La Veta and Walsenburg and require additional considerations so that people walking, parking, bicycling, accessing transit, and driving can all interact safely.

Rail Lines

Freight corridors are critical for interregional and interstate transport of commercial goods. Huerfano County has three designated freight corridors that serve daily train movements and run alongside or intersect with SH-10, US 160, and I-25. Movement of freight is critical to the county and Southern Colorado region as people and industries rely on products reaching their destinations. Agriculture is the primary industry that uses freight in the county, but oil, gas, and alternative energy sectors also use the rail network. Passenger rail lines also make up a portion of rail transportation through the county.

The existing railroads that operate within Huerfano County are described below:

- Two Class 1 Railroads, BNSF and the Union Pacific Railroad, and one Class 3 Railroad, San Luis Rio Grande.
- The BNSF operates on lines running north-south through Walsenburg and shares tracks with Union Pacific.
- Union Pacific operates a freight service to the San Luis Valley over La Veta Pass. Part of this line is owned by the San Luis Rio Grande Railroad.
- Amtrak provides passenger rail services in the region via a station in Trinidad with daily service to Chicago and Los Angeles.

Airports

Huerfano County has two public airports that accommodate a low volume of plane traffic. There are also four airports in the county that are for private use but are not described in this section. The two public airports include:

- The Spanish Peaks Airfield, also known as Johnson Field, is a general aviation airport located 2.8 miles north of Walsenburg on CR 101. It is the bigger of the two airports and



accommodates about 96 flights a week. This airport is owned by Huerfano County and supports a variety of flying categories including recreational, business/corporate, and environmental patrol. It is also used by training aircraft from Pueblo and the U.S. Air Force Academy. This airport does not offer commercial flights.

- The Cuchara Valley at La Veta Airport is located just north of downtown La Veta. It accommodates an average of 42 flights per month and is owned by the Town of La Veta. This airport does not offer commercial flights.

[Insert transportation basemap showing primary transportation facilities]

Transportation Services and Network Studies

Although there are several transit agencies operating within Huerfano County, South Central Council of Governments (SCCOG) is considered the lead agency and has a transit service that includes 10-12 vehicles. The COG’s services cover the southeast Colorado region (including Huerfano and Las Animas County) and provide local, regional and interregional service. The COG provides door-to-door, demand-responsive, and subscription transportation services to senior citizens, people with disabilities, and the general public. Service demand is primarily concentrated in Walsenburg, the most populous city in the county. The following sections describe the different types of transit services that exist within the county today.

Fixed-Route Transit Service

- CDOT operates a commuter bus, Bustang (Outrider Line), and has a stop in Walsenburg. This route has northbound line (from Trinidad to Pueblo) and a southbound line (Pueblo to Trinidad) that each run an AM and PM schedule. The interval between northbound arrivals and southbound departures in Walsenburg is slightly less than 8 hours. The interval between southbound arrivals and northbound departures in Walsenburg is about 4 hours. This schedule does not fit the schedule of workers along the route who commute to Walsenburg and need to work an 8-hour schedule.
- Texas, New Mexico and Oklahoma Coaches (TNM&O) and Greyhound both operate a bus line and have a stop in Walsenburg. One bus travels to Denver and Albuquerque daily.
- Los Pasionos Autobuses operates a route from Greeley, CO to El Paso, TX and includes a stop in Walsenburg. There are three daily northbound trips to Denver, and five southbound trips to El Paso.

On-Demand Transit Service

- SCCOG offers an on-demand transit service for which pickups can be scheduled 24 hours in advance. They operate in Walsenburg and La Veta and all trips cost less than \$5.00.
- MedRide NEMT Transportation operates out of Pueblo and offers non-emergency transportation services to Medicaid clients throughout Huerfano County.
- Southern Colorado Developmental Disabilities Services (SCDDS) provides human services transportation to adults and children with developmental disabilities. SCDDS serves approximately 140 individuals in the communities of Walsenburg and Trinidad. The availability of this service is based on financial resources and client needs.



Circulator Between Walsenberg and La Veta

SCCOG previously operated a circulator shuttle that traveled from Walsenberg to La Veta and back. It had less ridership than expected and was ultimately cancelled. Based on recent feedback from transportation stakeholders in the county about transit service, reintroducing the circulator may be a good addition to the county's mobility options.

The Southern Mountain Loop

The Southern Mountain Loop (SML) is an 82-mile corridor that extends from Walsenberg to Trinidad along US Highway 160 and Highway 12 in Huerfano and Las Animas counties. In 2020, CDOT and the SCCOG developed a Planning and Environmental Linkages (PEL) Study of this corridor to identify transportation issues, solutions and environmental concerns. The PEL identifies transportation-related needs and opportunities at a conceptual level with a goal of enhancing the region's tourism-related economy through phased investments. The recommended investments would improve infrastructure supporting multimodal safety, recreational, cultural/heritage, and nature-based tourism.

The PEL includes an implementation plan to advance recommendations into action. Projects are broken out in three categories: highway safety projects (CDOT), trail projects (local agency), and byway amenity projects (Scenic Highway of Legends Byways board). Several of these projects would be within Huerfano County, La Veta, and Walsenberg. While the PEL prioritizes the recommendations, which projects will advance first depends on partnerships and, in part, the availability of funding.

South-Central TPR Transit Service Findings

CDOT's Statewide Transit Plan establishes the framework for an integrated statewide transit system. This plan provides a summary of data and survey responses related to transportation gaps and needs. The state is broken up into different Transportation Planning Regions (TPR), and Huerfano County is located within the South-Central TPR.

When survey respondents were asked whether they depended on others for transportation, the highest level of dependency was identified in the south-central region. Responses also showed the highest likelihood of using fixed route-public transportation or on-demand services instead of driving if these options were offered. In addition, older adults are expected to comprise over 25% of the population in the region by 2045. Taken together, these data points convey that expanded transit service is likely to play an important part in the county's future transportation system.

[Insert map showing transit routes including transfer stations and stops]

Trends – VMT / Mode Share

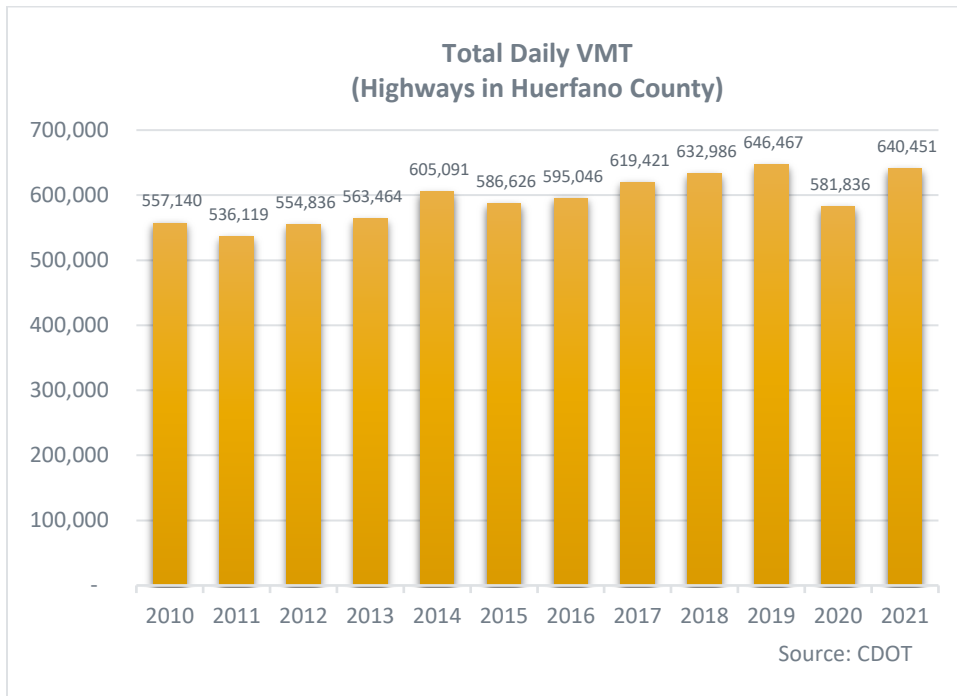
This section provides a summary of transportation data and recent travel pattern trends within Huerfano County. Major data points include vehicle miles traveled (VMT), mode share, commute flows and crash data.

Vehicle Miles Traveled (VMT)



CDOT estimates annual traffic volumes on Federal and state highways throughout Huerfano County including I-25, US-160, SH-10 and SH-69. Key data include:

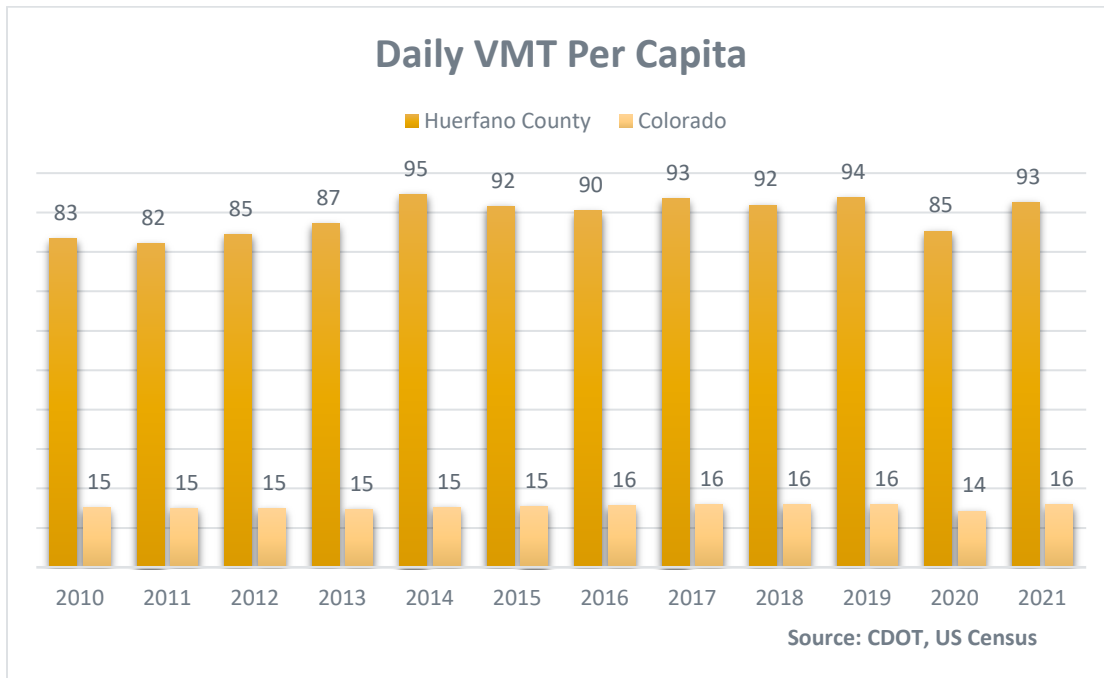
- The graph below shows an upward trend in VMT in Huerfano County between 2010 and 2021.
- The decrease shown in 2020 was likely caused by the COVID-19 pandemic when fewer people were traveling.
- The majority (63%) of the county's VMT occurs on I-25.



Looking ahead, CDOT projects that VMT in the South-Central TPR will increase by 30% from 2015 to 2045. VMT for 2015 was 1.07 million while 2045 is expected to have a VMT of 1.39 million. It's expected that I-25 will continue to accommodate most of the VMT in the county in the years ahead.

VMT Per Capita

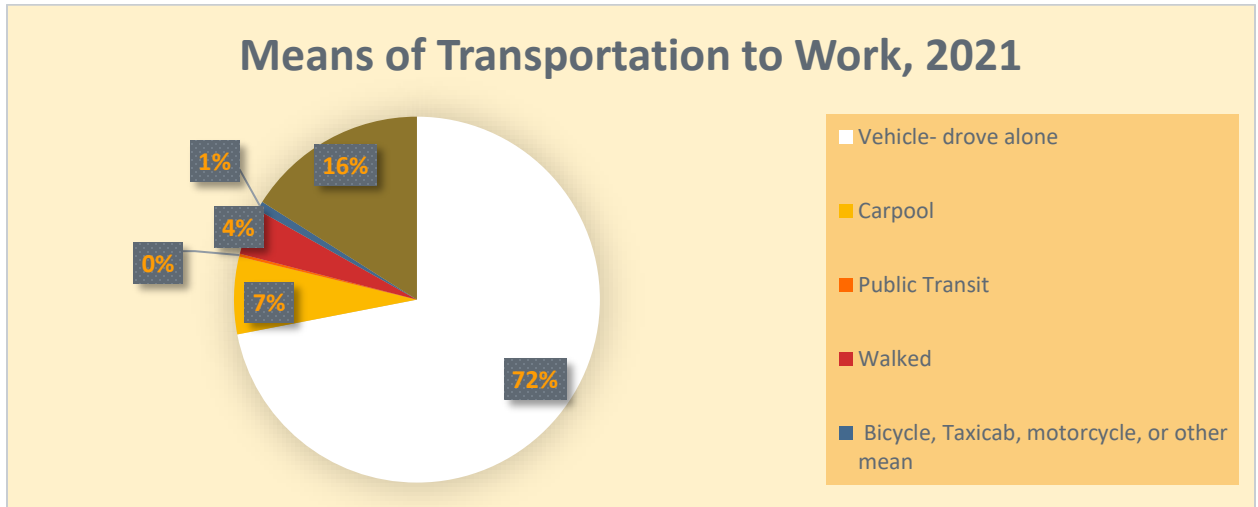
VMT per capita measures the amount of driving per person. The graph below compares the VMT per capita in Huerfano County with VMT per capita in Colorado. Since the year 2010, VMT per capita has grown 10% in the county, which is more than double the rate of increase when compared to the state's growth of 4%. One likely cause of this variance is that some employees who reside in the county drive to and from jobs in Trinidad, Pueblo, and Colorado Springs.



Commute Mode Share

Commute mode share describes the percent of (work) commute trips by transportation mode for residents living in Huerfano County. Data comes from five-year averages of the American Community Survey, which is conducted annually by the U.S. Census Bureau. As shown in the chart below,

- The county has a larger percentage of residents who commute by driving a vehicle alone (72%) when compared to the state (63%).
- Public transit mode share is much lower rate in the county (0.3%) when compared to the state (1.3%).
- While still relatively low, the county has a larger percentage of residents who walk to work (4%) when compared to the state (2.3%).



Source: US Census American Community Survey 2021 5-year estimates. B08126MEANS OF TRANSPORTATION TO WORK BY INDUSTRY

Crash Data

- MBI is researching and summarizing crash data, which will be included in the next draft.

Trails

Trails are an important part of the transportation network in Huerfano County. They serve people of all ages and abilities who are traveling to work, school, and other destinations. They also accommodate recreational outings made by residents and visitors alike. For everyday mobility, tourism and outdoor recreation, the county’s trails play a very important role, and that role is expected to increase as investment projects make the trail network more accessible and comfortable for users of varied ages and abilities.

Existing

Walsenburg and La Veta each have local trails that connect to outdoor recreation spaces such as golf courses, campgrounds, and reservoirs. Lathrop State Park, which is just west of Walsenburg, has its own network of trails within the park. This trail system is accessible from W 2nd Street and County Road 599. In La Veta, there is a network of trails around Daigre and Wahatoya Lake Reservoirs, and south of County Road 350.

Two nationally recognized trails, the Old Spanish National Historic Trail and the Colorado Front Range Trail, both have trailheads in Huerfano County. In addition, several popular hiking trails can be found in the San Isabel National Forest, and Spanish Peaks Wilderness, which are both accessible from Highway 12. Areas of the Sangre de Cristo Wilderness and Greenhorn Mountain Wilderness, which both have a plethora of existing trails, can both be accessed from Highway 69. The Great San Dunes National Preserve borders the west side of Huerfano County and travelers



can take Highway 160 from Walsenburg to Highway 150 to access the parks' hiking trails and other recreational activities.

Improved Connections

Given its proximity to parks, trails, and wilderness areas, Huerfano County is well-positioned to become a hub for recreational tourism. Looking ahead, further improving access to and connectivity between these amenities could help increase recreation-based tourism and visitation in the county. Several investment projects are planned that will help to increase these connections.

The City of Walsenburg's Comprehensive Plan (2015) identified the following projects related to trail connectivity:

- 2nd street trail – Walsenburg to Lathrop state park/golf course: Extend this trail from Lathrop State Park into Spanish Peaks Subdivision Filing #2 to US 160.
- Work with Huerfano County to extend a regional trail along the Cucharas River from Lathrop State Park to Walsenburg.

The La Veta Trails Master Plan (2020) identified the following connectivity and wayfinding projects:

- Cucharas Riverfront and River Walk: Proposed riverfront connection and associated improvements, including crusher fine trail along the Cucharas River, will provide a place for residents and visitors to interact with the river and several wildlife viewing areas.
- Wahatoya Lake and Diagre Reservoir Trail Connection: Create a trail connection between the lake and reservoir that will provide more recreation opportunities for a wider range of mobilities and a safer route.
- Improve trail signage to help residents and visitors better understand the type and location of recreational amenities available to them.

Transportation Stakeholders & Existing Policy

Key agencies and organizations will play a role in shaping and supporting recommendations in this Comprehensive Plan Update. Stakeholders know their community best and can provide informed guidance for what opportunities and needs exist. The following stakeholders helped to inform the transportation element of this plan update:

- Huerfano County Land Use Department
- CDOT
- South Central Council of Governments
- Walsenburg Public Works Department
- La Veta Town Clerk and Deputy Clerk

Relevant Plans

Existing plans and reports developed by the county, CDOT and other agencies related to transportation within Huerfano County were reviewed. Important elements of each are discussed in the relevant sections of this document. These Plans include:



- Huerfano County Comprehensive Plan Update (2018)
- Colorado Front Range Trail (CFRT) Master Plan (2007)
- Huerfano County Trails Master Plan (2011)
- Byways (Scenic Highway of Legends) Master Plan (2017)
- South Central Regional Transportation Plan (2035)
- PEL Study for the Southern Mountain Loop (2019)
- La Veta Parks, Open Spaces & Trails Master Plan (2020)

Existing Goals & Objectives

Several goals and objectives were identified in the relevant plans to inform areas of focus and guide the recommendations in the Plan update. These include:

Huerfano County Comprehensive Plan, 2018

- Policy P.S.A.2.1: Implement the Huerfano County Parks and Trails Master Plan.
- Policy PSA.1.4: Support the County’s Spanish Peaks Airfield and encourage continuation of La Veta’s Cuchara Valley Airport and other private airfields.

City of Walsenburg Comprehensive Plan, 2015

The City of Walsenburg identified several transportation-related projects and objectives in its 2015 Comprehensive Plan, including:

- Work with CDOT to prioritize improvements for the I-25 interchanges.
- Work with Union Pacific and the BNSF Railroad to accommodate the growth in freight.
- Determine the feasibility of a front range commuter rail station in Walsenburg.
- Expand the use of multiple modes of transportation.
- Improve the safety of pedestrian movements.
- Stripe arterial streets for bicycle lanes.
- Provide bicycle racks at all public parks and buildings.
- Design and construct the continuation of Indiana Avenue from Polk Street to Grant Street.

CDOT South Central 2035 RTP (2008)

Ten goals in the South Central 2035 Regional Transportation Plan (RTP) that apply to Huerfano County include:

- The highway system provides mobility to the traveling public at an acceptable level of service.
- The existing transportation system will be maintained in the most efficient manner possible.
- The existing transportation system provides safe travel opportunities.
- The transportation system minimizes impacts to the region’s air, water, scenic view corridors, cultural resources and wildlife habitat.
- The transportation system functions as a complete system with effective connectivity both within the region and to the rest of the state.
- The transportation system preserves and enhances the region’s overall economic health.

- The transportation system provides new intermodal access and mobility options for individuals and commerce.
- Provide a safe and efficient airport system that maximizes existing investment and meets inter- and intrastate travel and emergency needs while supporting Colorado’s diverse economy.
- The transportation plan identifies, evaluates and prioritizes transportation development options that enhance travel and can be implemented through existing or reasonable anticipated funding.
- The transportation plan develops options that are understood and supported by the traveling public.

Major Projects Overview

Near-Term Projects

As previously described, there are two CDOT projects currently taking place on I-25 in Huerfano County.

In addition to these two projects, there is one additional project taking place in La Veta. In June 2022, La Veta was awarded a grant through CDOT’s Revitalization Main Street Program to improve two blocks of Main Street. The project is focused on pedestrian and bicycle safety, ADA accessibility, mobility and connectivity to and within the downtown commercial corridor. When completed, the project aims to reduce the speeds of traffic traveling through downtown to create a safer Main Street for all modes, ages, and abilities.

South Central 2045 Regional Transportation Plan (2020)

In its 2045 Transportation Plan, the SCCOG identified several projects to be implemented over a 25-year period. The letters associated with each project listed below do not represent prioritization or phasing as timing for project completion will depend on transportation funding availability. Rather, the letters correspond to project location as shown on a map in the 2045 Plan.

- Project A: Bike/Pedestrian: Southern Mountain Loop Trail (\$33M)
- Project C: SH 69 Improvements (shoulder widening, safety improvements and passing lanes) (\$21M)
- Project D: Expanded Regional Transit Service between Trinidad and Pueblo (\$1.15M)
- Project E: I-25 & US 160 Intersection Improvements (\$4M)
- Project F: US 160 by CR 504 West of Walsenburg (Wildlife safety improvements) (\$1.4M)
- Project I: I-25: US 10/ SH 160 Interchange Reconstruction at Walsenburg (\$50M)
- Project K: Walsenburg Transit Garage (\$0.67M)
- Project L: Essential Bus Service between Trinidad and Pueblo (Proposed Outrider Service) (\$2.16M)
- Project O: I-25 and US 160 Ped/Bike Improvements (including ADA ramps and sidewalks) (\$2.45M)
- Project P: Essential Bus Service between Durango- South Fork-Alamosa-Walsenburg-Pueblo (Proposed Outrider Service) (\$18M)

- Project Q: Expanded Regional Transit Service between Walsenburg-La Veta-Gardner-Cuchara (\$1.4M)
- Project S: US 160 Freight and Safety Improvements between La Veta Pass and Walsenburg (\$18M)

South Central Coordinated Public Transit & Human Services Transportation Plan (2020)

This plan identified several improvements and service upgrades that would increase the accessibility of transit throughout Huerfano County.

- **Walsenburg Transit Garage:** Garage for one bus, three vans, and offices to serve SCCOG Walsenburg, La Veta, Cuchara, and Gardner transit services (with expanded services).
 - This project is ranked #3 in the plan and is estimated to have the following costs: \$0.425 million capital cost, \$0.24 10-year operating cost.
- **Expanded regional Transit Service between Walsenburg-La Veta-Gardner-Cuchara:** Three new vans to expand Walsenburg Service to La Veta, Gardner, and Cuchara with operating expenses
 - This project is ranked #8 in the plan and is estimated to have the following costs: \$0.22 million capital cost, \$1.18 10-year operating cost.
- **Outrider Improvements at Colorado City, Walsenburg, and Aguilar:** Stop and shelter improvements in Colorado City, Walsenburg, and Aguilar to support new transit service from Trinidad to Pueblo
 - This project is ranked #11 in the plan and is estimated to have the following costs: \$0.20 million capital cost, 10-year operating cost is TBD.

Public Input

2023 Cooperative Planning Projects Community Survey

As part of the 2023 Cooperative Planning Projects, a community survey was distributed to solicit feedback from residents about where things stand today. Several transportation-related questions were asked. Some key takeaways from those responses include:

- A majority of respondents commute to work by driving alone and have what's considered to be a short (<20minutes) commute.
- When asked about what challenges the county faces, respondents selected the condition and maintenance of roads, bridges, and other physical infrastructure and having limited access to active transportation (walking and biking) opportunities.
- Respondents said that the three most needed transportation improvements are road maintenance, local transit, and regional transit connecting to Pueblo & Trinidad.

2022 Community Survey

In 2022, Huerfano County conducted a community-wide survey. When asked about transportation-related issues, respondents said that availability of walking paths/trails was fair to poor and that ease of bicycle travel was generally poor.

Open House Engagement

The project planning team had the opportunity to meet with community members in-person at the open house event that took place in May 2023. The key takeaways were that most people drive for their commute and other purposes, but they would like expanded access to other modes of transportation, particularly walking, biking, electric vehicles, and regional transit. Residents of La Veta, specifically, felt that everyday options for walking and biking should be more accessible.

Participants also expressed that maintenance of existing roads, bridges, trails, and pedestrian facilities, is needed. When participants were asked which transportation investments and improvements, they felt were most needed in the county, the top choice for La Veta was maintenance of existing roads and bridges and the top choice for Walsenburg was regional public transit (buses or rail). When participants were asked what their vision for transportation within the county is, La Veta residents selected being able to comfortably walk/bike to most destinations, as well as using a car for all trips. Residents of Walsenburg selected the latter.

Potential Areas of Focus (Recommendations)

Condition #1: Although Huerfano County encompasses several wilderness areas and state parks that have a multitude of hiking and biking opportunities, the county does not see the same recreational visitation dollars that several other Colorado counties do.

Response : Leverage the county’s unique and abundant access to outdoor recreation opportunities to grow recreation-based tourism and increase jobs and revenue.

Potential Strategies:

- Continue to work with the Department of Local Affairs (DOLA), Great Outdoors Colorado (GOCO), and Colorado Outdoor Recreation Industry Office (OREC) on ways to market and brand the county and the region as a unique recreational destination.
- Work with the Office of Economic Development and International Trade to explore rural tourism funding and training opportunities.
- Huerfano County Economic Development should complete the trails education guide in progress, distribute it to residents, and market it to visitors.
- Enhance navigability through improved wayfinding and signage.
- Pursue relevant grants from DOLA, GOCO, and OEDIT to upgrade trailhead kiosks and wayfinding signage.
- Collaborate with relevant land managers to complete physical improvements to roads and trails that improve access to recreational amenities.

Condition #2: Existing transit services in the county are inadequate for connecting residents to jobs, education, and services both within the county and hubs outside the county (i.e. Trinidad, Pueblo, Colorado Springs).

Response : Invest in vehicles and services that will improve residents’ and visitor access to transit connecting key origins and destinations both within and outside the county.

Potential Strategies:

- Conduct a study to determine where on-demand or fixed route shuttle service should be provided to better connect county residents to jobs, education, and services; especially for those residing in more remote areas.
- Consider pursuing a CDOT Innovative Transportation Demand Management grant to complete the study.
- Through the study, determine whether demand is sufficient to reintroduce shuttle service between La Veta and Walsenburg.
- Conduct a countywide education campaign to grow residents’ awareness about and promoted ridership on existing mobility service administered by the SCCOG and CDOT’s Bustang Outrider Line.
- Coordinate with CDOT to evaluate Bustang’s current service schedules in the county and determine whether schedule adjustments would better serve employees working within the county and in employment hubs outside the county including Pueblo and Colorado Springs.
- Provide education to residents about transportation services that already exist.
- Consider creating an initiative to support carpooling within the county. Encourage employers in the county to offer incentives to employees who carpool to work.

Condition #3: The quality of access to off-street trails throughout the county is inconsistent.

Response: Improve signage to and connectivity between trails and trail systems both locally and inter-regionally so more people can use them for recreation, commuting, and other trips.

Potential Strategies:

- Update the county’s 2011 Trails Master Plan to assess the condition of current trail infrastructure, identify critical gaps, and develop a prioritized – phased list of improvements to make in the next 10 years.
- As e-bikes gain in popularity and usage increases on trails in the county, invest in e-bike education to ensure safety between all users and to clearly communicate where e-bike use is permitted and not permitted.
- Pursue relevant grants from GOCO, CDOT, and / or CPW to plan and design a bike path from Walsenburg to La Veta, and a bike connection between Walsenburg and Lathrop State Park.

Condition # 4: Multiple rail crossings in Walsenburg and daily train movements continue to raise safety and access /connectivity concerns:

Response : Rail crossing upgrades should be considered in the near term to improve vehicular traffic flow through Walsenburg, ensure adequacy of access for emergency vehicles and decrease the potential for crashes with motor vehicles.

- The County and City should continue communications with rail companies to understand intended, future changes to routing or operations (i.e., frequency of movements).

- Complete a grade separation feasibility study to determine whether at-grade streets could be reconstructed below the railroad at key locations in the downtown area. Existing at-grade crossings should be examined in this order: Main Street, Russel Street, 7th Street, Henderson Avenue, and 6th Street.



Recreation & Trails Existing Conditions Memo

About the Analysis

This memo summarizes existing conditions related to recreation and trails in Huerfano County. It was developed as part of the 2023 Huerfano County Cooperative Planning Projects. This memo will describe the existing conditions of the recreation landscape in Huerfano County, including public facilities, private facilities, and seasonal events. It will also provide an overview of relevant policies, ongoing projects, and community perspectives from recent public engagement events. The findings of this memo will complement other topic memos and inform recommendations for the updated Huerfano County Comprehensive Plan.

Key Takeaways

- The County does not manage the vast majority of recreational assets within its bounds
- Many of the existing recreational roads and trails are located on the northwest and southwest portions of the county and are not easily accessible without access to a personal vehicle
- Public engagement results have indicated that residents are interested in more access to recreational facilities and trails, as well as more programming for young residents
- There is a need for recreational facilities and programming to support older residents of Huerfano County, who could benefit from increased access to activities and amenities that could improve their health

About Recreation & Trails

Recreation is a key dimension of quality of life. The amount, location, and quality of recreational amenities can all support or detract from quality of life. Huerfano County’s several current [mission statements](#) speak to the importance of recreation and tourism offerings as they relate to wellness, community pride, and land stewardship. Recreational amenities also affect other important components of life in Huerfano County—specifically transportation, economic development, land use, and public health.

Existing Recreation & Tourism Offering

Facilities

Huerfano County hosts many recreation amenities and visitor attractions including trails, racing events, festivals, campgrounds, and several other public and private recreation facilities. According to the [COTREX](#) database, a recreational trails database managed by Colorado Parks and Wildlife, Huerfano County contains 358.5 miles of roads and trails currently used for recreation (Table 1)

that are managed by several different land managers (Table 2).¹ The U.S. Forest Service (USFS) manages the majority (93%) of recreational trails and roads found in the county. Many of the existing recreational roads and trails are located on the northwest and southwest portions of the county and are not easily accessible without access to a personal vehicle. Existing roads and trails provide opportunities for both motorized and non-motorized recreation—approximately 53% of trail facilities allow hiking and equestrian uses, 35% allow bicycles, 40% allow off-highway vehicles (OHVs), 52% allow all-terrain vehicles (ATVs), and 55% allow motorcycles. In the winter months, approximately 14% of trails are available for snowmobiles, skiers, and snowshoers.

Huerfano County contains a mix of developed recreation facilities (parks, campgrounds, golf courses) and undeveloped recreation facilities (wildlife areas, forest trails, wilderness areas). There are also opportunities for birding, hunting, and sightseeing across the county. One popular sightseeing destination is the Scenic Highway of Legends (State Highway 12) which travels from Trinidad to Walsenburg. Part of the National Scenic Byway System, this byway features unique scenic, historic, and geological attributes. While not directly attributable to Scenic Highway traffic, the segment of byway between Cuchara and La Veta sees approximately 292,000 vehicles per year.²

About 75% of land in Huerfano County is owned privately, a higher percentage of private land ownership compared to Colorado as a whole (57%). The other 25% of land consists of federal lands (Forest Service and BLM), state land (State Trust Lands, State Parks) and county and municipally owned land.

Huerfano County contains 40,000 acres of State Trust Lands, most of which are leased for agriculture. Recreation is allowed on sites that have a recreation lease through the Public Access Program (seasonal and limited access to sportsmen and anglers) or a private recreation lease. Many State Trust Land sites in Huerfano County do not allow public access, although Guillermo Ranch, Schultz Canyon, and Black Hawk offer seasonal recreational access for hunters and anglers. Other state lands, such as state parks and state wildlife areas do allow public access and have many more facilities to support public visitation (campgrounds, trails, restrooms, picnic tables, etc.). Lathrop State Park, located southwest of Walsenburg, is a popular destination for locals and visitors. According to XX, about 50% of visitors are from within 15 miles, and 23% of visitors are from over 60 miles away.

[Insert County-Scale map of Recreation Trails/Roads]

[Insert County-Scale map of Recreation Destinations]

Access

According to County Health Rankings, a socioeconomic database supported by the University of Wisconsin Population Health Institute, recreation access in Huerfano County is limited compared to state and national metrics. In Huerfano County, 44% of people live close to a park or recreation

¹ While COTREX aims to be exhaustive, data is not updated regularly and may not provide a complete picture of trails, especially those on land managed by municipalities. For example, COTREX does not contain any information about trails at Cuchara Mountain Park, which is currently managed by Huerfano County.

² <https://dtdapps.coloradodot.info/otis/trafficdata/series/55/true/false/>



facility, much lower than across Colorado (90%) and the United States (84%).³ This metric is determined by the number of people within a county who reside in a census block that is within half a mile of a park, within one mile of a recreational facility in an urban area, or within three miles of a recreational facility in a rural area.⁴

As indicated by the 2023 Visioning Survey, county residents deeply value the remote, quiet qualities of the area. In addition, many people entering designated wilderness areas seek a sense of solitude in nature. A lack of access to recreation in Huerfano County likely contributes to this sense of quietness and solitude in many recreation areas.

Economy

Recreation and tourism support many jobs in Huerfano County—about 18% of county employment is related to travel & tourism sectors. This is slightly higher than the Colorado average of 14%. Employment categories included in the travel & tourism sectors include retail, passenger transportation, arts & entertainments, and accommodation and food. In Huerfano County, the average wage across travel & tourism sector employees was approximately \$24,500, which is about 40% lower than the average wage across all travel & tourism employees in Colorado.

Information

Community members interested in parks and recreation facilities can visit the [county website](#) to reserve facilities and register for activities.

The travel and tourism website [Spanish Peaks Country](#), managed by the Huerfano County Chamber of Commerce, provides a wealth of information about recreation and tourism opportunities in the county. Information includes destination locations, recommended itineraries, food & beverage options, and a calendar of events.

The [City of Walsenburg](#) has information about local recreation amenities on their municipal websites, the same information page is not available on the Town of La Veta website.

Regional Context

Huerfano County is situated near several popular recreation areas, including La Veta Pass, Great Sand Dunes National Park. The County is a gateway to the Sangre de Cristo Mountains and the Spanish Peaks ranges, which include especially scenic and challenging terrain. The broader region is popular for several recreational activities, including hiking, backpacking, biking (road, gravel, mountain), motorcycling, hunting, fishing, and off-roading.

³ <https://www.countyhealthrankings.org/explore-health-rankings/colorado/huerfano?year=2023>

⁴ <https://www.countyhealthrankings.org/explore-health-rankings/county-health-rankings-model/health-factors/health-behaviors/diet-and-exercise/access-to-exercise?year=2023>



Table 1. Recreation Facilities by Type

FACILITY TYPE	MILEAGE
Trail	158
Roads	170.5
TOTAL	328.5

Data Source: Colorado Trail Explorer (COTREX)

To add information about trail difficulty and surface type. This data is not available via COTrex.

Table 2. Recreation Facilities by Land Manager

LAND MANAGER	FACILITY MILEAGE	% OF TOTAL
USFS (San Carlos Ranger District)	301.8	91.8%
USFS (Conejos Peak Ranger District)	3.3	1%
Town of La Veta	.2	0.06%
BLM	12.1	3.7%
National Parks	3.1	1%
Colorado State Parks	8	2.4%
TOTAL	328.5	100%

Data Source: Colorado Trail Explorer (COTREX)

Table 3. Recreation Facilities by Allowed Use

ALLOWED USE	FACILITY MILEAGE	% OF TOTAL
Snowmobile, Ski, Snowshoe	46.8	14.2%
Motorcycle	181.5	55.3%
ATV	169	51.4%
OHV	131	39.9%
Highway Vehicles	131	39.9%
Hiking Trail	175	53.3%
Horse	175	53.3%
Bike	118	35.9%

Data Source: Colorado Trail Explorer (COTREX)

Festivals, Events, and Races

There are several seasonal events that take place in Huerfano County. Events include cultural and historical interpretation events, music festivals, endurance races, and farmers markets. While many of these events are likely more locally oriented, some events like the Sonic Bloom Festival bring in thousands of visitors from around the state and country.

Festivals & Cultural Events

- Pioneer Day
- Gardner Hippie Days
- Sonic Bloom Music Festival
- Concerts at Cuchara Mountain Park
- First Chair Festival
- La Veta Oktoberfest
- Farmers Markets
- Antiques at the Spanish Peaks
- Spanish Peaks Museum Festival
- Celtic Music Festival

Races

- Cuchara Trail Runs
- Cuchara Snowshoe Races
- Spanish Peaks Half Marathon
- Spanish Peaks 5/10k
- Stonewall Century Ride

Public Recreation Amenities

Huerfano County contains a wide variety of public recreation facilities with opportunities for camping, hiking, picnicking, golf, and more. Most of these facilities are managed federally in the National Forest system. While the county’s two municipalities have some park facilities, there are no formal trail systems within Walsenburg and La Veta. Instead, trail opportunities in the county are accessible in State Park and National Forest areas. Cuchara has several recreation areas in addition to the mountain park. Gardner has no formally designated park or outdoor recreation facility. These facilities do not include the many public roads in the county that are used for recreation and exercise purposes.

Table 4. Public Recreation Facilities

NAME	ACTIVITIES	LOCATION
Bear Lake Campground	Camping	San Isabel NF
Blue Lakes Campground	Camping	San Isabel NF
Civic League Park	Playground, picnic, courts	Walsenburg
Cordova Pass Campground	Camping	San Isabel NF
Cuchara Mountain Park	Multi-season recreation area	Unincorporated County
Fiesta Park	Sports fields, playground, garden	Walsenburg
Greenhorn Mountain Wilderness	Trails	Pike-San Isabel NF
Huerfano Community Center	Gym, Event Space	Walsenburg
Huerfano State Wildlife Area	Wildlife viewing, trails	Unincorporated County
La Veta Town Park	Playground, picnic, skate park	La Veta
La Vista Campground	Camping	San Isabel NF
Lake Isabel	Trails, boating, fishing	San Isabel NF
Lathrop State Park	Trails, fishing, boating, golfing	Unincorporated County
Miners Plaza	Stage, open space	Walsenburg
Piñon Campground	Camping	Lathrop State Park
Pinon Street Park	Playground, courts, picnic	Walsenburg
Purgatoire Campground	Camping	San Isabel NF
Raymond Aguirre Community Center	Event Space	Gardner
Southern Colorado Astronomical Park	Observatory	Unincorporated County
Spanish Peaks Wilderness	Trails, climbing	San Isabel NF



State Trust Lands (Guillermo Ranch, Schultz Canyon, South Middle Creek, Blackhawk)	Hunting, Wildlife	Unincorporated County
Wahatova State Wildlife Area	Wildlife viewing, trails	Unincorporated County
Walsenburg City Park	Playground, picnic, skate park	Walsenburg
Walsenburg Golf Course	RV camping, golf	Walsenburg
Yucca Campground	Camping	Lathrop State Park

Private Recreation

Most privately owned recreation facilities consist of guiding/outfitting businesses, RV parks, and golf courses (mini and regular), and gyms.

Table 5. Private Recreation Facilities

NAME	ACTIVITIES	LOCATION
Ayers Family Fitness	Gym	Unincorporated County
Bears Den Mini Golf	Mini Golf	Unincorporated County
Circle the Wagons RV Park	RV Camping	La Veta
Crown Lanes	Bowling	Walsenburg
Dakota Campground	Camping, RV camping	Walsenburg
Fulldraw Outfitters	Guide, Outfitter	Unincorporated County
Grandote Peaks Gold Club	Golf Course	La Veta
La Veta Anglers	Guide, Outfitter	La Veta
La Veta Pines RV Park	RV Camping	Unincorporated County
Story Creek Outfitters	Guide, Outfitter	Unincorporated County
The T/M Ranch	Guide, Outfitter	Unincorporated County
Twin Lakes Canoe & Kayak Adventures	Boat Outfitter	Walsenburg
Two Peaks Fitness	Gym, Classes	La Veta

Recreation Land Managers Existing Policy

County Policies (as stated in the 2018 Comprehensive Plan)

- **Land Use and Growth Policy:** Encourage the provision of open space in the County for preservation or recreational purposes.
- **Land Use and Growth Policy:** Ensure continued public access to public lands within Huerfano County and work to obtain access where it is not presently available.
- **Economic Development Policy:** Develop and promote outdoor recreation and tourism opportunities throughout Huerfano County including but not limited to hiking and historic trails, historic sites, birding, virtual tours, reopening Grandote Golf Course, non-motorized outdoor sports, endurance rides, and clays courses.
- **Economic Development Policy:** Special events such as endurance rides, alpine events, train ridership, historical, scientific, sporting and musical gatherings should be encouraged, bringing support to lodging, retail, restaurants and other existing businesses.
- **Economic Development Policy:** Develop and promote artistic, cultural, historic and music assets such as a county-owned amphitheater or a county-wide cultural district.
- **Public Services & Amenities Policy:** Implement the Huerfano County Parks and Trails Master Plan.
- **Public Services & Amenities Policy:** Preserve and develop access to public lands through roads or trails as may be appropriate for all outdoor activities.

Municipal Goals & Policies

La Veta

In 2020, La Veta completed their Parks, Open Spaces & Trails Master Plan. This plan supports the Town's vision to create "an interconnected community-based system of parks, open spaces and trails for people of all ages and abilities and to connect to the regional trail system." The goals of this plan are to create a trail system that connects key facilities with recreation amenities and the future school, to upgrade existing recreation facilities to meet current community needs, to connect La Veta to the Front Range Trail, and to recognize the economic benefits of recreation amenities to the local community. The plan identifies potential trail alignments and signage enhancements that would create new recreation amenities, better connect existing amenities, and increase awareness of existing amenities. Priority projects from this plan include trail signage, new playground and fitness stations, a river trail along the north side of town, and a pedestrian bridge on Garland Street.

Walsenburg Comprehensive Plan

The City of Walsenburg Comprehensive Plan outlines eight action items related to Recreation. These include fostering partnerships with county and government agencies to improve recreation facilities, creating an inventory of existing trails, working with property owners to provide trail easements, and create a maintenance and investment strategy. The following action items are most relevant to the county: improving Fiesta Park and extending a regional trail along the Cucharas River from Lathrop State Park to Walsenburg.

- Create partnerships and work with other agencies to improve recreational opportunities for local residents and visitors.





- Huerfano County to improve Fiesta Park
- Huerfano County to extend a regional trail along the Cucharas River from Lathrop State Park to Walsenburg.
- Work with property owners to provide easements and develop a regional trail along the Cucharas River, with access from Fiesta Park.

1.

Stakeholders & Land Managers

The Forest Service is a major recreation stakeholder in Huerfano County. The Pike & San Isabel Forest Plan, which was developed in 1984, sets a variety of goals for the forest related to forest health, wildlife and wilderness protection, and resource management. The plan does not contain any goals specifically related to collaboration with Huerfano County.



Major Projects Overview

County Projects

Thorne Ranch is a 1,748-acre county-owned property west of Walsenburg. This property has a rich history as the historic townsite of Badito, the oldest settlement in the region and former county seat. In 2022, the county developed an RFP for an agricultural operator to manage irrigating, farming, and maintenance on the site while the county plans other community assets for this location.

The county purchased the property for water resources and for its potential as a recreational tourism amenity. Plans and visioning exercises for Thorne Ranch have included a range of recreational uses, including RV camping, picnicking, and hiking, along with farming uses. The property's location along Highway 69 and the Huerfano River makes it a strategic location for both agricultural and recreational uses.

The County also recently acquired 47 acres at the base of the former Cuchara Mountain Resort. The County recently pursued recreation planning and implementation assistance to support the viability of Cuchara Mountain Park, the county's only downhill ski area. A recent master plan for mountain park articulates a future vision for the area as a recreational asset and public amenity. The mission and goals of the park, as stated in the master plan, are as follows:

Mission

The Cuchara Mountain Park, as created by Huerfano County, is an environmentally friendly destination for year-round recreation, education, and cultural programs in harmony with nature.

Goals

- Offer residents and visitors a place to recreate, gather, and connect with nature
- Attract tourists be self-sustaining, and provide economic benefits to Huerfano County
- Provide a pleasant venue for music, arts, and cultural events and programs
- Increase access to and use of the San Isabel National Forest through partnerships with the Forest Service
- Offer outdoor experiences that are accessible to all
- Offer eco-friendly facilities and activities

The initiatives and implementation activities outlined in the plan rely heavily on volunteer support at present. The more complex initiatives in the plan, such as scaling up winter operations and hosting large events, would require County administrative capacity and operating capacity. Community engagement efforts conducted during the planning process indicated that the community was most interested in improving resident-serving recreation amenities and programs before investing in visitor-facing, revenue-generating improvements to the mountain park that come with high capital costs.

The County is also in the process of developing a guide to gravel biking. While the county is not presently known as a hub for gravel biking, gravel riding has become popular in the broader



region. Trinidad hosts multiple gravel race events each year, including Colorado Gravel Grinder events.

Municipal Projects

The Town of La Veta is in the process of implementing their Parks, Open Spaces, & Trails Master Plan. The Town is also interested in creating an off-street bike path in the downtown area. Although this project is not listed in the town's recent Trails plan, the project would support the Southern Loop Trail concept. See the Transportation Existing Conditions memo for an additional discussion of the Southern Loop Trail concept.

Public Input

Visioning Survey

The Visioning Survey conducted as part of this Comprehensive Plan update process gathered various feedback related to recreation in Huerfano County. Respondents to the survey highlighted recreational amenities and the county's scenic qualities as community strengths:

- 94% of respondents indicated that "Scenic Beauty" is one of Huerfano County's greatest strengths
- 60% indicated that "Recreational amenities and wildlife" are one of county's greatest strengths. Some write in comments highlighted the county's "remote and peaceful" qualities, "remote nature," and rural environment as strengths.

The feedback also indicated a need for improvements to trails and better access to active transportation (walking, biking, transit) opportunities:

- 41% of respondents indicated that improvements to trails were one of the most-needed transportation improvements in the county. 32% indicated that improvements to bicycle facilities (bike lanes, bike racks, bike routes) were most needed.
- 36% of respondents noted that public and active transportation access is one of the county's greatest weaknesses.

Responses also highlighted a need for more community events, which support social cohesion and a sense of place:

- 27% of respondents cited a lack of activities or community events and 26% cited a lack of social cohesion/sense of community as weaknesses.
- Write-in responses also highlighted an interest in parks, outdoor programs and sports for youth, and skiing opportunities.

When asked about businesses and job opportunity areas they would like to see in the county, respondents indicated interest in business types that would also serve a recreational tourism economy:

- 70% of respondents were interested in more casual restaurants in the county
- 51% were interested in more retail stores in the county

- 52% were interested in manufacturing facilities (this could include recreation-related manufacturing, although the survey did not specifically ask about types of manufacturing businesses. One write-in comment indicated interest in bicycle manufacturing, fishing and hunting equipment manufacturing, or off-road motorcycling accessories manufacturing)
- 40% were interested in hotels and lodging
- 30% were interested in basic services, such as laundry and convenience stores
- Write-in comments indicated interested in recreational businesses and amenities, including water world, a swimming pool, youth activities, and outdoor recreation in general

Focus Group

A Quality-of-Life focus group was held in early May 2023 to understand the Strengths, Weaknesses, Opportunities, and Threats to quality of life in Huerfano County. This group included recreation, cultural and historic resources, and public health stakeholders. Strengths identified include a rich cultural history, a wide array of scenic and outdoor resources, and community pride. Weaknesses identified include a lack of management capacity to staff and maintain recreational resources, including the swimming pool and water park. Other weaknesses include challenges with recreation access and lack of familiarity with fish & game rules. Opportunities identified include the development of more tourism amenities and the belief that a unified vision for the region may instill hope and pride in community members. Threats identified include divisions within the community, a lack of visitor infrastructure, and a lack of consistent attendance to support existing programs.

Figure 1. Quality of Life SWOT Analysis Summary

STRENGTHS	WEAKNESSES
<ul style="list-style-type: none"> • Incredible array of outdoor opportunities & scenic areas • Rich cultural history and artistic feel • Community pride • Multigenerational ties • Gardner school 	<ul style="list-style-type: none"> • Difficulties managing recreational resources (e.g., swimming pool, water park) • Uneven access to recreation • Lack of familiarity with fish & game rules • Lack of tourism amenities • Lack of mental health facilities/support • 48th in health outcomes in CO • Lack of childcare and children's activities • Lack of women's healthcare
OPPORTUNITIES	THREATS
<ul style="list-style-type: none"> • Opportunity to work together to produce a unified vision for the region • Geology-based tourism • Outfitters (people go to Westcliffe right now) • Create more tourism amenities • Create an "infusion of hope" in the community 	<ul style="list-style-type: none"> • Divisions within the community • Lack of infrastructure to support visitation • Apathy and hopelessness • Lack of consistent attendance to support programs

Potential Areas of Focus

Condition: Huerfano County is home to many older residents, and the proportion of the county's older residents is expected to grow. Exercising and spending time outside are excellent preventive health measures, but residents currently lack access to these resources compared to other Colorado communities.

Response (Potential Recommendations):

- Identify and address barriers to recreation access for older residents of Huerfano County
- Support activity programs for older adults, particularly programs that encourage exercise and spending time outdoors
- Follow guidance from AARP's [rural livability](#) program, which provides resources and trainings related to age-friendly development
- Prioritize the development and maintenance of recreational amenities that serve older and/or disabled residents, such as ADA-compliant trails and paved trails

Condition: Huerfano County lacks easy connectivity between neighborhoods and downtowns and trail systems/recreation amenities. There are few true neighborhood parks and open spaces, and many of the trail systems located within the county are located primarily on the southern and western edges of the county, far from municipalities and neighborhoods. This makes it challenging for residents to access outdoor spaces and trails. This challenge is even greater for residents without cars. In addition, strong connections between communities and trails also support a strong recreational tourism industry.

Response (Potential Recommendations):

- Continue implementation of County Trails Master Plan, coordinate with municipal planning efforts to ensure alignment

- Identify key recreational destinations, such as Lathrop State Park; support active transportation and multi-modal connections to those destinations
- Support bike paths and other multimodal connections between municipalities
- Consider pursuing planning and improvements through the US DOT Safe Routes to Schools program

Condition: The community has an interest in more access to recreation facilities, programs, and activities, particularly youth-oriented programming. Key recreational amenities within the County, such as the waterpark, have fallen into disrepair and no longer serve the community. With a current ranking of 48th in health outcomes in Colorado, Huerfano County should make increased efforts to support healthy and active lifestyles among residents.

Response (Possible Recommendations):

- Support the use of community centers and other space for structured indoor and outdoor recreational programming
- Encourage community fitness programs for all ages and abilities
- Explore shared use agreements that support access to recreation and fitness amenities. For example, facilitate contracts that support community access to existing public, private, or nonprofit facilities before or after business hours; also called joint use, open use, or community use agreements
- Prioritize upgrades or new development of recreational facilities close to schools, job centers, and neighborhoods

Condition: The county lacks a cohesive, visionary recreation strategy. The county’s tourism website does a good job amassing information and resources related to recreation and visitor-facing activities. By distributing additional recreation information, the county could better support resident and visitor access to trails and recreation areas. Having accurate information is a critical component of safe, responsible recreation.

Response (Possible Recommendations):

- Create an interactive map to show the spatial distribution of existing recreation facilities relative to communities, businesses, and parking
- In all county-produced recreation information, highlight relevant rules and regulations for particular trails and recreation areas
- Partner with land managers within the county, including Colorado Parks & Wildlife and the San Isabel National Forest, to distribute accurate recreation information online and in-print
- Consider adding wayfinding signage (trail signage, navigation signage, trailhead kiosks) in key locations. This can increase awareness of recreation opportunities without building new facilities
- Consider creating a community advisory board dedicated to supporting sustainable recreation and tourism activities on a county-wide scale. Refer to the example of the Sustainable Tourism and Outdoor Recreation (STOR) Board in Gunnison County.





Condition: Huerfano County residents strongly value the quiet character of the County. Many people have been drawn to visit or relocate to Huerfano County because of the area's scenic and remote qualities. The County has an opportunity to help preserve these qualities through thoughtful recreation planning and decision-making.

Response (Possible Recommendations):

- In the development of new recreation destinations and facilities, consider the location, the capacity of the county to manage new facilities, the desired recreation experience, and the desired audience (locals vs. visitors).
- Consider the use of trail cameras, trail logs, or Strava data to measure levels of use at recreation facilities within the county

Condition: The county is not currently maximizing revenue and community benefits from tourism. Other communities in Colorado and elsewhere have implemented measures to ensure that tourism revenue is put back into the community in the form of housing and infrastructure funds.

Response (Possible Recommendations):

- Consider opting into Colorado's new [lodging tax diversion program](#), which allows counties and local marketing districts to divert revenue from tourism to affordable housing and childcare

Condition: The county has more work to do to develop, promote, and sustain its recreational facilities, including the Cuchara Mountain Park base area and Thorne Ranch.

Response (Possible Recommendations):

- Support a gravel bike riding event in Huerfano County; work to expand Trinidad Rad Dirt Fest and Colorado Gravel Grinder events to Huerfano County.
- Support the viability of Thorne Ranch as a recreational amenity for residents and visitors
- Continue implementing the recommendations of the Cuchara Mountain Park Master Plan

Public Services and Community Safety Existing Conditions Memo

About the Analysis

This memo summarizes existing conditions related to public services and community safety in Huerfano County. It was developed as part of the *2023 Huerfano County Cooperative Planning Projects*. This chapter will complement other chapters and inform recommendations for the updated Huerfano County Comprehensive Plan.

Key Takeaways

- The county has experienced very limited population growth and land use change since it last updated its Comprehensive Plan in 2018. As such, demand for public and community safety services has essentially remained level, however challenges and needs remain as explained in this memo.
- The County Sheriff's Department faces continued challenges with its ability to recruit and retain personnel for open positions. This is an issue in the sense that Huerfano County has the third highest rate of violent crimes per capita (among Colorado counties). Recently, several community stakeholders engaged for this plan update voiced concerns about drug-related crimes throughout the county, but particularly in Walsenburg, where there is greater population density.
- As discussed later in this memo, the county's fire response and prevention districts are generally well equipped in terms personnel, volunteers, and equipment. However, the level of wildfire risk is high throughout the county given the relatively arid climate, and expanses of dense forests, and dry grassland. Furthermore, due to variable levels of precipitation, and increasing (average) temperatures during the warmer months, ensuring the adequacy of response staff and equipment is critical to community safety now and in the future.
- Given the county's limited population growth in recent years and relatively limited amount of new development, its demand for water has remained relatively flat. However, the ability to meet today's demands does not, by default, translate to the ability to meet demands 20 or 30 years from now. Looking ahead, the county will need to be thoughtful and strategic about the amount and form of new development it permits and what effect that, as well as increased tourism, could have on the availability of a reliable water supply.

Defining Public Services and Safety

This section provides an overview of essential services and supporting infrastructure in Huerfano County. These include fire response, law enforcement, water supply, sanitary sewer, stormwater management, electricity, and trash/recycling collection. This is a current snapshot of the services in order to inform plan update recommendations and decisions about future growth and development in different parts of the county.

How Public Services & Safety Relate to the Larger Goals of This Plan

The provision of adequate public services and community safety is central to the county's stability as place to live, do business, and visit. The capacity of the county, agencies, and districts to provide, maintain, upgrade, and staff their services is essential to maintaining the existing standard of living for county residents and to providing a certain quality of visitor experience for non-residents. To ensure the future success of the county, public and safety services must function well and must be scaled appropriately to meet the needs of any new development and potential population growth.

Risk Reduction

As documented in 2018 Hazard Mitigation Plan and recently heard through stakeholder engagement, the county is susceptible to a variety of naturally occurring hazards such as a wildfire or a flood. A thorough baseline understanding of what hazard response personnel and equipment currently exist in the county is essential to planning for risk and effectively responding to incidents. Through strategic coordination, responders can more preemptively practice risk reduction (e.g., brush thinning), respond to incidents after they have started, and support community recovery efforts after the fact. Taken together, a cohesive understanding of capacity ultimately reduces risk and the adverse economic, health, and social effects stemming from an incident.

Smart Growth and Sustainability

Sustainability is a condition in which a current generation uses resources in a way that does not diminish those resources for successive generations. Growing sustainably means conserving critical resources (i.e., water resources, farmland, etc.) so they are not exhausted to a point when they can no longer support the needs of a population. Adequate water supply is perhaps of greatest importance here. Especially with rising average temperatures and ongoing variability in annual precipitation levels, suppliers must ensure that demand for residential, commercial, industrial, and agricultural uses in the county in the years ahead does not exceed supply. Similarly, land use changes and growth must be thoughtful to ensure that sanitary sewer and stormwater drainage systems, for example, aren't taxed to the point of failure, which could cause significant impacts to water resources and ecosystems.

Economic Prosperity

As the county considers ways to diversify and grow its economy, increased business investment and tourism will increase demand on public and community safety services. The adequacy of these services will be a cornerstone to successful economic development in the county; to retain and grow existing business and attract new business. Looking ahead, cultivating new economic activity in the county and growing its revenue will require that adequate public services be available. Depending on the amount of and location of new investment, improved or new services may be necessary.

In addition, it's essential to consider how new business investment in the county will benefit and increase access to services or job opportunities for local residents, as well as tourists. Special

districts, such as cultural, recreational, or tourism districts may be an effective vehicle for guiding these investments and optimizing benefits for residents.

Trends This section highlights trends affecting the future capacity and viability of staff, equipment, and infrastructure for public services and community safety. As the county looks ahead, it should track these trends to help guide and ensure the adequate provision of services and safety.

Wildfire Risk

In part based on rising average temperatures and increased levels of aridity, many counties throughout Colorado face an ongoing or growing risk of wildfire. Huerfano County is no exception. Due to the high amount of dense, forested land within the county, especially its western portion, and open grasslands, the county is exposed to a high level of risk. Many peer counties and regions throughout Colorado are preemptively taking measures to address wildfire risk and reduce the potential loss of life, property, and mature forest growth. These practices also reduce the impacts from associated smoke inhalation. Huerfano County should stay apprised of best practices being utilized by its peer counties and consider leveraging them in the years ahead to reduce its risk and susceptibility to loss.

Water Supply Concerns

As documented in the 2018 Comprehensive Plan, Huerfano County generally experiences an arid climate. Given variations in annual precipitation rates and rising average temperatures, availability of a long-term water supply commensurate with current levels is not a guarantee for the county. Moreover, as documented by the HCWCD, water storage capacity in the Cucharas basin has significantly declined in the last 70 years.

Many communities throughout Colorado are conducting long-range water supply studies to determine how surface and ground water availability relates to current or increased levels of demand. Similarly, many communities are developing and implementing water conservation plans to reduce demand and optimize reuse. Looking ahead, the county will need to critically assess and quantify the availability of reliable water sources and whether those could serve existing demand, as well as any increased demand that would result from new development and new visitation (tourism).

Labor Force Issues

Many Colorado communities are struggling to adequately staff key positions related to the adequate provision of public services and community safety. Continued vacancies can lead to systemic issues within the community, such as increased crime and disinvestment. Through communication and collaboration with its peer counties, Huerfano County will need to continue exploring and execute new and potentially innovative ways to attract and retain qualified employees that serve critical functions.

Public Services / Safety Stakeholders & Existing Policy

The adequate provision of public services and safety throughout the county involves commitment from several different municipalities, agencies, and districts. The following stakeholders helped to inform this section of this plan update and will play an important role in supporting the plan's recommendations. As the county explores changes and improvements in the years ahead, county



staff should coordinate with these stakeholders as needed to optimize outcomes and help meet the vision and goals of the overall plan.

- Huerfano County (across departments)
- City of Walsenburg
- Town of La Veta
- The Community of Gardner
- Cuchara Water and Sanitation District
- Gardner Public Improvement District
- Huerfano Water Conservancy District
- Huerfano County Fire Protection District
- La Veta Fire Protection District
- Upper Huerfano Fire Protection District
- SIEA Energy
- Spanish Peaks Regional Health Center

Relevant Plans

In developing this section, the project team reviewed several existing plans and documents and corresponded with staff from multiple entities responsible for the provision of public services and community safety.

- Huerfano County Comprehensive Plan Update 2018
- Huerfano County Multi-Hazard Mitigation Plan (2018)
- Walsenburg Comprehensive Plan (2015)
- Huerfano County Community Survey (2022)
- Southern Mountain Loop Planning and Environmental Linkage Study (2019)

Existing Goals & Objectives

In the County’s 2018 Comprehensive Plan and Walsenburg’s 2015 Comprehensive Plan, there are several policies that speak to public services and community safety. Taken together, these provide an important benchmark and will be considered in the development of the updated Plan’s recommendations. Those most relevant to potential changes or growth in the county in the years ahead are included here. Taken together, they suggest that the county anticipates and will welcome a certain degree of future growth and new investment, but that it must not conflict with the adequate provision of public services and community safety.

Huerfano County Comprehensive Plan, 2018

GOAL WR.I: FUTURE DEVELOPMENT IN HUERFANO COUNTY WILL BE SUPPORTED BY PHYSICALLY AND LEGALLY RELIABLE WATER SUPPLIES

Policy WR.1.1: The County typically will approve development water supplies which are assured by firm water supply contracts with governmental water providers such as the City of Walsenburg, the Town of La Veta, and the Cucharas Sanitation and Water District.

Policy WR.1.2: In the absence of governmental water supply contracts, the applicant should provide evidence of a reliable water supply.

Policy WR.1.3: In those rare events that the above (reliable supply) documentation is not available, the County may elect to do its own analysis in consultation with the appropriate Water Commissioner (Districts 16 or 79) and the Huerfano County Water Conservancy District.

Policy WR.1.4: Applicants should avoid reliance on either: 1. Wells which have been permitted solely for “exempt” purposes. Such wells rarely satisfy the County requirements of a reliable water supply for development purposes. 2. “Haul” water for which a firm contract for a specific amount of water over a specified period of time has not been entered into with the water provider.

GOAL LG.2: PLAN FOR GROWTH THAT MINIMIZES AND ADDRESSES ANY IMPACTS ON THE COUNTY.

Policy LG.2.1: Ensure that new development under the jurisdiction of the County is appropriately located with adequate access to utilities and services.

GOAL RU.1: PROTECT THE HIGH QUALITY OF LIFE AND BEAUTY OF THE NATURAL ENVIRONMENT WHEN LOCATING RESIDENTIAL LAND USES IN THE COUNTY.

Policy RU.1.1: Encourage residential uses to locate where there are adequate services, including utilities.

Policy RU.1.4: Ensure that new residential uses have adequate water and sewer provisions.

Policy RU 2.4: New residential development is encouraged to utilize water conservation techniques in housing and landscaping.

Policy RU.1.2: Encourage the clustering of residential development in order to protect agricultural land. Ensure that adequate water is available for any cluster developments per C.R.S. 37-92-602(1)(b).

Policy ED.5.3: Leverage governmental water and wastewater infrastructure to promote targeted growth.

Policy ED.5.5: Develop utility infrastructure for large land parcels for agriculture and industrial development.

Policy ED.5.14: Provide county-wide urgent care and ambulance service.

Policy PSA. 3.1: Require applicants proposing new development or a land use change to work with the providers of the impacted public utilities, services and facilities.

Policy PSA.3.2: Encourage development in locations where the necessary public facilities and services, such as water and sewage disposal, can be provided economically, safely and efficiently.

Policy PSA.3.4: Support law enforcement and emergency services in their efforts to address public safety issues to protect the quality of life in the County.

Policy RH.4.6: Require all new subdivision development that results in five (5) lots or greater to be approved for access and layout by emergency services including fire, sheriff’s office, and ambulance services.

Major Projects Overview

As discussed, the Huerfano Water Conservancy District is currently undertaking engineering / design work leading up to the probable construction of water supply storage facilities in the Cucharas Basin. Assuming the projects in design advance to completion, they will significantly increase the District’s capacity to collect and store water within Huerfano County.

Other project concepts discussed that may evolve to physical improvements within the next five years are the replacement of the sewer system in Gardner, an upgrade to the primary gas transmission line serving Walsenburg and Aguilar, and upgrades to Walsenburg’s stormwater collection and conveyance system. While not a capital project, the amount of job vacancies within the County Sherriff’s Department remains a critical concern and will need to be addressed.

Public Input

2023 Cooperative Planning Projects Community Survey

As part of the 2023 Cooperative Planning Projects efforts, a community survey was distributed to solicit feedback from residents on a variety of topics. The survey included some questions related to public services and safety. Below are some key takeaways from those responses that will help focus and shape plan recommendations. While some of the feedback conveyed strongly negative sentiments, many responses highlighted the positive feelings that residents have about living and working in Huerfano County.

- When asked, ‘What are Huerfano County’s greatest strengths today?’, only six percent of respondents selected community facilities and services.
- When asked, ‘What are the greatest challenges facing Huerfano County today?’, 51 percent of respondents selected ‘crime.’
- Write-in responses to this same question included:
 - ‘Increasing scarcity of water.’
 - ‘Lack of water rights’
 - Four separate respondents identified Illegal drugs / drug use and addiction with one respondent specifying concern about drug use in Walsenburg
 - ‘Lack of police presence in the outlying county areas.’
- When asked to provide 3 words or phrases to describe Huerfano County, multiple respondents highlighted positive assets or characteristics with an emphasis on the county’s natural beauty. However, several responses highlighted important needs related to public services and community safety. These included:

<ul style="list-style-type: none"> ○ Transients in Walsenburg/crime/lack of law enforcement 	<ul style="list-style-type: none"> ○ High criminal and drug activity ○ Lack of law enforcement
--	--

 SE GROUP



- Lawless
- Drug and Alcohol filled
- Crime
- Poverty in Walsenburg/crime
- Poverty
- High Poverty
- Arid
- Poor (7)
- Lack of services
- No infrastructure (2)
- Lack of water
- Small pool of qualified citizens to fill community position
- Underserved
- Safe place for criminals

- When asked, ‘Are there specific hazard concerns or problematic areas that you think the planning committee should pay attention to?’, several expressed concerns about the ongoing risk of wildfires and the need for both Walsenburg and the county to coordinate efforts to reduce risk (not just in forested areas) and increase readiness to detect a fire early and respond efficiently.
- Several other expressed concerns about the quality of drinking water in the county and its potential effects on peoples’ health and the need for regular monitoring.
- Another respondent opined that there is insufficient sewer capacity in Walsenburg.
- When asked to rank actions that should be taken to reduce damage and disruption from hazard events in Huerfano County:
 - The majority assigned a high priority ranking to, ‘Strengthen critical public facilities such as police, fire, schools and hospitals.’
 - The majority assigned a high priority ranking to, ‘Strengthen infrastructure such as roads, bridges, water/wastewater and electric power supply facilities.’

2022 Community Survey

In 2022, Huerfano County conducted a community-wide survey. Again, many respondents made clear what they enjoy and embrace about living in Huerfano County. However, when asked to describe the top issues, priorities, or problems that the Huerfano County Government should be addressing the most, responses included:

- “Crime, drugs, road/street condition, more assistance for the elderly population which is growing.”
- “Law enforcement, better schools, enforcement of drug activity and criminal activity.”
- “Employment opportunities, affordable housing, education, crime prevention.”

When asked to what degree a series of different issues were a problem in Huerfano County, 70 percent identified drugs as a major problem.

Open House Engagement

More recently, in May 2023, the project team managing this plan update had the opportunity to meet with community members in-person at an open house event. The key takeaways that are related to public services include:



- The county should scale up emergency services and manage risks with regard to drought and wildfire;
- There was disagreement on whether the county’s emergency facilities, equipment and personnel are currently sufficient to ensure the county’s health, safety, and welfare – La Veta residents mostly answered in the affirmative, but all Walsenburg respondents answered in the negative; and
- Participants were most interested in investing in fire response, police, and EMT services.

Potential Areas of Focus

The following are recommendations for areas of focus based on community input, existing planning documents and existing conditions data.

Condition: Several residents expressed concern about crime and drug use in the county as a priority issue that needs to be addressed.

Response: County planning staff, the Board of Commissioners, and the County Sheriff’s Office should more fully collaborate to identify ways that crime prevention and effective enforcement can be improved through community partnerships, utilization of data, and use of best practices from peer agencies in other jurisdictions

Potential Strategies:

- County planning staff and the Sheriff’s office should plan and hold a one-day forum with community members and community-based organizations to present crime statistics from the last five years and discuss options for residents and organizations to support community policing efforts (i.e. Neighborhood Watch, Volunteer Neighborhood Liaison Program).
- Conduct outreach to law enforcement departments in other jurisdictions to identify innovative strategies for recruiting and retaining new personnel to address the county’s capacity gap.
- On an annual basis, the Sheriff’s office should digitally map where crimes are occurring (by type) to identify hot-spots and increase monitoring and enforcement in those areas.
- County staff and partners should continue pursuing opportunities for increased employment, community-building (volunteer) activities, and destinations that provide programming (i.e. recreation / community centers) as means of reducing drug use and crime.
- Research and consider utilization of the Larimer County, CO model to increase community communication and access to resources through facilitated community groups and educational materials to support community safety and resilience.
- Support the development of drug treatment centers and related facilities within the county to assist residents in recovery.

Condition: Huerfano County is highly susceptible to wildfire risk due to the aridity of the climate, the amount of mature forest and open grasslands, rising average temperatures, and variability in annual levels of precipitation.

Response: Ensure regular communication and collaboration between fire districts operating within the county to optimize their preemptive actions, response effectiveness during an incident, and capacity to support recovery after an incident.

Potential strategies:

- County Emergency Services should hold a twice annual meeting among all district staff and volunteers so they can share project updates, critical equipment or staffing needs, and lessons learned from the last six months.
- County Emergency Services should pursue a grant to complete a county-wide wildfire protection plan to geo-locates varied levels of risk and proves a prioritized list of mitigation actions.
- All districts should conduct an annual audit of all available equipment to identify critical gaps and pursue immediate funding from the county or grant sources to address those gaps.
- Ensure that mutual aid agreements between districts in the county are all in good standing as well as any districts or agencies in neighboring Las Animas and Pueblo counties.
- As financial resources allow, invest in the latest wildland fire detection technologies to better enable immediate response.
- Collaborate with partner agencies (i.e., US Forest Service) to continue biofuel removal programs to reduce the amount of excess fuel loads within forested areas.
- Start or continue pursuit of annual grant with the Colorado Forest Service through their existing program to conduct risk reduction / mitigation activities.
- Continue active recruitment of and sufficiently train new volunteers for each of the districts serving the county.

Condition: Based on its current water sources, the aridity of its climate, and rising average temperatures, Huerfano County needs to be thoughtful about the amount, type, and location of future land development and population growth in order to sustain a long-term water supply.

Response: The County should take the steps necessary to understand the quantity and quality of its long-term water supply and any limitations on the ability to adequately serve new land development and population growth.

Potential strategies:

- Complete a 30-year water supply study to determine whether current and projected supplies would be sufficient to serve the County’s projected resident and employee population in 2055.
- As part of the supply study, Count planning staff should closely coordinate with the Huerfano Water Conservancy District on their ongoing capacity / storage projects to determine the degree to which those would augment supply volumes.



- Leveraging the expertise of and plans completed in the last five years by several other Colorado communities, the county should commission a Water Conservation Plan / Water Efficiency Plan.
- If mid-to long-term shortages are identified through the supply study, County staff should coordinate with staff at CSU Extension Water and the Colorado Water Conservation Board to identify and share best practices on reducing demand within the agricultural and ranching sectors.
- Consider the role of private wells in managing water resources on a county scale
- Continue to seek new water rights in collaboration with municipalities
- Support Walsenburg’s efforts to augment water resources to facilitate affordable and attainable housing development in Northlands

Addendum: Summary of Current Services & Providers

This section describes the existing services, personnel, and equipment within the county. This information will help to inform recommendations for how and where improvements in services may be necessary. This section breaks down services by provider (e.g., County, municipality, district) to clearly outline the current responsibilities of the county in terms of community services.

Assets / Facilities / Services

Fire Prevention and Response

Huerfano County Fire Protection District


The county, including Walsenburg, is served by the Huerfano County Fire Protection District. The District owns and operates two stations. One is located at 310 Main Street in downtown Walsenburg and the second is in the Navajo Ranch sub-division approximately seven miles west of Walsenburg.

The District does not employ any full-time, paid staff. Four officers receive a small, monthly stipend and are supported by 17 volunteers. The District’s contact indicated they would ideally like to have 8 additional volunteers on call for a total of 25.

In terms of equipment, the District owns and operates 14 vehicles including 4 structure (response) engines, 3 water tenders, 1 rescue vehicle, 2 incident command vehicles, and 4 brush trucks, however two of these are slated to be decommissioned in the near future.

The District has mutual aid agreements in place with the La Veta Fire Protection District and the Upper Huerfano Fire District. As needed, they will respond to calls and provide support for these other districts and vice versa.

La Veta Fire Protection District

The La Veta District currently has two full-time paid employees and 25 volunteers. It does not currently have any open positions  for hire. It owns and operates two stations.



One is located at 100 Birch Street in downtown La Veta and the second is located at 400 Panadero Avenue just west of Cuchara’s center.

The District owns and operates 13 response vehicles including three Type 1 engines, one Type 3, one Type 4, one Type 5, three Type 6, 1 tender and three ambulances equipped with Advanced Life Support (ALS) equipment.

On an as needed basis, District staff and volunteers will support any neighboring districts in responding to calls and vice versa.

Upper Huerfano Fire District

This District currently has 14 volunteers, but no paid staff. It owns and operates two stations. One is located in Gardner and the other is a sub-station in Redwing to the southwest of Gardner.

The District owns and operates seven response vehicles including one command/ chase vehicle that is outfitted with dry foam, two Type 6, one Type 2 ,one Type 7, one Type 1 support tender and one Type 2 support tender.

Because existing volunteers are not always available and able to respond to calls, the District is constantly in search of new volunteers. The District has mutual aid agreements in place with the La Veta and Huerfano County districts already discussed. It will support them on calls on an as needed basis and vice versa.

The three districts share a page out notification system for structure and wildland fires. All staff and volunteers receive a page whenever a fire is reported, regardless of its location within the county. The page is canceled if staff or volunteers from any of the three districts are not needed to support response.

Law Enforcement

Huerfano County

The County Sheriff’s Department serves all of Huerfano County, including Walsenburg. As of 2016, Walsenburg does not maintain its own Police Department. The Sheriff’s Department currently employs nine full-time law enforcement staff. Notably, the Department’s point of contact indicated that it currently has 11 open positions and is understaffed.

Owned by the county, the Huerfano County Jail & Correctional Center is a medium-security jail located at 500 South Albert Avenue in Walsenburg. The facility houses male offenders who are convicted for crimes committed under Colorado state and federal laws. Opened in 1998, the facility has a capacity for 752 inmates. According to the Department’s point of contact, the jail is usually at capacity.

In the last five years, according to the County Sherriff, crime rates (accounting for all crime types) in the unincorporated county and Walsenburg have remained relatively stable. However, crime statistics suggest a high level of need for prevention and enforcement. Huerfano County has a slightly higher than average rate of violent crime compared to the national average. The rate of violent crime in Huerfano County is **SE GROUP** 25, while the US average is 22.7.





Additionally, Huerfano County has a higher-than-average property crime rate. Property crime in the county stands at 35.7, which is greater than the US average of 35.4.

La Veta

The Town employs one Marshal who is solely responsible for responding to calls within La Veta. He operates one vehicle but the Department has two vehicles because there is currently an open position for a Deputy Marshal. In addition, the Department employs one part-time support staff responsible for managing body camera footage and videos.

If necessary, the Marshal will call the Huerfano County Sheriff's Department for back up. According to the Marshal, crime rates in La Veta over the last five years have been increasing.

Lathrop State Park

Colorado State Patrol keeps a small office inside the park office and, as needed, has the option to keep one vehicle on-site. While it's not regularly staffed, a state patroller can use it as a staging location in support of Huerfano County sheriffs or deputies if called upon.

Emergency Responders (EMTs)

Huerfano County

The Spanish Peaks Regional Health Center is located on Highway 160 just west of Walsenburg. The center owns and operates an ambulance service that is equipped to respond to calls for all of Huerfano County. The service owns four ambulances and typically two are in operation each day. The service includes 14 full-time staff and 4 on-call staff. All staff are employed by the health center. Currently, the ambulance service is fully staffed and does not have any positions open. As needed, Spanish Peaks staff will support the La Veta Fire Protection District through a mutual aid agreement.

La Veta

The La Veta Fire Protection District provides fire prevention and response and emergency medical services in La Veta and Cuchara. The District owns and operates three ambulances, all of which are equipped with Advanced Life Support (ALS) equipment. Two are stationed in La Veta and one is stationed in Cuchara. The District employs one full-time Emergency Medical Technician (EMT) who is supported by 14 volunteer EMTs. Because volunteers are not always available and able to respond to calls, the District is consistently looking for additional volunteers. The District has a mutual aid agreement with the Spanish Peaks Health Center ambulance service and it will also respond to calls in Las Animas County, as needed.

Water Supply

The availability of an adequate water supply is a critical issue in considering potential land use changes and population growth in the county in the years ahead; not only the availability of water



but the capacity of service providers to treat and convey the water and maintain the associated infrastructure.

As indicated in the 2018 County Comprehensive Plan:

“Huerfano County is arid country, historically water-short. Its rivers and streams, as well as their associated groundwater, are over-appropriated; flows vary wildly from month to month and year to year. As a result, securing a physically and legally reliable water supply is an essential requirement for land development and often the most difficult. Failed land use developments adversely affect county infrastructure and services. Inadequate water supply is one of the most common causes of failed development.”

Huerfano County

The county owns and maintains the water supply in Gardner. It stores water in a tank that provides water to the village. The tank is supplied by two wells that the county owns.

The City of Walsenburg

The City, which has senior water rights on the Cucharas River, currently owns five dam reservoirs. Due to the limitations of current storage capacity, the city is currently investigating expansion opportunities for holding treated water. It does not, however, have any near-term plans for increasing its treatment or conveyance capacity.

The City Public Works Department, which is responsible for maintaining the reservoirs, also maintains a treatment facility for this water supply. The facility is approximately 2.5-miles west of the city boundary. Public Works is also responsible for the installation and maintenance of water service lines and meters. Structure owners are responsible for the infrastructure between the meter and the tap or outlet. The city currently serves a total of 2,000 residential and commercial structures within the city.

The City also sells water to some of the units in the Spanish Peaks residential sub-division to west. In addition, the city has a water haul station that people living within a 10-mile radius of Walsenburg’s boundaries can apply to access. This water is sold at a higher rate than water within the city and purchases are limited to 3,000 gallons a month per residential property.

La Veta

The Town of La Veta collects, stores, treats, and distributes its own water. It owns two ponds that it stores water in prior to treatment, which is then held in 500,000 and 250,000-gallon storage tanks. Water is pumped from the ponds through the treatment plant then into storage tanks. It almost exclusively serves customers within the town limits. The Town has one extra territorial conveyance line that serves 8 taps outside city limits. Staff is responsible for the installation and maintenance of conveyance lines up to the meter, from which point the structure owner is responsible. The Town currently serves approximately 600 taps. In the last five years, the level of demand has been very stable with approximately two new taps coming into service each year. The Town has indicated that that there is enough water for any parcels that could potentially be

built on in La Veta based on current zoning allowances. Increased development or density through rezoning(s) would likely increase demand on the Town’s supply.

Cuchara Water and Sanitation District

The District collects and stores its water in four holding tanks within Cuchara. It treats its water at the Spanish Peaks Water Plant before it is distributed to its customers. The District is responsible for the installation and maintenance of service (delivery) lines and meters. Customers are responsible for equipment from the meter into the structure. The District currently serves 660 customers and in the last five years, the number of its customers has essentially stayed the same. Its customers are generally located in or close to Cuchara.

According to the District’s Business Administrator, the District is not experiencing, nor does it foresee any supply constraints. As such, it does not have any capacity or conveyance expansion projects planned.

Gardner Water and Sanitation Public Improvement District

As indicated, the county owns and maintains the water supply in Gardner, but it is administered by the Public Improvement District. The District, which exclusively serves the community of Gardner, treats its water at a well prior to distribution. It stores its supply in a water tank, supplied by two wells, located in Gardner. It’s responsible for the installation and maintenance of PVC service delivery lines and meters. Customers are responsible for the equipment between the meter and the served structure. The District currently serves 72 customers and in the last five years, demand for new service has remained static. The District may be replacing customers’ meters in the coming years but has not confirmed its plans or timing for doing so. It does not have any other storage, treatment, or conveyance projects planned at this time.

Huerfano Water Conservancy District (HCWCD)

The District is part of the Cucharas Basin Storage Collaborative. that also includes the Town of La Veta, Cuchara Sanitation & Water District, and the City of Walsenburg. The District has determined that there is a shortage of water storage facilities in the Cucharas River basin, reducing the availability of readily accessible supply for development. As indicated on the District’s web page, “there is a dramatic shortage of water storage facilities (reservoirs) in the Cucharas basin, making dry year supplies tenuous and subject to the whims of annual and seasonal changes. Since WWII, the capacity of Cucharas basin storage facilities has dropped by more than 70%.”

The collaborative seeking to increase storage capacity in the basin. The 2017 reconnaissance level investigation identified five preferred storage facilities from the upper to the lower reaches of the Cucharas Basin (Britton Ponds Enlargement, South Baker Creek Reservoir, Bruce Canyon Reservoir, La Veta Town Lakes Enlargement, Maria-Stevens Rehabilitation/Enlargement).

According to the District’s Administrator, 50% engineering design has been completed for the Bruce Canyon Reservoir. Thirty (30) percent engineering design has been completed for the Maria-Stevens project. Fifty (50) percent design is in progress and is expected to be complete in 2024. When complete, these two projects are expected to add approximately 1,900 additional acre-feet of storage to the basin. In addition, the District has started a preliminary investigation for feasibility of a potential flood control / watershed conservation project that would combine the Bruce Canyon and Maria Stevens projects.



Looking ahead to completion of these projects, the Collaborative members have an IGA in effect for the cooperative use of storage and potential exchange of supply.

Private Wells

Several residents throughout the county get their water through private wells on or close to their property. Approximately [redacted] properties within the county are served by a well.

Stormwater Management

Huerfano County

The County Public Works Department is responsible for the installation and maintenance of inlets and storm sewer mains in some parts, but not all of, Huerfano County. The Department indicated that existing facilities are adequate for the collection and conveyance of stormwater and it does not have any notable capacity/improvement projects underway or starting in the near future. (Sky/ County Public Works to confirm).

The City of Walsenburg

City staff is responsible for stormwater collection and drainage within Walsenburg, including the installation and maintenance of drain inlets and drainage lines. The city's system is scheduled for evaluation and review to determine if capacity is adequate and whether it's in a state of good repair. Specific projects and improvements will be identified pending this evaluation.

La Veta, Cuchara, and Gardner

There are no stormwater inlets or conveyance lines within these three communities. Stormwater is collected and conveyed through a series of ditches and runoff occurs through other natural means.

Sanitary Sewer / Sewage Treatment

The City of Walsenburg

The Water and Sewer Department within Public Works manages sewage collection and treatment. The city owns and operates a treatment plant just east of the city. The City Administrator confirmed that the facility is operating well within capacity and could serve an additional 1,000 residents, if need be, before an expansion would need to be considered. This is consistent with information in the 2018 Comprehensive Plan, which indicated that the facility was operating at 25 percent of its capacity.

Cuchara Water and Sanitation District

The District is responsible for the installation and maintenance of sanitary sewer lines in its service area. Sewage is treated at the wastewater treatment plant in Cuchara. According to the District's Business Administrator, they do not foresee any capacity constraints in the next 5-10 years and so are not planning any line or plant expansion projects.

Gardner Sanitation District



This District is responsible for the installation and maintenance of sanitary sewer lines within its service area. Sewage is treated in a lagoon system within Gardner. The county has completed an engineering analysis on the system's adequacy and determined that much of it needs to be replaced. Work on these upgrades is expected to start in spring or summer 2024.

Town of La Veta

RMS Utilities installed new sewer lines throughout all of La Veta in 2015. The Town of La Veta Sewer and Maintenance Departments are responsible for maintenance of the sewer lines.

The Town owns and operates a sewage treatment plant, located at 100 E Stadium Drive, on the north side of town. This is a new \$6.6 million treatment facility that was completed in 2022. The Town is currently making the transition from operating under the old lagoon system permit to the new Sequencing Batch Reactor (SBR) discharge permit. No additional line or treatment improvement or expansion projects are planned at this time.

Electricity

San Isabel Electric Association (SIEA) serves all of Huerfano County. It is a member of Tri-State Generation & Transmission Association. Tri-State G&T is a member-owned cooperative, comprised of 42 distribution electric cooperatives such as San Isabel Electric, across CO, NM, WY, and NV.

Tri-State G&T supplies power to SIEA, and its service contract includes a provision for purchasing a small percentage of local renewable energy. To meet this requirement, SIEA purchases from the Huerfano River Wind facility, located in Huerfano County, which accounts for approximately 3% of its purchases.

SIEA is responsible for the maintenance and installation of the Distribution system (under 100 kV) throughout Huerfano County. Tri-State G&T is responsible for the Transmission system (over 100 kV).

In Huerfano County, SIEA currently has approximately 6,280 active accounts. Five years ago, there were about 6,255 active accounts in Huerfano County, so growth is essentially flat at about 0.1% per year. Comparatively, across its service territory, SIEA has seen 1% to 2% growth each of the past 5 years.

Both San Isabel Electric and Tri-State G&T have made significant investments in capacity and transmission, and Huerfano County is adequately served by these two entities. While they both continue to invest in maintenance and system improvements, they do not have any significant projects planned. If growth requires such projects, they will be addressed as the system does have capacity to add load.

Natural Gas

Huerfano County

Huerfano County government is not responsible for the installation or maintenance of any lines or other facilities that carry or store natural gas.

The City of Walsenburg



The City of Walsenburg Natural Gas Department provides service to domestic and commercial customers within Walsenburg. It currently has 1,500 meters for gas service. The gas is supplied through a 32-mile transmission line that delivers to Walsenburg residents and the Town of Aguilar. The city has submitted several grant applications to fund replacement of this line but has thus far not been awarded funding. It does not have sufficient funds of its own to complete the project.

La Veta, Cuchara, and Gardner

These three communities are served entirely by above ground propane tanks that are serviced by private companies.

Cable / Broadband

Cable and internet are available to customers throughout Huerfano County on a subscription basis. Installation and maintenance services are available through private providers.

Waste Collection and Transfer

Huerfano County

The county owns and operates a Waste Transfer Station that is located just to the east of Walsenburg on Industrial Park Drive. The County Public Works Department is responsible for operating the facility. Anyone residing in the county is permitted to drop accepted materials at the transfer station. There is no landfill in the county. Waste from Huerfano County is transported to the landfill in La Junta.

City of Walsenburg

Waste and recycling collection in the city is provided through two vendors on a fee-basis. Residents of the city also have the option to bring accepted materials to the county's waste transfer station.

La Veta

Trash collection services are provided in La Veta through private companies (vendors) for a fee, but residents and business owners also have the option to transport their trash to the county's waste transfer station just to the east of Walsenburg. For recycling, the Town pays a vendor to operate a recycling center that is near the community center. Customers pay a fee for the service upon use. The center accepts cardboard, glass, paper, and aluminum. When full, the on-site bins are emptied by the contractor and materials are transported off-site.

