Appendix A

Permits and Approval Summary for the Over The River Project

AECOM Environment

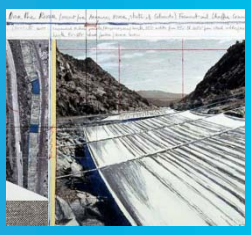
Submitted to:
Bureau of Land Management
Royal Gorge Field Office, CO

Submitted by:
AECOM
Fort Collins, CO
Project # 60136955.0400
February 2010

Permits and Approval Summary for the *Over the River*™ Project

Phase I Task 4

FINAL



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1.0 Introduction

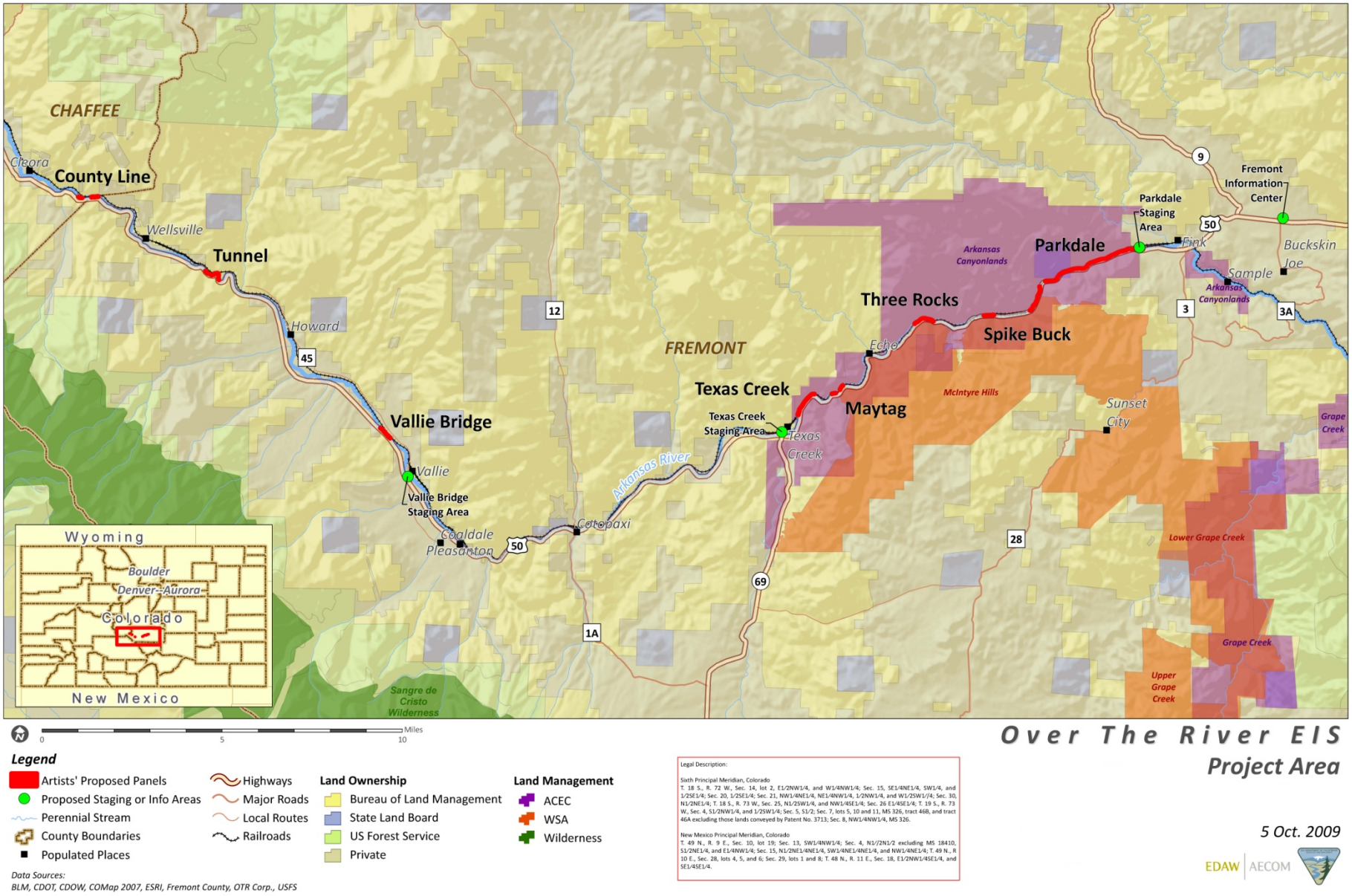
This Permits and Approval Summary was prepared to identify and document all potential permits or approvals that would be associated with and required by Federal, State, and local authorities for the proposed *Over The River*™ project (BLM Statement of Work Task 4). The information contained in this report was gathered through consultation and research of all potential permitting authorities for the project, including the Bureau of Land Management (BLM), cooperating agencies, and other agencies with jurisdiction in the Arkansas River canyon. While this Permits and Approval Summary provides a compilation of currently known permits and approvals, the information contained herein should be verified with permitting authorities prior to initiating any permit and approval requests.

1.1 Overview of the Proposed Project

The artists, Christo and Jeanne-Claude, propose to install a work of art consisting of 5.9 miles of semi-transparent fabric panels suspended above the Arkansas River in eight locations dispersed over the 42-mile stretch between the cities of Salida and Cañon City. The fabric panels would be supported above the river by a system of cables and anchors. The exhibit is proposed for a two-week display and viewing period. The proposed art exhibit is a no-fee visitor event and includes no viewing charge. At the end of the two-week exhibition period, the system of cables and anchors and other above-ground materials would be removed. The artists would be responsible for restoring the river corridor according to the standards defined by permitting and approval authorities.

The proposed work of art, known as *Over The River*™, would require the use of Federal, State, and private lands adjacent to the river. The footprint of the proposed project would encompass approximately 310 acres. The project would be located primarily on Federal lands administered by the BLM Royal Gorge Field Office (RGFO), but would also be located on lands owned or managed by the Colorado State Land Board (SLB), Union Pacific Railroad (UPRR), and private landowners; lands leased by the Colorado Division of Wildlife (CDOW); and lands owned or cooperatively managed by Colorado State Parks in the Arkansas Headwaters Recreation Area (AHRA). The Colorado Department of Transportation (CDOT) and Colorado State Patrol (CSP) are responsible for activities along U.S. Highway 50. The majority of the project area resides within the jurisdiction of Fremont County; however, a small portion at the western end of the project is also within Chaffee County. Cañon City and Salida are the nearest incorporated population centers. The location of the proposed project and associated landownership is shown in **Figure 1**.

Figure 1: *Over the River*™ Project Area



2.0 Summary of Approvals and Permits

Various approvals and permits will be required from Federal, State, and local agencies in order to implement one or more of the components of the proposed project. The permits, leases, and notifications are discussed in the following sections. A summary is provided in **Table 1**. Permit applications obtained from the permitting agencies are provided in **Appendix A**.

2.1 Federal Approvals and Permitting

Federal approvals and permits for the project are required by the following agencies: BLM, U.S. Fish and Wildlife Service, and possibly the U.S. Army Corps of Engineers. The U.S. Environmental Protection Agency (EPA) has delegated their authorities for the Clean Water Act and Clean Air Act to the State of Colorado (discussed in **Section 2.2**).

2.1.1 Bureau of Land Management

Since the artists plan to use lands administered by the BLM for the proposed project, the following permits and approvals are required: a land use authorization permit for the proposed non-Federal use of public lands, a Notice of Realty Action (NORA) issued by the BLM, and an associated Environmental Impact Statement (EIS) prepared in accordance with the National Environmental Policy Act of 1969 (NEPA; 42 United States Code [U.S.C.] 4321 et seq.; Public Law [PL] 91-190). The BLM RGFO Field Manager is the Federal official responsible for the decision on whether to issue the requested BLM land use permit and, if issued, the applicable terms, conditions, or other stipulations. In the decision process, the BLM RGFO must consider how the BLM's resource management goals, objectives, opportunities and/or conflicts relate to this non-Federal use of public lands. The proposed project cannot proceed until after a Record of Decision (ROD) is issued that provides the official decision on the land use authorization.

Over The River Corporation (OTR Corp) has submitted a written proposal to the BLM RGFO for a three-year land use authorization to construct and display a temporary work of art titled *Over The River™*, pursuant to Section 302 of the Federal Land Policy and Management Act of 1976 (FLPMA), using noncompetitive permit procedures as provided in regulations at 43 Code of Federal Regulations (CFR) 2920. The BLM is responding to OTR Corp's application in accordance with NEPA, analyzing and disclosing the environmental impacts of issuing the requested land use authorization. Through this NEPA process, the BLM will make a decision on whether or not to approve the application and determine under what conditions the project should proceed, if approved. The BLM action on this land use proposal is the issuance of a land use authorization for the proposed non-Federal use of public lands.

The permit issued pursuant to regulations at 43 CFR 2920 should be the only permit required from BLM for the project as currently proposed. The EIS will analyze the proposal and develop appropriate terms and conditions of the permit. These terms and conditions will address all phases of the project, including the need to drill and the use of large vehicles.

Upon completion of the EIS process and issuance of the ROD, the BLM will request an appraisal from the BLM Appraisal Services Directorate (ASD). BLM land use authorizations are issued only at fair market value (43 CFR 2920.0-6), as determined by the BLM ASD (43 CFR 2920.8) for the acreage and location authorized through the ROD.

The BLM ASD has indicated one value can be provided either on the entire acreage or to multiple parcel groupings. However, providing values to multiple parcel groupings is more costly and time consuming. The BLM ASD has indicated that the process will take 6 to 9 months once they have the appraisal request. The BLM ASD will review the request and develop the appraisal methodology at that time. The amount of the payment will be based on the fair market value concluded in the appraisal. It is unknown at this time whether that will be an annual payment, a lump sum, or other method of payment. The appraisal process may be able to run concurrently with the NEPA appeal process.

2.1.2 U.S. Fish and Wildlife Service

Section 7 of the Endangered Species Act, 16 U.S.C. Section 1536(a)(2), requires all federal agencies to consult with the United States Fish and Wildlife Services (USFWS) to ensure that actions they fund, authorize, permit, or otherwise carry out will not jeopardize the continued existence of any listed species or adversely modify designated critical habitats.

If such species may be present, the Federal agency must conduct a biological assessment (BA) for the purpose of analyzing the potential effects of the project on listed species and critical habitat in order to establish and justify an effect determination. The Federal agency reviews the BA and, if it concludes that the project may adversely affect a listed species or their habitat, it prepares a biological opinion. The biological opinion may recommend reasonable and prudent alternatives (RPAs) to the proposed action to avoid jeopardizing or adversely modifying habitat. Federal agencies often treat the RPAs as binding requirements.

This process is completed concurrent with the NEPA process, and the biological opinion is incorporated into the ROD.

2.1.3 U.S. Army Corps of Engineers

Section 404 of the Clean Water Act (CWA) regulates the discharge of dredged, excavated, or fill material in wetlands, streams, rivers, and other U.S. waters. The U.S. Army Corps of Engineers (USACE) is the federal agency authorized to issue Section 404 Permits for certain activities conducted in wetlands or other U.S. waters. Depending on the scope of the project and method of construction, certain project activities may require this permit.

If the project does not impact any wetlands or waterbodies below the ordinary high water mark, a 404 permit will not be needed. Also, if the project does not deposit any fill material in wetlands or waterbodies, there is no need for a permit. However, the USACE recommends coordination prior to project initiation to ensure that there are no impacts and the permit is not required. For example, if a proposed temporary bridge is installed at either Parkdale or Texas Creek and disturbs the area below the ordinary high water mark, then a 404 permit may be required. However, at this early in the project planning, it is difficult to assess whether a permit would be required without construction details. Coordination with USACE early in the construction planning process is highly encouraged to reduce any potential for project delays.

2.2 State Approvals and Permitting

Various approvals and/or permits may be required from State agencies in order to implement one or more of the components of the proposed project. These agencies include the Colorado State Historic Preservation Officer (SHPO), Colorado State Parks, SLB, CDOT, CSP, CDPHE, and CDOW. The permits, approvals, and entitlements for State agencies are discussed in the following sections.

2.2.1 Colorado State Historic Preservation Officer

Section 106 of the National Historic Preservation Act of 1966 (NHPA) requires Federal agencies to take into account the effects of Federal undertakings on historic properties, and afford the Advisory Council on Historic Preservation (ACHP) a reasonable opportunity to comment. The historic preservation review process mandated by Section 106 is outlined in regulations issued by ACHP.

The responsible Federal agency first determines whether the undertaking could affect historic properties. Section 106 review gives equal consideration to properties that have already been included in the National Register as well as those that are eligible. If the undertaking could affect historic properties, the agency determines the scope of appropriate identification efforts "area of potential effects" and then identifies historic properties in the area of potential effects. The BLM consults with the SHPO to solicit comments on determinations of eligibility, effect, and necessary treatment to resolve adverse effects. In Colorado, the BLM and SHPO developed a "protocol" agreement to streamline the process. BLM asks for SHPO concurrence only in certain circumstances (including the presence of unavoidable adverse effects to historic properties). The two entities together determine whether a treatment plan or a Memorandum of Agreement (MOA) is appropriate. BLM may then submit all the documentation at once (inventory report, site forms, and treatment plan or MOA) for a single ten-day review period. Because of this agreement, consultation with the ACHP occurs only very rarely.

Section 106 activities should be completed well before the final NEPA document is compiled. The BLM manager that approves the ROD must have the data regarding identification, eligibility, effect, and treatment in order to determine whether the preferred action should be authorized.

2.2.2 Colorado State Parks

Colorado State Parks jointly administers the AHRA with the BLM under a Cooperative Management Agreement *for Providing Recreation Management of the AHRA* (CMA 2001). As part of the CMA, Colorado State Parks agrees to provide the on-ground presence and "lead" agency responsibility in managing recreation activities on the lands and waters within the AHRA. There are numerous day-to-day operational items that Colorado State Parks must consider in relation to the proposed project. Some of these items include river recreation itself (boating, float fishing, walk and wade fishing, camping, picnicking, sightseeing) in addition to other logistical management activities such as ranger and/or law enforcement presence, fee collection, or emergency access.

A Colorado State Parks Special Activity Agreement may be the permitting vehicle that will be required for this project; the decision of whether to issue the permit will be decided by the Colorado State Parks Board. The anticipated review time for this permit is approximately 90 days.

2.2.3 Colorado State Land Board

The SLB manages sections of land throughout the state to generate income for the state school trust. SLB lands would be directly affected within the project area, specifically Section 16, Township 18 South, Range 72 West. SLB's review of the proposed project will consider the net benefits to the school trust resulting from the proposed use and whether the value of the SLB lands held in trust are not significantly diminished.

OTR Corp has filed an application for a lease to use a section of SLB lands within the project area—Section 16, Township 18 South, Range 72 West. The application is being held until the completion of the BLM's EIS process, but can be reinitiated at any time at OTR Corps' request. SLB's review of the application will consider the net benefits to the school trust resulting from the proposed use and whether the value of the SLB lands held in trust are not significantly diminished.

After a lease application is received, the Board of Land Commissioners makes a determination as to whether to issue the lease and under what terms and conditions. The decision is made at a public meeting. The timeframe required to make a board decision on the application is dependent on when pre-read material can be provided to the board and the application is placed on the agenda. This can take approximately three months, but could take longer if the decision is controversial.

Use of the land, impacts from the use, and reclamation of those impacts are considered in the application process and in determining fees and lease payments. After a lease is approved, a bond is created to draw from in the event that the applicant is unable or unwilling to reclaim the area. The applicants pay for the use of the land and reclaiming any damage that requires repair. The money in the bond is also funded by the applicant.

If a new lease is proposed for this parcel, SLB would work with the Colorado Division of Wildlife (CDOW), as well as any other possible leaseholders, to determine whether the use is compatible with their existing seasonal lease. If CDOW determines that they don't want the parcel open to another leaseholder, CDOW would have to purchase the remainder of the year for their current seasonal lease to exclude other leaseholders and retain sole use rights.

2.2.4 Colorado Department of Transportation

CDOT manages the highway right-of-way (ROW) to ensure the use of the ROW does not create traffic conflicts or hinder future use of the ROW for highway improvements. With respect to the proposed project, CDOT is focused on avoiding and minimizing scheduling conflicts, maintaining traffic flow on U.S. Highway 50 and other roadways, and minimizing public and vehicular safety issues. Other important regional and local roads in the greater project area include: Interstate 25, U.S Highways 285, 24 and 160, and State Highways 9, 17, 115, 96, 69, and 291. All of these roads are likely to be used as direct routes to view the project site or may be used as alternate routes if congestion causes motorists to avoid U.S. Highway 50.

A right-of-way (ROW) utility permit, construction access permit, and/or special use permits may be required. A utility permit and construction access permit may be required to work within the CDOT ROW in accordance with terms and conditions for the use requested. A special use permit is required for any work that requires lane closures and/or other use of a CDOT ROW. An Incident Management Plan and Traffic Management Plan may also be required as part of the Special Use Permit. Environmental clearances and permits should address all areas that impact the CDOT ROW regardless of land status and ownership. Upon receipt, review time for these permits is anticipated to take two weeks.

Any proposed vehicular access to a state highway, temporary or otherwise may require a state highway access permit. Depending upon the traffic volumes associated with this use, improvements to auxiliary lanes may be required.

2.2.5 Colorado State Patrol

CSP's statutory charge is to facilitate the safe and efficient movement of all motor vehicle traffic, and to respond to motorists in need of assistance on Colorado roadways. With respect to general management as well as the proposed project, CSP's foremost priority is the prevention of fatal, injury, and property damage crashes.

CSP will require a Special Event Permit for management of the proposed project. A Traffic Management Plan may also be required as part of this permit. Upon receipt, review time for this permit is anticipated to take 90 days. Labor and other costs attributable to the project would need to be paid for by the project/permit applicant. The applicant would need to have insurance, submit a W-9 form, and pre-pay all costs based on an initial estimate generated by CSP. Any remainder would be reimbursed after the event. The cost for the proposed event could be "very high." The costs incurred could begin to be accrued during the project planning process if it gets involved/complicated, and would likely end with completion of the removal/ restoration phase. Current labor

billing rates (2009) are $56.40 per hour per uniformed officer and $40.80 per hour per for administrative support. Mileage rates (2009) of $0.74/mile and $0.70/mile for patrol cars and motorcycles, respectively, would apply. The rates would be expected to escalate in the future. The special event planning process should be discussed early, but final resolution and details should wait for a decision that would present a single preferred alternative.

2.2.6 Colorado Department of Public Health and Environment

The EPA has delegated their authorities for the Clean Air Act and Clean Water Act to the State of Colorado, administered by CDPHE. CDPHE also enforces the hazardous materials regulations for the State of Colorado.

The Federal Clean Air Act (CAA) amendments of the 1990s require all States to control air pollution emission sources so that national ambient air quality standards (NAAQS) are met and maintained. According to Section 176I of the CAA (40 CFR 51.853), a Federal agency must make a conformity determination in the approval of a project having air emissions that exceed specified thresholds in non-attainment and/or maintenance areas. The proposed project is not in a non-attainment or maintenance area; therefore, a general conformity analysis is not required for the proposed project. In addition to the designations relative to attainment of conformance with the NAAQS, the CAA requires the EPA to place selected areas within the U.S. into one of three classes, which are designed to limit the deterioration of air quality when it is better than the NAAQS. Class I is the most restrictive air quality category. It was created by Congress to prevent further deterioration of air quality in National Parks and Wilderness Areas of a given size, which were in existence prior to 1977, or those additional areas that have since been designated Class I under federal regulations (40 CFR 52.21). The nearest Class I area is Great Sand dunes National Park located about 35 miles south of the proposed project.

Construction activities in Colorado that emit air pollutants above certain threshold levels may trigger the need for an air permit (called a "Construction Permit"). Potential air quality impacts of the proposed project will be disclosed in the NEPA process and it is not anticipated that an air emissions permit would be required for the proposed activities.

The objective of the Federal Water Pollution Control Act, commonly referred to as the Clean Water Act (CWA), is to restore and maintain the chemical, physical, and biological integrity of the nation's waters by preventing point and nonpoint pollution sources, providing assistance to publicly owned treatment works for the improvement of wastewater treatment, and maintaining the integrity of wetlands. The CDPHE Water Quality Control Division issues and administers discharge permits and other control mechanisms as provided by the Colorado Water Quality Control Act. CDPHE requires a construction storm water permit for soil disturbance greater than one acre. A Storm Water Management Plan should accompany the permit when submitted. Upon receipt, the anticipated permit review time is one week to ten days.

CDPHE also regulates all uncontrolled releases into the environment of hazardous material in a quantity that exceeds minimum reporting limits. Release of hazardous materials into the environment in sufficient quantities (i.e., uncontrolled releases) have the potential to cause impacts to air, soil, surface water, and groundwater, as well as the potential to impact health to project workers and the public.

By drilling anchor points, OTR Corp will be the generator of a waste (material). Under federal law (Resource Conservation and Recovery Act [RCRA]) which is brought forward in Colorado law, the generator of a waste must first make a determination if that waste is a hazardous waste. If it is determined to be a hazardous waste, then all disposal of these materials needs to be conducted in accordance with the Federal and State regulations. However, if it is not a hazardous waste, additionally, under Colorado law, the generator of a “regulated” waste must dispose of it in accordance with State law, i.e. at a facility permitted to receive it.

Because the soil from along the railroad has been identified as "potentially contaminated soil", following State law entails an obligation beyond the RCRA requirements to "characterize" the waste, i.e. to determine if it is contaminated to the extent that CDPHE would consider it a regulated waste (as opposed to simply being soil). All soil contains some (trace) level of the potential contaminants, however, the applicant needs to determine whether there are the actual concentrations high enough that putting it back in the environment would not "be protective of human health and the environment", which is the standard that CDPHE meets and imposes under the law on a case-by-case basis .

Neither State law, nor CDPHE regulations or guidance explicitly states that "anyone generating a waste must consult with CDPHE to get CDPHE's concurrence with their assessment whether their waste is considered a regulated waste by CDPHE." The obligation on the generator is in the law to characterize and dispose of properly, and characterization can be done by "knowledge of the process generating the waste." If CDPHE becomes aware of someone potentially having not met their obligation and having improperly disposed of a regulated waste, then the situation becomes an enforcement issue where fines may be applied.

Due to the heighten visibility of this project and the proponent's commitment to follow all laws, rules, and regulations, it is highly recommended to consult with the CDPHE early in the process to ensure material is handled properly during construction. Specifically, the applicant should consult with CDPHE to determine any sampling procedures that need to be employed to adequately characterize the waste/soil (how many samples, taken on what basis, and what they need to be analyzed for). In addition, based on the results of that sampling, the criteria under which disposition would not be regulated by CDPHE (i.e., what constitutes uncontaminated soil), and if some or all is considered contaminated soil, what disposal facility/facilities would be appropriate/acceptable to CDPHE for its disposal. No known permit would be required.

2.2.7 Colorado Division of Wildlife

CDOW manages wildlife throughout the State of Colorado. There are no CDOW fee title properties (lands owned by CDOW) within the proposed project footprint. However, CDOW holds a number of leases for fishing access that might be affected by the proposed project. These leases will be addressed by the leasing authority, including the SLB.

A CDOW permit for the proposed project will only be necessary if it were determined that a wildlife species regulated by CDOW would be harmed or "taken" out-of-season as a result of project implementation.

2.3 Local Approvals and Permitting

2.3.1 Fremont County

The Fremont County Department of Planning and Zoning is a service, information, and enforcement-oriented entity, primarily dealing with land use issues in the un-incorporated areas of Fremont County. The majority of the project would be located in Fremont County. Much of the guidance for the County's review of the project is contained in the Fremont County Master Plan, adopted in 2002. Assuring that emergency services are adequate to meet all potential incidents that could occur during the proposed project's phases is of paramount concern of Fremont County.

As part of the zoning resolution, each special event is required to obtain a temporary use permit or a special land use permit for the project. Submittal of these requirements for approval by the County's Board of Commissioners is expected to take 1 to 3 months. The county may also require a building permit for any permanent structure that is constructed for project use, but may be exempted from building permits if it becomes Federal or State property. If a temporary bridge is constructed at Texas Creek, the county will require an Application for Flood

Damage Prevention Permit. The County's engineer will review and approve this permit. Approval time is less than one month. Road construction and/or road cut permits are required, unless county roads are not altered.

2.3.2 Chaffee County

The Chaffee County Planning and Zoning Department works closely with other county departments, including Road and Bridge, Building Safety, and Environmental Health, to enforce the adopted Land Use Regulations to protect surrounding property owners from incompatible land uses. Guidance for Chaffee County's review of the project is provided in the Chaffee County Comprehensive Plan, adopted in 2000. Effects on local residents and public safety are key issues for Chaffee County.

Chaffee County will require a special land use permit for the project. Building and electrical permits are required for any permanent structures subject to building codes. If structures are temporary, a construction permit for temporary structures will be required and an inspection of the temporary structure will be required. Submittal of these requirements for approval by the County's Planning and Zoning Coordinator is expected to take one month. Road construction and/or road cut permits are not required, unless county roads will be altered. The approval time for the county road cut permit is one week. Other Chaffee County requirements may include a weed mitigation plan and security deposit and mutual aid agreements between the public safety agencies of the County, the City of Salida, and fire protection districts.

2.4 Other Approval and Permitting Authorities

The following entities would also require the applicant to obtain formal approval and/or permits to proceed with the proposed project.

2.4.1 Union Pacific Railroad

The UPRR parallels the Arkansas River throughout the proposed project area. This portion of the rail line is currently inactive and UPRR has indicated that the line is not anticipated to become active in the foreseeable future. However, if the line became active in the future, the proposed project would be subject to more stringent limitations, essentially making the project infeasible. Even if the Climax mine were activated, rail service would more likely be provided from the north (Gypsum). The line has not been abandoned, but has been "rail banked", an important distinction.

The type of agreement needed for the project is a "right of access contract". It is not anticipated that there would be any terms or requirements that would change the design or implementation of the OTR Project from its current form.

Table 1 Summary of Permits and Approvals

Agency	Permit or Consultation/Authority	Regulatory Action	Expected review time	Agency Contact	Comments/Issues
FEDERAL					
Bureau of Land Management (BLM)	Environmental Impact Statement (EIS) / National Environmental Policy Act of 1969 (NEPA) and Council on Environmental Quality (CEQ) Regulations for Implementing NEPA (40 CFR 1500-1508)	Major federal action affecting the environment, typically triggered by work on federal lands, issuance of a federal permit, or federal funding. Provides a mechanism for informed decision-making and public input.	Preparation of EIS is typically 12 to 36 months, depending on project complexity. Estimated timeframe for this project is approximately 24 months.	Colorado State Office, Royal Gorge Field Office	EIS process provides the foundation for BLM's land use permit and streamlines other agency approvals, including USFWS and SHPO consultation. The Record of Decision (ROD) provides the final decision for the approved actions.
	Land Use Permit / Section 302 of FLPMA provides the BLM's authority to issue leases and permits, 43 CFR 2920	Consists of a 302 permit application, Notice of Realty Action, EIS, and appraisal.	Upon completion of the NEPA process, review takes 6 to 9 months once the appraisal request is received.	Colorado State Office, Royal Gorge Field Office	Appraisal Services Directorate will conduct an appraisal of the property to determine fair market value.
U.S. Fish and Wildlife Service (USFWS)	Review under Section 7 of the Endangered Species Act (ESA)	Biological Assessment (BA) and USFWS consultation conducted by the BLM as part of the NEPA process.	Review conducted concurrent with NEPA process.	Colorado State Office, Royal Gorge Field Office USFWS Biologist, Leslie Ellwood	Species surveys, BA, and USFWS consultation conducted concurrent with NEPA process. USFWS will issue a Biological Opinion (BO) that will be incorporated into the ROD.
U.S. Army Corps of Engineers (USACE)	Section 404 Clean Water Act permit	Permit addresses impacts to any wetlands or waterbodies below the ordinary high water mark. May be considered for stream and wetland crossings, such as a bridge.	Review conducted after the NEPA process is complete, prior to initiation of the project.	U.S. Army Corps of Engineers Pueblo, CO	It is not anticipated that a 404 permit would be required. Recommended providing a summary of the project and overview maps before the project initiation for review of potential impacts.

Agency	Permit or Consultation/Authority	Regulatory Action	Expected review time	Agency Contact	Comments/Issues
U.S. Environmental Protection Agency (EPA)	Authority for Clean Water Act and Clean Air Act delegated to the State of Colorado.	See Colorado Department of Health and Environment (CDPHE).	See CDPHE.	See CDPHE.	See CDPHE.
STATE OF COLORADO					
Colorado State Historic Preservation Officer (SHPO)	Review under Section 106 of the National Historic Preservation Act (NHPA, BLM Colorado, and SHPO Protocol)	SHPO consultation conducted by the BLM as part of the NEPA process.	Review conducted early in the NEPA process.	Colorado State Office, Royal Gorge Field Office SHPO, Edward Nichols	Identification, determinations of eligibility and effect and SHPO consultation regarding the results and necessary treatment should be performed early in the NEPA process. Necessary treatment measures are listed in the ROD.
Colorado State Parks – Arkansas Headwaters Recreation Area (AHRA)	State Parks Special Activity Agreement *(current permit vehicle subject to further review and discussion)*	Details State Parks terms and conditions, approvals, and fees associated with the event. Subject to review by the Colorado State Parks Board.	Review conducted subsequent to the NEPA process. Approximately 90 days required for review and approval by the Colorado State Parks Board	AHRA Manager, Rob White	There are three possible options for permits. State Parks has indicated that the special use permit is the permit vehicle currently being considered.
Colorado State Land Board (SLB)	Planning Lease and Construction Lease	Details SLB terms and conditions, approvals, bonds, and fees associated with lease to SLB lands. Subject to review by the Board of Land Commissioners.	Review conducted subsequent to the NEPA process. Timeframes dependent on when pre-read material provided to the board and placed on the board agenda. Approximately 3 months, but may be longer if controversial.	SLB Director, Brownell Bailey SLB Lease Coordinator, Beverly Rave	OTR Corp has filed an application to use a section of SLB Land. This application is being held until the completion of the EIS and request for re-initiation of review by OTR Corp.

Agency	Permit or Consultation/Authority	Regulatory Action	Expected review time	Agency Contact	Comments/Issues
Colorado Department of Transportation (CDOT) Regions 2 and 5	Special Use Permit for any work which requires lane closure or other use of U.S. 50	Permit establishes terms and conditions to ensure the use of the ROW does not create traffic conflicts, hinder traffic flows, create public and vehicular safety issues, or hinder future use of the ROW for highway improvements.	Review conducted subsequent to the NEPA process. Approximately 2 weeks is needed for permit review.	CDOT Region 2, Sasan Delshad CDOT Region 5, Mike McVaugh	Special use permit required to work, and/or park vehicles/equipment within CDOT's right-of-way. A Right of Way utility permit and construction access permit may also be required. An Incident Management Plan and Traffic Management Plan may also be required as part of the Permit.
	State Highway Access Permit	Permit allows temporary or permanent access to state highways.	Review conducted subsequent to the NEPA process. Review time is approximately 30 days.	CDOT Region 2, Valerie Sword	Any access to state highways, temporary or otherwise, may require a state highway access permit. Depending upon the traffic volumes associated with this use, additional acceleration lanes and turning lanes may be required.
Colorado State Patrol (CSP)	Special Event Permit	Permit establishes terms and conditions, CSP labor and project costs, and insurance.	Review conducted subsequent to the NEPA process. 90 days is required for review of the permit.	CSP District 2, Major Hal Butts	A Traffic Management Plan may also be required as part of this permit.
Colorado Department of Public Health & Environment (CDPHE)	Construction Permit for air emissions under the Clean Air Act	Permit for air emissions that exceed air pollutant thresholds.	Review conducted concurrent with the NEPA process.	CDPHE, Air Quality Division	It is not anticipated that an air emissions permit would be required for the proposed activities.
	Stormwater Permit under Section 401 of the Clean Water	Permit for soil disturbance greater than one acre.	Review conducted subsequent to the NEPA process. Review	CDPHE, Water Quality Division	A Storm Water Management Plan should accompany the

Agency	Permit or Consultation/Authority	Regulatory Action	Expected review time	Agency Contact	Comments/Issues
	Act, Water Quality Certification		time is approximately 1 week to 10 days.		permit when submitted.
	Consultation for Potential Hazardous Materials	Handling, sampling, and disposal of materials suspected to potentially contain hazardous material.	n/a	CDPHE	Release to the environment of a hazardous material in a quantity that exceeds reporting limits imposed by applicable regulations will be regulated by CDPHE.
Colorado Division of Wildlife (CDOW)	Wildlife Permit for intentional harm or take out-of-season	Permit for take of wildlife.	n/a	CDOW, Jim Aragon	It is not anticipated that the wildlife permit would be required for the proposed activities. There are no CDOW permits for the inadvertent take of any wildlife.
LOCAL					
Fremont County	Temporary Use Permit or Special Land Use Permit	Project evaluated for conformance with the County comprehensive plan and zoning regulations. Subject to review by the County Board of Commissioners.	Review conducted subsequent to the NEPA process. Review time is typically one month.	Fremont County, Planning Department Coordinator, Marshall Butler	A drinking water plan, sanitation plan, concession plan, emergency operation plan, fire protection plan, event parking plan, and proof of liability insurance, and cash, surety or other bond would be required.
	Building permit	Permit for permanent structures and compliance with building codes.	Review conducted subsequent to the NEPA process. Review time is up to a month.	Fremont County, Building Department	No hard copy permits available. Permit will be issued as part of the construction phase.
	Application for Flood Damage Prevention Permit	Permit for development in a designated floodplain area	Review conducted subsequent to the NEPA process. Review	Freemont County, County Engineer, Don Moore	Permit required for any development in floodplain areas. County has not

Agency	Permit or Consultation/Authority	Regulatory Action	Expected review time	Agency Contact	Comments/Issues
			time is less than a month.		conducted any analyses at Texas Creek.
	Crossing Permits	Permit for any altering of county roads.	Review conducted subsequent to the NEPA process. Review time is dependent on office backlog.	Fremont County, County Engineer	Only needed if crossing county roads.
Chaffee County	Special Land Use Permit	Project evaluated for conformance with the County comprehensive plan and zoning regulations. Subject to review by the County Board of Commissioners.	Review conducted subsequent to the NEPA process. Review time is typically 2 months, but may take 4 months as a result of public comments.	Chaffee County, Development Director, Don Reimer	Other requirements include a weed mitigation plan and security deposit and mutual aid agreements between the public safety agencies of the County, the City of Salida, and fire protection districts.
	Building and electrical permits	Permit for permanent structures and compliance with building codes.	Review conducted subsequent to the NEPA process. Review time is up to a month.	Chaffee County, Development Director, Don Reimer	Not needed unless a permanent structure is constructed. Structure will be subject to inspection.
Chaffee County (cont'd)	Temporary Construction Permit	Permit for temporary structures and compliance with building codes.	Review conducted subsequent to the NEPA process. Review time is up to a month.	Chaffee County, Development Director, Don Reimer	Not needed unless a temporary structure is constructed. Structure will be subject to inspection.
	Road construction and/or road cut permits	Permit for any altering of county roads.	Review conducted subsequent to the NEPA process. Review time is one week.	Chaffee County, Development Director, Don Reimer	Not required, unless county roads will be altered.
	Crossing Permits	Permit for crossing of county roads.	Review conducted subsequent to the NEPA process. Review time is one week or less depending on type	Chaffee County, Road and Bridge Department	Only needed if crossing county roads.

Agency	Permit or Consultation/Authority	Regulatory Action	Expected review time	Agency Contact	Comments/Issues
			and size of the road crossing.		
Union Pacific Railroad	Right of Access Contract	Permit for accessing the UPRR right of way.	Contract executed subsequent to the NEPA process, prior to construction.	UPRR	It is not anticipated that there would be any terms or requirements that would change the design or implementation of the OTR Project from its current form.

Appendix A

Permit and Approval Forms

Appendix A - Permit and Approval Forms

State Permits

Colorado Department of Transportation – Special Use Permit

Colorado State Patrol - Special Event Permit

Colorado State Parks – Special Event Permit

Colorado State Land Board – Lease application

Colorado Department of Public Health and Environment – Construction Storm Water Permit

Local Permits

Fremont County –Road Cut Permit, Temporary Use Permit, Flood Damage Prevention Permit

Chaffee County – Special Land Use Permit, Building Permit, Temporary Construction Permit, Road Cut Permit

State Permits

COLORADO DEPARTMENT OF TRANSPORTATION

UTILITY / SPECIAL USE PERMIT APPLICATION

Please print or type

Instructions: Complete this form, attach all required documents, and submit it to the appropriate Permit Office. To determine which documents are required, refer to the reverse side of this form and/or contact the Permit Office. **You must submit all required documents or the application will be deemed to be incomplete and will not be accepted.** Please do not FAX completed forms or documents.

Permittee: property or utility owner

Name	
Address	
Contact person	Telephone

Applicant if other than permittee

Name	
Address	
Contact person	Telephone

Activity Description: (furnished by permittee)

Purpose of Utility Permit

☐ Installation ☐ Adjust/relocation ☐ Removal ☐ Maintenance or existing facility

Facility (type, size, class of transmittant, design pressure or potential, etc.)

Nature of Installation ☐ Longitudinal (parallel) ☐ Buried* ☐ Attach to Highway Structure #:
☐ Transverse (crossing) ☐ Aerial/Ground-mounted

Purpose if for other than Utility Permit (i.e. Special Use Permit)

☐ Landscaping ☐ Survey ☐ Spill Cleanup ☐ Site Restoration
☐ Construction within right-of-way ☐ Other (describe) _____

State Highway No.	County	City/Town

Location relative to SH milepost(s)

Location relative to intersecting feature(s), e.g., cross street, str. #, etc.

Intended start date and planned duration of work

Additional remarks

If Permittee will own or operate underground facilities in State Highway rights-of-way: Indicate contact person for underground location information:	Telephone

*Notice to Excavators: You must notify owners or operators of underground utilities at least two (2) business days prior to making or beginning excavations in the vicinity of such utilities, as required under Section 9-1.5-103, CRS. CALL UTILITY NOTIFICATION CENTER OF COLORADO (UNCC), 1-800-922-1987, FOR MARKING OF MEMBER UTILITIES. Contact non-member utilities directly.

Printed 12/03 editions of this form may be used until supply is exhausted.

Application requirements – submit with completed application form

Submit required application documentation in **sets of four – collated**

1. **LETTER OF REQUEST** (on letterhead of City or Utility Company) as necessary to:
   a. document that the owner concurs in the application, if the applicant is other than the permittee; and /or
   b. more fully describe the nature of the proposed work, status of required clearances (see item 5 below), etc.

2. **PLAN AND PROFILE** clearly showing the following:
   a. Distance of the proposed work or facility from right-of-way (ROW) line.
   b. Distance from S.H. milepost and intersection streets.
   c. *Distance line will be within ROW, or if it crosses ROW.
   d. *Facility type: (Water, Gas, Phone, Power, Fiber Optic cable, Oil, etc.).
   e. *Nature of installation: (buried, overhead, or attached to a highway structure).
   If attached to a highway structure, submit a separate drawing, indicating the structure number,
   And showing attachment details.

   *If application is for Utility Permit

3. **TRAFFIC CONTROL PLAN** (required on all operations) that conforms to the "Manual on Traffic Control Devices for Streets and Highways" (Part VI).

4. **INSURANCE REQUIREMENTS:**
   a. A permittee shall ensure that all permitted operations, whether performed by the permittee or by subcontractors, are adequately and continuously covered by liability insurance. The types and minimum amounts of insurance acceptable to CDOT are as follows:
      1. Workers Compensation Insurance in accordance with prevailing laws.
      2. Comprehensive General Public Liability and Property Damage Insurance:
         Combined Bodily Injury and Property Damage
         $150,000 per person
         $600,000 each occurrence
      3. Comprehensive Auto Liability and Property Damage Insurance:
         Combined Bodily Injury and Property Damage
         $150,000 per person
         $600,000 each occurrence

   b. Certificate(s) of Insurance from permittee and/or subcontractors' insurance carrier(s), naming **Colorado Department of Transportation as additional insured party, shall be furnished.**

5. **ENVIRONMENTAL CLEARANCES:**

It is the applicant's responsibility to contact appropriate agencies and obtain all environmental clearances that apply to their activities. Such clearances may include Corps of Engineers 404 Permits or Colorado Discharge Permit System permits, or ecological, archeological, historical or cultural resource clearances. The CDOT Environmental Clearances Information Summary presents contact information for agencies administering certain clearances, information about prohibited discharges, and may be obtained from Regional CDOT Utility/Special Use Permit offices or accessed via the CDOT Planning/Construction-Environmental-Guidance webpage http://www.dot.state.co.us/environmental/Forms.asp. The letter of request for a Utility or Special Use Permit must include a discussion of the status (e.g. application submitted, permit received, etc.) of any clearances that apply to the applicant's activities. Utility or Special Use Permits conditionally require compliance with all applicable regulations – including environmental regulations, and all clearances identified in the applicant's letter of request must be obtained prior to commencing work.

Return completed application plus all required enclosures to Colorado Department of Transportation, Attn: Utility Permit Office, at one of the following addresses as appropriate to this permit:

Region 1:	18500 East Colfax Avenue Aurora, CO 80011 303-757-9157	**Region 2:**	905 Erie Avenue Pueblo, CO 81002 719-546-5433
Region 3:	222 South 6th Street, Room 100 Grand Junction, CO 81501-2769 970-248-7230	**Region 4:**	1420 2nd Street Greeley, CO 80632 970-350-2111

COLORADO STATE PATROL
APPLICATION FOR A PERMIT TO CONDUCT AN ATHLETIC OR SPECIAL EVENT ON STATE HIGHWAYS

The State of Colorado has become one of the premier places in the country to conduct numerous events, including bicycle tours/races, triathlons, foot races, etc. With our ever growing population and the number of motor vehicles that are driven on the state's highways, it has become increasingly difficult to manage these events. The Patrol Act, specifically section 24-33.5-226, gives the Chief of the Colorado State Patrol specific statutory guidelines to follow. The Colorado State Patrol's main objective in permitting these events is safety to the event participants and the motoring public. We expect all participants of the event to obey the Colorado Revised Statutes and the directions given to them by any law enforcement agency that may be involved. The Colorado State Patrol is statutorily required to ensure the least inconvenience to the driving public in conjunction with the requirements of the athletic or special event. Additionally, the Colorado State Patrol must ensure the event is conducted in a manner consistent with the preservation of the public peace, health, and safety. The Colorado State Patrol strives to accommodate event sponsors and participants, within the guidelines of state law. Our mission is to ensure a safe and secure environment in Colorado for all persons by providing professional law enforcement through responsive, courteous, caring, and dedicated service.

NOTICE TO APPLICANT

- An application and permit will be required for any athletic or special event on state highways that requires any type of road closure, restriction, or may create a significant impact to the motoring public.
- No application or permit is required for most events that have less than 50 participants unless, the event requires any type of road closure, restriction, or may create a significant impact to the motoring public.
- Applicant is responsible by law for the total actual cost to the Colorado State Patrol and the Colorado Department of Transportation for conducting any closure, restriction, or may create a significant impact to the motoring public of a street or highway for the purpose of an athletic or special event.
- **Applicant is further responsible to pay for and provide liability insurance in such amount and for such coverage that is required by Colorado Revised Statutes, (24-10-114). See section 2d, "PROCEDURES FOR APPROVED EVENTS" below for additional information.**
- Applicants must pay in advance the estimated cost of such event. Any actual costs between $0.00 and $100.00 above or below the estimated cost will not be refunded or billed to the event sponsor. Any actual costs more than $100.00 above or below the estimated cost will be refunded or billed to the event sponsor.

INSTRUCTIONS

Please read the following instructions carefully before completing the application for a permit to conduct an athletic or special event on the highway.

1. Print and complete the application supplying all required information. The information must be detailed. Attach explanations if necessary. A map showing the proposed route or area of activity must be attached. Include on the map all suggested traffic control points and any suggested detours.
2. A signed application must be submitted to the affected Colorado State Patrol office at least 60 business days prior to the event.
3. A $25.00 application fee must accompany the application.
4. If the application receives preliminary approval, it will be returned to the event sponsor containing a statement of total estimated costs based on the procedure below.

PROCEDURES FOR APPROVED EVENTS

1. If the event requires CSP involvement and/or is a multi-district event, a meeting will be scheduled to establish conditions and limitations.
2. The Commander of the affected CSP area will complete a Cost Estimate based on the following rates:
   a) Pay rates (for regular events, other state agency non-road and/or Road Closure Situations, and non-state agency/non-road closure special situations) for event planning:
      i. Uniform Hourly Rate = $56.40
      ii. Civilian Hourly Rate = $40.80
      iii. Administrative Fee of 3.5% of all personal service costs.
      iv. Flat Mileage Rates:
         1. Motorcycles = $ .70 per mile
         2. Patrol Vehicles = $ .74 per mile

      (These rates are subject to change at any time.)

   b) The event sponsor will be required to provide a CDOT/CSP approved traffic control plan for any timed event/bicycle race or tour that is required to have a permit.
   c) The event coordinator will be required to provide a Request For Taxpayer Identification Number Verification (W-9) Form.
   d) The event coordinator will be required to provide evidence of a general liability policy covering claims that might arise from any highway closure or traffic restriction or the involvement of employees of the State Patrol and/or the Department of Transportation therein. The minimum limits of the policy must be $150,000.00 for any injury to one person in any single occurrence and $600,000.00 for any injury to two or more persons in any single occurrence. Such insurance policy must name <u>THE STATE OF COLORADO AND ITS EMPLOYEES</u> as additional insured. (Police Professional Services, including traffic control, cannot be excluded.) See 24-10-114 for additional information.

SPECIAL EVENT APPLICATION

(Please Type or Print Legibly)

TODAY'S APPLICATION DATE (00/00/0000): _____

Please mail your application to the attention of the Troop Commander of the event's starting location. To locate the contact information to fax or mail your special event application, visit our website: http://www.csp.state.co.us/districts.cfm
For more information, please call 303.239.4500.

REQUESTING ORGANIZATION INFORMATION:

ORGANIZATION NAME: _____

ADDRESS: _____CITY, STATE: _____

CONTACT PERSON: _____TITLE: _____

ORGANIZATION PHONE #_____ FAX #_____

CONTACT PERSON PHONE #_____EMAIL: _____

Does this event require a partial or total road closure? ☐ Yes ☐ No

TYPE OF EVENT:

☐ **Athletic**
- ☐ Running/Foot Race
  - ☐ Bike Tour
  - ☐ Bike Race
  - ☐ Time Trial
  - ☐ Duathlon
  - ☐ Triathlon
  - ☐ Other (Please Explain) _____

☐ **Film Event**
- ☐ Commercial
- ☐ Movie
- ☐ Other (Please Explain) _____

☐ **Security**
- ☐ Athletic Team
- ☐ Parking Lot/Building
- ☐ Other (Please Explain) _____

☐ **Other State Agency Assistance**
- ☐ Chain Law
- ☐ CDOT Task Order
- ☐ Parking Lot/Building Security
- ☐ Other (Please Explain) _____

DESCRIPTION OF THE EVENT:

DATE OF EVENT: BEGINNING: _____ ENDING: _____

TIME OF EVENT: BEGINNING: _____ ENDING: _____

NOTE: IF TIMES VARY ON SUBSEQUENT DATES, ATTACH AN EXPLANATION.

DESCRIPTION OF THE LOCATION OF THE EVENT: (Detailed explanation of the event including the number of participants, description of the activity to be conducted, number of and type of animals being used in the activity, description of the vehicle or materials to be used in the activity, etc. **(**Include a map of the route or area, illustrating suggested traffic control points and any suggested traffic detours.)

COLORADO STATE PARKS
Special Activity Agreement

(Completed activity agreement will be submitted 90 days prior to event) SAA #

Name of Park(s). _____

Name of SITE Requested _____

Official Name of your Group(s) _____

Number of: Vehicles_____ Vessels _____ Participants _____

Type of Activity _____

Date of Activity _____

_____

Time of Arrival_____ am pm Time of Departure_____ am pm

Responsible Person

Name_____

Address_____

City_____ State ___ Zip_____

Phone# _____H _____W

Fax_____

Disclosure

1. Will other State Parks be used? Yes No

   If yes list park(s) _____

2. Will you be selling items at this event? Yes No

3. Will a fee or donation be collected? Yes No

CONDITIONS

A No implied rights or reservations are granted as to camping or parking spaces. Admission is on a first come, first served basis. A valid park pass is required on all vehicles unless arrangements for alternative fees have been approved..

B All participants in the event agree to abide by and obey all rules and regulations of the Division of Parks and Outdoor Recreation, and any regulations that may apply. Contact the park office for more information.

C All temporary signs, buoys, banners and markers are to be set only with the permission of the park staff and should be approved two weeks prior to the event and all temporary signs be removed at the end of the event.

D Approval to hold this event does not imply that extra services will be provided nor does it place any additional liabilities upon the Division of Parks and Outdoor recreation.

E The permittee agrees to provide flyers regarding the event one week prior to the event should park staff determine it is necessary to minimize use conflicts.

F The permittee agrees to hold harmless the Division of Parks and Outdoor Recreation from any death, injury or property damage occurring as a result of this event.

G The permittee shall supply all necessary manpower and equipment to safely conduct this event. The permittee shall be responsible for any and all damage to park resources and/or facilities that result from this event.

H All beverages with an alcohol content greater than 3.2% are prohibited by law.

I Entry to a park may be prohibited when the park is at capacity. **Exceptions are not made for special activities.**

J The Division of Parks and Outdoor Recreation maintains the right and authority to amend or cancel this permit at any time should the applicant fail to abide by conditions agreed to or if public health, safety and welfare so dictate.

K The permittee may be assessed an Event Fee for extra services provided by the Division of Parks and Outdoor Recreation. Payment, if required, is due upon submittal of this application unless other arrangements have been approved.

ADVERTISING

Will this event be publicized on radio, TV or in newspapers? Yes__ No___
(Any advertising done by the permittee which identifies the park must have prior approval from the park manager.)

FEES

Upon approval of your event application a $20.00 fee is required unless approved as a non fee activity.

If additional fees are required to facilitate your event, you will be notified by the park manager. If additional fees are required and agreed upon, they will be itemized and invoiced. Payment on the first invoice is due prior to your event.

Payment on the second invoice (if required) will be sent and payment is due upon receipt of the invoice.

1. **Permit fee for administration and processing services. $20.00**
2. **A percentage fee of profits generated within the park. 7% of gross revenues or negotiated flat fee based on the 7% factor.**
3. **A per person charge in lieu of the required parks pass if applicable.**
   $1.00 per person
4. **Operational fee to reimburse the park for staff time and equipment if assig to your event.**

   Ranger $25.00 per hour
   Patrol unit $10.00 per hour
   Maintenance $25.00 per hour

INSURANCE

If determined by Division staff, the responsible person holding the event will submit a certificate of insurance indicating insurance coverage in the minimum amount of $600,000.00 per occurrence / $150,000.00 per person, as specified in 24-10-114, C.R.S. and the State will be listed as an additional insured party.

PROOF OF INSURANCE IS DUE PRIOR TO THE EVENT

PERJURY STATEMENT: I (we) hereby swear or affirm under penalty of perjury that the information given

SIGNATURE OF APPLICANT _____ DATE _____ SIGNATURE OF APPLICANT _____ DATE _____

The signature above indicates this individual accepts responsibility for the event and the stipulations listed on this form.

DIVISION USE ONLY

Approval _____

☐ Fee Activity ☐ Non Fee Activity

Approved _____ Denied _____ Signature Date

STATE OF COLORADO

Bill Ritter, Jr., Governor
James B. Martin, Executive Director

Dedicated to protecting and improving the health and environment of the people of Colorado

4300 Cherry Creek Dr. S.
Denver, Colorado 80246-1530
Phone (303) 692-2000
TDD Line (303) 691-7700
Located in Glendale, Colorado

http://www.cdphe.state.co.us

Colorado Department of Public Health and Environment

For Agency Use Only

Permit Number Assigned

COR03-_____

Date Received ____/____/____
Month Day Year

STORMWATER DISCHARGE ASSOCIATED WITH CONSTRUCTION ACTIVITIES APPLICATION

Please print or type. Original ink signatures are required. This application must be considered complete by the Division before it will initiate permit processing. The Division will notify the applicant if additional information is needed to complete the application. If more space is required to answer any question, please attach additional sheets to the application form. Applications must be mailed or delivered to:

Colorado Department of Public Health and Environment
Water Quality Control Division
4300 Cherry Creek Drive South
WQCD-P-B2
Denver, Colorado 80246-1530

FAXES AND PDF COPIES WILL NOT BE ACCEPTED

PERMIT INFORMATION
Applicant is: ☐ Property Owner ☐ Contractor/Operator

1. CONTACT INFORMATION

➢ **Permit Applicant**

Company Name: _____

Legally Responsible Person: First Name: _____ Last Name: _____

Title: _____

Mailing Address: _____

City, State and Zip Code: _____

Phone: _____

Email Address: _____

➢ **Local Facility Contact** ☐ **Same as Applicant**

Local Contact Person: First Name: _____ Last Name: _____

Title: _____

Phone: _____

Email Address: _____

➢ **Billing Contact** ☐ **Same as Applicant** Company Name _____

Billing Contact Person: First Name: _____ Last Name: _____

Title: _____

Mailing Address: _____

City, State and Zip Code: _____

Phone: _____

Email Address: _____

2. PERMITTED FACILITY INFORMATION

Name of Plan, Project or Development: _____

Location of construction site:

Street Address (or cross streets): _____

City (if unincorporated, so indicate): _____ County: _____

State and Zip Code: _____

Latitude and Longitude (approximate center of site to nearest 15 seconds using one of following formats):

Latitude: _____ degrees /minutes/ seconds Longitude: _____ degrees/ minutes/ seconds (e.g., 39°42'11", 104°55'57")

OR

Latitude: _____ degrees (to 3 decimal places) Longitude: _____ degrees (to 3 decimal places) (e.g., 39.703°, 104.933')

3. MAP (Attachment)

Map: Attach a map that indicates the site location and that CLEARLY shows the boundaries of the area that will be disturbed. Maps must be **no larger** than 11x17 inches.

4. LEGAL DESCRIPTION

Legal description: If subdivided, provide the legal description below, or indicate that it is not applicable (**do not** supply Township/Range/Section or metes and bounds description of site)

Subdivision(s): _____ Lot(s): _____ Block(s): _____

OR

☐ Not applicable (site has not been subdivided)

5. AREA OF CONSTRUCTION SITE

Total area of project site (acres): _____

Area of project site to undergo disturbance (acres): _____

Total disturbed area of Larger Common Plan of Development or Sale, if applicable: _____
(i.e., total, including all phases, filings, lots, and infrastructure not covered by this application)

6. NATURE OF CONSTRUCTION ACTIVITY

Check the appropriate box(s) or provide a brief description that indicates the general nature of the construction activities. (The full description of activities must be included in the Stormwater Management Plan.)

☐ Single Family Residential Development

☐ Multi-Family Residential Development

☐ Commercial Development

☐ Oil and Gas Production and/or Exploration (including pad sites and associated infrastructure)

☐ Highway/Road Development (not including roadways associated with commercial or residential development)

☐ Other, Describe: _____

7. ANTICIPATED CONSTRUCTION SCHEDULE

Construction Start Date: _____ Final Stabilization Date: _____

8. RECEIVING WATERS (If discharge is to a ditch or storm sewer, include the name of the ultimate receiving waters)

Immediate Receiving Water(s): _____

Ultimate Receiving Water(s): _____

9. REQUIRED SIGNATURES (Both parts i. and ii. must be signed)

STOP! A Stormwater Management Plan must be completed prior to signing the following certifications!

i. Stormwater Management Plan Certification

"I certify under penalty of law that a complete Stormwater Management Plan, as described in Appendix A of this application, has been prepared for my activity. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the Stormwater Management Plan is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for falsely certifying the completion of said SWMP, including the possibility of fine and imprisonment for knowing violations."

Signature of Legally Responsible Person (submission must include original ink signature) Date Signed

Name (printed) Title

ii. Signature of Permit Legal Contact

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this application and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment.

"I understand that submittal of this application is for coverage under the State of Colorado General Permit for Stormwater Discharges Associated with Construction Activity **for the entirety of the construction site/project described and applied for, until such time as the application is amended or the certification is transferred, inactivated, or expired.**"

Signature of Legally Responsible Person (submission must include original ink signature) Date Signed

Name (printed Title

DO NOT INCLUDE A COPY OF THE STORMWATER MANAGEMENT PLAN

DO NOT INCLUDE PAYMENT – AN INVOICE WILL BE SENT AFTER THE CERTIFICATION IS ISSUED.

Local Permits

FREMONT COUNTY
STREET CUT PERMIT

INSURANCE POLICY # _____ PERMIT BOND # _____

PERMIT # _____

APPLICANT: _____

ADDRESS: _____

EXCAVATION LOCATION: _____

SURFACE TYPE: _____

PURPOSE OF EXCAVATION: _____

TRAFFIC PLAN: _____

COMMENCEMENT DATE: _____ COMPLETION DATE: _____

MATERIAL SOURCE: _____

EST. LENGTH: _____ FT / WIDTH _____ / DEPTH _____

EXCAVATION SKETCH

==========

IN ACCEPTING THIS PERMIT THE UNDERSIGNED, REPRESENTING THE PERMITTEE, VERIFIES THAT HE/SHE HAS READ AND UNDERSTANDS ALL APPLICABLE RESOLUTIONS, ORDINANCES, RULES AND REGULATIONS; THAT HE/SHE HAS THE AUTHORITY TO SIGN FOR AND BIND THE PERMITTEE, THAT THE PERMITTEE IS BONDED AND INSURED WITH FREMONT COUNTY. BY VIRTUE OF SIGNATURE IS BOUND BY ALL THE CONDITIONS APPLICABLE. *PERMIT VALID 30 DAYS*

_____ _____
SIGNATURE DATE

_____ _____
ROAD & BRIDGE REPRESENTATIVE DATE

PERMIT FEE $ _____ JOB NUMBER _____
PENALTY FEE $ _____ CASH _____ CHECK _____
TOTAL FEE $ _____ BILL _____ DATE _____

TEMPORARY USE PERMIT APPLICATION

1. Applicant: _____ Mailing Address: _____

   City: _____ State: _____ Zip Code: _____

   Telephone #: _____ Facsimile #: _____

   Representing: _____
   (Name of the Event being applied for)

Please read the entire application form prior to completion of this application.

A special event which is to be conducted in whole or part within Fremont County (*non-incorporated areas*) such as spectator events, athletic events, carnivals, circuses, concerts, fairs, flea markets, public recreational events, tent meetings, or other similar uses with similar impacts which are for public participation.

An application fee as adopted by resolution of the Fremont County Board of County Commissioners (Board) shall accompany this application.

The applicant shall provide two (2) copies and one (1) original document of the application and all of its attachments. After submittal, the Department will review the application and all attachments and prepare a Department Submittal Deficiency and Comment Letter (D & C Letter). The letter will state the submittal deficiencies, Department comments and or questions about the application, which must be addressed by the applicant.

The Fremont County Department of Planning and Zoning (Department) shall be entitled to refuse any application for a temporary use permit which is not made on the form provided by the Department, which is incomplete, or is made later than thirty (30) working days prior to the regularly scheduled Board meeting at which the application is proposed to be heard. The application shall not be considered complete unless all information required in the application is provided at the time it is filed.

Once the Department has determined that the application is complete, the application will be scheduled on an agenda of the Board for their consideration of approval. Prior to issuance of a temporary use permit, the event shall be approved by the Board at a regularly scheduled meeting and all contingencies or requirements shall be met or provided. The Board does have the right to request review and recommendations from the Fremont County Planning Commission (Commission) and / or other pertinent entities, if the Board determines that it is necessary for its review. The Board may require professional review at the applicant's expense if deemed necessary by the Board. The Board may require the applicant to provide various professional studies and / or statements concerning the event in order to fully understand the impact of the proposed event. This could result in a longer review process and require more time to complete.

Attachments can be made to this application to provide expanded narrative for any application item including supportive documentation or evidence for provided application item answers. Please indicate at the application item that there is an attachment and label it as an exhibit with the application item number, a period and the number of the attachment for that item (*i.e. the*

***attached document providing evidence in support of the answer given at application item number 12 would be marked* - Exhibit 12.1).**

For specific regulatory requirements the applicant should refer to the appropriate sections of the Fremont County Zoning Resolution (FCZR) which can be viewed on the Internet at:

http://www.fremontco.com/planningandzoning/zoningresolution.shtml

2. Please provide a general description of the event: _____

_____

_____

3. What is the general location and / or street address of the event? _____

_____

4. What are the dates that the proposed event is scheduled to occur? _____

_____

_____

5. What are the hours of the day that the proposed event is scheduled to occur? _____

_____

6. Will there be any signs used to advertise the event? _____ If yes, please provide a statement as to the size (*type*), location, and how many: _____

_____

_____

7. Please provide a statement as to how litter will be disposed and include documentation consisting of agreements and / or contracts with companies providing necessary facilities. _____

_____

_____

8. Address crowd control before, during and after the event. _____

_____

_____

_____

_____

9. What are the anticipated off-site impacts that will be created by the proposed event? _____

_____

_____

_____

10. Please provide a statement as to a drinking water plan which includes documentation consisting of agreements and / or contracts with companies providing necessary facilities. **NOTE: This will require review and approval by the Fremont County Environmental Health Officer.** _____

_____

_____

11. Please provide a statement as to a sanitation plan which includes documentation of agreements and / or contracts with companies providing necessary facilities. **NOTE: This will require review and approval by the Fremont County Environmental Health Officer.** _____

_____

_____

12. Please provide a statement as to a concession plan, if any, which includes a list of vendor names and required permits. If vendors are used, please provide documentation of sales tax license. **NOTE: This will require review and approval by the Fremont County Environmental Health Officer.** _____

_____

_____

13. Please provide an emergency service operation plan addressing what emergency services are proposed for the event. The emergency services shall include any agreements, contracts, with appropriate agencies or companies and a specific contact person with contact information. _____

_____

_____

14. Will there be any street closures proposed in connection with the special event (*or other provisions deemed appropriate with respect to the provision for safe and adequate vehicular and pedestrian traffic flow and parking associated with the conduct of the special event*)? **Note: If**

Street closures are proposed approval by the appropriate Fremont County Road District Foreman or Colorado Department of Transportation is required. _____

_____

_____

_____

_____

15. Please provide a statement as to how the proposed event parking will be addressed. Such statement will include how many off-street parking spaces will be provided along with the size of spaces and parking area location. **Note: If on-street parking is proposed approval by the appropriate Fremont County Road District Foreman or Colorado Department of Transportation as may be appropriate is required.** _____

_____

_____

_____

16. Please provide a statement as to how vehicular and pedestrian traffic for the proposed event will be handled: _____

_____

_____

17. **The following items shall be attached to this application and marked appropriately as exhibits:**
    a. Documentation as to acceptance of a fire protection plan from an appropriate agency; along with a copy of said plan.
    b. Documentation that the Sheriff's Office has been notified of the event and any proposed street closures.
    c. Documentation that the Colorado State Patrol has been notified of the event and any proposed street closures.
    d. Documentation that the appropriate County Road Foreman has been notified of the event and any proposed street closures.
    e. Documentation from the Environmental Health Officer as to acceptance and approval of application items number 10, 11 and 12.

f. Proof of general liability insurance for the event in amounts deemed appropriate by the Board of County Commissioners.

g. Cash, surety or other bond deemed necessary and appropriate by the Board of County Commissioners to ensure that the property affected by the special event will be cleaned to the reasonable satisfaction of the County and that damage associated with the conduct of the special event may be repaired or remedied without cost to the County. ***If a waiver of this item is requested it shall be in writing, with justification, at the time of application.***

18. **Additional Requirements:**

a. The Department of Planning and Zoning shall have the right to require publication, notice to property owners and posting in accordance with Section 8.4.2.1 if it is deemed necessary.

b. The Board of County Commissioners has the right to:

1) Refer any application for Temporary Use Permit to the Planning Commission requesting its review and recommendations at a regular meeting.

2) Refer any application for Temporary Use Permit to any entity the Board deems could have significant input regarding the potential impacts of the proposed Temporary Use Permit.

3) Right to obtain professional review, at the applicant's expense, for any aspect of the proposed event as deemed necessary by the Board.

4) Require the applicant to submit the following information if in their opinion it is necessary, to fully understand the impacts of the proposed Temporary Use Permit:

a). An environmental impact study/statement.

b). A roadway impact analysis study**.**

c). A drainage study.

d). A socioeconomic impact study/statement**.**

e). Studies, comments, referrals to agencies or professionals whose area or jurisdiction of expertise is applicable and germane to the use being proposed.

By signing this application, you are certifying that the above information is true and correct to the best of your knowledge and belief, also it serves as your acknowledgment that you understand that if any information is found to be untrue and inaccurate, this application may be rendered null and void. <u>In addition, this is to acknowledge that any required improvements, as a contingency to approval, may need to be completed as part of the approval process.</u>

APPLICANT'S SIGNATURE: _____ DATE: _____

8/ 7/ 2007

APPLICATION FOR FLOOD DAMAGE PREVENTION PERMIT - FREMONT COUNTY

The undersigned hereby makes application for a permit to develop in a designated floodplain area. The work to be performed is described below and in attachments hereto. The undersigned agrees that all such work shall be done in accordance with the requirements of the Fremont County Floodplain Resolution, and with all other applicable local, State and Federal regulations. This application does not create liability on the part of Fremont County or any officer or employee thereof for any flood damage that results from reliance on this application or any administrative decision made lawfully thereunder.

APPLICANT:

Owner: _____ Builder: _____

Address: _____ Address: _____

_____ _____

Telephone: _____ Telephone: _____

LOCATION OF PROPOSED ACTIVTY:

Address: _____

Legal Description or Assessor's Schedule Number: _____

_____

A. DESCRIPTION OF WORK:

1. Proposed Development Description:

☐ New Building ☐ Improvement to Existing Building ☐ Manufactured Home

☐ Filling or Alteration of a Watercourse ☐ Other _____

2. Size and location of proposed development on this property (attach site plan): _____

_____

_____

_____

3. Is the proposed development in a Special Flood Hazard Area (Zones A, AE, AI-A30, AH or AO)?

☐ Yes ☐ No

4. Per the County's adopted floodplain map, what is the zone and panel number of the site of the proposed development? Flood Zone: _____ FIRM Map Panel Number: 08043C- _____

5. Are other Federal, State or local permits pending or already obtained? If yes, list or describe them.

☐ Yes ☐ No _____

_____

_____

6. Is the proposed development in an identified floodway (special hatching on FIRM Map panel) ?

☐ Yes ☐ No

7. If the answer to #6 is yes, is a certification of no rise in floodwaters, with supporting data, attached?

☐ Yes ☐ No

Name and Colorado registration number of PE or Architect that prepared the certification:

_____

B. COMPLETE FOR NEW STRUCTURES AND ALL BUILDING SITES:

1. Base Flood Elevation at the site: _____ feet NAVD 88.
2. Required lowest floor elevation (including basement or bottom of crawl space): _____feet NAVD 88.
3. Elevation to which all attendant utilities, including all heating and electrical equipment will be protected from flood damage: _____ feet NAVD 88.

C. COMPLETE FOR ALTERATIONS, ADDITIONS, OR IMPROVEMENTS TO EXISTING STRUCTURES:

1. What is the estimated market value of the existing structure? (not land) $ _____
2. What is the estimated cost of the proposed construction? $ _____
3. If the cost of the proposed construction equals or exceeds 50 percent of the market value of the structure, then the substantial improvement provisions shall apply.

D. COMPLETE FOR NON-RESIDENTIAL FLOODPROOFED CONSTRUCTION:

1. Type of floodproofing method: _____
2. The required floodproofing elevation is: _____ feet NAVD 88.
3. Floodproofing certification by a registered Engineer or Architect is attached:

☐ Yes ☐ No Colorado PE or Architect registration Number: _____

E. COMPLETE FOR SUBDIVISIONS AND PLANNED UNIT DEVELOPMENTS:

1. Will the development contain at least 50 lots or 5 acres? ☐ Yes ☐ No
2. If yes, does the plat or proposal clearly identify base flood elevations? ☐ Yes ☐ No
3. Are the 100 year Floodplain and Floodway delineated on the site plan? ☐ Yes ☐ No

F. COMPLETE FOR FILL WITHIN A DESIGNATED FLOODPLAIN:

1. Base Flood Elevation at the site: _____ feet NAVD 88.
2. Elevation of proposed top of fill at the site: _____feet NAVD 88.
3. Is a certification of no rise in floodwaters, with supporting data, attached? ☐ Yes ☐ No

Name and Colorado registration number of PE or Architect that prepared the certification:

_____

Detailed plans drawn to scale indicating the nature, location, dimensions and elevations of the area; existing and/or proposed structures; additions, alterations, or repairs which would constitute a "substantial improvement" to the structure; fill, storage of materials, drainage facilities and all other pertinent data shall be attached to this application (two copies required). Except for projects located in Flood Zone "A", where no base flood elevation is determined, and developer elects to use Elevation Certificate Section "E", such plans shall be certified by the project's Colorado Engineer, Architect, or Surveyor that all applicable components of the proposed development comply with Section 16 GENERAL STANDARDS of the Flood Damage Prevention Regulations of Fremont County.

When applicable, the following information, calculated and certified by a registered Professional Engineer or Architect, shall be provided by the applicant and attached to this application. All elevations shall be referenced to NAVD 88 datum

1. Elevation in relation to mean sea level of the lowest habitable floor (including basement or bottom of crawl space) of all structures.
2. Elevation in relation to mean sea level to which any structure will be floodproofed.
3. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development and assurance that the flood-carrying capacity of the watercourse will not be diminished, no rise in floodwater elevations will occur and maintenance will be provided for.
4. Base flood elevation at the proposed site and source of datum

I hereby certify that all the information provided herein or attached hereto be true and correct to the best of my knowledge and belief.

Applicant's Signature: _____ Date: _____

FOR FREMONT COUNTY BUILDING DEPARTMENT USE ONLY

Fee Paid: $_____ Date Paid: _____

Referral to County Reviewing Engineer on: Date: _____ By: _____

Comments received by Reviewing County Engineer on: Date: _____

Flood Damage Prevention Permit Approved ☐ or Denied ☐

Comments: _____

_____ Date: _____
Fremont County Building Inspector

OR

_____ Date: _____
Fremont County Engineer

CHAFFEE COUNTY
PLANNING & ZONING DEPARTMENT

P.O. BOX 699 PHONE (719) 530-5565
SALIDA, CO 8120 FAX (719) 539-7442
WEBSITE www.chaffeecounty.org

APPLICATION FOR

SPECIAL LAND USE PERMIT

❑ **Commercial / Industrial** ❑ **Residential**

Application Fee $320.00 ***Application Filing Deadline is the Last Monday of each Month***

GENERAL INFORMATION

REQUESTED USE _____

PROPERTY ADDRESS OR GENERAL LOCATION _____

NAME OF APPLICANT _____

MAILING ADDRESS _____

TELEPHONE _____ **FAX** _____ **E-MAIL** _____

TOTAL ACREAGE _____

PROPOSED WATER SUPPLY _____ **PROPOSED SEWAGE SYSTEM** _____

EXISTING USE OF PROPERTY _____

EXISTING ZONING _____ **PARCEL #** _____

LEGAL DESCRIPTION _____

OWNERSHIP INFORMATION

Please list the names of all persons and companies who hold an interest in the described property (land owner, lessee, etc.) Application will not be accepted without the required signatures or a letter of authorization from each. Attach additional sheets as necessary.

NAME _____ **SIGNATURE** _____

INTEREST IN PROPERTY _____

ADDRESS _____

TELEPHONE _____ **FAX** _____ **E-MAIL** _____

STAFF USE ONLY

Application received by _____ **Date** _____

Fee $ _____ **Check #** _____ **Certified Mailing Labels** _____

SPECIAL LAND USE PERMIT SUBMITTAL REQUIREMENTS

The application must be submitted complete and in compliance with the Chaffee County Zoning Resolution. All applicants shall submit sixteen (16) sets of the required materials, along with a completed application form and fee. Applications must be packaged in a bound or file form with each set containing all required information. All applications will be reviewed by the staff for compliance with the submittal requirements. Incomplete applications will not be placed on the Planning Commission agenda and will be returned to the applicant after the filing deadline.

The applicant shall be required to post a sign on the property notifying the public that this application is filed. Sign will be provided by the Planning Department. Applicant will be refunded a portion of the filing fee if the sign is returned to the Planning Department after action is taken by the Board of County Commissioners. See Appendix A for additional information.

Please use the checklist below to assist you in submitting all of the required information.

- ❑ Pre-Application Conference
- ❑ Completed Certified Mail and Return Receipt labels for each adjoining property owner and easement owner
- ❑ Copy of Assessor's map showing surrounding parcel numbers and list of all owners, with addresses and addresses of all easement owners

THE FOLLOWING ITEMS MUST BE SUBMITTED:

- ❑ Proof of ownership which may be a Title Report, Attorney's Opinion, Insurance Policy or other evidence acceptable to the Planning Commission.
- ❑ Letter from a title company or other suitable evidence that the property was legally divided (if purchased after May 5, 1972).
- ❑ Scaled site plan showing all existing and proposed structures, access to land and all dimensions.
- ❑ A written description of the request including all details and justification.
- ❑ Map and directions to the site.
- ❑ Type of water system proposed including copies of well permit, augmentation certificates or State approval of water.
- ❑ Type of sewer system proposed and letter of approval from Chaffee County
- ❑ Copy of subdivision covenants and approval from homeowners association (if applicable).

The application for a Special Land Use Permit must be submitted by 4:00 PM on the last Monday of the month in order to be considered for the next month's agenda. The application will be considered first by the Chaffee County Planning Commission, which will make a recommendation of approval or denial to the Board of County Commissioners. The application will then be forwarded to the Board of County Commissioners for a final decision.

The Planning Commission meets on the last Tuesday of each month beginning at 6:00 P.M. in the Commissioners' meeting room at the Chaffee County Courthouse in Salida, Colorado. Meetings held in March, June, September and December are held at the Buena Vista Annex. The applicant or a representative is required to attend the meeting. Failure to attend may result in the application being tabled or denied.

PLEASE VERIFY WITH THE STAFF THE TIME AND LOCATION OF ALL MEETINGS

Region 5: (Alamosa)	1205 West Ave., Box A Alamosa, CO 81101 719-589-3616	**Region 5: (Durango)**	3803 N. Main Ave., Suite 300 Durango, CO 81301 970-385-8360
Region 6:	3401 Quebec Street, Suite 8400 Denver, CO 80207 303-377-6602		

CHAFFEE COUNTY BUILDING SAFETY DEPARTMENT
P.O. BOX 699, SALIDA, COLORADO 81201
(719) 539-2124 - FAX NO. (719) 530-9208

These instructions and procedures must be followed to obtain a Certificate of Zoning Compliance and Building Permit. **All spaces on this application must be filled out**. If the question asked is not applicable in your case, put NA, meaning not applicable. This permit is applicable to all of Chaffee County including the Towns of Poncha Springs and Buena Vista and the City of Salida. Any construction requires zoning approval by the Town or City Zoning Administrator before a plan check can be made or Building Permit is issued.

The following items will be required in addition to the completed application to process a Building Permit:

Please place a check mark in the boxes

A. □ Copy of deed with legal description
B. □ Verification of Legal Split if lot is located in the County, smaller than 35-acres & not in a subdivision.
C. □ Copy of **APPROVED** County Road Cut Permit or State Access Permit
D. □ **ONE** scaled site plan indicating the scale used, which direction North is, showing distances from the property lines and also showing the following: *Where applicable, draw site plan on copy of subdivision plat map.*
□ Lot dimensions □ Bridges □ Existing buildings □ Proposed improvements
□ Legal access to property/Any easements/Building envelope and/or dedicated open space /Road grade □ Ditches, streams, rivers, lakes □ Utilities
□ I.S.D.S. □ Well □ Drainage □Any slopes steeper than 30 percent
E. Fee in Lieu □ Buena Vista School District □ Salida School District (Per Chaffee County Resolution 2008-16)

Please locate all utilities on your site plan. Underground utilities could possibly create an inconvenience or danger if cut. If you do not know where your electric, gas, telephone, water line, well, sewer line and septic system are located, contact the proper representative to locate.

F. □ **TWO** (**3 for Commercial**) sets of scaled (*graphic scale not acceptable*) working drawings showing the following:
□ Footing/foundations □ Floor plans □ All view & elevations
□ Floor structure □ Wall Structure □ Roof structure
□ All load bearing members □ Windows & doors with header sizes
G. □ The fee for the building permit according to the attached schedule.
H. □ Copy of approved Individual Septic Permit, copy of Well Permit or proof of municipal or central service provided;
I. □ Original Elevation Certificate (if in the Flood Plain)

If you are building in a subdivision and your covenants require approval by an architectural committee, please submit plans that have been previously approved by them.

The applications, plans and specifications will be checked by the Plans Examiner. After verification that the proposed project described in the application and the plans filed therewith conform with the requirements of the Building Code as adopted by Chaffee County and other pertinent laws, and the fee has been paid, the department will return a copy of the Building Permit and plans to the applicant and retain one for the files. ***It is our goal to issue residential building permits within two (2) to three (3) weeks. Commercial building permits usually take between three (3) to four (4) weeks.***

The Inspectors will be in the office between the hours of 8:00 A.M. to 9:00 A.M. Inspections will be made from 9:00 A.M. to 5:00 P.M. Requests for inspections are to be made the day before the inspection is needed.

No work shall begin before an approved Building Permit has been issued. Work commenced before an approved permit is issued will be subject to a double permit fee. Partial inspections and re-inspections are subject to an additional fee. All electrical, plumbing, and mechanical work requires a separate permit, which must be obtained before work is commenced.

A FINAL INSPECTION AND CERTIFICATE OF OCCUPANCY IS REQUIRED PRIOR TO USE

Revised 9/15/09

REPAIR, REMODEL, AND CHANGE OF USE

Valuation shall be determined by the actual total value of all work being completed. All materials, labor, architectural, engineering, structural, electrical, plumbing, excavation, and mechanical work shall be included. If a contractor is being used, the applicant must provide the certified bid or estimate provided by the contractor, both for the initial scope of work and for any change orders. If a contractor is not being used, the applicant must provide a schedule showing anticipated cost, including a reasonable allocation for labor that would be charged by a contractor. In either case, the valuation must be a reasonable, good faith estimate. The Building Department may, in its discretion, determine valuation by obtaining an estimate of the work completed or to be completed from a qualified contractor or other expert.

MOBILE HOME PLACEMENT

A building permit is required to place a mobile home in a Mobile Home Park within Chaffee County, City of Salida and the Town of Poncha Springs (Check with the Town of Buena Vista for their requirements). Electrical and plumbing permits are also required.

PERMIT EXPIRATION

Chaffee County Ordinance No. 2007-01, Section 12, regarding building permit effective periods and extensions:

Section 12.01 Notwithstanding provisions in the applicable Building Codes to the contrary, permits issued under the County Building Codes are effective for a period of one (1) year.

Section 12.02 Upon written request for an extension by the applicant, a permit may be extended for an additional one (1) year period. Up to two (2) extensions may be requested, provided that in no event may a permit be valid for more than three (3) years, or for more than two (2) years following the adoption of anew version of the applicable building code, whichever is less. For example, if a plumbing permit is issued on February 1, 2004 and a new version of the plumbing code is adopted on May 1, 2004, the maximum date to which the permit can be effective, including extensions, would be May 1, 2006.

Section 12.03 In order to renew action on a permit after expiration, the permitee shall pay a new full permit fee, except the building official may authorize one-half the new fee where all rough inspections have been completed under the expired permit.

Building Permit Fee Schedule

Building Valuations shall be determined by the latest valuation data as provided by The International Code Council. The Building Valuation Data (BVD) will be updated and printed at six-month intervals, February and August of each year. The BVD table provides the "average" construction costs per square feet which can be used in determining permit fees. The permit fees can be established by using the BVD table and a Permit Fee Multiplier.

The Square Foot Construction Cost does not include the price of the land on which the building is built. The Square Foot Construction Cost takes into account everything from site and foundation work to the roof structure and coverings but does not include the price of the land. The cost of the land does not affect the cost of related code enforcement activities and is not included in the Square Foot Construction Cost.

Example: **Residential** permit for a single family dwelling of 2,000 sq. ft. According to the chart provided by the ICC BVD (Classification R-3, Type of Construction VB) = 2,000 X $98.95 = $197,900 valuation. Then multiply the valuation times the modifier of .006 = $1,187.40 fee.

Example: **Commercial** permit for a restaurant of 2,000 sq. ft. According to the chart provided by the ICC BVD (Classification A-2, Type of Construction IV) = 2,000 X $135.94 = $271,980 valuation. Then multiply the valuation times the modifier of .004 = $1,087.52 fee.

OTHER FEES

Mobile Homes and I.R.C. Modular Homes that are placed on private property (not in mobile home parks) must be placed on a **footing/foundation**, the fee will be assessed at **30%** of the building permit fee that is currently being charged for a conventionally built dwelling of equal size. Work started without a permit will be subject to an investigation fee equal to the permit fee. Regarding placement of mobile homes, please refer to our handout. Other permit fees that may be required are electrical, plumbing, and septic, of which each are separate permits.

REINSPECTION FEE $30.00/PER INSPECTION

PLAN CHANGE REVIEW FEE $30.00 PER HOUR/ONE HOUR MINIMUM

MINIMUM FEE $50.00

Square Foot Construction Costs

Group (2009 International Building Code)	1A	1B	2A	2B	3A	3B	4	5A	5B
A-1 Assembly, theaters, with stage	202.05	195.53	190.98	182.97	172.26	167.18	177.12	157.17	151.38
A-1 Assembly, theaters, without stage	182.99	176.47	171.92	163.91	153.24	148.16	158.07	138.15	132.36
A-2 Assembly, nightclubs	155.74	151.36	147.5	141.9	133.46	129.73	136.94	121.02	116.96
A-2 Assembly, restaurants, bars, banquet halls	154.74	150.36	145.5	140.9	131.46	128.73	135.94	119.02	115.96
A-3 Assembly, churches	186.22	179.7	175.15	167.15	156.44	151.36	161.3	141.35	135.56
A-3 Assembly, general, community halls, libraries, museums	157.46	150.93	145.39	138.38	126.08	122.58	132.53	111.57	106.79
A-4 Assembly, arenas	181.99	175.47	169.92	162.91	151.24	147.16	157.07	136.15	131.36
B Business	154.89	149.31	144.53	137.72	125.27	120.56	132.32	109.78	105.26
E Educational	171.53	165.59	160.55	153.2	141.88	134.72	147.92	123.99	119.32
F-1 Factory and industrial, moderate hazard	94.86	90.51	85.32	82.51	73.88	70.62	79.19	60.84	57.54
F-2 Factory and industrial, low hazard	93.86	89.51	85.32	81.51	73.88	69.62	78.19	60.84	56.54
H-1 High Hazard, explosives	88.89	84.54	80.35	76.54	69.09	64.83	73.22	56.05	N.P.
H234 High Hazard	88.89	84.54	80.35	76.54	69.09	64.83	73.22	56.05	51.75
H-5 HPM	154.89	149.31	144.53	137.72	125.27	120.56	132.32	109.78	105.26
I-1 Institutional, supervised environment	159.09	153.5	148.95	142.51	130.74	127.3	138.8	117.44	112.84
I-2 Institutional, hospitals	260.68	255.1	250.32	243.51	230.4	N.P.	238.12	214.91	N.P.
I-2 Institutional, nursing homes	182.27	176.7	171.91	165.1	153.06	N.P.	159.71	137.57	N.P.
I-3 Institutional, restrained	178.01	172.44	167.66	160.85	149.66	143.95	155.45	134.16	127.64
I-4 Institutional, day care facilities	159.09	153.5	148.95	142.51	130.74	127.3	138.8	117.44	112.84
M Mercantile	115.8	111.42	106.56	101.96	93.15	90.42	97	80.71	77.65
R-1 Residential, hotels	160.44	154.84	150.29	143.85	132.24	128.8	140.31	118.95	114.35
R-2 Residential, multiple family	134.26	128.66	124.11	117.67	106.72	103.28	114.78	93.42	88.82
R-3 Residential, one- and two-family	126.16	122.65	119.64	116.48	112.21	109.3	114.55	105.15	98.95
R-4 Residential, care/assisted living facilities	159.09	153.5	148.95	142.51	130.74	127.3	138.8	117.44	112.84
S-1 Storage, moderate hazard	87.89	83.54	78.35	75.54	67.09	63.83	72.22	54.05	50.75
S-2 Storage, low hazard	86.89	82.54	78.35	74.54	67.09	62.83	71.22	54.05	49.75
U Utility, miscellaneous	68.86	64.97	60.79	57.48	51.24	47.92	54.61	39.75	37.87

a. Private Garages use Utility, miscellaneous
b. Unfinished basements (all use group)/Decks over 3' high/Porches = $15.00 per sq. ft.
c. FINISHED BASEMENTS use same as R-3/VB
d. N.P. = Not Permitted
e. Ag barns/Arenas use .676 modifier
f. S-1/S-2 Storage Only – Unfinished = up to 50% discount

Revised 9/15/09

CHAFFEE COUNTY BUILDING SAFETY DEPARTMENT
P.O. BOX 699, SALIDA, COLORADO 81201
(719) 539-2124 FAX NO. (719) 530-9208

BUILDING SITE ADDRESS_____
_____

Range:_____
Township:_____
Section:_____
Quarter Section:_____
Subdivision:_____
Lot No. if appl:_____
Block No. if appl_____

OWNER'S MAILING ADDRESS:
NAME:_____

ADDRESS:_____

CITY:_____STATE:_____

ZIP:_____PHONE:_____

Previous Owner if known:_____

Check one: New □ Addition □ Alteration □ Repair □ Change of Occupancy Use□
Location of construction: Check one: Chaffee County □City Limits of Salida □
Town Limits of Buena Vista □ Town Limits of Poncha Springs □

Use of Building:_____

Type of Construction:_____

Outside Dimensions: House_____ Garage_____ Other_____

Total Square Footage:
Basement_____First Floor_____Second Floor_____
Carport_____Garage_____Deck_____Other_____
If building a basement or garage, is it finished or unfinished?_____
Number of Bedrooms:_____Number of Bathrooms:_____
Does structure contain: Fireplace____ If yes, masonry? _____ Wood burning stove_____
Type of Heating_____
Will structure be supplied by: Natural gas_____Propane_____Other_____
Altitude (Elevation) of construction site_____
Total Height_____Area of Lot_____
Front yard setback_____feet Rear yard setback_____
_____feet__
Side yard setback_____feet and_____feet__

BUILDER: NAME_____ADDRESS_____PHONE_____
ELECTRICAL: NAME_____ADDRESS_____PHONE_____
PLUMBING: NAME_____ADDRESS_____PHONE_____
MECHANICAL: NAME_____ADDRESS_____PHONE_____

Total Valuation_____ FEE_____(see Pg 2 for Schedule)
If applicable, add $354.00 for Fee in Lieu per Chaffee County Resolution 2008-16 for subdivisions developed AFTER April 1, 2008. (Separate check required)

Zoning Office Use Only:

Setback, area, and height compliance Yes_____ No_____

Use compliance or Special Use Permit Yes_____No_____

Located inside of the 100 year floodplain Yes_____No_____

_____ _____
APPROVAL OF ZONING OFFICIAL DATE

(Building Department Use Only)

Permit No._____Date Issued_____Computer No._____

Revised 9/15/09

Chaffee County Building Permit Application Continued:

MATERIALS AND SPECIFICATIONS

Footing: Size: Width_____Height _____Rebar Size_____Number of Rebar_____
Depth below finish grade to bottom of footing_____

Girder Beam Pads: Size _____X_____ Spacing_____

Foundation: Type of Material_____ Width_____ Height_____
Amount & size of rebar: Vertical_____ Horizontal_____
Height from finish grade to top of foundation_____

Girder Beam: Material type, grade and species_____
Size of beam: Width_____ Height_____ Length_____

Floor Joist: Material type, grade and species_____
Size (main floor) _____X____ Length_____ Spacing_____ O.C.
Size (2nd floor) _____X____ Length_____ Spacing_____ O.C.

Flooring: First floor material_____Thickness_____
Second floor material_____Thickness_____

Walls: Exterior walls: Type of material_____Size____X_____Spacing __O.C.
Bearing partitions: Type_____Size_____X___Spacing___O.C.
Nonbearing partitions: Type_____Size____X____Spacing___O.C.

Insulation: "R" Rating: Floor_____ Walls_____ Ceiling_____
Efficiency rating of heating system_____ Glazing U Value_____

Ceiling: Height: Basement_____Main Floor_____Second Floor_____
Ceiling material_____

Header: List size and length_____
_____

Wall covering: Exterior_____Interior_____

Engineered Trusses: Total load_____ Live load_____ Dead load_____Spacing____

Ceiling Joist: Material type, grade, and species_____
Size:_____X_____ Length_____ Spacing_____O.C.

Rafters: Material type, grade, and species_____
Width ____Height ____Spacing____O.C. Length_____Pitch _____

Roof Beams: Material type, grade, and species_____
Width_____Height_____Spacing_____O.C. Length_____

Roof Decking: Type and size:_____Roof covering_____

NOTICE

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other State or Local Law regulating construction or the performance of construction.

_____ _____
Date Signature of Applicant

(Office Use Only)
Building Use Classifications_____ Type of Construction_____

_____ _____
Date Approved: Chaffee County Building Inspector

Revised 9/15/09

CHAFFEE COUNTY LAND USE FORM

This form does not apply if construction is within Town limits of Buena Vista or Poncha Springs or within City limits of Salida.

I. PURPOSE AND INTENT:

A land use permit system is mandated by H.B. 1041 (1974) and intended to minimize hazards and/or harmful impacts to both private and public interest caused by any activities that involve land use, but especially modification or construction of building, installation of mobile structures and access to them.

AUTHORITY: H.B. 1034 (1974), The Land Use Enabling Act, H.B. 1041, Chaffee County Zoning Resolution and Supplement No. 1 and No. 2 thereto. Copies of the supplements are available from the Land Use Administrator.

II. PROCEDURES AND RESPONSIBILITY:

- Below is the application form which must be completed by the applicant and approved by the building Inspector or the Land Use Administrator before a Certificate of Zoning Compliance will be issued. Since the present and future land value of land & improvements is influenced by prudent land use, it is appropriate that the owner should be afforded first opportunity to evaluate the suitability of each site for any proposed new development.
- If hazards or potentially harmful impacts exist, the applicant should identify them & use the remarks section of the permit form to submit a mitigation plan. In the event the proposed procedure is found inadequate, it is the duty of the Land Use Administrator to inform the applicant, in writing, what additional information & procedure is required. In extreme cases it may become necessary for the applicant to engage qualified engineering service to design an acceptable plan.
- When the completed application is submitted to the Building Inspector it will contain the applicant's statement that no unacceptable land use hazards exist and none are expected to be caused by the proposed development. This statement is understood to apply both to that specific development & the general public interest.

I. DEFINITIONS:

For the purpose of this permit, hazards and impacts are those listed on the application form and further discussed in the above cited supplements. Mineral Resources impact can be very complex. Briefly summarized, the purpose and intent is to protect and administer mineral resources in such a manner as to permit exploration and extraction of minerals there from but permit other development that does not interfere with that activity. Preference is given to existing or other requested uses if the economic value of the minerals present is less than that of other uses.

III. FINAL INSPECTION:

The Building Inspector will normally issue a Certificate of Zoning Compliance after approval of the Land Use Supplement application form. However, if a mitigation plan was required, he will verify that it was satisfactorily performed at the time of his final inspection before occupancy.

LAND USE APPROVAL

Owner_____ LEGAL: Range_____Township____Section_____¼_____

Site Address_____ Subdivision_____Lot_____Block_____

FOR APPLICANT

Consider each item listed. A no response means that there is no hazard and none will be caused by the proposed development. If a hazard or potentially harmful impact does exist, discuss your evaluation of the severity and outline your plan for mitigating the danger to a point of acceptable risk. Continue on added sheets if necessary.

Geological Hazard	Yes___ No___	Mineral Resource Impact	Yes____ No__
Flood Hazard	Yes___ No___	Wildlife Impact	Yes___ No___
Wildfire Hazard	Yes___ No___	Historical/Archaeological	Yes___ No___
Avalanche Hazard	Yes___ No___		

Remarks

_____

_____

APPLICANT'S STATEMENT

I am satisfied that when completed there will be no unacceptable land use hazards to this construction or to the public interest.

_____

Signature of Applicant Date

(For Department Use Only)

Site Inspected_____ Site Approved _____ Office_____ On Site_____ Site Disapproved_____Reason:_____

_____ _____

Date Building Inspector or Land Use Administrator Signature

Revised 9/15/09

ROAD CONSTRUCTION PERMIT

FOR NEW PUBLIC OR PRIVATE ROADS

CHAFFEE COUNTY, COLORADO

Permit #_____

Subdivision or project name_____

Road Name_____Road Length_____

Location (provide legal description)_____

_____

Project Owner_____Project Contractor_____

Complete road construction plans must accompany this permit application. Plans must include specifications as to road locations, right of way, line of sight, grade, road and cul-de-sac widths, intersections, crowning, shoulders, drainage, and surface finish.

GENERAL REQUIREMENTS

1. **The County must approve plans for ALL projects prior to commencement of work. The Permitee shall notify the County Road Superintendent at least 24 hours prior to commencing work on the project.**

   NOTE: Any excavation within the County Right of Way, or intersecting a County Road, shall require a permit and an on-site pre-construction meeting with the County Engineer and/or Road Superintendent before commencement of work.

2. Any company, person or persons working on subject property shall be responsible for establishing and maintaining measures sufficient to protect the public from any and all harm during the full period of construction, including traffic control, and are liable for any damage or injuries incurred during the operation.

3. Any Permit issued shall pertain only to work within the project boundaries and is in no way a Permit to enter any private property, or to alter or disturb any facilities or installation already existing. Permit Fees are non-refundable.

4. The Project Owner, their heirs, successors and assigns, shall be responsible for the work. Any settling or failure of the work will require repair by the Project Owner within 30 days notice by the County. Unless maintenance responsibility is accepted by the Board of County Commissioners, it shall be the Project Owner's responsibility to maintain the road facility in a safe condition.

5. Any wires, cables, water, gas, sewer lines, or any other items must be at least thirty-six (36") inches below the existing surface of the ground when covered. Sewer lines require cleanouts at each side of the road. All such buried items must be suitably marked so as to be easily located. Chaffee County is in no way to be held liable for any damage to any items buried within any County Right of Way during the normal course of maintenance or repair. Any vertical items (vaults, cleanouts, values, etc) that are necessary to be in the County ROW shall be a minimum of three (3") inches below surface grade.

6. All culverts must be 18" or larger. SEE CULVERT GUIDELINES. Once a culvert is installed, it is there after the responsibility of the property owner to clean and maintain the culvert. In crossing any culvert, all items shall be at least twelve (12) inches below the bottom of the culvert. In no case will any items be permitted on top of a culvert. Plans for attaching to any structure must be submitted and approved prior to commencement of work.

7. The Permitee acquiring a Permit to perform the work is assumed to be familiar with and at all times shall

observe and comply with all Federal, State and Local laws, ordinances and regulations in any manner applicable to the conduct of the work. All work shall be in accordance with accepted good practices. The Permitee shall indemnify and hold harmless the County of Chaffee and all its representatives against any claims arising from any violation of such law, ordinance or regulation. The County of Chaffee reserves the right to refuse permits to any person or persons not complying with the above outlined procedures.

8. Penalty: A Penalty shall be assessed to any company, person or persons who commence work prior to obtaining approval. The penalty shall be one half of the required permit fee, in addition to the required permit fee. Note that construction without a permit is no guarantee that a permit will be issued, and that remediation of disturbed areas will be required if a permit is not issued.

9. The Permitee shall jointly be the Applicant, the owner of the proposed facility, and the eventual operator/maintainer of the proposed facility in the event another party will operate and maintain the facility upon completion. The Applicant shall assume those obligations associated with the construction; including the collateral, insurance and correction obligations. The owner or, upon transfer, operator/maintainer of the proposed facility shall assume those obligations and maintenance of the facility. All parties may be required to sign the permit.

10. All roads shall be designed in accordance with the Road Standards adopted as Chapter Four of the Land Use Code. Any requested variances shall be granted only following approval by the Chaffee County Board of Commissioners.

I (We) the undersigned have read, understood and hereby agree to abide by all requirements of this Permit.

_____	_____
Signature of Project Owner	Signature of Contractor (if different)
Title _____	Title _____
Name and address of Project Owner (please print)	Name and address of Contractor (if different)
_____	_____
_____	_____
_____	_____
Fee_____	Date_____

Do not write below this line. For County use only

( ) PLANS APPROVED ( ) PLANS DISAPPROVED ( ) RESUBMITTED date_____

Comments/Requirements for approval:_____

Plans approved by_____
Date
Title_____

Date_____

Permit issued by_____
Date
Title_____

Date_____

PERMIT RELEASE

Once all work authorized by this Permit is completed, ***this Permit Release must be signed and returned to the Road Clerk*** for an inspection to determine if County requirements have been met. No portion of the Permit Fees is refundable.

Further permits will be denied and penalties may be assessed if the release is not returned within thirty (30) days after completion of work.

In the space below, please draw a clear, well-labeled map indicating NORTH, giving distance from the nearest intersection to the road cut, etc.. (Use back of page if more space is required.)

DATE _____, 20____

Chaffee County accepts road cut rehabilitation in County right-of-way as satisfactory following work by_____ _____and/or their contractors on County Road No_____/Project No._____.

_____
County Foreman/Supervisor

_____
Owner or Project Foreman/Supervisor

_____
Company Name (if applicable)

ROAD CUT OR RIGHT OF WAY PERMIT
CHAFFEE COUNTY, COLORADO
PO Box 699, Salida, CO 81201
719-539-6961

Permit #_____

Boring ☐ Utility Pole Installation ☐ Road Cut-Improved ☐ Road Cut-Unimproved ☐ ROW ☐

County Road Number and Location_____

Reason for/Description of Work_____

Will the work involve crossing a ditch? Yes☐ No☐ If yes, has permission been granted by ditch owner? Yes☐ No☐
Name of ditch owner_____

Special Conditions, if any _____

_____

Date Work will begin_____ Date Work will be completed _____

(Work MUST begin within thirty (30) days of date issued for permit to remain valid)

GENERAL REQUIREMENTS/DEFINITIONS

1. The County must approve plans for ALL projects prior to commencement of work**. The Permitee shall notify the County Road and Bridge Department at least 24 hours prior to commencing work on the project.** The only exception to this provision is in the case of an emergency. ***NOTE: Any longitudinal excavation exceeding 300 feet in length within the County Right of Way shall require an on-site pre-construction meeting with the Road Supervisor before commencement of work.***

2. Any company, person or persons working in a County Right of Way shall be responsible for establishing and maintaining measures sufficient to protect the public from any and all harm during the full period of construction, and are liable for any damage or injuries incurred during the operation.

3. Any Permit issued shall pertain only to work within the County Right of Way and is in no way a Permit to enter any private property, or to alter or disturb any facilities or installation already existing within the Right of Way.

4. Any cut made across a paved road MUST FIRST BE CUT WITH A PAVING SAW OR SPADE BIT, no wider than necessary to allow the excavation. In no case will it be permissible to use a backhoe, trencher or ripper to dig through the paved portion of the road bed.

5. Any cuts made on a County Right of Way shall be rehabilitated and the work site restored to the same condition that existed before the cutting. Any excavation shall be immediately filled after items are in place. All cuts must be compacted in 4" lifts with a jumping jack or "whacker packer" type tool. Driving over the top of a cut or bucket tamping will not be accepted. This tool will be accepted for 18" culverts, or utilities. Larger cuts may require larger compaction equipment, as well as imported fill which carries enough moisture to accept compaction. All cuts made deeper than 4' below the surface will require a compaction test and imported fill. The Permitee shall be responsible for the work for a period of two years. Any settling or failure of the work will require repair by the Permitee within 30 days notice by the County. ***Cuts requiring asphalt patching MUST be repaired within five (5) calendar days. A penalty fee of $100 PER DAY will be assessed until project is rehabilitated to original standards and work completed. Rocks larger than road surface material and excavated waste material must be removed from County Right of Way.***

6. Any wires, cables, water, gas, sewer lines, or any other items must be not less than three (3) feet below the existing surface of the ground when covered. Sewer lines require cleanouts at each side of the County Right of Way. All such buried items must be suitably marked so as to be easily located. Chaffee County is in no way to be held liable for any damage to any items buried within County Right of Way during the normal course of maintenance or repair.

7. **All culverts must be 18" or larger** unless pre-approved by the Road Superintendent. **SEE CULVERT GUIDELINES.** Once a culvert is installed at a driveway, it is thereafter the responsibility of the property owner to clean and maintain the culvert. In crossing any culvert, all items must be not less than twelve (12) inches below the bottom of the culvert. In no case will items be permitted on top of a culvert. Before any item may be attached to any structure on a County Right of Way, the Road and Bridge Department must be contacted for approval. Plans for attaching to any structure must be submitted and approved prior to commencement of work.

8. All items must be placed parallel or perpendicular to the road. Any exceptions must be approved by the Road and Bridge Department. No diagonal cuts will be allowed.

9. The Permitee acquiring a Permit to perform any work whatsoever on any County property is assumed to be familiar with and at all times shall observe and comply with all Federal, State and Local laws, ordinances and regulations in any manner applicable to the conduct of his work. All work shall be in accordance with accepted good practices. The Permitee shall indemnify and hold harmless the County of Chaffee and all its representatives against any claims arising from any violation of such law, ordinance or regulation. The County of Chaffee reserves the right to refuse permits to any person or persons not complying with the above outlined procedures.

10. Road closures will be allowed only if alternate access is provided to all affected parties during entire duration of closure. If alternate access cannot be provided, then at least half of the road must remain open during the work. Sufficient cones, flaggers and signage will be required.

11. ***Penalty Permit***: A Penalty Permit shall be issued to any person or persons who commence work prior to obtaining a regular Permit. The fee for this Permit shall cover all regular Permit fees plus a penalty of $100.

12. ***Insurance***: As a condition of the Permit, each Applicant/Permitee shall purchase and maintain in full force and effect for the duration of the Permit, such insurance as will protect the County, its officers, employees and representatives from any claim which may arise out of or result from the Applicant's operations, his representatives, contractors, sub-contractors, employees or anyone for whose acts any of them may be liable. At the sole discretion of the County, this requirement may be waived in such cases where a Letter of Responsibility signed by the Permitee is deemed sufficient. Utility companies may elect to file an annual Letter of Responsibility.

13. ***Hold Harmless***: The Applicant and/or Permitee shall agree to indemnify and save the County, its officers, employees and agents harmless from any and all costs, damages and liabilities which may accrue or be claimed to accrue by reason of any work performed under a Permit to construct in a County Right of Way. The acceptance of any Permit shall constitute such an agreement by the Applicant and/or Permitee whether the same is expressed or not.

14. ***Construction Season:*** Construction Season shall be March 15 through November 15 of each calendar year. Exceptions must be approved by the County Road and Bridge Department prior to commencement of work.

15. ***Improved Roadway:*** Improved roadway shall mean all roadways within the County above the quality of untreated gravel.

16. ***Longitudinal Installations:*** Longitudinal Installations shall mean those installations which are more or less parallel to the Public Right of Way centerline.

17. ***One Location:*** One location shall mean one contiguous longitudinal excavation or project associated with one owner. In the case of transverse installations, the installations or construction associated with one lot, one property or one contiguous group of lots or properties under one owner shall be considered one location. Only one location is allowed per Permit.

18. ***Permitee:*** Permitee shall mean any person who is issued a Permit to Construct within a Public Right of Way of Chaffee County. The Permitee shall jointly be the Applicant, the owner of the proposed facility, and the eventual operator/maintainer of the proposed facility in the event another party will operate and maintain the facility upon completion. The Applicant shall assume those obligations associated with the construction; including the collateral, insurance and correction obligations. The owner or, upon transfer, operator/maintainer of the proposed facility shall assume those obligations and maintenance of the facility. All parties may be required to sign the permit, as determined by the Engineer.

19. ***Right of Way Permit:*** A Right of Way Permit will be required whenever work will occur within any County Right of Way, but not in the traveled portion of a roadway.

20. ***Road Cut Permit:*** A Road Cut Permit will be required whenever a cut will be made within the traveled portion of any County roadway, whether the surface is improved or unimproved.

21. ***Special Conditions:*** Special Conditions are conditions placed on the permit by the Engineer or Road Superintendent to tailor the permit to the special circumstances of the proposed construction. Special Conditions may waive, change, or add to the Regulations.

22. ***Transverse Installations: T***ransverse Installations shall mean those installations which cross the Public Right of Way more or less perpendicularly.

23. ***Unimproved Roadway:*** Unimproved Roadway shall mean all roadways within the County which are at or below the quality of untreated gravel.

24. ***Work Site Restoration:*** Work Site Restoration shall mean the restoring of all areas on or adjacent to the work site disturbed during construction, to at least a condition equal to that which existed before said construction commenced.

PLEASE REFER TO THE LAND USE CODE AND ROAD STANDARDS FOR OTHER REQUIREMENTS WHICH MAY APPLY. THIS PERMIT MAY NOT BE ALL INCLUSIVE.

I the undersigned have read, understood and hereby agree to abide by all requirements and definitions of this Permit.

Fee paid by _____ Amount _____ Date _____

Permit Issued by _____ Applicant: Owner ☐ Contractor ☐

Title_____ _____
Signature

Owner's name, if different from applicant: _____
Applicant: Print Name

_____ _____
Applicant: Address

_____ _____
Address ***Phone***

PERMIT FEE SCHEDULE

UTILITY POLE INSTALLATION PERMITS

Unless special conditions exist as determined by the Engineer or Road Superintendent, Utility Pole Installation Permits will be charged as follows:

Permit Fee: $35.00

ROAD CUT AND RIGHT OF WAY PERMITS

Longitudinal street cuts on the traveled portion of the roadway will be charged as follows:

Permit Fee:	$200.00 minimum	PLUS
0-60 feet	$ 0.25 per linear foot	
61-300 feet	$ 0.15 per linear foot	
over 301 feet	$ 0.05 per linear foot	

Longitudinal street cuts made on road shoulders which do not affect the traveled portion of the roadway will be charged as follows:

Permit Fee:	$150.00 minimum	PLUS
0-60 feet	$ 0.15 per linear foot	
61-300 feet	$ 0.08 per linear foot	
301 feet +	$ 0.02 per linear foot	

Transverse street cuts will be charged as follows:

Unimproved Roadway Permit Fee:	$200.00 - one location
Improved Roadway Permit Fee:	$250.00 - one location

PENALTY FEES

Penalty Permit: A Penalty Permit shall be issued to any person or persons who commence work prior to obtaining a regular Permit. The fee for this Permit shall cover all regular Permit fees plus a penalty of $100.

A penalty fee of $100 PER DAY will be assessed until project is rehabilitated to original standards and work completed. (*See item #5)*