

November 21st, 2011

SPECIAL MEETING

The Board of Commissioners of the County of Fremont, State of Colorado, met in Special Session on November 21st, 2011, 615 Macon Avenue, Fremont County Administration Building, Cañon City, Colorado. Commissioner Chairman Edward H. Norden called the meeting to order at 1:30 P.M.

Edward H. Norden	Commissioner	Present
Michael J. Stiehl	Commissioner	Present
Debbie Bell	Commissioner	Present
Katie Barr	Clerk and Recorder	Present
Brenda Jackson	County Attorney	Present

Also present: George Sugars, County Manager; Bill Giordano Planning and Zoning Director; Keith Berger, Royal Gorge BLM Field Manager; Greg Shoop, BLM Front Range District Manager; Denise Adamic, BLM Public Affairs Specialist; and Vince Hooper, BLM Project Manager for Over The River Project.

Keith Berger said they needed this meeting with the Fremont County Commissioners to inform them on record of their decision for the Over The River (OTR) Project. They had reached their decision on November 8th, 2011. They are currently in the 30 day appeal period and have not received any appeals as of today. County Attorney Jackson asked who has the right to appeal. An appeal can only come from someone who has provided comments in the past. The last day to appeal is December 8th, 2011. The plan calls for the BLM to issue a 29/20 land use permit contingent upon all the other agencies that have jurisdiction issuing their authorizations. The BLM is waiting on permits from Chaffee County, Colorado Department of Transportation, Colorado State Patrol, Fremont County and from the State Water Quality Control Commission. Commissioner Norden asked if there has to be a permit from the Division of Wildlife. Keith said the decision requires them to comply with the wild life mitigation that will be required. The State Land Board gave permission for the habitat improvement project to occur on state land. The Colorado State Parks and Wildlife also issues their approval. The OTR did receive permission from the State to use a section of land in the Bighorn Sheep Preserve. There were some changes from draft to final. These changes were mostly in Chapter 5 about mitigation. All of the required mitigation is included in the Record of Decision. Commissioner Norden asked if there are deadlines for obtaining these permits. They must be obtained prior to initializing construction. Keith said the next big task will be putting together the event plan management. He asked how long the County will need to complete their permit process. County Attorney Jackson explained the process should be completed in February. Commissioner Stiehl is concerned with unexpected issues coming up in the future. Stiehl asked if the BLM is a coordinating agency for the event management plan. Keith said the BLM does not want to speak for anyone else. OTR cannot proceed until the event management plan requirements have been met. Stiehl asked who has the authority to make decisions outside of the event management plan. Keith explained it would depend on what agency has jurisdiction over the issue that has come up. The unified command is described as: Each agency is part of this group and retains its permitting authority. The unified command group will stand behind the county if they need to add a requirement. This group should eliminate any clashes between any of the permitting authorities. This core team should be the decision makers. Stiehl asked if we need to have Intergovernmental Agreements (IGA) in place. Jackson said it is a good idea to have these in place as employees from different agencies may need to work together. Commissioner Bell asked if any part of the project is on private land. Keith said yes approximately 10 acres. The OTR needs to prove they have permission from the private land owners to use their land. Commissioner Norden asked if the BLM will be able to dictate what traffic delays CDOT and CSP impose. From a jurisdiction stand point the BLM cannot dictate what CDOT can do on the highway for lane closures.

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There needs to be plenty of public notification through signage, websites, radio and so on for construction delays. The public needs to be aware of how long it may take to drive through the Canyon once the construction begins. The event management plan will have to address different scenarios such as wild fires, floods, airspace, vendors and so on. The next step is to develop the event management plan which will take some time to accomplish. Bill Giordano said OTR has not yet sent out any of the notifications as required by the temporary use permit. Keith said they will get a word document version of the EIS to the Commissioners if needed. Jackson said all questions at the County level should be directed to Bill Giordano in the Planning and Zoning Department.

Chairman Norden adjourned the meeting at 2:40 P.M.

Clerk and Recorder