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**Council approves liquor license and sign contract P2**

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## RIDGWAY SCHOOLS



(Left to right) Ridgway e-Car club members Patrick Felberg, Graham Gould and Dylan Nafziger with mascot Louie showed off their completed 1971 Volkswagen Beetle electric conversion project at the Ridgway Elementary School garage on Aug. 17.  
*Plaindealer photo by Bill Tiedje*

## Building a better Beetle

BY BILL TIEDJE  
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Last week, five Ridgway students completed a two year project to take apart and rebuild a 1971 Volkswagen Beetle—and in the process, they gave the old bug a bit of a boost. Now it's an all out electric vehicle.

"It's got a lot of pick up," recent Ridgway graduate Graham Gould said, giving the car a quick test drive around the Ridgway Elementary School parking lot on Monday.

That's 110 foot-pounds of torque to be precise, explained Ridgway senior Dylan Nafziger.

Nafziger said the electric motor's

torque equates to about the same push you get from revving a conventional car to 4,000 RPMs. Only with an electric car, you experience that rotational force as soon as you step on the accelerator.

This massive amount of torque allows the car to go from zero to

**ELECTRIC CAR P19**

## OURAY COUNTY

### Colona marijuana permit moves forward

BY BILL TIEDJE  
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By a vote of three to one, the Ouray County Planning Commission on Tuesday recommended approval of a special use permit for a retail and medical marijuana store in Colona by Acme Healing Center.

The Board of Ouray County

Commissioners will have final say on whether the new marijuana store's special use permit and county-approved retail marijuana license are approved.

During a staff presentation, County Planner Mark Castrodale reminded planning commissioners to focus their attention on the relevant land use code sections for special use permits in commercial

zones, rather than regulations such as setbacks from schools which fall under the BOCC's authority per the county's marijuana ordinance, 2014-003.

As owner of the property in question (55 Hotchkiss Ave.), OCPC member Craig Jackman recused himself from the deliberations.

**MARIJUANA P18**

## OURAY COUNTY

### Local lessons from Animas accident

BY SHERIDAN BLOCK  
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The Animas is finally getting its color back.

It's been two weeks since the Environmental Protection Agency accidentally spilled three million gallons of toxic mine waste into the river, turning the naturally blue-green waters to a horrifying shade of jack-o'-lantern orange. Even though last week's test results from both the EPA and the Colorado Department of Public Health and Environment found water in the Animas has returned to "pre-incident levels" and the city of Durango officially celebrated the grand reopening of the river on Tuesday, the question remains: could this happen again?

On Thursday, Aug. 13, CDPHE released GIS data and maps with information regarding Colorado mining stream impacts and restoration efforts. According to the data, there are 230 total known abandoned mines throughout the state discharging contaminated water into local rivers. Of those, 47 abandoned mines have active water treatment programs in place for the leaking waters and another 35 mines are being investigated for remediation. That means 148 mines are likely still impacting water quality without any active water treatment program in place.

While a majority of these mines are located around Silverton, Ouray County has its fair share of abandoned mines needing attention.

In Ouray County, 28 total mines are draining, and 11 of those, including Atlas Mine and Camp Bird Mine, are likely impacting water quality. Other mines such as the Michael Breen and the Revenue are draining mines with active water treatment, and the Vernon Mine is under investigation or being remediated.

The Uncompahgre Watershed Partnership has spent several years working to address water quality issues at these mines. Currently, the group is focused on addressing the Michael Breen, Vernon and Atlas mines.

Last year, UWP's remediation efforts at Michael Breen included drainage diversion from the mine adits as well as water quality sampling. According to Agnieszka Przeszlowska, a subcontracted project manager for UWP, the group will conduct the last phase of remediation early next week, which will include re-vegetation of areas of the constructed diversion ditch and existing waste rock. This phase will include applying soil amendments, planting native seed and mulching.

In early September, the Colorado Division of Reclamation Mining and Safety will conduct safety audit closures and will work with UWP to remove Vernon Mine waste rock from Gray Copper Gulch. Re-vegetation is scheduled for next year.

UWP is also partnering with other organizations to design a stream restoration project on Sneffels Creek to stabilize the channel away from Atlas Mine tailings, which Przeszlowska hopes to begin in October.

All three of the projects are funded by the CDPHE's Non-point Source Program. Przeszlowska explained that the

**ANIMAS P18**

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## ANIMAS lessons learned

### FROM P1

projects are being implemented at "abandoned sites where there is no liable party for the contamination of heavy metals and/or acid mine drainage they are causing." She noted that the projects are "pretty simple, passive approaches" to remediation at small sites.

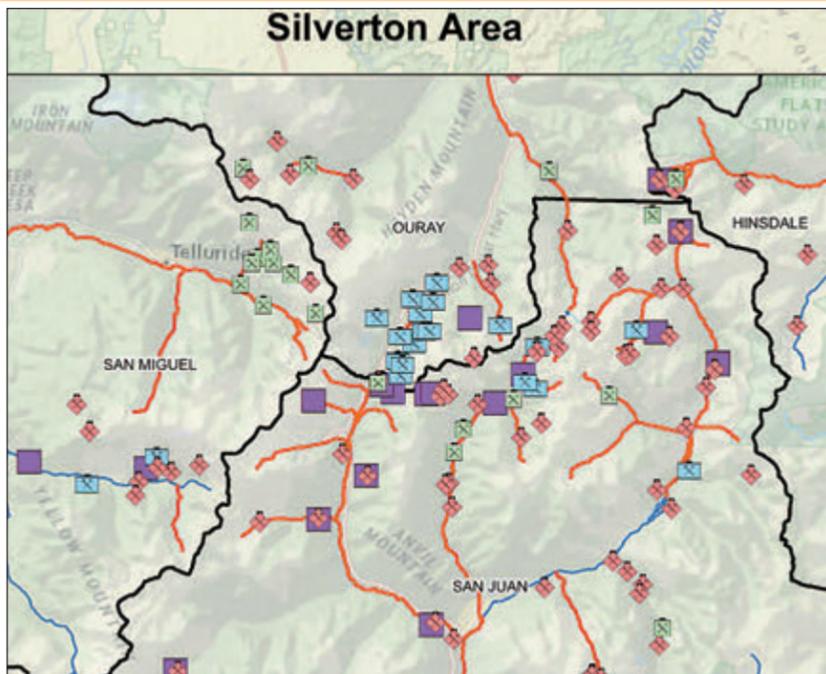
"We are not conducting large-scale cleanups that could expose UWP, a Good Samaritan third-party, to potential liabilities incurred by remediation which directly affects quality and quantity of discharge or large-scale cleanups similar to the EPA's efforts in the Animas River Watershed," she said.

When UWP does work with abandoned mines, it consults and works closely with local, state and federal entities on project design and assesses risks associated with site-specific remediation approaches as well as potential impacts from various disturbances over the long term, said Przeszlowska. All restoration projects are subject to natural and anthropogenic (human-caused) disturbances and the probabilities of occurrence are often uncertain; however, what's at risk when the environmental and even human health impacts from abandoned mines go unaddressed?

"The Gold King Mine spill is very unfortunate. But it is also bringing public awareness to the magnitude of water quality problems associated with abandoned mines in our region and highlights the need for more remediation," said Przeszlowska. "The Uncompahgre River headwaters are defined by the same highly mineralized Silverton Caldera as the Animas watershed and numerous abandoned mines also exist in the Uncompahgre (Valley). Although natural loading will always occur, we can address water quality impacts from abandoned mines."

Unfortunately, the Clean Water Act doesn't safeguard or minimize liability for "Good Samaritans" such as UWP and other non-profit organizations to conduct necessary remediation efforts. However, in the wake of the EPA spill, Sen. Michael Bennet announced last week that he plans to reintroduce the "Good Samaritan" bill that will give communities this tool to clean up abandoned mine sites. He is expected to work with Rep. Scott Tipton on the initiative.

There's a lesson to be learned from all this. While the Animas accident was a tragic incident, it's got the nation talking about the larger issues at hand.



A map detailing draining mines in the southwest region. A majority of these mines are clustered around Silverton, and Ouray County contains 28 mines. The green squares indicate draining mines with active water treatments, blue indicates mines under investigation or being treated and red indicate mines which are likely affecting local waters with no treatment plan in place.

Map courtesy CDPHE

## MARIJUANA store permit

### FROM P1

During the public hearing, Ouray County resident Karla Waltz stated her opposition to the retail marijuana facility, citing its proximity to a church and school bus stop. She also presented several letters from fellow county residents who opposed a new retail marijuana store.

Waltz said she lives on the Colona end of Log Hill and regards Colona "very closely" as her home.

"The children will be exposed to this environment. There are a lot of negative benefits," she stated. Waltz also expressed concern with the dispensary's signs being larger than signs on the church or museum in Colona and noted that a medical marijuana dispensary is already 1.3 miles away on US 550.

Speaking as authorized agent for the proposed retail marijuana store, Chris Sanchez of AHC said his company is excited to add a fifth location in Colona. He said the new location will provide Montrose residents with a closer retail marijuana location.

"We feel we have a really good record in Ridgway," Sanchez said. "We feel we have melted into the communities we are in right now. We're a very open book. We have a very good rapport with local police and sheriffs."

AHC has locations in Crested Butte, Carbondale, Durango and Ridgway.

OCPC member Chris Carr questioned whether any issues had come up at the Ridgway location.

Sanchez said the only issues the store has experienced involved drunk people coming in the store.

"In general, it's been a very great environment," he said.

Jackman noted that the proposed AHC Colona location would not open until after 1 p.m. on Sundays in recognition of the nearby church service.

Castrodale said the applicant met all applicable special use permit requirements for signs, septic system, visual impact and parking.

OCPC member John Baskfield suggested the applicant should ensure that zoning of all affected parcels allows commercial uses to avoid creating a non-con-

forming use issue. Additionally, he said, a building inspector visit is required in the case of a change of use.

Baskfield's suggestions were adopted as conditions for approval of the special use permit.

Additionally, OCPC member John Peters noted that the building appeared to cover three lots, but only one lot was listed in the application.

A third condition added for approval required the listing of all included parcels.

The board also debated the parking spaces proposed in front of the building in the public right-of-way on Hotchkiss Avenue.

Jackman said parking in Colona was historically allowed on the unpaved portion of the street, noting such parking was approved for a recent special use permit for a new coffee shop in Colona.

Castrodale said because there is very little commercial property in Ouray County, there was a scarcity of precedent to follow.

County Attorney Marti Whitmore agreed with Castrodale, saying she was not aware of any interpretations of the land use code regarding parking in the right-of-way.

Jackman pointed out that the county road and bridge department had reviewed the application and did not cite any concerns with road access.

OCPC member Tim Currin said he was concerned with the proximity of the proposed marijuana store to a church. Additionally, Currin indicated, he felt the "off street" parking was inadequate.

"It's clear enough to me that (the parking) should be onsite," Currin said.

Chair Randy Parker acknowledged that Currin's concerns could fall under the Land Use Code Section 5.3A(8) which considers whether the permit request is "consistent and compatible with the community character and surrounding land uses..."

Currin moved to not recommend approval of the special use permit; however, his motion died for lack of a second.

Peters moved to recommend approval of the special use permit, subject to conditions specified by staff and the planning commission, including: requirements to meet all licensing, signs and lighting regulations; to mitigate any objectionable odors; and, to pass building inspector approval.

Peters' motion carried.

In other business, the OCPC approved the new Land Use Code Section 32: Lot Line/Boundary Adjustments and Elimination of Parcel(s).

Whitmore clarified that adjustments made under this section would not apply

to parcels within a planned unit development or subdivision that was approved and recorded by the county.

The new code section allows property owners to alter or remove boundaries with a streamlined BOCC approval process so long as no additional parcels are created. Creation of any new "non-conformity" is also disallowed in this process.

Lot lines can be eliminated though this process, but the loss of housing density cannot be used elsewhere without a plat adjustment.

Baskfield commented, "This (new code section) is really important for the people of Ouray County."

### How they voted...

Recommend approval of special use permit for retail marijuana store, passed 3 to 1, Peters, Baskfield, Parker in favor, Currin opposed, Carr abstained

Approve language in Land Use Code Section 32: Lot line/boundary adjustments, passed unanimously

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