



MEMORANDUM

Memo

TO: John Shepard

FROM: Bob Perry

DATE: May 6, 2019

SUBJECT: Last Resort RV Park & Campground CUP (PLN19-170)

After reviewing the package submitted for this project we have the following requests:

- After construction of the pads and driveways and before the occupancy of the site, the Engineering Department will require a signed and sealed letter from the design engineer stating that the site was built according to the approved plans (dated-April 4, 2019) and will work appropriately in accordance with Road and Bridge Design Standards.

John Shepard

From: Heinlein - CDOT, Jo <jo.heinlein@state.co.us>
Sent: Thursday, April 25, 2019 3:04 PM
To: John Shepard
Cc: Shaylyn Hatch - CDOT
Subject: Re: COUNTY REVIEW: Last Resort RV Park CUP (PLN19-170)

Hi John,

No State Highway Access Permit has ever been issued for CR 339 (either end). The applicant should submit a new access permit application for this change in use.

Since the access (CR 339) is technically owned by Archuleta County, either Archuleta County can sign the application as Permittee/Property Owner, and the land use applicant can sign as access permit applicant; or Archuleta County can waive their right to be permittee (in writing) and provide a copy of that waiver letter to CDOT. Then the land use applicant can sign the access permit application as permittee/property owner. Either one of these processes assigns the rights of permittee to the applicant and places no obligation on Archuleta County for fulfilling any of the terms and conditions of the access permit.

CDOT has some concerns about the sight distance at this location, but a field review will be performed to determine if this distance is adequate. For an RV park as the primary use, the sight distance will need to be 850 feet. If this distance cannot be met, CDOT may not be able to issue an access permit for this location to accommodate the increased use without the requirement for construction of a dedicated left turn lane.

Let me know if you need additional information.

Thanks,

Jo Heinlein

Permits Program Manager



Region 5 - Traffic & Safety

P 970.385.3626 | F 970.385.8361

3803 N. Main Ave., Suite 100, Durango, CO 81301

From: Robert Perry <rPerry@archuletacounty.org>
Sent: Tuesday, May 7, 2019 3:57 PM
To: John Shepard <jShepard@archuletacounty.org>
Subject: RE: Last Resort RV & campground Memo

John,

At this point I am choosing to ignore the CDOT request for a Right-of-Way Permit for CR-339 access to Hwy 84. No other county road in Archuleta County has an access permit on record for access to a state hwy.

CR-339 predates Hwy 84, so CR-339 accessed Hwy 84 when it was built, which may explain why CR-339 does not have existing access paperwork.

There is 850 feet of sight distance on the West intersection of CR-339 & Hwy 84, so that is not an issue.

I do not want to voluntarily begin a process that would require Archuleta County to generate significant paperwork on each and every county road that intersects with a state highway and has some sort of development adjacent to that county road or any of its tributaries any time there is a development. CDOT may have the resources to process that kind of paperwork, but Archuleta County R&B does not.

If it becomes mandatory, for whatever reason, then we may begin the process, but not until it is **mandatory** .

Bob

John Shepard

From: Heinlein - CDOT, Jo <jo.heinlein@state.co.us>
Sent: Thursday, May 30, 2019 10:07 AM
To: John Shepard
Subject: Re: COUNTY REVIEW: Last Resort RV Park CUP (PLN19-170)

Hi John,

I think perhaps Bob misunderstood what is involved in issuing an access permit for a County Road. If the County is instigating the change in use of the County Road that intersects with a State Highway then, yes, the County would be responsible for all the paperwork involved in getting the permit. When a private land owner whose property takes direct access to a County Road proposes a change in land use on their property, CDOT must assess the impacts to the highway at the County Road intersection. HOWEVER, the County can (and usually does) waive its right to be permittee (as owner of the "property" that takes direct access to the highway) to the applicant (the owner of the private property that is causing the impact to the State Highway).

In general, most county roads (not only in Archuleta County, but also in all 15 of the counties in our Region) existed prior to when the Access Law/Code went into effect (1979); this is why most county roads do not have permits. However, the Access Code requires that when there is a change of use on a property, or on a public street that intersects a state highway, a new access permit must be obtained to cover the existing and new uses of that access (intersection).

If this CUP is going to be approved by the County, the property owner **MUST** apply for a new access permit application for the intersection of the County Road at SH 084.

The waiver mentioned above can be in one of two forms:

1. A very simple letter, for which I can provide an example. In fact, Archuleta County provided such a letter for the expansion of A-Affordable Storage onto Meadows Drive.
2. Alternately, a representative of the County can simply sign the access permit application as Permittee/Property Owner, and the applicant (owner of the RV Park) who also signs the permit application form is then authorized to pursue the permit application on their own behalf. The County needs to do nothing further, including not having to sign the permit when issued.

Also, we are required to measure sight distance for every access permit application we process. I don't doubt that Bob's estimate is reasonably accurate, but the State Highway Access Code has delineated a very specific process for measuring sight distance, and we must follow that process.

Thanks,

Jo Heinlein

Permits Program Manager

From: [Robert Perry](#)
To: [John Shepard](#)
Cc: [Yari Arceneaux](#); [Dixi Rivera](#); [Scott Wall](#); [Brent Archuleta](#); [Timothy Hatch](#)
Subject: CDOT ROW Permits External
Date: Friday, May 31, 2019 8:15:47 AM

John,

In reference to the CDOT ROW Permit issue, I have chosen to discount the issue in relation to the Last Resort RV Park because it simply does not rise to the level of a change of use on the road. The RV Park has been there for many years and adding 8 new drive through spaces, while it may trigger land use regulations, it does not, in my opinion, constitute a significant change of use of the county road that would require a CDOT ROW Permit. This is a small change in ADT and no change in the type of traffic. So, unless CDOT wants to track every change in ADT, which means every house or apartment or RV Space, then in my opinion, a CDOT Permit is not required until a change in road status from a small neighborhood road to a Collector, or from a Collector to a Major Collector or from a Major Collector to an Arterial, then a ROW Permit is not required.

I understand that we need to submit a CDOT ROW Permit if our Road & Bridge Dept. is doing any construction work, other than annual grading, at the intersection of a county road and a state highway and within the state ROW. I also understand that if we have a significant change in ADT or the type of vehicles being used on a county road that, some conversation with CDOT needs to take place. However, I do not intend to become a CDOT clerk filling out ROW Permits for every minor change in ADT. If that is the intention, then that requirement, for filling out a CDOT ROW Permit application for every building permit or change in land use will be deferred to the land owners. My responsibility in those cases is simply access to county road ROW, unless or until the classification status of the road changes, then I will have some responsibility with CDOT in the process.

I'm not sure why this came up on this particular parcel of land when we have had other land use issues that affected ADT or change in types of vehicles much more significantly than this issue, but a change of 16 ADT (8 in and 8 out) should not rise to the level of attention that this has received. We have ranch and household driveways that affect ADT more than this.

Respectfully,

Bob Perry P.E.
Archuleta County
Public Works Director/County Engineer

From: Crabb - DNR, Chester <chester.crabb@state.co.us>

Sent: Monday, April 29, 2019 4:34 PM

To: John Shepard <jShepard@archuletacounty.org>; Jeff Titus - DNR <jeff.titus@state.co.us>

Subject: Re: Site & Utility Plans RE: COUNTY REVIEW: Last Resort RV Park CUP (PLN19-170)

Hi Mr. Shepard -

The current well permit #48649 is approved for up to 30 Recreational Vehicle (RV) sites. **No** - well permit modification is required for the expansion from 20 to 28 RV sites.

Thanks

Joe Crabb

Lead Water Commissioner - Pagosa Springs

Division 7



P 970-731-2931 | F 970-259-0944 C 970-769-2931

46 Eaton Drive, Suite 6, Pagosa Springs, CO 81147

chester.crabb@state.co.us | www.water.state.co.us

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COLORADO
Department of Public
Health & Environment

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

May 29, 2019

TJ FITWATER
256 COUNTY ROAD 339
PAGOSA SPRINGS, CO 81147

LAST RESORT RV PARK AND CAMPGROUND - PWSID CO0204466

Requirements for Transient, Non-Community, Ground Water Public Water System (PWS)

Dear Mr. Fitwater:

The Colorado Department of Public Health and Environment ("Department") received information for LAST RESORT RV PARK AND CAMPGROUND ("Supplier") from Archuleta County on May 24, 2019. Based upon the information that was received the following regulatory definitions and requirements are being provided to you:

- Public Water System Identification (PWSID) CO0204466 has been assigned to the Supplier. This number is used to identify the Supplier on all samples, forms, and correspondence.
- The Supplier's drinking water system consisting of 15 service connections with plans for additional service connections meets the definition of a Transient, Non-Community (TNC) Public Water System with a source classification of Ground Water pursuant to The Colorado Primary Drinking Water Regulations, Regulation No. 11, 5 CCR 1002-11 ("Regulation 11"), Section 11.3(60,84) and 11.3(36), respectively.
- The Supplier's water system facility classification pursuant to the Water and Wastewater Facility Operators Certification Requirements, Regulation 100, 5 CCR 1003-2 ("Regulation 100") is "[D]" for treatment and "[1]" for distribution.
- Water supplied to the public must be continuously disinfected at all times using a chemical treatment method, Regulation 11, Section 11.11(2).
- The Supplier must obtain Department design approval prior to beginning construction or installation of any new waterworks, making improvements to or modifying existing waterworks or begin using a new source, Regulation 11, Section 11.4(1).

The following table provides information regarding the regulatory requirements pertaining to the Supplier's drinking water system.

Requirement	Deadline/Timing
<p><u>System Information and Monitoring Plan:</u></p> <p>Complete and submit the Monitoring Plan sections required for the Supplier according to Regulation 11, Sections 11.5(3)(a), 11.16(4), and 11.5(4) including:</p> <ul style="list-style-type: none"> • System Summary Information: This includes the Contact Form, Population, and System Inventory Sections. All correspondence from the Department will be sent to the Administrative Contact with an electronic copy to each Owner Contact and Operator Contact(s). • Revised Total Coliform Rule Sampling Plan. 	<p>As soon as possible, but no later than July 11, 2019</p> <p>Monitoring plan templates can be accessed at: colorado.gov/cdphe/monitoringplans</p>
<p><u>Operator:</u></p> <p>Obtain a treatment operator at or above the minimum required "[D]" treatment certification level and "[1]" distribution certification level, Regulation 100, Section 100.2.1</p> <p>Submit written notification to the Department of the updated operator information via completion of a Contact Update Form, Regulation 100 Section 100.9.1(b) and 100.9.4.</p>	<p>As soon as possible, but no later than July 28, 2019</p>
<p><u>Department-approved Disinfection</u></p> <ol style="list-style-type: none"> 1. Collect one (1) total coliform sample every two weeks until chemical disinfection is installed and operational, Regulation 11, Section 11.1(6)(a) and report the results in accordance with Section 11.35(2). 2. Install and operate continuous chemical disinfection treatment. In the interest of public health, the Supplier may install continuous chemical disinfection prior to Department approval. The Supplier is strongly encouraged to contact the Department's Engineering Section at 303-692-6298 to discuss the planned chemical disinfection system prior to commencing construction. Please review Attachment A. 3. Install and operate Department-approved continuous chemical disinfection treatment at all sources. The Department expects the Supplier to submit a completed design package for continuous chemical disinfection system for Department approval, Regulation 11, Sections 11.4(1), 11.11(2), within three months. 4. Submit Construction Completion As Approved Form (As-Built) and update monitoring plan with new treatment inventory. 	<ol style="list-style-type: none"> 1. Beginning June 1, 2019 2. As soon as possible but no later than July 28, 2019 3. No later than November 29, 2019 4. No later than 30 calendar days from construction completion

<p><u>Compliance Monitoring:</u></p> <p>Perform compliance sampling in accordance with the posted Monitoring Schedule, have the samples analyzed in accordance with Regulation 11, Section 11.46(1).</p> <p>The Supplier is required to:</p> <ul style="list-style-type: none"> • Collect total coliform sample(s) according to the Supplier Monitoring Schedule once chemical disinfection is installed and operational. Additionally, measure the disinfectant residual at the same time and at the same sampling location as each total coliform sample are collected according to Regulation 11, Section 11.11, 11.8, and/or 11.23. • Collect chemical sample(s) according to the Supplier's Monitoring Schedule on the Department's website. 	<p>Please check the schedule immediately and perform sampling per the schedule. All schedules are effective June 1, 2019.</p> <p>Monitoring schedules are updated on a weekly basis. The deadlines pertaining to these sampling requirements are found in the Supplier's Monitoring schedule, which is found on the Department's website at wqcdcompliance.com/schedules.</p>
<p><u>Back Flow and Cross Connection Control:</u></p> <ol style="list-style-type: none"> 1. Develop a completed written backflow prevention and cross-connection control program, Regulation 11, Section 11.39(2). Guidance, forms and templates is available at colorado.gov/cdphe/wqcdcompliance 2. Complete an annual backflow prevention and cross-connection control program report, Regulation 11, Section 11.39(4). 	<ol style="list-style-type: none"> 1. As soon as possible, but no later than August 28, 2019 2. Annually, by May 1st of the following calendar year.
<p><u>Safe Drinking Water Program Annual Fee</u></p> <p>Since 2007, the Colorado General Assembly has required that some funding for the Safe Drinking Water Program be attained from fees paid by public drinking water systems. The fee is based on population served, system type, and source water type. The minimum fee is currently \$75.00. A fee invoice is sent to all public water systems each July.</p>	<p>Upon receipt of the annual fee invoice, submit payment as directed.</p>

Please note that pursuant to Regulation 11, Section 11.33(1), the Supplier will be required to perform public notification to all persons served by the water system and the Department will notify San Juan Basin Health Department of the issues if:

1. The Supplier fails to complete all requirements in accordance with the specified deadlines, or
2. Bacteriological sampling results indicate the presence of coliform bacteria and/or *E.coli*, or
3. The Department becomes aware of other information or situation pertaining to the Supplier's water system that poses a risk to public health.

The definition of a public water system is self-implementing. It is the responsibility of all water systems in Colorado to assess whether their system is a public water system and to comply with the regulations accordingly. There is not a notification process whereby a system only becomes a public water system if the Department notifies that system. A system becomes subject to regulation as a public water system at the point the system began operating a system meeting the definition of a public water system under Regulation 11.

A representative of the Department's Local Assistance Unit (LAU) may contact the Supplier to schedule a site visit at your PWS. This site visit will verify the information initially collected, and the LAU representative will be able to answer any additional questions related to becoming a PWS. Please note that these requirements may change based on the Department's site visit.

Resources and Other Information:

- Please visit wqcdcompliance.com to access Drinking Water Templates, Forms and Schedules that are referenced in this letter and to access available guidance documents.
- Information regarding the design submittal and review processes is found on the Department's website at colorado.gov/cdphe/design. Please direct any associated questions to the Engineering Section at 303-692-6298.
- A laboratory certified by the Department must analyze all drinking water samples. A list of certified laboratories is available on the Department's website at colorado.gov/cdphe/dwllabs or by contacting the Laboratory Services Division at 303-692-3048.
- Supplier-specific operator certification requirements are available at wqcdcompliance.com/schedules.
- Submittal of Design Information:

Submit one hard copy and one electronic copy of submittals to:
CDPHE-WQCD ES B2
4300 Cherry Creek Drive South
Denver, CO 80246
CDPHE.WQEngReview@state.co.us

- Submittal of all other items, excluding design submittals, must be made using one of the following methods:

(1) Electronically - via the Drinking Water Portal

- Files submitted electronically must be in PDF format.
- Files are submitted using the Department's [Drinking Water Portal](#) Drinking Water Portal
- The Portal is an easy-to-use, online way for water systems and laboratories to submit drinking water compliance data, reports and other information.
- First-time users must create an account. The Portal is located at wqcdcompliance.com/login.
- For more information about the Portal, visit our web page at: wqcdcompliance.com/batchdisplay/_individuals/Drinking%20Water%20Portal%20User%20Guide%20-%20Frequently%20Asked%20Questions.pdf

(2) By Mail

CDPHE Water Quality Control Division
WQCD-B2-CAS Drinking Water Compliance Assurance Section
Attention: Leticia Bisgard
4300 Cherry Creek Drive South
Denver, Colorado 80246-1530

(3) By Fax

Fax: 303-758-1398

Please include a cover sheet addressed to the attention of Leticia Bisgard.

- The regulations referenced in this letter can be accessed at the following links:
 - colorado.gov/pacific/cdphe/water-quality-control-commission-regulations
 - colorado.gov/pacific/cdphe/water-and-wastewater-facility-operators-certification-board-wwfocb
- Other Assistance and Tools - colorado.gov/cdphe/tools-drinking-water-facilities-managers

If there are any questions regarding the contents of this letter and/or requirements for the Supplier, please contact Alex Hawley by phone at 303-691-7805 or by email at alex.hawley@state.co.us.

ec:

TJ FITWATER - LASTRESORTRV@CENTURYTEL.NET - AC

LIANE JOLLEN - LJOLLON@SJBPUBLICHEALTH.ORG; SAN JUAN BASIN PUBLIC HEALTH

JOHN SHEPPARD - JSHEPARD@ARCHULETECOUNTY.ORG

File: CO0204466, ARCHULETA COUNTY, TRANSIENT, NON-COMMUNITY GROUNDWATER

ATTACHMENT A

The Department acknowledges that the Supplier meets the definition of an active public water system, has existing waterworks prior to discovery, does not have Department approval for these waterworks, and does not have disinfection treatment installed. To provide the most basic protection of public health, the Department expects the Supplier to install a temporary chemical disinfection system until all waterworks are approved, constructed, and operated in accordance with the requirements of the *Colorado Primary Drinking Water Regulations* (Regulation 11).

Per section 11.4(1)(b)(iv) of Regulation 11, decisions regarding the review and approval of plans and specifications for new waterworks or improvements or modifications to existing waterworks shall be based on conformance to the design criteria developed by the Department specified in Policy DW-005, *State of Colorado Design Criteria for Potable Water Systems* (Design Criteria). Section 1.7 Demonstration Scale Evaluations of the Design Criteria allows the Department to authorize temporary demonstration scale treatment installations to determine whether a new process will provide a long-term benefit. **Considering that the Supplier does not have approved disinfection treatment in place to meet the requirements of Regulation 11, the Department authorizes the Supplier to install a demonstration scale disinfection treatment system using sodium hypochlorite in accordance with the following conditions:**

- The authorization is effective as of the date of the Department's requirements letter.
- The duration of the demonstration scale evaluation is limited to one year from the date of the Department's requirements letter.
- The temporary sodium hypochlorite system must meet the following minimum requirements:
 - Chemicals must be ANSI/NSF standard 60 certified per section 2.21 of the Design Criteria
 - Chemical feed equipment and controls must be in compliance with sections 5.1.2 and 5.4.4 of the Design Criteria
- Examples of pre-accepted equipment may be found in the Pre-Accepted Non-Community Groundwater Source/Treatment/Storage Drinking Water Design Submittal found at the following link: colorado.gov/pacific/sites/default/files/WQ-ENG-FORM-2014%20NCGW%20Pre-accepted%20Source-Disinfection%20Drinking%20Water%20Submittal%20Form.doc.
- The Supplier must submit and receive Department approval of plans and specifications for permanent installation of all waterworks as required by Regulation 11 by the date in the requirements letter.
- The Supplier must install and have operational all permanent waterworks as approved by the Department by the date in the Department's requirements letter.
- The Supplier is responsible for ensuring that the temporary demonstration scale system and operation complies with all federal, state, and local requirements.
- The Supplier is responsible for conducting all compliance monitoring as required by Regulation 11 and any additional sampling required by the Department.

From: [Brian Devine](#)
To: [John Shepard](#)
Subject: Planning Agency Comments PLN19-170 Last Resort RV Park
Date: Monday, May 6, 2019 1:20:06 PM
Attachments: [image003.png](#)

John,

The property owners of the Last Resort RV Park at 256 County Road 339 have applied for an OWTS permit (application number WWP2019-0101) to alter the existing system currently serving the RV park on the property. The expansion design proposes to serve 6 additional RV/travel trailer sites with individual water and sewer connections by expanding the current OWTS (most recent final permit is WWP2009-047A). The details of this design are still undergoing review, but the basic design concept and sizing calculations have been approved. SJBPH continues to work with the design engineer on the component details. The six RV sites with sewer connections are the only new facilities accounted for in the expansion design.

Regards,

Brian Devine, MS

Water/Air Quality Program Manager

970-335-2030

SAN JUAN BASIN

public health

Existing septic system records are now available online: [Click here](#) to begin searching.

ON-SITE WASTE WATER TREATMENT PERMIT


APPLICANT	PROPERTY OWNER	CONTRACTOR
THE LAST RESORT RV PARK & CAMPGROUND INC. 256 CR 339 PAGOSA SPRINGS, CO 81147 (970) 264-6464	THE LAST RESORT RV PARK & CAMPGROUND INC. 256 CR 339 PAGOSA SPRINGS, CO 81147 (970) 264-6464	LIC #: EXP:
ADDRESS: 256 COUNTY RD 339, PAGOSA SPRINGS	PARCEL #: 588734101013-A	
PERMIT TYPE: ALTERATION	SUBDIVISION: Hudson Rio Blanco	
LOT #: U8L1	LOT SIZE (ACRES): 8.98	
DWELLING UNITS: 0	BEDROOMS: 0	
SITE EVAL LTAR: 0.8 gpd	LIMITING ZONE: Groundwater	
DEPTH: 5 ft	WATER SUPPLY: Well	
SEPTIC TANKS: add 1500 gal to existing		
DESIGN FLOW: add 600 gpd		
DISTRIBUTION: Pressure, Pump		
SOIL TREATMENT: Add 4 trenches of 3'x40' Add 40 Infiltrator chambers 1.5 in pressure pipe w 1/4" orifices @ 4 ft centers		
WORK DESCRIPTION: Expanding STA and adding septic tank to accommodate 6 additional RV sites. Total system capacity under current regulations is 2000 gpd.		

SPECIAL CONDITIONS

None

PLEASE READ BEFORE SIGNING

I HEREBY CERTIFY, UNDER PENALTY OF PERJURY, 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 HERIN OR NOT. THE GRANTING OF THE PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISIONS OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OF THE PERFORMANCE OF CONSTRUCTION.

			5/9/19
Owner, Contractor, Agent Signature	Date	Authorized By	Date

FINAL INSPECTION

The above system has been inspected and found to comply with the requirements as described on the issued permit.

System Installed by (name,company,phone)	Environmental Health Specialist	Date

RIVERBEND ENGINEERING
C/O CHRIS PITCHER
102 N 3RD ST
PO BOX 2979
PAGOSA SPRINGS, CO 81147
System Designed by (name,company, phone)



Pagosa Fire Protection District



May 6, 2019

John Shepard
Planning Manager
Archuleta County Development Services
PO Box 1507
Pagosa Springs, CO. 8114

RE: Last Resort RV Park & Campground CUP PLN19-170

Mr. Shepard,

The Pagosa Fire Protection District has no objections to the proposed CUP on the aforementioned property.

Sincerely,

Kelly Robertson
Captain Fire Prevention Director

Planning Department

My wife and I moved into the home directly above the campground, The Last Resort RV Park & Campground Inc., operated by TJ and Stacey Fitzwater in September of 2018. We live in the home directly overlooking and closest to the campground and if anyone is expected to be affected by the addiotnal 8 RV sites to be added under this proposal then it would be us. We have been surprised at how little impact the campground has made on our scenic views and day to day activities. I believe this is because the campsite is well run and well maintained by TJ and Stacey. We have no objections to the addition of 8 RV sites.

We would have attended the meeting to be held on May 22nd but will out of town during that time frame.



Steve Cox



Michelle Cox

719-425-5735

295 County Road 339

Pagosa Springs, CO 81147