

**SAGUACHE COUNTY LAND USE OFFICE**  
**NATIVE RANGELAND APPLICATION FORM**

Submit to: Saguache County Land Use Department  
PO Box 326  
Saguache, CO 81149  
(719) 655-2321 Fax (719) 655-2321

Completed application form and an application fee of \$125.00 must be submitted at least one (1) week prior to the Board of County Commissioners meeting at which approval is requested.

Name of Landowner \_\_\_\_\_ Phone \_\_\_\_\_

Name of Applicant \_\_\_\_\_ Phone \_\_\_\_\_

Mailing Address \_\_\_\_\_

Legal Description of Cultivation Site \_\_\_\_\_

Present use of land \_\_\_\_\_

Requested use of land \_\_\_\_\_

Please attach a copy of your water well permit or ditch rights, a copy of your Conservation Plan approved by the Natural Resources Conservation Service and a wildlife statement compiled in conjunction with the Colorado Division of Wildlife.

Application will be considered incomplete without the above documents attached.

Signature of Landowner \_\_\_\_\_ Date \_\_\_\_\_

Signature of Cultivation \_\_\_\_\_ Date \_\_\_\_\_

Received by \_\_\_\_\_ Date \_\_\_\_\_

.....  
Approved NRCS Plan attached: \_\_\_\_\_ Yes \_\_\_\_\_ No

Date of NRCS review \_\_\_\_\_

Date of BOCC review \_\_\_\_\_

COLORADO DIVISION OF WILDLIFE  
POTENTIAL WILDLIFE IMPACT APPLICATION INFORMATION  
SAGUACHE COUNTY, COLORADO

APPLICANT \_\_\_\_\_

ADDRESS \_\_\_\_\_

LEGAL DESCRIPTION OF PROPOSED PROPERTY \_\_\_\_\_

DESCRIPTION OF HABITAT AND CURRENT LAND USE:

---

---

PROPOSED LAND USE CHANGE:

---

---

ANALYSIS OF POTENTIAL IMPACT

---

---

MITIGATION PLAN (if any impact are identified)

---

---

---

---

---

---

---

---

---

---

Saguache County Land Development Code  
effective April 19, 2022

ARTICLE XVII

NATIVE RANGELAND PLOW-OUT AND CULTIVATION OF LANDS SUBJECT  
TO WIND HAZARD

**XVII.1. General Provisions**

XVII.1.1. Purpose and Intent

XVII.1.1.1. To ensure that land-disturbing activities in areas containing privately owned native rangelands shall be conducted in a manner which minimizes damage to those resources for future use.

XVII.1.1.2. To prevent soil erosion and dust blowing that results from improper soil management techniques.

XVII.1.1.3. To ensure that both food and wildlife are preserved to the greatest extent possible for the benefit of present and future inhabitants of Saguache County, the State and the Nation.

XVII.1.1.4. To regulate the use of land on the basis of impact thereof on the community or surrounding areas.

XVII.1.1.5. To regulate the location of activities, which may result in significant changes in population density.

XVII.1.1.6. To otherwise plan for and regulate the use of land so as to provide planned and orderly use of land, and protection of the environment in a manner consistent with constitutional rights.

XVII.1.2. Applicability

XVII.1.2.1. The provisions of this Article shall apply to application for permits to engage in cultivation of lands over 20 acres in size, which consist of 25% or more of the soils listed in Appendix A, Sections 7 and 42.

XVII.1.2.2. Any person seeking to cultivate soil types that are listed in Appendix A, Sections 7 and 42, that are found within Saguache County shall obtain a permit pursuant to this Code.

XVII.1.2.3. This section applies to any person or persons seeking to cultivate or plow lands listed in Appendix A, Sections 7 and 42, which have not been cultivated prior to October 15, 1984.

Saguache County Land Development Code  
effective April 19, 2022

XVII.1.3. Non-conforming Use

The provisions of this Article shall not apply to any non-conforming use existing on or before October 15, 1984, provided, however, that any such non-conforming use which may hereafter cease to be cultivated for a period of five (5) consecutive years shall thereafter become subject to the provisions of this Article.

XVII.1.4. Relationship to other Regulations

Nothing in this Article shall be construed as exempting an application from any other requirement of Saguache County or any State or Federal laws.

**XVII.2. Application and Permits**

Applications for permits are available in the Office of the Land Use Administrator during normal business hours.

Application must be signed by the landowner(s).

Property Taxes on all affected parcels must be current at the time of Board of County Commissioners decision. A Certificate of Taxes Due will be obtained at the beginning of the application process and before the Board of County Commissioners final review.

XVII.2.1. Permit Submission Requirements

Applicants for a permit to engage in cultivation or plowing of native rangelands shall submit to the Board of County Commissioners through the Land Use Administrator the following:

- XVII.2.1.1. A completed application;
  - XVII.2.1.2. A complete legal description of the land involved;
  - XVII.2.1.3. A map delineating the proposed land use change;
  - XVII.2.1.4. A conservation plan approved by the local Soil Conservation District, which shall delineate the proposed usage of said lands, and the specific cultivation techniques and practices, which shall be required;
  - XVII.2.1.5. A wildlife impact statement;
  - XVII.2.1.6. A non-refundable application fee as established by the Board of County Commissioners in the fees for land use applications/permits.
- XVII.2.2. Permit Application and Approval Procedure

Saguache County Land Development Code  
effective April 19, 2022

The following review process will be used for consideration of applications.

- XVII.2.2.1. If the applicant has a conservation plan approved by the local Soil Conservation District board, the Board of County Commissioners may issue a permit summarily.
- XVII.2.2.2. If the local Soil Conservation District board disapproves the conservation plan, the applicant may appeal to the Board of County Commissioners for a hearing.
- XVII.2.2.3. In a timely manner after receiving an appeal for a hearing, the Board of County Commissioners shall set a date for a hearing. At the hearing, the applicant may be present to testify and present evidence on his behalf if he so desires.
- XVII.2.2.4. The Board of County Commissioners may approve the application without plan approval from the Soil Conservation District Board, if the applicant's conservation plan ensures that cultivation will be conducted in a manner which will minimize damage to the soil, minimize soil erosion and dust blowing potential and minimize any other adverse impacts on surround property.
- XVII.2.2.5. Upon issuance of a permit pursuant to this Article, the conservation plan and permit shall be filed and recorded upon the land records of the Saguache County Clerk and Recorder.

**XVII.3. Administration and Enforcement**

In addition to the administration and enforcement procedures described in Article X, the following apply to native rangeland plow-out and cultivation of lands subject to wind hazard.

**XVII.3.1. Enforcement Provisions**

When the Board of County Commissioners is advised that a landowner or operator is cultivating or causing to be cultivated any land in violation of this Article, the Board of County Commissioners is authorized to issue an order to the owner as listed upon records of the Saguache County Assessor, specifying that cultivation shall cease immediately. Such an order may be issued only after a hearing, which shall be conducted by the Land Use Administrator not less than forty-eight hours after written notice thereof is given to the owner of said land or cultivator of said land. At which time the owner and/or cultivator may be present, with counsel, and be heard. The order shall require that the owner or cultivator cease said nuisance or hazard immediately. The owner or cultivator is

Saguache County Land Development Code  
effective April 19, 2022

given a reasonable period of time not to exceed thirty (30) days to come into compliance with this Article.

A cease and desist order issued by the Board of County Commissioners shall be reviewable in District Court for the County wherein the land is located, and upon a petition filed not later than ten (10) days after the order is issued.

- XVII.3.1.1. Within thirty (30) days of the receipt of such order, the landowner shall make an application for a permit as provided in Section 2 of this Article.
- XVII.3.1.2. If the landowner fails to submit the information in Section 2 of this Article, or if the landowner fails to comply with provisions of any approved permit, or if the landowner advises the Board of County Commissioners that he/she does not intend to, or cannot, comply with the provisions of the approved permit, the Board of County Commissioners may take the reasonable action necessary to re-vegetate and/or stabilize the land specified in the order issued pursuant to Section 3.1 of this Article. Notice of such action shall be sent by certified mail to the landowner prior to the performance of such action.
- XVII.3.1.3. Any order to re-vegetate and/or stabilize or any decision by the Board of County Commissioners to cause said land to be re-vegetated and/or stabilized shall be subject to review by the District Court, but such action for review must be brought by the landowner within thirty (30) days from the date of such order or decision.