

STATE OF COLORADO

John W. Hickenlooper, Governor
Christopher E. Urbina, MD, MPH
Executive Director and Chief Medical Officer

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

4300 Cherry Creek Dr. S. Laboratory Services Division
Denver, Colorado 80246-1530 8100 Lowry Blvd.
Phone (303) 692-2000 Denver, Colorado 80230-6928
Located in Glendale, Colorado (303) 692-3090

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



Colorado Department
of Public Health
and Environment

Covenant Information:

Covenant ID **HMCOV00085**

Covenant Date 7/26/2012

Self Reporting

Media of Concern:

Surface Water:

Ground Water:

Air:

Soil:

Other:

Site Contact Information:

Owner Corp: Boy Scouts of America Denver Area Council

Contact Name: Jim Machamer, Deputy Scout Executive

Contact Address: Boy Scouts of America Denver Area Council

Contact City: Denver

Contact State: CO

Contact Zip: 80215

Contact Phone: 720-266-2127

Contaminants of Concern:

PAH from shooting range target debris

Property Restrictions:

- 1: No excavation, construction or drilling that alters ground surface or disturbs the target fragments permitted in the Target Fragment Areas.
- 2: No scouting activities including, but not limited to, vehicle or pedestrian travel, permitted in the Target Fragment Areas.
- 3:
- 4:
- 5:

Site Information:

ID: SW ELB PVS

Name: Peaceful Valley Scout Ranch

Address: 22799 North Elbert Rd.

City: Elbert

State: CO

Zip: 80106

Legal Description:

See covenant

PEACEFUL VALLEY SCOUT RANCH

104°32'0"W

104°31'30"W

104°31'0"W

Featured Institutional Control



39°11'30"N

39°11'30"N

39°11'0"N

39°11'0"N

39°10'30"N

39°10'30"N

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HMC0V00085

0 500 1,000 Meters





This property is subject to an Environmental Covenant held by the Colorado Department of Public Health and Environment pursuant to section 25-15-321, C.R.S.

ENVIRONMENTAL COVENANT

The Boy Scouts of America Denver Area Council (BSA DAC) grants an Environmental Covenant ("Covenant") as of the 26th day of July, 2012, to the Hazardous Materials and Waste Management Division of the Colorado Department of Public Health and the Environment ("the Department") pursuant to § 25-15-321 of the Colorado Hazardous Waste Act, § 25-15-101, et seq. The Department's address is 4300 Cherry Creek Drive South, Denver, Colorado 80246-1530.

WHEREAS, the BSA DAC is the owner of certain property commonly referred to as Peaceful Valley Scout Ranch (PVSR), located at located at 22799 N. Elbert Rd. Elbert, CO 80106, more particularly described in **Attachment A**, attached hereto and incorporated herein by reference as though fully set forth (hereinafter referred to as "the Property"); and

WHEREAS, pursuant to the Closure/Post-Closure Plan, Peaceful Valley Scout Ranch, Former Travis and Dietler Shooting Ranges, certain portions of the Property identified herein are the subject of enforcement and remedial action pursuant to the Solid Waste Disposal Sites and Facilities Act, § 30-20-101, et seq.; and

WHEREAS, the purpose of this Covenant is to ensure protection of human health and the environment by limiting access to certain portions of the Property known as the former Travis and Dietler shooting ranges which contain target fragments, described in Attachment A and depicted and identified by GPS points in **Attachment B** and **Attachment C** ("Target Fragment Areas"). Regular monitoring as per the Closure/Post-Closure Plan will be conducted to ensure soil levels remain within acceptable State of Colorado Soil Evaluation Values and target fragments are maintained within the environmental covenant area.

WHEREAS, the BSA DAC desires to subject the Property to certain covenants and restrictions as provided in Article 15 of Title 25, Colorado Revised Statutes, which covenants and restrictions shall burden the Property and bind the BSA DAC and all parties now or subsequently having any right, title or interest in the Property, or any part thereof, and any persons using the land, as described herein, for the benefit of the Department and OWNER.

NOW, THEREFORE, the BSA DAC hereby grants this Environmental Covenant to the Department, and declares that the Property as described in Attachment A shall hereinafter be bound by, held, sold, and conveyed subject to the following requirements set forth in paragraphs 1 through 11, below, which shall run with the Property in perpetuity and be binding on the BSA DAC and all parties now or subsequently having any right, title or interest in the Property, or any part thereof, and any persons using the land, as described herein. As used in this Environmental Covenant, the term OWNER means the then current record owner of the Property and, if any, any other person or entity otherwise legally authorized to make decisions regarding the transfer of the Property or placement of encumbrances on the Property, other than by the exercise of eminent domain.



- 7) Third Party Beneficiary The OWNER of the Property is a third party beneficiary with the right to enforce the provisions of this Covenant as provided in § 25-15-322, C.R.S.
- 8) No Liability The Department does not acquire any liability under State law by virtue of accepting this Covenant.
- 9) Enforcement The Department may enforce the terms of this Covenant pursuant to §25-15-322. C.R.S. The BSA DAC may file suit in district court to enjoin actual or threatened violations of this Covenant.
- 10) Owner's Compliance Certification OWNER shall execute and return a certification form provided by the Department, on an annual basis, detailing OWNER's compliance, and any lack of compliance, with the terms of this Covenant. Owner's obligation for this certification shall only be when the required form is delivered to the BSA DAC via first class mail, or by hand or overnight delivery.
- 11) Notices Any document or communication required under this Covenant shall be sent or directed to:

Roger Doak, Unit Leader
Solid Waste Permitting Unit
Hazardous Materials and Waste Management Division
Colorado Department of Public Health and Environment
4300 South Cherry Creek Drive South
Denver, Colorado 80246-1530

And to:

Scout Executive Denver Area Council
Boy Scouts of America
Hamilton Scout Headquarters
10455 West 6th Avenue, Suite 100
Denver, CO 80215



Accepted by the Colorado Department of Public Health and Environment this 31ST day of July 2012.

By: Gary W. Baughman

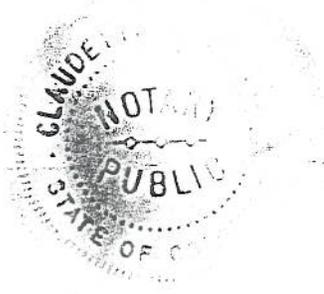
Title: Director, H&M WMD

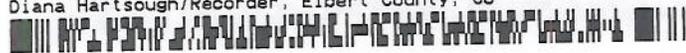
STATE OF COLORADO)
) ss:
COUNTY OF DENVER)

The foregoing instrument was acknowledged before me this 31 day of JULY, 2012 by GARY W BAUGHMAN on behalf of the Colorado Department of Public Health and Environment.

Claudette M. Jones
Notary Public
4300 Cherry Creek NW So
Address
Denver, CO 80246

My commission expires: October 21, 2015





PEACEFUL VALLEY SCOUT RANCH

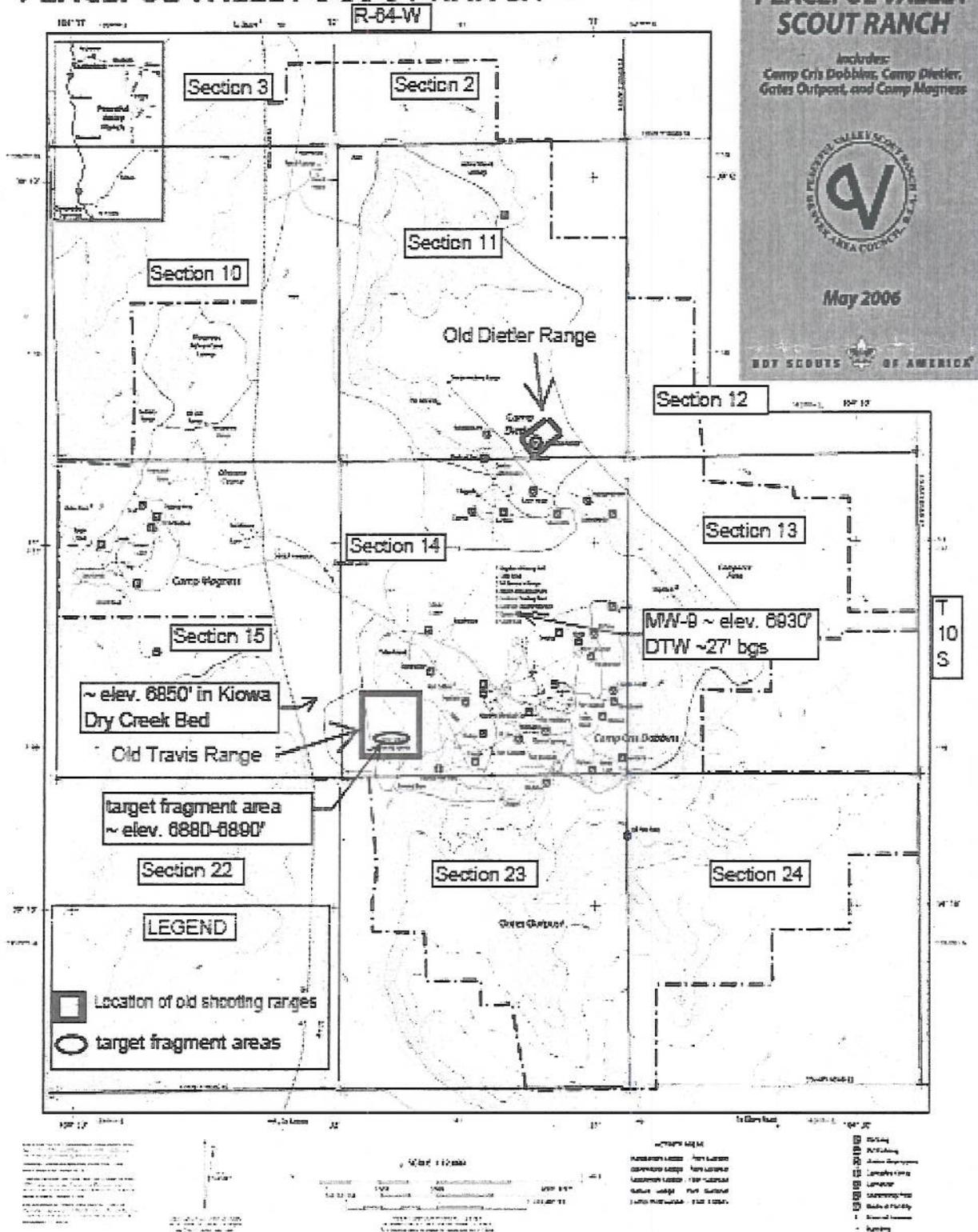


Figure 1. PVSR - Location of old Travis and Dieter Ranges

Travis Range Target Fragment Area



39.1745
-104.5299

39.1741
-104.5299

39.1737
-104.5299

39.1745
-104.5306

39.1737
-104.5306

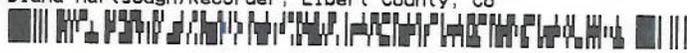
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-104.5313

39.1741
-104.5313

39.1737
-104.5313

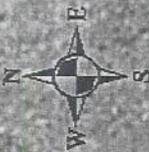
Legend

- Corners and Mid-Points (Decimal Degrees)
- Covenant Protected Area Perimeter





Camp Dietler Range Target Fragment Area



Legend

- Corners and Mid-Points (Decimal Degrees)
- Covenant Protected Area Perimeter

