



Fwd: FW: Ralston Creek Floodplain Issues

1 message

Kaldenbach - DNR, Tom <tom.kaldenbach@state.co.us>
To: Kathy Alire - DNR <kathy.alire@state.co.us>

Tue, Jan 28, 2014 at 10:54 AM

Kathy,

Please insert this email string into Lf under:

M-1977-300, Schwartzwalder Mine
General Correspondence

Thanks,

Tom

----- Forwarded message -----

From: **Ken Mushinski** <Ken.Mushinski@cotterusa.com>

Date: Thu, Jan 16, 2014 at 10:59 AM

Subject: FW: Ralston Creek Floodplain Issues

To: "Kaldenbach - DNR, Tom (tom.kaldenbach@state.co.us)" <tom.kaldenbach@state.co.us>, "tony.waldron@state.co.us" <tony.waldron@state.co.us>, "Harris - CDPHE, Mike" <michael.harris@state.co.us>

Cc: John Hamrick <John.Hamrick@cotterusa.com>, Gus Gaviotis <Gus.Gaviotis@cotterusa.com>

Gentlemen,

This email below is an example of what we are dealing with regarding restoring access to the Schwartz. As you may or may not know, FEMA has rejected JeffCo's request (Cotter could not request the funding as we are not the under riding landowner) for funding to repair the road, JeffCo is refusing to participate in restoring the road and JeffCo is demanding any replacement road be upgraded to modern standards (even though they say they don't want or need the road and would abandon it if left to them). While Cotter remains fully committed to completing the reclamation at the mine in a timely manner, any help with funding, permitting etc. any of you can bring to the situation would be greatly appreciated.

Thanks,

Ken

Ken Mushinski

President, Cotter Corporation (N.S.L.)

O: 720.554.6207

M: 858.232.2816

From: Fischer, Jon S. [mailto:Jon.Fischer@denverwater.org]

Sent: Thursday, January 16, 2014 9:51 AM

To: Dennis, Laura A.; DeWitt, Beth A.; Christensen, Russell M.; Stengel, Tony J.; Arnold, Daniel J.; Turney, Amy S.; Ken Mushinski; Nathan Cobler; Reum, Steve C.; Shable, Devin D.; Turney, Matt S.; Gogas, Brian J.; LaPan, Tim M.; Faselt, Gary; Mountfort, Tom

Subject: Ralston Creek Floodplain Issues

All,

We may have a regulatory delay on the Ralston Creek Inlet Culvert project. I won't go into all of the details, but Jefferson County is in the process of formally requesting clarification from FEMA on how this project (and many others throughout the Front Range) are to be administered in regards to documenting a rise or decrease in the official floodplain elevation. Under normal circumstances a project within a floodplain can only cause a 0.1 ft. rise or a 0.3 ft. decrease in the official floodplain without invoking a Letter of Map Revision (LOMR) process which is an official change of the floodplain. The LOMR process can be lengthy and requires public notification, rigorous hydraulic analysis and a lot of paperwork. The crux is that it is not practical to accurately analyze the pre-flood conveyance capacity of the channel. The current floodplain is based on a Zone A level analysis, which is highly approximate and likely did not even consider the old culvert crossing. Jefferson County's current position is that the project cannot move forward until FEMA clarifies this and we meet whatever requirements they conclude are necessary. Worst case, we are re-mapping the whole floodplain from the Reservoir up to the Mine. This restriction also applies to the planned road work upstream of the culvert crossing although we may be able to negotiate approval to proceed with that work if we are subjected to an extended delay.

I'll transmit further information and any schedule impacts when I receive additional information. Thanks.

JON

Jon Fischer

Denver Water | t: (303-628-6678)

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Tom Kaldenbach

Senior Environmental Protection Specialist
Colorado Division of Reclamation, Mining and Safety
1313 Sherman St., Room 215
Denver, CO 80203
(303) 866-3567, ext. 8128