



## COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

### Notice of 112c Construction Materials

### Reclamation Permit Partial Acreage Release Request Consideration

DATE: June 18, 2014

TO: Arapahoe County Commissioners  
County Commissioner  
5334 S Prince  
Littleton, CO 80166

FROM: Tyler O'Donnell, Environmental Protection Specialist *TOD/SMS*

RE: Schmidt Construction Company, Coal Creek Resources, Permit No. M-1988-044

Please be advised that on June 17, 2014, Schmidt Construction Company, whose address and telephone number are 2635 Delta Dr. , Colorado Springs, CO 80910; (719) 392-4207, submitted a request for partial acreage release for the Coal Creek Resources, Permit No. M-1988-044. The construction materials extraction operation is located at or near Section 24, Township 5S, Range 65W, 06th Prime Meridian, in Arapahoe County.

Written comments or objections to the release may be submitted to, and additional information obtained from, the Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, Colorado 80203, (303) 866-3567. Comments or objections should be submitted as soon as possible. The Division is required to wait 30 days after the release decision is made to allow for comments or objections.





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### Reclamation Permit Partial Acreage Release Request Consideration

DATE: June 18, 2014

TO: Colorado State Board of Land Commissioners  
1127 Sherman Street, Suite 300  
Denver, CO 80203

FROM: Tyler O'Donnell, Environmental Protection Specialist *TOD/sms*

RE: Schmidt Construction Company, Coal Creek Resources, Permit No. M-1988-044

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1313 Sherman Street, Room 215  
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DATE: June 18, 2014

TO: Scott Davis  
Schmidt Construction Company  
2635 Delta Drive  
Colorado Springs, CO 80910

FROM: Tyler O'Donnell, Environmental Protection Specialist *TOD/SMS*

RE: Schmidt Construction Company, Coal Creek Resources, Permit No. M-1988-044

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### Reclamation Permit Partial Acreage Release Request Consideration

DATE: June 18, 2014

TO: Sally Lobel  
Board of Supervisors - Soil Conservation District  
West Arapahoe Conservation District  
655 Parfet St Rm E300  
Lakewood, CO 80215-5517

FROM: Tyler O'Donnell, Environmental Protection Specialist *TOD/SMS*

RE: Schmidt Construction Company, Coal Creek Resources, Permit No. M-1988-044

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TOD  
TAK

Mark A. Heifner

37 East Colorado Avenue • Denver, Colorado 80210-3105 • (303) 777-3371

RECEIVED

June 5, 2014

Tom Kaldenbach  
Div of Reclamation, Mining, and Safety  
Room 215  
1313 Sherman Street  
Denver, CO 80203

"Acreage Reduction  
Submission"

JUN 06 2014  
DIVISION OF RECLAMATION  
MINING AND SAFETY

RE: Request for release of reclamation performed on a portion of Coal Creek Resource sand pit  
Permit: M-1988-044 AR05

Certified Mail No.: 7006 2150 0001 7307 1921 Return Receipt Requested

Dear Mr. Kaldenbach,

Enclosed please find two copies of release request for about 26 acres of mined land at the above noted site. In the opinion of Schmidt Construction, the permittee, as well as my own opinion, this reclamation has been completed to the standards of the reclamation law and rules and regulations. The Colorado Board of Land Commissioners, the owner of the land, also feels that the reclamation has been completed. Included is a formal request letter from Scott Davis, a map showing the location of the land, as well as some quite recent photos showing the condition of the site. It is our belief that the land now fully meets the expectations for the reclamation of riparian land within the floodplain of Coal Creek.

Tony Waldron indicated to me that you would likely be the staff member who would handle this matter and that possibly Tyler O'Donnell may also be included. Please keep in mind, as indicated in the letter, this is the first of a two step process. This step involves determined whether the land can be released as being reclaimed. The next step, which would immediately follow, would be done with a Technical Revision where a very large portion of the current permitted land would be removed from the permit because it is no longer included in the lease granted by the Land Board. When both steps are completed, the permit would include only currently leased land. No mining operations are being conducted outside the currently leased land.

Please contact myself at (303)777-3371 or (303)906-8096 when you wish to inspect the area. You may also contact Scott Davis. Perhaps when you inspect this area the land no longer leased can be reviewed so long as you are on the site. One other large area is currently being reclaimed and will soon be seeded, but of course will not be ready for release for a few years. When that reclamation work is completed, the amount of unreclaimed mined land will be the smallest it has been in a very long time. And only a small amount of additional disturbance will occur before the operation closes and all the remaining affected land is reclaimed.

Thank you for your consideration.

Sincerely,

Mark A. Heifner

cc: Scott Davis  
Phillip Courtney

✓AF & RPT 3-28-14

✓Violations MV1991036, MV1995076



June 4, 2014

Division of Reclamation, Mining and Safety  
Room 215  
1313 Sherman Street  
Denver, CO 80203

RE: Request for release of reclamation for a portion of the Coal Creek Sand Resource pit  
Permit: M-1988-044 Arapahoe County, Colorado

Dear Sirs:

Schmidt Construction Company requests the 25.79 acres of reclaimed land in the South Lowland area be considered for release. Schmidt does not request that any bond be released for this land as a part of this release, but simply the reclamation be approved for release. Bond adjustments will be a part of the second step in the process, as described below.

A new 5-year lease has been approved by the Colorado State Board of Land Commissioners. It is expected that this operation will likely end at the end of the 5 years (April 2019). That lease reduces the land to about 1/3 the acreage included in the current permit. After consideration of this release request, a technical revision will be submitted that will adjust the permit area to be consistent with the lease area. That revision will remove approximately 1800 to 2000 acres that has never been affected and is not expected to be affected in the future. If this South Lowland reclaimed land can be approved for release then the 80 acres included in the new lease for this area can also be removed from the permit as well as the lease.

Enclosed is a map showing the area requested for release as well as four pages of photographs showing the land included in the release request. The vegetation density and growth is excellent with a very successful return of riparian trees and shrubs as well as herbaceous species. As the photographs show, the area has returned to a condition that is characteristic of high plains waterways and is quite a bit better than most high plains stream channels. Coal Creek seems to have established a stable channel now and has shifted from primarily sheet flow to primarily a channel flow as expected and desired.

The address and phone number of the landowner is as follows:

Colorado State Board of Land Commissioners  
1127 Sherman Street, Suite 300  
Denver, CO 80203-2206  
(303) 866-3454

You should speak to Pete Milonas or Phillip Courtney about this matter. (Lease GL264)

Thank you for your attention to this request.

Sincerely,

  
Scott Davis

1101 Topeka Way • Castle Rock, CO 80104 • (303) 660-0439

AN EQUAL OPPORTUNITY EMPLOYER

## South Lowland Photos May 29, 2014



Photo 1: View west across Coal Creek at the road crossing in the south lowland. Reclaimed land is both upstream and down stream from the crossing. The road and immediately adjacent land to the left and right were removed from the permit because of oil and gas activities.



Photo 2: View east by northeast across the reclaimed land south of the road crossing toward the road crossing and some of the reclaimed land north of the road crossing. Affected land outlined in red.

## South Lowland Photos May 29, 2014



Photo 3: View across reclaimed land north of the road crossing. Channel in foreground is the main channel Coal Creek has established through this broad floodplain.



Photo 4: Main Coal Creek channel south of the road crossing



## South Lowland Photos May 29, 2014



Photo 5: Former main channel. After mining, this channel experienced heavy erosion due to shortening of stream course. With Corps of Engineers approval, this channel was shifted to regain original length and this channel was reclaimed.



Photo 6: Middle portion of main channel south of the road crossing. This is the new channel established after cutting off the original channel that was reclaimed (above). Sand encroachment is coming from upstream locations well above the southern limit of the mining.

## South Lowland Photos May 29, 2014



Photo 7: Upper main channel. Area affected is outlined in red.



Photo 8: Upper main channel. End of the mining area was just beyond the dense grove of young cottonwoods growing in the stream channel. Sand encroachment is coming from migration of sand downstream from the channel and adjacent lands up to about 2 miles (and maybe more) upstream from this location. Heavy stream flows after large thunderstorms cause the migration. However, vegetation in the channel continues to develop, thanks to the removal of grazing from the riparian corridor.

Owner of permitted and adjacent land:  
Colorado State Land Board

Land requested for  
Release  
25.79 acres

Reclaimed and Released

**New Category (added 2012) -**  
Land Released from Reclamation Permit  
due to Oil and Gas Activities.

1" = 600'  
600'

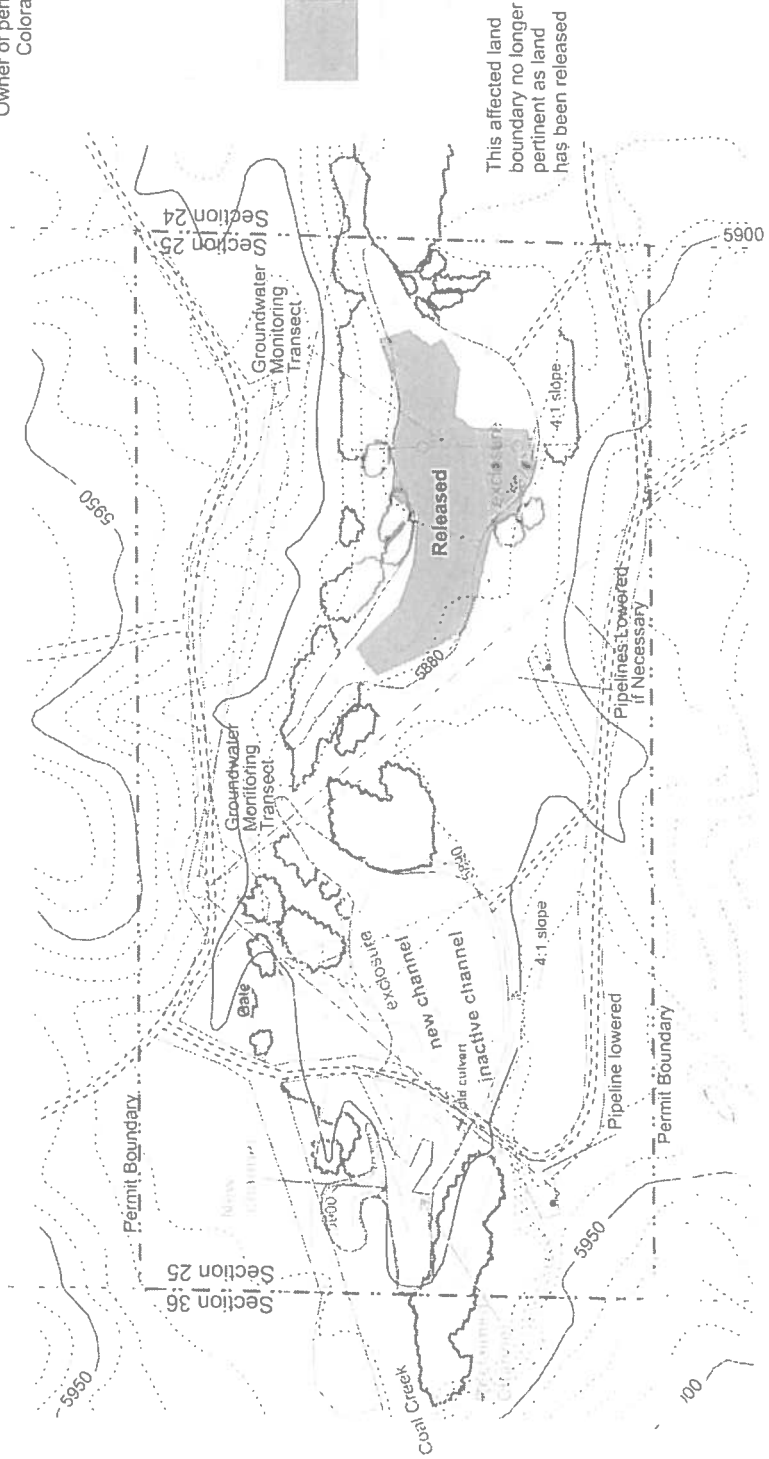
**South Lowland Mining Area**  
Coal Creek Resources  
Schmidt Construction Company

Map of Land Requested for Release

Drawn by: MANSWES

Date: June 2014

Map Scale: 1" = 600' (Revised 2014)



Permit Boundary  
320.6 acres (on this map)  
Original Expected Mining Zones  
as approved in 1996 amendment

(Note: all roads remain)