

PSH
WKE



COLORADO DIVISION OF RECLAMATION, MINING AND SAFETY
1313 Sherman Street, Room 215, Denver, Colorado 80203 ph(303) 866-3567

REQUEST FOR FULL OR PARTIAL RELEASE OF PERMIT

RECEIVED

Please indicate if you are requesting:

FULL/FINAL RELEASE OF ENTIRE PERMITTED AREA ☐

FEB 09 2016

ACREAGE REDUCTION (PARTIAL RELEASE) ☒

**DIVISION OF RECLAMATION
MINING AND SAFETY**

If you are requesting an acreage reduction, you will need to specify how many acres you wish to remove from the existing permit under this revision. I wish to release 126.48 acres at this time. You will also need to submit updated mining and reclamation plan maps that accurately depict both the proposed acreage to be released from the current permit area, and the resulting new permit boundary.

File No.: M- 1977-081 Site Name: Greeley West Site

County: Weld

Permittee: City of Greeley

AR02
✓ Complied!
✓ 0 Violations

Operator (If Other than Permittee): _____

Permittee Representative: Burt Knight, City of Greeley Water and Sewer Director

Certified Mail# 7015 3010 0001 5577 5104

In accordance with Rule 4.17.1(2) the Operator shall include the names, addresses and phone numbers of all owners of record to the affected land. Please attach additional sheets for this information if required.

1. City of Greeley, 1100 10th Street, Suite 300, Greeley CO 80631 (970) 350-9811

2. Weld County, 915 10th Street, Greeley CO80631 (970) 356-4000

In accordance with Rule 4.17.1(4) the Operator or their agent MUST sign that they have complied with the following statement: "All applicable portions of the Reclamation Plan requirements have been satisfied in accordance with these Rules and all applicable requirements under the Act."

[Signature]
Signature of Permittee, Operator or their authorized agent

2/3/16
Date

Important: In accordance with Rule 4.17.1(3) This release request must be submitted to the Division via certified mail and separate from any other correspondence to the Division.



February 5, 2016

Colorado Department of Natural Resources
Division of Reclamation, Mining and Safety
Attn: Mr. Peter Hays
1313 Sherman Street; Room 215
Denver CO, 80203

RE: Partial Release Request for City of Greeley Permit M-1977-081 (Greeley West Pit)

Dear Mr. Hays:

The following information is being re-submitted on behalf of our client, City of Greeley, for the Greeley West Pit (M-1977-081). As you know, there is a DRMS permit overlap related to the old Flatiron and Lafarge Greeley West Pit permit (M-1977-081) and the 25th Avenue Site (M-2002-020) permit. The Greeley West Pit permit was transferred to the City of Greeley in 2012, so the City currently owns both permits. In a letter dated January 5, 2016, DRMS released 76.41 acres of the 25th Avenue Site. This acreage is still included under the Greeley West Pit permit.

Based on our discussions during the site inspection on December 10, 2015, we prepared the enclosed "Request for a Partial Release of Permit Area" for the Greeley West Pit permit (M-1971-081). The current permitted area is 203.13 acres, as described in the Response to Completeness Comments letter prepared by Blue Earth (March 16, 2012) during the 25th Avenue Site amendment application process in 2012. From the Greeley West Pit permit area of 203.13, the City is requesting a release of 126.48 acres leaving only 76.65 acres permitted under M-1977-081 (see attached exhibits). The remaining permit area will consist of two separate parcels; one north of the Cache la Poudre River (38.49 acres) and one south of the river (38.16 acres). Approximately 119.6 acres of the requested release area will remain under the 25th Avenue Site permit (M-2002-020).

In the inspection report from the December 10, 2015 inspection, you requested clarification of the Greeley West Pit and 25th Avenue Site amendment area acreages. The Response to Completeness Comments letter from 2012 included:

The total Greeley West Pit acreage not included in the 25th Avenue Site amendment application is 7.11 acres. The [25th Avenue Site] amendment area is 197.51 acres. These two areas add up to 204.62 acres, approximately 1.5 acres greater than the existing Greeley West Pit permit area of 203.13 acres. However, the 25th Avenue Site amendment area also includes the "notch" property on the east side of the property, an area of unknown size. The notch acreage and inaccuracies of the 295 acre original permit area likely comprise the 1.5 acre difference in areas.

The 2012 25th Avenue Site amendment area included 197.51 acres, almost covering the exact same ground as the Greeley West Pit permit area. In a January 5, 2016 letter, DRMS

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released 76.41 acres (areas in the southeast corner and north of the Poudre River) leaving 121.10 acres of the 25th Avenue Site 2012 permit amendment area. With the exceptions listed above, this acreage is equal to the Greeley West Pit requested acreage release of 126.48 acres. The following table has been added to organize an understanding of site acreage for both the Greeley West Pit and the 25th Avenue Site.

Description	Parcel#	Acreage
25th AVENUE SITE		
Permit Area prior to January 5, 2016 acreage reduction		284.64
Original 25 th Avenue Site Permit (after 2.03 acreage release in 2012)		87.13
Original 25 th Avenue Site Amendment Area		197.51
Acreage Released from Amendment Area January 5, 2016		76.41
2012 Amendment Area Remaining (not including original acreage)		121.10
GREELY WEST PIT		
Permit Area as per 2012 25 th Avenue Site Amendment (Does not include original 25 th Avenue Site permit area)		203.13
In Greeley West Pit Permit, but not in 25 th Avenue Site Amendment		
Flatiron Sand and Gravel Company O Street Access	80525000028	0.24
80' between Colorado Southern Railroad and SW Ponds		2.31
Cache la Poudre Trail	80536100016 and 80536100017	1.18
City of Greeley 35 th Avenue Stormwater ditch	80536000048 and 80536000050	3.38
In 25 th Avenue Site Amendment, but not in Greeley West Pit Eastern "notch" assumed acreage		1.49
Release Request Acreage		126.48
Remaining Acreage Following Proposed Release Request		76.65

The owners of the properties to be released are:

City of Greeley
 1100 10th Street, Suite 300
 Greeley, Colorado 80631
 (970) 350-9811

Weld County
 915 10th Street
 Greeley Colorado 80631
 (970) 356-4000

In compliance with Subsections 3.1.1 through 3.1.4 of Section 3.1, Reclamation Performance Standards, Construction Material Rules and Regulations, a post-mining land use was established for the site, approved by the Office, and a reclamation plan was formulated. The vast majority of the area for release will continue to be permitted under the 25th Avenue Site

permit (M-2002-020). The 7.11 acres for final release include a railroad ROW, County trail, and municipal stormwater ditch. None of these areas were disturbed by mining activities and comply with additional subsections of the Reclamation Performance Standards.

3.1.5 Materials Handling

Backfilling and grading meets reclamation requirements.

- No mining steep slopes or highwalls, drill or auger holes, or adits or shafts were created or left in the permit area for release.
- No refuse, acid-forming, or toxic producing materials have been mined or produced on the site.
- Material that could potentially cause unauthorized releases of pollutants to the surface drainage system was not mined or disposed of within the proposed area for release.
- No unauthorized release of pollutants to groundwater occurred from materials mined or handled within the permit area for release.

3.1.6 Water – General Requirements

Disturbances to the prevailing hydrologic balance caused by the proposed area for release were minimal.

- The operator has complied with applicable Colorado water laws and regulations governing injury to existing water rights.
- The operator has complied with applicable federal and Colorado water quality laws and regulations, including statewide water quality standards and site-specific classifications and standards adopted by the Water Quality Control Commission.
- The operator has complied with all applicable federal and Colorado dredge and fill requirements.
- No temporary or permanent siltation structures were constructed or left within the proposed area for release.
- No dams were constructed in conjunction with the Greeley West Pit permit.
- Surface areas of the proposed area for release are vegetated for stabilization as required to control erosion.

3.1.7 Groundwater

The operator has complied with applicable groundwater quality standards in effect during mining operations and reclamation activities at the site.

3.1.8 Wildlife

The Greeley West Pit is not considered prime wildlife habitat.

- Mining and reclamation activities did not disturb existing wildlife species that require special consideration on or near the site.

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- Wildlife habitat creation was not a part of the reclamation plan.

3.1.9 Topsoiling

Topsoil was minimal or absent from the Greeley West Pit prior to mining activities.

- Topsoil was not removed, stockpiled, handled, or replaced within the proposed release area.
- The proposed release area is vegetated for soil stability.

3.1.10 Revegetation

The proposed release area is vegetated.

3.1.11 Buildings and Structures

There are no buildings or structures not owned by the property owner within the proposed release area.

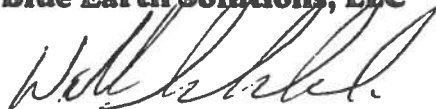
3.1.12 Signs and Markers

All signs and markers have now been removed from the proposed area for release.

As the Greeley West Pit representative for the City of Greeley, we are satisfied that the reclamation requirements of the proposed permit release area listed above were met in accordance with Rule 3 of the Reclamation Performance Standards. Should you have any questions or require additional information, please do not hesitate to call me at (970) 227-2803.

Sincerely,

Blue Earth Solutions, LLC



William Schenderlein

Encl:

Cc: Bill McDowell, Cottonwood Land and Farms, LLC
Mike Hart, Hart Environmental
Certified Mail # 7015 3010 0001 5577 5104



RECEIVED

FEB 09 2016

DIVISION OF RECLAMATION
MINING AND SAFETY

LEGEND

- Existing Fence
- Overhead Powerlines (Xcel Energy)
- Underground Gas Line (Atmos Energy)
- Underground Gas Line (DCP Midstream)
- Underground Communications Line (Century Link)
- Permit Boundary
- Parcel/Property Boundary



PARTIAL RELEASE REQUEST
EXHIBIT 2
NEW PERMIT BOUNDARY
M-1977-081

GREELEY WEST PIT
Greeley

blueearth
solutions
Blue Earth Solutions, Inc.
P.O. Box 2427
Fort Collins, Colorado 80522

No.	Revision	By	Date