



COLORADO

**Division of Reclamation,
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

May 17, 2017

Chaffee County Landfill
Attention: Shannon Wilcox
16550 Highway 285
Salida, Colorado 81201

Re: Chaffee County Landfill, Reference No. M-2017-020, Division Response to “Is It Mining?” Questionnaire, Permit Required

Dear Shannon:

On May 16, 2017 the Division of Reclamation, Mining, and Safety (Division) received information for an “Is It Mining” questionnaire regarding a project by Chaffee County, Colorado. Please use the reference number M-2017-020 regarding any correspondence or submittals for this site in the future.

The Division has determined that a permit is required based on the fact that a construction material (borrow for capping) is being extracted from its natural occurrence pursuant to CRS 34-32.5 103(12) and (13). Given the 40 acres of proposed disturbance and the depth of mining to 50 to 75 feet the State must ensure the land will be returned to a beneficial use per the Act and Rules. Based on the 40 acres of affected lands a 112c permit would be required. You can find the appropriate Act, Rules, and permit applications at the following links: <http://mining.state.co.us/Forms/Pages/Minerals.aspx>, and <http://mining.state.co.us/Rules/Pages/home.aspx>

Please be advised that while the land is administer by the Bureau of Land Management and is being considered for a Free Use Permit this does not change the requirements for a State reclamation permit. Please contact your local BLM Field Office to discuss Federal regulations and requirements.



This opinion is being offered based on the information provided in your response. Should the proposed project change please feel free to contact the Division for additional review. The Mined Land Reclamation Board (Board) has requested that the Division make determinations as to the need for a Mined Land Reclamation Permit. If you have any concerns or disagree with this decision, you may petition to appear before the Board during a formal public hearing for a Declaratory Order concerning this matter. Pursuant Rule 2.5.2 (1): the request must be submitted to the Board in writing and be received no later than 10 days prior to the hearing. The written request must contain the information required pursuant Rule 2.5.2 (2). (Rule 2.5 Enclosed) The next available Board hearing will be held on June 28, 2017. Therefore any request for a hearing must be received by June 18, 2017 or sooner. All hearings are held at 1313 Sherman St., Room 318, in Denver, Colorado 80203. Please be advised the Division will oppose a Declaratory Order request for this proposed operation based on the above stated reasons and other facts it may bring forth in testimony before the Board if necessary.

If you need additional information please contact me at the Division of Reclamation, Mining and Safety, Grand Junction Field Office, by telephone at 970.241.1117, or by e-mail at russ.means@state.co.us.

Sincerely,



G. Russell Means
Senior Environmental Protection Specialist
Grand Junction Field Office

Cc: Tony Waldron, Minerals Program Supervisor
Dustin Czapla, EPS Division Field Office
BLM Royal Gorge Field Office

