



January 10, 2020

George Tempel  
Midwestern Farms  
P.O. Box 246  
Wiley, CO 81092

**Re: Midwestern Farms, Permit No. M-1993-059, Corrective Action Extension Approval**

Mr. Tempel:

On January 9, 2020, the Division of Reclamation, Mining and Safety (Division) received your request to extend the corrective action deadline for the following problems identified in the Division's September 26, 2019 inspection report:

**1) PROBLEM:**

Erosion gullies are present along pond shorelines at several locations. Additionally, the riprap blanket installed along the eastern pond shoreline under Technical Revision No. 6 (TR-6, approved on November 7, 2017) is not effectively controlling erosion at one location in particular (see inspection report), where pond water is overflowing the bank onto the adjacent farm road. This is a problem pursuant to C.R.S. 34-32.5-116(4)(j) and Rule 3.1.6(3) for failure to protect all surface areas of the affected land from erosion.

**CORRECTIVE ACTIONS:**

Provide the Division with photo documentation verifying the erosion damage on pond shorelines has been repaired, and the site has been reconstructed and stabilized to prevent further erosion damage. If the operator proposes an alternative method for stabilizing the eastern pond shoreline (than the plan approved in TR-6), the operator must submit this proposal in the form of a Technical Revision with the appropriate fee of \$216.00 by the corrective action date.

**NEW CORRECTIVE ACTION DATE: February 28, 2020**

**2) PROBLEM:**

There are state-listed noxious weed species present on site, particularly Tamarisk (salt cedar) and Field Bindweed. This is a problem pursuant to Rule 3.1.10(6) for failure to employ weed control methods for all prohibited noxious weed species within the affected lands, and to reduce the spread of weeds to nearby areas.

**CORRECTIVE ACTIONS:**

Implement the approved weed control plan for all state-listed noxious weed species on the affected lands, and provide proof to the Division that this was done. If the operator wishes to revise the approved weed control plan, the proposed plan must be submitted in the form of a Technical



Revision with the appropriate fee of \$216.00 by the corrective action date. The Division recommends the operator consult with the county extension agency or weed control district office in developing a plan that includes specific control measures to be applied, a schedule for when control measures will be applied, and a post-treatment monitoring plan.

**NEW CORRECTIVE ACTION DATE: August 31, 2020**

The Division has approved your extension request for these problems, giving the new corrective action dates listed above.

If you have any questions, you may contact me by telephone at 303-866-3567, ext. 8129, or by email at [amy.eschberger@state.co.us](mailto:amy.eschberger@state.co.us).

Sincerely,



Amy Eschberger  
Environmental Protection Specialist

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