

STATE OF  
COLORADO

Ebert - DNR, Jared &lt;jared.ebert@state.co.us&gt;

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**Mustang Station Borrow Site DRMS File No. M-2020-005**

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**Melinda Lundquist** <mlundquist@cvlinc.net>

Tue, Feb 4, 2020 at 11:50 AM

To: "jared.ebert@state.co.us" &lt;jared.ebert@state.co.us&gt;

Cc: "David.A.Greer@conocophillips.com" &lt;David.A.Greer@conocophillips.com&gt;, "nancy.r.floyd@contractor.broncopl.com" &lt;nancy.r.floyd@contractor.broncopl.com&gt;, Kacy Williams &lt;kwilliams@cvlinc.net&gt;

Hello Jared,

As requested, attached is our completed *Is it mining?* form, as well as a written overview of our project and our Erosion and Sediment Control Plan. We met with Adams County yesterday. They are requiring a Conditional Use Permit for this earthwork activity. Our draft *Written Explanation*, which will be submitted with that CUP application, is also attached for your reference. Please let me know if you have any questions in order to determine if a reclamation permit will be required.

*Melinda E. Lundquist, PE***Senior Vice President**

direct: 720.249.3539 main: 720.482.9526

cell: 303.328.1336 fax: 720.482.9546

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**CVL Consultants of Colorado, Inc.***10333 E. Dry Creek Road, Suite 240**Englewood, Colorado 80112*

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**5 attachments****Letter\_DRMS\_Requesting\_Application.pdf**  
744K**Is\_It\_Mining\_DRMS.pdf**  
2918K**Mustang Station Borrow Site -ESC.pdf**  
1128K**Borrow Area Written Explanation\_02-04-20.docx**  
235K**Mining Questionnaire.docx**  
247K



## COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

January 28, 2020

Bronco Pipeline Company  
Attn: David Greer  
34501 E. Quincy Ave. Bldg. 1B  
Watkins, CO 80137

**RE: Mustang Station Borrow Site  
DRMS File No. M-2020-005**

Dear Mr. Greer,

On January 28, 2020 the Colorado Division of Reclamation, Mining and Safety (DRMS or Division) received a notice from the Adams County Community and Economic Development Department regarding the above referenced site. The notice included an application for a Conceptual Review for the proposed operation. Based on the Conceptual Review application material they provided, Bronco Pipeline Company may need to first obtain a reclamation permit from DRMS prior to conducting the borrow operation. Enclosed is a "Is it Mining?" form, please fill out and return this form to DRMS at your earliest convenience. DRMS will use the information you provide to determine if a reclamation permit will be required.

If you have any questions, please feel free to contact me at [Jared.Ebert@state.co.us](mailto:Jared.Ebert@state.co.us) or (303) 866-3567 ext. 8120.

Sincerely,

Jared Ebert  
Senior Environmental Protection Specialist

cc: Greg Barnes, Adams County [GJBarnes@adcogov.org](mailto:GJBarnes@adcogov.org)  
Melinda Lundquist, [mlundquist@cvlinc.net](mailto:mlundquist@cvlinc.net)  
Patrick Lennberg, DRMS [patrick.lennberg@state.co.us](mailto:patrick.lennberg@state.co.us)





**COLORADO**  
Division of Reclamation,  
Mining and Safety  
Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

Date: \_\_\_\_\_

**RE: Need for State Reclamation Permit: "Is It Mining?"**

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone: (\_\_\_\_)\_\_\_\_-\_\_\_\_ Cell: (\_\_\_\_)\_\_\_\_-\_\_\_\_

Email: \_\_\_\_\_

Enclosed are pertinent sections of the Colorado Mined Land Reclamation Board (Board) Rules governing activities that do not require a reclamation permit. To determine if you need a permit for your proposed activity, first check Rule 1.2 which describes activities the Board has determined do not require state reclamation permits. If you find a match, you can proceed based on your interpretation of the rule, but at your own risk. If you are uncertain how the Rule may apply to your activity, you should answer the list of questions below with as much detail as possible. Please feel free to use additional paper, maps, and attachments to explain your project.

Please include in your determination request answers to the following questions:

1. Please provide the legal location of the proposed project and submit a site map that clearly delineates the location of the proposed extraction site and the location of the nearest city, town, and county location name.  
Section \_\_\_\_\_; Township \_\_\_\_\_; Range \_\_\_\_\_; PM \_\_\_\_\_ County \_\_\_\_\_  
Or NAD27 GPS X UTM \_\_\_\_\_ Y UTM \_\_\_\_\_  
Direction and miles to nearest town/city \_\_\_\_\_
2. Is the site of material extraction on public or privately owned property?
3. What type(s) of material or metal is/are proposed to be extracted and describe the physical nature of the site i.e., river terrace, rocky knob, in-stream gravel deposit, etc.?
4. What processing or extraction method(s) will be used on site? Include any equipment or chemical(s) that will be used in the processing and extraction of the materials.
5. Will the extracted material be hauled offsite or used on the same parcel of property where the material is extracted?
6. How will the extracted material be used on site?
7. If the material is hauled offsite, where will it be hauled to and what is the intended use?



8. What is the approximate areal extent of the proposed extraction in acres?
9. To what approximate depth will the extraction extend?
10. In cubic yards, approximately how much material will be removed?
11. Will material extraction involve the use of explosives?
12. Will site of extraction result in the exposure of tributary ground water?
13. Will either the landowner or the mine site operator receive any type of compensation, i.e., monetary, in-kind, haulage fees, etc., from the proposed material extraction?
14. Please supply a copy of any documents that will ensure that the area of extraction will be reclaimed to some beneficial land use once extraction activities have been completed.
15. Do you have permits for this activity from any other governmental agencies such as building, construction, or grading permits, and if so, what are they?
16. Are there state/federal/local agency participants in terms of funding (yes)-(no), design (yes)-(no). What are the percentages?
17. What *post mining* uses will be made of the site of extraction and why?  
(This question helps us determine the intent of the activity)
18. What types and sizes of equipment will be used in the extraction?

Please send the completed questionnaire to the Division at the address above for review. The Board has directed the Division to make a decision based on the information you have supplied. We trust that the activities will be performed as represented. If we receive a complaint, we are required by law to conduct an inspection of the site. Which could result in a violation, a cease and desist order, and other corrective actions including submittal of a permit application.

If you have any question, please contact Wally Erickson for Eastern Colorado sites at (303)866-3567, ext. 8176, or Russ Means for Western Colorado sites at (303)866-3567, ext. 8185. If you are unsure which area your project lies please feel free to contact either for further guidance and assistance. Please feel free to visit our web site at: [www.mining.state.co.us](http://www.mining.state.co.us) for further access to the full Act and Rules governing extraction of metals, non-metals, and construction materials in the State of Colorado.

Sincerely,

Division of Reclamation, Mining and Safety Staff

Enclosure: Rule 1.2.1 for both Hard Rock Metal Mines and Construction Materials



## **1.2 ACTIVITIES THAT DO NOT REQUIRE A RECLAMATION PERMIT**

103(3) and (13)

### **1.2.1 Specified by Rule**

The Board has determined that certain types of activities do not need reclamation permits either because the excavated substance is not a construction material as defined in Section 34-32.5-103(3), Colorado Revised Statutes 1984, as amended or because the activity is not a mining operation as defined by Section 34-32.5-103(13), C.R.S. 1984, as amended. Such activities include the following:

- (a) the exploration and extraction of natural petroleum in a liquid or gaseous state by means of wells or pipe;
- (b) the development or extraction of coal (refer to the Colorado Surface Coal Mining Reclamation Act Section 34-33-101, et seq., C.R.S. 1984, as amended);
- (c) cleaning, preparation, transportation, and other off-site operations not conducted on permitted land; and
- (d) the extraction of geothermal or groundwater resources.

### **1.2.2 Reserved**

### **1.2.3 Reserved**

### **1.2.4 Extraction or Exploration on Federal Lands**

Any person who intends to extract or explore for construction materials on federal lands shall apply for a Mined Land Reclamation Board permit or submit a Notice of Intent to conduct exploration operations unless specifically exempted by the Board according to the provisions of this Subsection 1.2.

## **1.2 SCOPE OF RULES AND ACTIVITIES THAT DO NOT REQUIRE A RECLAMATION PERMIT**

### **1.2.1 Specified by Rule**

The Board has determined that certain types of activities do not need reclamation permits either because the excavated substance is not a mineral as defined in Section 34-32-103(7), Colorado Revised Statutes 1984, as amended or because the activity is not a mining operation as defined by Section 34-32-103(8), C.R.S. 1984, as amended. Such activities include the following:

- (a) the exploration and extraction of natural petroleum in a liquid or gaseous state by means of wells or pipe;
- (b) the development or extraction of coal (refer to the Colorado Surface Coal Mining Reclamation Act Section 34-33-101, et seq., C.R.S. 1984, as amended);
- (c) smelting, refining, cleaning, preparation, transportation, and other off site operations not conducted on affected land;
- (d)
- (e) a custom mill.

SECTION 34, TOWNSHIP 3 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO  
LATITUDE: 39°44'42.58"N, LONGITUDE: 104°39'06.32"W



SHEET NUMBER  <b>1</b>	DRAWN BY:	KJD	SCALE:	MUSTANG STATION BORROW SITE ADAMS COUNTY ESC COVER					 <b>CL CONSULTANTS</b>	10333 E. Dry Creek Rd., Suite 240 Englewood, CO 80112 Tel: (720) 482-9526 Fax: (720) 482-9546			
	CHECKED BY:	MEL	FILE NO:										
	DATE:		8.13.0302822										
								No.	Revisions	Date	Init.	Appr.	Date

# MUSTANG STATION BORROW SITE EROSION AND SEDIMENT CONTROL

SECTION 34, TOWNSHIP 3 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO  
LATITUDE: 39°44'42.58"N, LONGITUDE: 104°39'06.32"W

**GENERAL NOTES** – TO BE INCLUDED ON PLAN SET:

- “THE GENERAL NOTES FOR EROSION AND SEDIMENT CONTROL WORK SHALL BE AS FOLLOWS:
- OWNER/CONTRACTOR IS RESPONSIBLE FOR OBTAINING A STATE OF COLORADO, COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT (CDPHE) GENERAL PERMIT FOR STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITY COR-030000 PRIOR TO CONSTRUCTION (CDPS STORMWATER CONSTRUCTION PERMIT).
  - THE OWNER/CONTRACTOR SHALL PROVIDE ADAMS COUNTY WITH A COPY OF THIS CDPS STORMWATER CONSTRUCTION PERMIT LETTER OF APPROVAL AND CERTIFICATION FROM THE STATE PRIOR TO RECEIVING A COUNTY CONSTRUCTION/BUILDING PERMIT. THE OWNER/CONTRACTOR IS RESPONSIBLE FOR ALL FEES ASSOCIATED WITH THIS CDPS STORMWATER CONSTRUCTION PERMIT.
  - A COPY OF THE CDPS STORMWATER CONSTRUCTION PERMIT FROM CDPHE AND THE APPROVED STORMWATER MANAGEMENT PLAN (SWMP) WITH AN EROSION AND SEDIMENT PLAN SHALL BE KEPT ON SITE AND UPDATED AT ALL TIMES IN COMPLIANCE WITH THE CDPS STORMWATER CONSTRUCTION PERMIT.
  - OWNER/CONTRACTOR IS RESPONSIBLE FOR FILING A CDPHE INACTIVATION NOTICE – CONSTRUCTION STORMWATER DISCHARGE GENERAL PERMIT CERTIFICATION; ONCE THE CONSTRUCTION SITE HAS BEEN FINALLY STABILIZED IN COMPLIANCE WITH THE CDPS STORMWATER CONSTRUCTION PERMIT.
  - THE OWNER/CONTRACTOR SHALL PROVIDE ADAMS COUNTY WITH A COPY OF THIS INACTIVATION NOTICE. THERE WILL BE NO FEE CHARGED TO ADAMS COUNTY FOR THE INACTIVATION NOTICE OR IF THE CONTRACTOR NEGLECTS TO FILE THIS NOTICE.
  - THE SWMP ADMINISTRATOR IS RESPONSIBLE FOR IMPLEMENTING AND MAINTAINING EROSION AND SEDIMENT CONTROL MEASURES AT ALL TIMES DURING CONSTRUCTION. THE SWMP SHALL BE MODIFIED IN COMPLIANCE TO THE CDPS STORMWATER CONSTRUCTION PERMIT.
  - STANDARD INSPECTIONS - A THOROUGH INSPECTION OF THE BEST MANAGEMENT PRACTICES (BMPS) SHALL BE PERFORMED EVERY FOURTEEN (14) CALENDAR DAYS AND WITHIN TWENTY-FOUR (24) HOURS AFTER ANY PRECIPITATION OR SNOWMELT EVENT THAT CAUSES SURFACE EROSION.
  - USE BIODEGRADABLE EROSION CONTROL BLANKETS ON SLOPES 3:1 OR STEEPER AND IN SWALES OR LONG CHANNELS.
  - ALL SOIL IMPORTED TO OR EXPORTED FROM THE SITE SHALL BE PROPERLY COVERED TO PREVENT THE LOSS OF MATERIAL DURING TRANSPORT. HAUL ROUTES MUST BE PERMITTED BY THE COUNTY. NO MATERIAL SHALL BE TRANSPORTED TO ANOTHER SITE WITHOUT FIRST OBTAINING A HAULING PERMIT FROM ADAMS COUNTY PLANNING.
  - THE CONCRETE WASHOUT CONTAINMENT STRUCTURE SHALL CONTAIN ALL CONCRETE WASHOUT WATER. STORMWATER SHALL NOT CARRY WASTES FROM THE DESIGNATED CONCRETE WASHOUT LOCATION AND SHALL BE LOCATED A MINIMUM OF FIFTY (50) FEET HORIZONTAL FROM WATERS OF THE STATE.
  - THE ACTUAL SCHEDULE FOR IMPLEMENTING EROSION AND SEDIMENT CONTROL MEASURES WILL BE DETERMINED BY PROJECT CONSTRUCTION PROGRESS. DOWN SLOPE PROTECTIVE MEASURES (I.E. SEDIMENT CONTROL BARRIERS) MUST ALWAYS BE IN PLACE BEFORE SOIL IS DISTURBED.
  - INSTALL SEDIMENT CONTROL BARRIERS DOWN SLOPE FROM CONSTRUCTION THAT DISTURB SITE SOIL. SEDIMENT CONTROL BARRIERS SHOULD BE INSTALLED IN THE LOCATIONS SHOWN ON THE EROSION AND SEDIMENT CONTROL DRAWINGS, AS WELL AS OTHER LOCATIONS AS DEEMED NECESSARY BY THE CONTRACTOR, INSPECTOR OR OWNER.”

**PERFORMANCE STANDARD NOTES** – TO BE INCLUDED ON PLAN SET:

- “THE GENERAL PERFORMANCE REQUIREMENTS FOR EROSION CONTROL WORK SHALL BE AS FOLLOWS:
- TEMPORARY AND/OR PERMANENT BMPS INTENDED TO CONTROL EROSION OF AN EARTH DISTURBANCE OPERATION SHALL BE INSTALLED BEFORE ANY EARTH DISTURBANCE OPERATIONS TAKE PLACE IN SEQUENCE WITH PROPER PHASING.
  - EARTH DISTURBANCES SHALL BE CONDUCTED IN SUCH A MANNER SO AS TO MINIMIZE DISTURBED AREA AND PROTECT NATURAL FEATURES, SOIL AND VEGETATION.
  - PERSONS ENGAGED IN EARTH DISTURBANCES SHALL IMPLEMENT AND MAINTAIN ACCEPTABLE SOIL EROSION AND SEDIMENTATION CONTROL MEASURES, IN CONFORMANCE WITH THE EROSION CONTROL TECHNICAL STANDARDS ADOPTED BY ADAMS COUNTY AND IN COMPLIANCE WITH THE CDPS STORMWATER CONSTRUCTION PERMIT.
  - EARTH DISTURBANCES SHALL BE DESIGNED, CONSTRUCTED AND COMPLETED IN SUCH A MANNER SO THAT THE EXPOSED AREA OF ANY DISTURBED LAND SHALL BE LIMITED TO THE SHORTEST POSSIBLE PERIOD OF TIME.
  - SEDIMENT CAUSED BY ACCELERATED SOIL EROSION SHALL BE REMOVED FROM RUNOFF WATER BEFORE IT LEAVES THE SITE OF THE EARTH DISTURBANCE.
  - EXCAVATED MATERIAL AND OTHER CONSTRUCTION DEBRIS SHALL NOT BE STOCKPILED WITHIN THE ROADWAY SECTION. BACKFILL MATERIALS UP TO A MAXIMUM OF 130 CY MAY BE STOCKPILED, WITH APPROPRIATE EROSION CONTROL MEASURE, BUT MUST BE REMOVED OR PLACED BY THE END OF EACH WORK WEEK.
  - ANY CONSTRUCTION AREAS, NOT GRADED TO FINAL GRADE, REQUIRE TEMPORARY BMPS FOR SITE STABILIZATION.
  - AS NECESSARY, CONSTRUCT A TEMPORARY FACILITY DESIGNATED FOR CONVEYANCE OF STORMWATER AROUND, THROUGH, OR FROM THE CONSTRUCTION SITE.
  - PERMANENT EROSION AND SEDIMENT CONTROL MEASURES FOR ALL SLOPES, CHANNELS, DITCHES, OR ANY DISTURBED LAND AREA SHALL BE STABILIZED IMMEDIATELY AFTER FINAL GRADING.
  - ALL SPILLS SHALL BE CLEANED UP IMMEDIATELY AFTER DISCOVERY, OR CONTAINED UNTIL APPROPRIATE CLEANUP METHODS CAN BE EMPLOYED. MANUFACTURE’S RECOMMENDED METHODS FOR SPILL CLEANUP SHALL BE FOLLOWED, ALONG WITH PROPER DISPOSAL METHODS.
  - CONCRETE WASHOUTS SHALL NOT BE PLACED IN LOW AREAS, DITCHES OR ADJACENT TO STATE WATERS.
  - THE OWNER/CONTRACTOR SHALL CHECK THE CAPACITY FOR ALL CONCRETE WASHOUT AREAS. WASTE MATERIALS MUST BE REMOVED BY THE CONTRACTOR AND LEGALLY DISPOSED OF WHEN ACCUMULATIONS AMOUNT TO TWO-THIRDS (⅔) OF THE WET STORAGE CAPACITY OF THE STRUCTURE.
  - ALL CONCRETE WASHOUT AREAS SHALL BE CLEARLY MARKED. THE CONCRETE WASHOUT CONTAINMENT STRUCTURE WILL INCLUDE A 2’X3’SIGN POSTED WITH THE WORDS “CONCRETE WASHOUT”. THE CONCRETE WASHOUT AREA SHALL BE REPAIRED AND/OR ENLARGED AS NECESSARY TO MAINTAIN CAPACITY FOR WASTED CONCRETE.
  - AT THE END OF CONSTRUCTION, ALL CONCRETE SHALL BE REMOVED FROM THE SITE AND LEGALLY DISPOSED OF. CONCRETE WASHOUT WASTE MUST NOT BE BURIED.
  - DISTURBED AREAS AND STOCKPILES WHICH ARE NOT AT FINAL GRADE SHALL BE TEMPORARILY STABILIZED IMMEDIATELY AFTER INTERIM GRADING.
  - FINAL STABILIZATION IS REACHED WHEN ALL SOIL DISTURBING ACTIVITIES AT THE SITE HAVE BEEN COMPLETED, AND UNIFORM VEGETATIVE COVER HAS BEEN ESTABLISHED WITH A DENSITY OF AT LEAST SEVENTY PERCENT (70%) OF PRE-DISTURBANCE LEVELS OR EQUIVALENT PERMANENT, PHYSICAL EROSION REDUCTION METHODS HAS BEEN EMPLOYED.
  - RECORDS OF SPILLS, LEAKS, OR OVERFLOWS THAT RESULT IN THE DISCHARGE OF POLLUTANTS MUST BE DOCUMENTED AND MAINTAINED. SOME SPILLS MAY NEED TO BE REPORTED TO THE DIVISION IMMEDIATELY: SPECIFICALLY, A RELEASE OF ANY CHEMICAL, OIL, PETROLEUM PRODUCT, SEWAGE, ETC., WHICH MAY ENTER WATERS OF THE STATE, MUST BE REPORTED. MORE GUIDANCE IS AVAILABLE ON THE WEB AT [WWW.CDPHE.STATE.CO.US/EMP/SPILLSANDRELEASED.HTM](http://WWW.CDPHE.STATE.CO.US/EMP/SPILLSANDRELEASED.HTM).THE DIVISION’S TOLL FREE 24-HOUR ENVIRONMENTAL EMERGENCY SPILL REPORTING LINE IS 1-877-518-5608. ALSO IMMEDIATELY CALL ADAMS COUNTY AT 303-.453-8787 AND THE TRI-COUNTY HEALTH DEPARTMENT AT 303-220-9200”

**BMP MAINTENANCE NOTES** – TO BE INCLUDED ON PLAN SET:

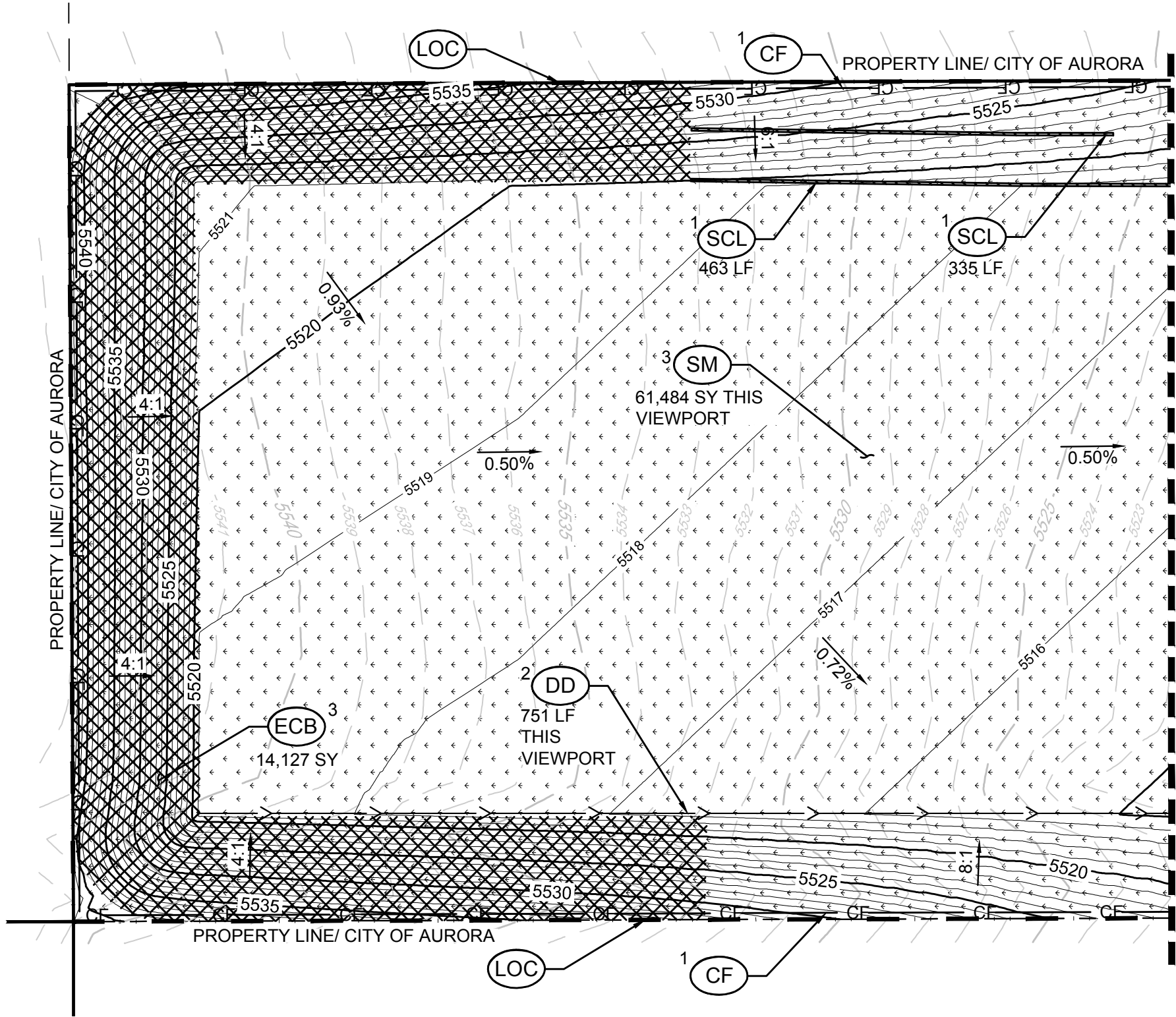
- “THE GENERAL MAINTENANCE REQUIREMENTS FOR BMPS SHALL BE AS FOLLOWS:
- IT IS ANTICIPATED THAT THE BMPS IMPLEMENTED AT THE SITE WILL HAVE TO BE MODIFIED TO ADAPT TO CHANGING CONDITIONS OR TO ENSURE THAT POTENTIAL POLLUTANTS ARE BEING PROPERLY MANAGED AT THE SITE. WHEN BMPS ARE MODIFIED, THE SWMP MUST BE MODIFIED TO ACCURATELY REFLECT THE ACTUAL FIELD CONDITIONS.
  - THE OWNER/CONTRACTOR SHALL CONTINUOUSLY MAINTAIN ALL SILT FENCING SO THAT IT FUNCTIONS PROPERLY DURING CONSTRUCTION AND WORK SUSPENSIONS. ALL SILT FENCING SHALL BE REMOVED BY THE CONTRACTOR UPON SUBSTANTIAL PERMANENT STABILIZATION UNLESS OTHERWISE DIRECTED BY AUTHORIZED ADAMS COUNTY PERSONNEL.
  - SILT FENCE SHALL BE INSTALLED ALONG CONTOURS AND PRIOR TO ANY GRUBBING OR GRADING ACTIVITY. IT SHALL BE LOCATED TO CAPTURE OVERLAND, LOW-VELOCITY SHEET FLOWS IN WHICH IT SHALL BE INSTALLED AT A FAIRLY LEVEL GRADE.
  - IT IS RECOMMENDED THAT SILT FENCE SHALL BE INSTALLED FIVE (5) FEET AWAY FROM THE TOE OF THE SLOPE OR STOCKPILE, AND EVERY SEVENTY FIVE (75) TO ONE HUNDRED TWENTY FIVE (125) FEET APART ON LONG SLOPES.
  - DO NOT PLACE SILT FENCE IN OR ADJACENT TO EXISTING WETLANDS WHERE TRENCHING IMPACTS WETLANDS.
  - ALL INLET/OUTLET PROTECTION WILL BE CHECKED FOR MAINTENANCE AND FAILURE DAILY. SEDIMENT SHALL BE REMOVED AND PROPERLY DISPOSED OF ONCE IT HAS ACCUMULATED TO HALF THE DESIGN OF THE TRAP OR DAILY DURING PERIODS OF CONSISTENT PRECIPITATION.
  - THE OWNER/CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING THE VEHICLE TRACKING CONTROL DURING CONSTRUCTION. THE VEHICLE TRACKING CONTROL SHALL BE REMOVED AT THE COMPLETION OF THIS PROJECT UNLESS OTHERWISE DIRECTED BY AUTHORIZED ADAMS COUNTY PERSONNEL.
  - TEMPORARY SEDIMENT TRAPS AND BASINS SHALL BE INSTALLED BEFORE ANY LAND DISTURBANCE TAKES PLACE IN THE DRAINAGE AREA. THE AREA UNDER THE EMBANKMENT SHALL BE CLEARED, GRUBBED, AND STRIPPED OF ALL VEGETATION AND ROOT MAT. SEDIMENT SHALL BE REMOVED WHEN NO LONGER FUNCTIONAL AND DISPOSED OF AT AN APPROVED LOCATION.
  - ALL SEDIMENT FROM STORMWATER INFRASTRUCTURE (I.E. DETENTION PONDS, STORM SEWER PIPES, OUTLETS, INLETS, ROADSIDE DITCHES, ETC.) SHALL BE REMOVED PRIOR TO INITIAL ACCEPTANCE. THIS SEDIMENT SHALL NOT BE FLUSHED OFFSITE, BUT SHALL BE CAPTURED ON-SITE AND DISPOSED OF AT AN APPROVED LOCATION.
  - TEMPORARY ROCK CHECK DAM – THE MAXIMUM HEIGHT OF THE CHECK DAM AT THE CENTER SHOULD NOT EXCEED ONE HALF THE DEPTH OF THE DITCH OR SWALE. THE MAXIMUM SPACING BETWEEN DAMS SHOULD BE SUCH THAT THE TOE OF THE UPSTREAM DAM IS AT THE SAME ELEVATION AS THE TOP OF THE DOWNSTREAM DAM.
  - CONSTRUCTION SAFETY BARRIER FENCING (ORANGE CONSTRUCTION FENCE) MUST BE USED TO PROTECT WETLANDS AND OTHER SENSITIVE AREAS AND TO PREVENT ACCESS.
  - WATER FROM DEWATERING OPERATIONS SHALL NOT BE DIRECTLY DISCHARGED INTO ANY WATERS CONVEYANCE SYSTEMS INCLUDING WETLANDS, IRRIGATION DITCHES, CANALS, RIVERS, STREAMS OR STORM SEWER SYSTEMS, UNLESS ALLOWED BY A STATE CONSTRUCTION DEWATERING PERMIT.

SHEET NUMBER	DRAWN BY: KJD	SCALE: AS SHOWN	CHECKED BY: MEL	DATE: DEC 2019	MUSTANG STATION BORROW SITE ADAMS COUNTY ESC NOTES	BRONCO PIPELINE COMPANY ATTN: DAVID GREER 34501 E. QUINCY AVE., BUILDING #1 WATKINS, CO 80137 PHONE: (303) 268-3732		10333 E. Dry Creek Rd. Suite 240 Englewood, CO 80112 Tel: (720) 482-9526 Fax: (720) 482-9546	No.	Revisions	Init.	Appr.	Date



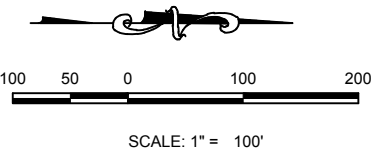
MUSTANG STATION BORROW SITE  
EROSION AND SEDIMENT CONTROL

SECTION 34, TOWNSHIP 3 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO  
LATITUDE: 39°44'42.58"N, LONGITUDE: 104°39'06.32"W



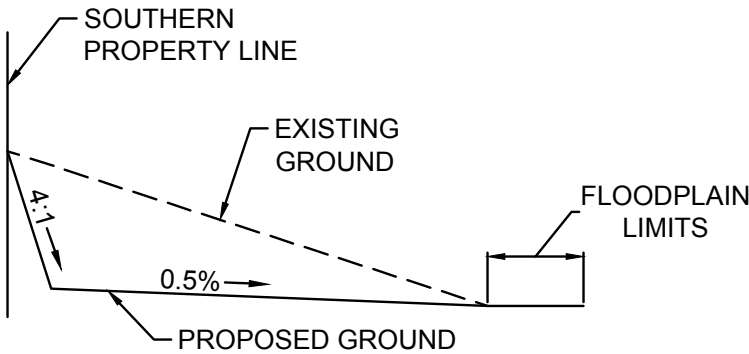
**LEGEND**

(SM)	SEEDING AND MULCHING QUANTITY SHOWN BY VIEWPORT (VP)	
(CF)	CONSTRUCTION FENCE	
(ECB)	EROSION CONTROL BLANKET <sup>PP</sup>	
(SCL)	SEDIMENT CONTROL LOG	
(LOC)	LIMITS OF CONSTRUCTION	
	EXISTING EASEMENT	
	PROPOSED EASEMENT	
	SECTION LINE	



"X" REFERS  
TO PHASE

1. INITIAL  
2. INTERIM  
3. FINAL



SHEET NUMBER	DRAWN BY: KJD	CHECKED BY: MEL	DATE: DEC 2019	SCALE: AS SHOWN	FILE NO: 8.13.0302822	MUSTANG STATION BORROW SITE ADAMS COUNTY ESC	BRONCO PIPELINE COMPANY ATTN: DAVID GREER 34501 E. QUINCY AVE., BUILDING #1 WATKINS, CO 80137 PHONE: (303) 268-3732	10333 E. Dry Creek Rd. Suite 240 Englewood, CO 80112 Tel: (720) 482-9526 Fax: (720) 482-9546	CML CONSULTANTS			Revisions			Date			Appr.			Date		

MUSTANG STATION BORROW SITE  
EROSION AND SEDIMENT CONTROL

SECTION 34, TOWNSHIP 3 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO  
LATITUDE: 39°44'42.58"N, LONGITUDE: 104°39'06.32"W

LEGEND

SM

SEEDING AND MULCHING  
QUANTITY SHOWN BY VIEWPORT (VP)

CF

CONSTRUCTION FENCE

ECB

EROSION CONTROL BLANKET<sup>PP</sup>

SCL

SEDIMENT CONTROL LOG

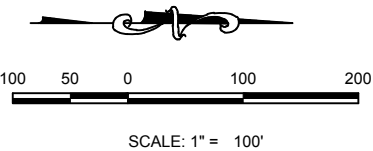
LOC

LIMITS OF CONSTRUCTION

EXISTING EASEMENT

PROPOSED EASEMENT

SECTION LINE



"X" REFERS  
TO PHASE

1. INITIAL  
2. INTERIM  
3. FINAL

RISER PIPE DESIGN SB-1	
HOLE #	ELEVATION
1ST HOLE CENTROID	5511.39
2	5511.72
3	5512.06
4	5512.39
5	5512.72

\*HOLE ELE. ARE CENTROID ELE.

SEDIMENT BASIN #1 TABLE			
ELEMENT		ELEVATION	PERM. EDB
TRIBUTARY AREA	25.2 AC		
WIDTH=	105'+/-		
LENGTH=	210'+/-		
SIDE SLOPES	4:1 MAX		
CREST LENGTH	28.0		
CREST ELEV=		5513.00	
TOP ELEV =		5514.00	
BOTTOM ELEV=		5510.00	
TOTAL STORAGE =	101,800 C.F.	5513.00	
1/3 STORAGE =	33,929 C.F.	5511.39	
RISER PIPE AND OUTFALL PIPE			
8" PVC RISER	1ST HOLE ELEV=	5511.39	
5 HOLES 4" O.C.	TOP HOLE ELEV=	5512.72	
HOLE DIA=(in)	2 3/4		
8" PVC OUTFALL PIPE	110 LF @ 0.5%		
TOP OF RISER PIPE=		5513.00	
OUTFALL INVERT=		5510.00	
OUTFALL PROTECTION	YES	D <sub>50</sub> =12" RIPRAP	

SHEET NUMBER

4

DRAWN BY:

KJD

CHECKED BY:

MEL

DATE:

DEC 2019

SCALE:

AS SHOWN

FILE NO:

8.13.0302822

MUSTANG STATION BORROW SITE

ADAMS COUNTY ESC

BRONCO PIPELINE COMPANY

ATTN: DAVID GREER

34501 E. QUINCY AVE., BUILDING #1

WATKINS, CO 80137

PHONE: (303) 268-3732

10333 E. Dry Creek Rd.

Suite 240

Englewood, CO 80112

Tel: (720) 482-9526

Fax: (720) 482-9546

Revisions

No.

Date

Init.

Appr.

Date



February 4, 2020

Adams County  
Community & Economic Development Department  
Attn: Greg Barnes  
4430 South Adams County Parkway  
1<sup>st</sup> Floor, Suite W2000B  
Brighton, CO 80601-8218

**RE: Mustang Station Borrow Area  
Written Explanation  
PRE# 2020-0002  
Adams County, Colorado**

Dear Mr. Barnes:

On behalf of the applicant, BroncoPipeline Company (BPC), CVL Consultants of Colorado, Inc. presents this application for a Conditional Use Permit (CUP). The subject property is approximately twenty-five (25) acres and zoned Agricultural – 3 (A-3). It is currently used for planting crops. We understand that the CUP process requires approval by both the Planning Commission and the Board of County Commissioners. Construction is planned as soon as possible.

BPC is planning construction of a compressor station, Mustang Booster Station, to facilitate its oil and gas pipeline network in the area. Mustang Booster Station is located within the City of Aurora (City). Entitlements from the City have been obtained. A final plat, Contextual Site Plan, Stormwater Management Plan and Public Improvements Phasing Plan were approved by the City. Construction Plans and a Drainage Report are nearing approvals. As part of the City requirements, extensive berms must be constructed to screen the compressor station equipment from view. In order to create these tall landscape berms, soil must be imported to Mustang Booster Station, as adequate soil could not be generated onsite. BPC has purchased a nearby property for use as a borrow site. Approximately 300,000 cubic yards will be excavated. The borrow area will be graded to ensure positive drainage. After grading, this area may continue to be used to cultivate crops.

The borrow site is located within Adams County, southeast of the Monaghan Road and East 26<sup>th</sup> Avenue intersection, in Section 34, Township 3 South, Range 65 West of the 6<sup>th</sup> Principal Meridian, approximately a half mile east of the Mustang Booster Station site. A FEMA regulated floodplain traverses the property, north of the limits of the borrow area. This floodplain will be undisturbed. East 26<sup>th</sup> Avenue lies north of the aforementioned floodplain. This public roadway will not be utilized in the earthwork operations. Access to the subject property will be gained through Mustang Booster Station. Soil will be excavated and transported across private property owned by Fischahs LLC and ultimately to the Mustang Booster Station site. An access easement from Fischahs LLC has been secured by BPC.

The earthmoving operations will be subject to Adams County's Grading Erosion and Sediment Control (GESCC) requirements, as well as the Colorado Department of Public Health and Environment (CDPHE) regulations. Dust

will be controlled per periodic water sprinkling, as described in the GESG. In the event that wind speeds exceed twenty-five (25) miles per hour, earthmoving activities will cease.

No buildings will be constructed as part of this proposal. No sanitary sewer or domestic water services are required. Electric and gas service will not be required.

If you have any questions regarding this application, please do not hesitate to call me directly at 720.249.3539 or email me at [mlundquist@cvlinc.net](mailto:mlundquist@cvlinc.net).

Sincerely,

**CVL Consultants of Colorado, Inc.**



Melinda E. Lundquist, PE  
*Senior Vice President*

cc: David Greer, *BroncoPipeline Company*





February 3, 2020

Colorado Division of Reclamation, Mining and Safety  
Department of Natural Resources  
1313 Sherman Street, Room 215  
Denver, CO 80203

**RE: Mustang Booster Station Borrow Site  
DRMS File No. M-2020-005**

Dear Mr. Ebert:

BroncoPipeline Company (BPC) is planning construction of a compressor station, Mustang Booster Station, to facilitate its oil and gas pipeline network in the area. Mustang Booster Station is located within the City of Aurora (City). Entitlements from the City have been obtained. A final plat, Contextual Site Plan, Stormwater Management Plan and Public Improvements Phasing Plan were approved by the City. Construction Plans and a Drainage Report are nearing approvals. As part of the City requirements, extensive berms must be constructed to screen the compressor station equipment from view. In order to create these tall berms, soil must be imported to Mustang Booster Station, as adequate soil could not be generated onsite. BPC has purchased a nearby property for use as a borrow site.

We are in receipt of your letter dated January 28, 2020 and the "Need for State Reclamation Permit: "Is It Mining"" form. The following are our responses to that form, so that you may determine whether or not the proposed construction activity is considering "mining".

1. Please provide the legal location of the proposed project and submit a site map that clearly delineates the location of the proposed extraction site and the location of the nearest city, town, and county location name. **A vicinity map is attached to this letter.**  
Section: **34**, Township: **3 South**, Range: **65 West**, PM: **6<sup>th</sup>**, County: **Adams**  
Direction and miles to nearest town/city: **The western, southern and eastern property lines abut parcels of land that are located within the City of Aurora.**
2. Is the site of material extraction on public or privately owned property? **The borrow site is on private property.**
3. What type(s) of material or metal is/are proposed to be extracted and describe the physical nature of the site i.e., river terrace, rocky knob, in-stream gravel deposit, etc.? **The project site is agricultural land, used for crops. Soil will be excavated from this property. Per the USDA Natural Resources Conservation Service Web Soil Survey, this soil is classified as Adena Loam, Adena-Colby association and Weld Loam.**
4. What processing or extraction method(s) will be used on site? Include any equipment or chemical(s) that will be used in the processing and extraction of the materials. **The soil will be excavated using Graders (a common type of heavy construction equipment).**

5. Will the extracted material be hauled offsite or used on the same parcel of property where the material is extracted? **This material will be hauled off through the private property to the west (Fischahs LLC) to the project site (Mustang Booster Station). The haul route does not include public lands or public right-of-way.**
6. How will the extracted material be used on site? **The material will not be utilized onsite.**
7. If the material is hauled offsite, where will it be hauled to and what is the intended use? **The material will be utilized to create landscape berms, screening the project site from travelers along Interstate 70.**
8. What is the approximate areal extent of the proposed extraction in acres? **Twenty-five (25) acres**
9. To what approximate depth will the extraction extend? **The maximum depth of cut is twenty-two (22) feet.**
10. In cubic yards, approximately how much material will be removed? **300,000 cubic yards**
11. Will material extraction involve the use of explosives? **No.**
12. Will site of extraction result in the exposure of tributary ground water? **No.**
13. Will either the Landowner or the mine site operator receive any type of compensation, i.e., monetary, in-kind, haulage fees, etc., from the proposed material extraction? **The landowner of the borrow site is the same landowner of Mustang Booster Station, i.e. BroncoPipeline Company. The haul route between the borrow site and Mustang Booster Station traverses through the Fischahs LLC property. Fischahs LLC will be compensated for any vegetative surface damages incurred, resulting from the haul operation.**
14. Please supply a copy of any documents that will ensure that the area of extraction will be reclaimed to some beneficial land use once extraction activities have been completed. **Please refer to the attached Grading Erosion and Sediment Control (GESC) plan and report. The borrow site will be re-vegetated to a similar density as pre-project conditions. It may also continue to be utilized for planting crops.**
15. Do you have permits for this activity from any other governmental agencies such as building, construction, or grading permits, and if so, what are they? **A GESC plan will be required by Adams County.**
16. Are there state/federal/local agency participants in terms of funding (yes)-(no), design (yes)-(no). What are the percentages? **There are no governmental participants relative to the funding or design of this borrow area.**
17. What *post mining* uses will be made of the site of extraction and why? (This question helps us determine the intent of the activity.) **Please refer to the response to question #14. Furthermore, there are no anticipated limitations to the future land use potential, resulting from this proposed borrow activity.**

18. What types and sizes of equipment will be used in the extraction? **Please refer to the response to question #4.**

If you have any questions regarding our responses, please do not hesitate to call me directly at 720.249.3539.

Sincerely,

**CVL Consultants of Colorado, Inc.**

*Melinda E. Lundquist*

Melinda E. Lundquist, PE

*Senior Vice President*

cc: David Greer, *BroncoPipeline Company*