



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

1313 Sherman Street, Room 215
Denver, CO 80203

December 9, 2020

Miranda Kawcak
Hayden Gulch Terminal, LLC
29515 Routt County Road #27
Oak Creek, CO 80467

**RE: Hayden Gulch Loadout (Permit No. C-1992-081)
Partial Phase I, II, III Bond Release No. 2 (SL-2)
Adequacy review and inspection**

Dear Ms. Kawcak:

The Division of Reclamation, Mining and Safety (Division) received Hayden Gulch Terminal, LLC (HGL) application for SL-2 for the Hayden Gulch Loadout on October 22nd, 2020. SL-2 was deemed complete on October 28, 2020. The Division conducted the SL-2 bond release inspection on November 10th, 2020. Present at the bond release inspection were Miranda Kawcak representing the operator, Tom Medlin with the Office of Surface Mining, and myself. Below are inspection observations and adequacy items.

SL-2 was submitted to the Division in conjunction with Permit Revision No. 2 (PR-2). PR-2 proposes to modify the approved reclamation plan and post-mining land use for the major portion of the Hayden Gulch Loadout, consistent with the transfer of former rail spur areas to the Town of Hayden (Hayden) for recreational use. The former rail spur area will be converted to a recreational trail for the use of residents and visitors to Hayden under a locally managed "Tracks-to-Trails" program. The Division provided adequacy comments for PR-2 to the operator on November 25th, 2020. **Permit Revision No. 2 (PR-2) must be Issued by the Division before a proposed decision will be made by Division for Bond Release SL-2.** Given this consideration additional items of adequacy may be sent out at a later date and the operator should be prepared to extend the decision date of SL-2 if necessary to accommodate the PR-2 decision and issuance dates. Currently the decision date for SL-2 is set at January 9th, 2021.

1. Please address items of adequacy listed in the Divisions Permit Revision No. 2 dated 11/25/2020.
2. Please address items of adequacy listed in the Division Mid-Term Review No. 6 dated 11/20/2020. Including addressing active Stipulation No. 9.



3. During the bond release inspection (discussion and photos below), a number of partially buried rubber conduit and wires were observed along rail ballast, as well as abandoned concrete posts with electrical boxes (photos below). During the inspection it was agreed by the present parties that it would be appropriate to remove these items prior to bond release of the area. The operator provided the Division with photos (below) documenting the removal of these items. Photos were to the Division on 11/18 showing this work had been completed. *This item is currently considered to have been complied with and is included for recording of completion of the task.*
4. Please provide Proof of Publication when available.

November 10th Inspection:

As stated above, the SL-2 inspection was conducted on 11/10/2020. The weather was approximately 30 degrees F with wind and light snow. This was a partial Phase I, II, III bond release for 170.3 acres of the permit which includes a total of 202.1 acres. The area of proposed release is located south of Hwy 40 and East of the Town of Hayden. Present at the site are a parking lot, multiple trail signs and maps of the 4.1 mile loop, a potable restroom, trash cans, and dog waste stations. The Town of Hayden currently leases the parcel and is maintaining the trail amenities. The trail is intended to be used for walking, biking, and cross country skiing.

During the inspection, the loop was walked and the ponds were observed. The trail has been graded and was easily walkable and free from weeds. The ponds appear stable and well vegetated. The lands surrounding and within the loop have established grasses and shrubs. Deer were present at the time of the inspection and Little Dry Creek had a small amount of water. One cyclist was present using the area.

Shown below are observed electrical infrastructure from the removed rail line and the removal photos from the operator received 11/18.

Photos from 11/10:



Electrical post and box



Remaining wires on rail ballast



Remaining wires to be removed in foreground and trail sign and dog waste station in background



Truck Load out pond holding some water



Looking SW along rail loop, deer present at permit boundary

Operator photos provided on 11/18:



Removal of wires and electrical boxes/cement posts.



If you have any questions, please contact me.

Sincerely,

A handwritten signature in blue ink that reads "Tabetha Lynch".

Tabetha Lynch
Environmental Protection Specialist