



COLORADO

**Division of Reclamation,
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

January 4, 2021

Nathan A. Barton
Wasteline, Inc.
P.O. Box 88
Cortez, CO 81321-0088

**Re: Schoen Farm, Reference No. M-2020-062, Division Response to “Is It Mining?”
Questionnaire, Permit Required.**

Mr. Barton:

Thank you for taking the time to discuss your proposed project with the Division of Reclamation, Mining and Safety (Division). The Division received your completed “Need for a Reclamation Permit” questionnaire on December 4, 2020. The Division has assigned file number M-2020-062 to the proposed project. Please display the file number on any correspondence regarding this specific project.

Based on the information you submitted the purpose of the project is to remove approximately 80,000 cubic yards of rock, cobble and stone. The purpose of the excavation is to enhance the potential of the area to be used as pastureland. The material is proposed to be processed with some material used on site but the majority will be hauled offsite and sold in the local construction materials market. The total projected disturbance would consist of approximately 200 acres over a 3-5 year timeframe.

The Colorado Mined Land Reclamation Board (Board) has requested the Division make preliminary determinations regarding the need for a mined land reclamation permit. Based on the information provided in your response, it is the Division’s opinion, based on previous Board determinations, the project is a mining operation. Pursuant to Colorado law, you are required to first obtain a mined land reclamation permit from the Board prior to initiating the mining operation.

If you have any concerns or disagree with this decision, you may petition the Board during a formal public hearing for a formal Declaratory Order concerning this matter. The request must be made in writing and received no later than 10 days prior to the next regular scheduled MLRB hearing. The next available MLRB hearing is January 20-21, 2021.

If you need additional information, please contact me at the Division of Reclamation, Mining and Safety, Grand Junction Field Office, 101 S. 3rd St., Suite 301, Grand Junction, Colorado 81501, telephone no. 303.866.3567, ext. 8186, or by email at travis.marshall@state.co.us.

Sincerely,



Nathan A. Barton
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Travis Marshall
Senior Environmental Protection Specialist
Grand Junction Field Office

ec: Russ Means, DRMS
Stephanie Mitchell, DRMS