

Subject: FW: Raindance Land Development project (AIRS ID 124-4630; General Permit GP03)



Danielle Serna <dserna@weldgov.com> 8:55 AM (2 hours ago)
to Hannah Dutrow

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Hi Hannah,

I was able to contact Garrett Scallon with Water Valley (Raindance Land Development Corporation). I let him know to contact you to follow up with the land use. Apparently the pit is to be a retention pond/ reservoir of some kind.

His phone number is 970-460-1692 and his email is below. He said there is another gentleman, John Vasques, involved but I did not get his information, but Garrett will include him on any correspondence.

I went out yesterday and conducted a rough acreage measurement (see map attached). It looks like the pit is approximately 35 acres disturbed (probably 40-50 deep), with two access points of Crossroads Blvd.

Let me know if you need anything more from me.

Dani Serna, R.S/ R.E.H.S.
Environmental Health Specialist, Environmental Health Services
Weld County Department of Public Health & Environment
1555 N. 17th Ave.
Greeley, CO 80631
dserna@weldgov.com
970-400-2239 (office)

From: Danielle Serna
Sent: Friday, February 19, 2021 8:50 AM
To: 'gscallon@watervalley.com' <gscallon@watervalley.com>
Subject: Raindance Land Development project (AIRS ID 124-4630; General Permit GP03)
Importance: High

Good morning,

Per our discussion yesterday, I have attached the most recent APEN submitted for the above project. The project was issued AIRS ID 124-4630, and the General Permit GP03 (Letter and General Permit conditions also attached).

Based on the estimated increase in acreage, to include the borrow pit/ retention pond, appears over 800 acres. I have attached a blank APEN form 223 for Land Development for the modification request. You can email the APEN form to cdphe_apcd_ssp_application@state.co.us. Other information, forms/ guidance docs, and contacts can be found on the Colorado Air Pollution Control Division's (APCD) website at <https://cdphe.colorado.gov/environment/air-pollution-control>. I have also attached a guidance document for the APEN Form 223. If you have questions pertaining to the APEN or permitting you should contact APCD's Small Business Assistance Program (contact information is located at the bottom of the APEN form).

As for the land use permitting for the pit you should contact Weld County Zoning Compliance Officer, Hannah Dutrow, at 970-400-3536 for further guidance on requirements and the process.

Please feel free to cc me in the APEN submittal so I can document it in the complaint as corrective action prior to closing it out.

Let me know if you have any questions.

Thank you.

Dani Serna, R.S/ R.E.H.S.
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Attachments area

Subject: RE: A clean fill borrow pit in Weld County South of Windsor is continuously tracking dirt onto County Road



Danielle Serna <dserna@weldgov.com> 9:14 AM (2 hours ago)
to Janine Hegeman, Lyndsay Holbrook, Hannah Dutrow

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I have no idea. Water rights and water quality is not in WCDPHE purview. I believe that falls to the state, and it may be addressed in the land use process. I cc'd Hannah with Zoning Compliance to see if she can follow up with you once she gets going on her side.

Sorry I don't have more information for you.

Dani Serna, R.S/ R.E.H.S.
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From: Janine Hegeman <jhegeman@windsorgov.com>
Sent: Friday, February 19, 2021 8:35 AM
To: Danielle Serna <dserna@weldgov.com>
Cc: Lyndsay Holbrook <lhobrook@weldgov.com>
Subject: RE: A clean fill borrow pit in Weld County South of Windsor is continuously tracking dirt onto County Road

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Thank you Dani. So if this is going to take discharge off of Raindance (in Windsor's MS4) and retain it, what does managing the water rights and water quality issues look like? It's a massive reservoir, hard to miss. I'm just trying to have the facts in front of me in the event the question comes up.

Janine Hegeman

Stormwater Program Coordinator
Town of Windsor | Public Works
922 North 15th Street | Windsor, CO 80550
Dir: 970-674-2490 | Off: 970-674-2400 | Fax: 970-674-2456
Cell: 970-388-2894
jhegeman@windsorgov.com

From: Danielle Serna <dserna@weldgov.com>

Sent: Friday, February 19, 2021 8:15 AM

To: Janine Hegeman <jhegeman@windsorgov.com>

Subject: FW: A clean fill borrow pit in Weld County South of Windsor is continuously tracking dirt onto County Road

Hi Janine,

I spoke with Garrett at Raindance and he stated that that pit will be there retention/reservoir. I am heading up the air permitting and zoning will be heading up the land use side of things, so they will delve into that further.

Thank you for all your help.

Dani Serna, R.S/ R.E.H.S.
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From: Danielle Serna

Sent: Thursday, February 18, 2021 2:17 PM

To: Janine Hegeman <jhegeman@windsorgov.com>

Cc: Kenneth Breneman <kbreneman@windsorgov.com>

Subject: RE: A clean fill borrow pit in Weld County South of Windsor is continuously tracking dirt onto County Road

I am trying to see if anyone in Planning knows about this, so I will update you on if we know what the future holds. If they have to obtain land use permits that is typically a part of those processes. I am only dealing with the Air side of things. It looks like they just paid their CDPS fees yesterday but I don't see an updated map including this borrow pit on the State's Onbase database.

Dani Serna, R.S/ R.E.H.S.
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From: Janine Hegeman <jhegeman@windsorgov.com>
Sent: Thursday, February 18, 2021 1:36 PM
To: Danielle Serna <dserna@weldgov.com>
Cc: Kenneth Breneman <kbreneman@windsorgov.com>
Subject: RE: A clean fill borrow pit in Weld County South of Windsor is continuously tracking dirt onto County Road

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Yes, thanks, we are responding to all complaints on this and doing our best. You answered the question as to why I don't see the permit for this – I was looking for a Clean Water permit, not Air Quality. My question for you would be – does the county have knowledge of what the future of this pit looks like?

Janine Hegeman
Stormwater Program Coordinator
Town of Windsor | Public Works
922 North 15th Street | Windsor, CO 80550
Dir: 970-674-2490 | Off: 970-674-2400 | Fax: 970-674-2456
Cell: 970-388-2894
jhegeman@windsorgov.com

From: Danielle Serna <dserna@weldgov.com>
Sent: Thursday, February 18, 2021 1:22 PM
To: Janine Hegeman <jhegeman@windsorgov.com>
Cc: Kenneth Breneman <kbreneman@windsorgov.com>
Subject: RE: A clean fill borrow pit in Weld County South of Windsor is continuously tracking dirt onto County Road

Hi Janine,

I did notice that the borrow pit is in unincorporated Weld. So I have forwarded all the information onto WC Zoning Compliance and Public Works to ensure they have all necessary permits and that they are implementing control measures to be in compliance with county code. I have also been informed by the state's Air Pollution Control Division that Raindance does have a Land Development Permit issued by the state, and they do have a condition that is directly regulating track out and the frequency of clean up; however, the APEN did not include the borrow pit so either they submitted one separately, they need to modify the current one, or they

need to submit one for the borrow pit if it is over 25 acres or lasts more than 6 months (which I believe this borrow pit satisfies both those applicability requirements).

Either way I was really just wanting to let you know because Crossroads Blvd. appears to be maintained by City of Windsor and there may be an accumulation of mud from the track out.

I will let you know if there is any update.

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From: Janine Hegeman <jhegeman@windsorgov.com>
Sent: Thursday, February 18, 2021 12:27 PM
To: Danielle Serna <dserna@weldgov.com>
Cc: Kenneth Breneman <kbreneman@windsorgov.com>
Subject: RE: A clean fill borrow pit in Weld County South of Windsor is continuously tracking dirt onto County Road

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Danny,

This borrow pit location is not in Windsor's MS4 boundary. My understanding is that this location is not in Weld county's MS4 jurisdictional area either. I have been receiving complaints as well and communicating these to the landowner. We are reaching again to the landowner on this issue. But I cannot get them under permit them as this property is not within the MS4 boundary.

I cross - checked the state WQ permit list for this project under "legal city" Windsor and for Weld County and I don't see a permit.

Janine Hegeman
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Cell: 970-388-2894
jhegeman@windsorgov.com

From: Danielle Serna <dserna@weldgov.com>
Sent: Thursday, February 18, 2021 10:26 AM
To: Janine Hegeman <jhegeman@windsorgov.com>
Subject: FW: A clean fill borrow pit in Weld County South of Windsor is continuously tracking dirt onto County Road

Hi Janine,

I received a referred complaint from the state Air Pollution Control Division regarding mud track out from the Raindance Development onto Crossroads Blvd. Would this fall into your jurisdiction?

Thank you.

----- Forwarded message -----

From: **Mike Maurer** <mikemaurer67@gmail.com>
Date: Fri, Jan 22, 2021 at 1:04 PM
Subject: A clean fill borrow pit in Weld County South of Windsor is continuously tracking dirt onto County Road
To: <cdphe.information@state.co.us>

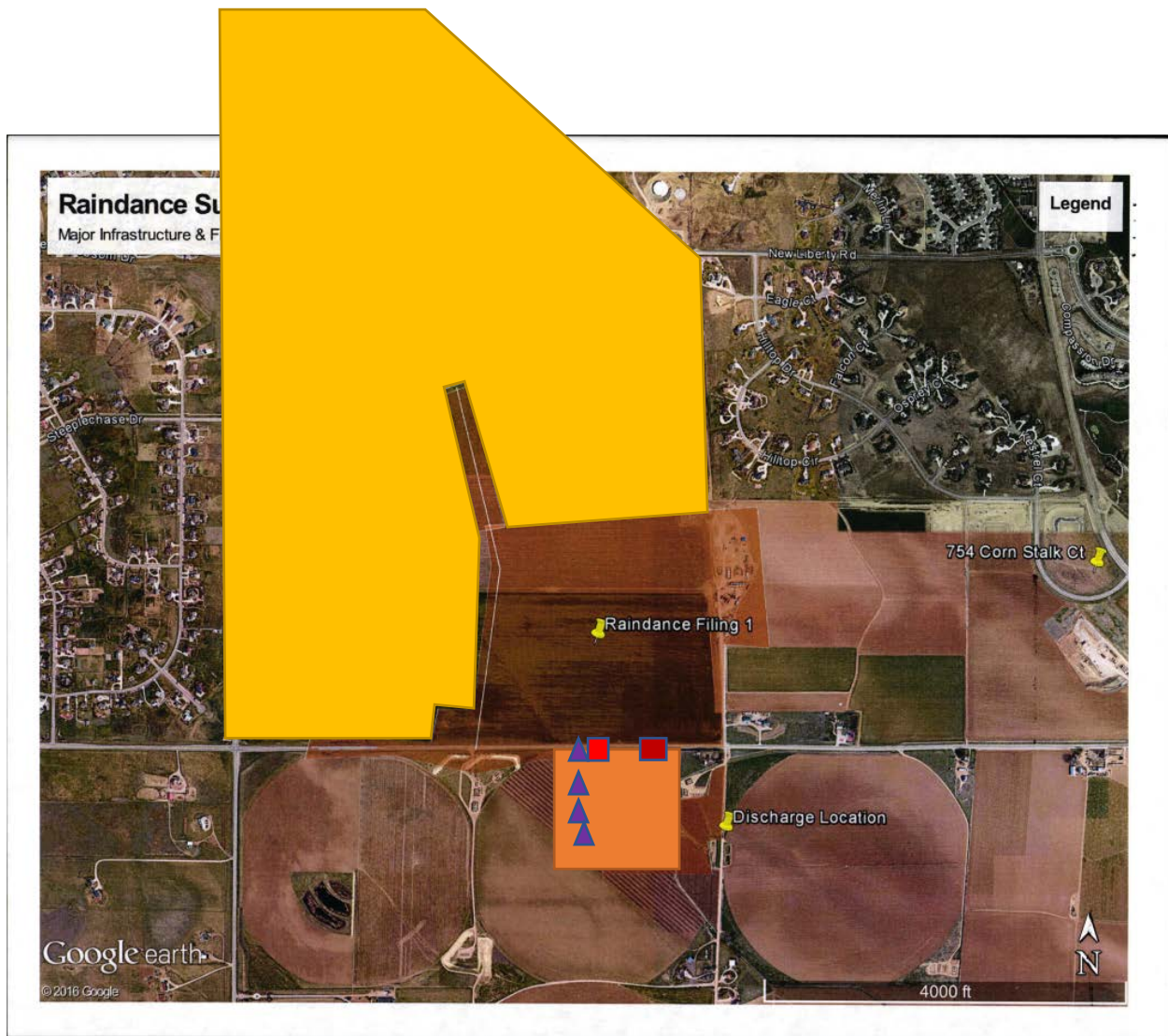
The borrow pit haul trucks have been tracking dirt/mud out onto the four-lane HWY for months and I have left messages with Weld County and never get a callback. It is a nuisance and safety hazard when it becomes wet. The road is Crossroads between CR13 and CR17.

--

Tom Lovell
Inspection Work Lead
Compliance and Enforcement Program

P 303.692.3204 | F 303.782.0278
4300 Cherry Creek Drive South, Denver, CO 80246-1530
thomas.lovell@state.co.us | www.colorado.gov/cdphe/apcd

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Active subdivision land development

Additional Area: ~652 acres



Borrow pit (inactive at time)

Additional Area: ~35 acres



Heavy equipment



West access-
Gravel pad/Rip rap
(ground exposed)



East access- Grizzly





Weld County

PROPERTY PORTAL

Property Information (970) 400-3650
Technical Support (970) 400-4357

Account: R8952546

February 18, 2021

Account Information

Account	Parcel	Space	Account Type	Tax Year	Buildings	Actual Value	Assessed Value
R8952546	095706100010		Agricultural	2021		57,457	16,660

Legal

W2NE4 6-5-67 EXCEPT A PIECE OF LAND DESCRIBED AS N2 6-5-67 COMM NW COR N89D16E 2608.98 N89D16E 30 S00D09W 39.96 POB S00D09W 35.05 N89D16E 2586.46 THENCE ALNG CURVE L (R= 116.01 CH= N89D17E) N89D17E 2026.64 N00D08E 45.01 S89D17W 2205.6 S00D37W 5.29 S89D09W 909.01 S89D37W 197.97 S89D08W 803.41 N85D08W 195.4 S89D16W 474.86 TPOB

Subdivision	Block	Lot	Land Economic Area
			W GREELEY RURAL

Property Address	Property City	Zip	Section	Township	Range
			06	05	67

Owner(s)

Account	Owner Name	Address
R8952546	VIMA PARTNERS LLC	1625 PELICAN LAKES PT STE 201 WINDSOR, CO 805506236

Document History

Reception	Rec Date	Type	Grantor	Grantee	Doc Fee	Sale Date	Sale Price
4348654	10-31-2017	QCN	LIND MARTIN	VIMA PARTNERS LLC	0.00	10-31-2017	0

Building Information

No buildings found.

Valuation Information

Type	Code	Description	Actual Value	Assessed Value	Acres	Land SqFt
Land	4107	SPRINKLER IRRIGATED LAND	56,112	16,270	67.010	2,918,956
Land	4127	DRY FARM LAND- AGRICULTURAL	1,312	380	11.000	479,160
Land	4167	WASTE LAND	33	10	4.000	174,240
Totals	-	-	57,457	16,660	82.010	3,572,356

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Weld County

PROPERTY PORTAL

Property Information (970) 400-3650
Technical Support (970) 400-4357

Account: R8952547

February 18, 2021

Account Information

Account	Parcel	Space	Account Type	Tax Year	Buildings	Actual Value	Assessed Value
R8952547	095706100011		Agricultural	2021		50,337	14,600

Legal

PT E2NE4 6-5-67 LOT B REC EXEMPT RE-3566 EXCEPT A PIECE OF LAND DESCRIBED AS N2 6-5-67 COMM NW COR N89D16E 2608.98 N89D16E 30 S00D09W 39.96 POB S00D09W 35.05 N89D16E 2586.46 THENCE ALNG CURVE L (R= 116.01 CH= N89D17E) N89D17E 2026.64 N00D08E 45.01 S89D17W 2205.6 S00D37W 5.29 S89D09W 909.01 S89D37W 197.97 S89D08W 803.41 N85D08W 195.4 S89D16W 474.86 TPOB

Subdivision	Block	Lot	Land Economic Area
			W GREELEY RURAL

Property Address	Property City	Zip	Section	Township	Range
			06	05	67

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R8952547	VIMA PARTNERS LLC	1625 PELICAN LAKES PT STE 201 WINDSOR, CO 805506236

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4348654	10-31-2017	QCN	LIND MARTIN	VIMA PARTNERS LLC	0.00	10-31-2017	0

Building Information

No buildings found.

Valuation Information

Type	Code	Description	Actual Value	Assessed Value	Acres	Land SqFt
Land	4107	SPRINKLER IRRIGATED LAND	49,594	14,380	57.290	2,495,552
Land	4127	DRY FARM LAND- AGRICULTURAL	677	200	7.500	326,700
Land	4167	WASTE LAND	66	20	8.000	348,480
Totals	-	-	50,337	14,600	72.790	3,170,732

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