



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

August 16, 2022

John M. Warren  
Connell Resources, Inc.  
7785 Highland Meadows Parkway, Suite 100  
Fort Collins, CO 80528

**Re: Connell Resources, Inc., Carr Pit East, Permit No. M-2022-005,  
CPW Follow-up Comments**

Mr. Warren,

The Division of Reclamation, Mining and Safety (Division/DRMS) received follow-up comments from Colorado Parks and Wildlife (CPW) in response to the Applicant's adequacy response letter dated June 27, 2022. The comment email is attached for review. Please respond to the comments noted in the email and revise the application accordingly.

If you have any questions, please contact me at [peter.hays@state.co.us](mailto:peter.hays@state.co.us) or (303) 866-3567 Ext. 8124.

Sincerely,

Peter S. Hays  
Environmental Protection Specialist

Enclosure – CPW Follow-up Email

Ec: Jared Ebert; Division of Reclamation, Mining & Safety  
Bill Schenderlein; Blue Earth Solutions, LLC





STATE OF  
COLORADO

Hays - DNR, Peter <peter.hays@state.co.us>

## CPW Comments Re Carr East Pit Application

**Marette - DNR, Brandon** <brandon.marette@state.co.us>

Mon, Aug 15, 2022 at 4:56 PM

To: "Hays - DNR, Peter" <peter.hays@state.co.us>

Cc: Boyd Wright - DNR <boyd.wright@state.co.us>, Troy Florian - DNR <troy.florian@state.co.us>

Peter,

Thanks for the update, and thanks for the opportunity to provide these comments for the Carr Pit.

I just heard from Troy (cc'd), but our Aquatic Biologist (Boyd - also cc'd) is away from email for the next week. So consider these comments as our final comments, unless Boyd has anything else to add/clarify next week.

In response to the applicant's response to the 500' aquatic buffer, CPW has two remaining concerns regarding any changes to the surface flows and groundwater levels.

- 1) Re: groundwater - Our concern is that if we (CPW/DRMS) reduce or waive CPW's original drainage buffer recommendation, and the developer mines at or below the hardpan bottom (impervious layer) within close proximity of Lone Tree Creek, then there would be significant potential to create "leaks in the seal" of this drainage. Do you also know if the applicant will avoid penetrating the groundwater in this area?
- 2) Re: surface water - CPW also wants to ensure that existing surface flows are maintained throughout construction, though realize that there will likely be a change to the surface flow regime out and away from the drainage (likely from the 3-ft tall berms). As the applicant similarly mentioned in their responses, Lone Tree Creek already has a very limited flow system, including those stormwater and snowmelt flows from the uplands that can pool for weeks beyond the water event. While we understand stormwater management is needed (we agree), the closer the overburden berms are to the upland edge of the creek results in less stormwater to recharge these pools and small segments of water.

Therefore, while I understand that the applicant would like to maximize their mining area as much as possible, even the smallest of changes in surface flows and subsurface water levels would likely result in negative impacts for aquatic and semi-aquatic species that currently are dependent on the microhabitat of these limited stretches of water and small pools.

Regards,

**Brandon B. Marette, CWB®**  
Northeast Region Energy Liaison and Land Use Coordinator



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[CPW's Energy Webpage](#)

[CPW's Wildlife Movements Webpage](#)



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