

STATE OF
COLORADO

Simmons - DNR, Leigh <leigh.simmons@state.co.us>

Surety Reduction/Acreage Release

1 message

Simmons - DNR, Leigh <leigh.simmons@state.co.us>
To: Jen Jewett <thetowerpit@gmail.com>, Chris.towerpit@gmail.com

Mon, May 15, 2023 at 1:39 PM

Chris

I'm following up on our earlier phone conversation.

Since the deadline for comments on Surety Increase No. 1 passed before you were able to submit comments, and SI-1 has now been issued, there will now be some formality required for you to reduce the required bond for the Tower Pit based on reclamation work that has already been completed.

Three types of releases are possible for a reclamation (mining) permit:

Surety Reduction (SR) – A reduction in the amount of required Financial Warranty, but no acreage is released from the permit area.

Acreage Release (AR) – A release of part of the acreage from the permit area. The amount of required Financial Warranty may or may not be reduced. If necessary, after approval of an Acreage Release, the Operator will need to file a Technical Revision or an Amendment for the purpose of updating the permit text and maps with the new permit boundary.

Surety Release (SL) – A full and final release of all Financial Warranty and the acreage in the permit area (the permit is terminated if approved).

(See [Rules 4.14 and 4.17](#))

In this case a Surety Reduction (or possibly an Acreage Release) would be most appropriate - the process is pretty straightforward. You would need to submit a release request, with supporting information.

All forms for the minerals program are available here: <https://drms.colorado.gov/forms/minerals-program-forms>

The form you need is called "Performance and Financial Warranty Release Request Form". The form mentions certified mail, but you can submit it to me via email if that's more convenient for you.

After I receive your application (and review it for completeness) there'll be a technical adequacy review and an inspection. Depending on the outcome of those actions the Reclamation Cost Estimate may be recalculated.

I will take the opportunity to point out a couple of things to keep in mind:

- SI-1 is still active, and the 60 day deadline still applies - swift action is a good idea
- unit costs for our cost-estimating software, CIRCES, are updated annually, usually around the end of June - any re-calculation of the RCE will use the costs that are current at the time

I hope this helps you plan - let me know if you have any questions.

Leigh Simmons
Environmental Protection Specialist



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

P 303.866.3567 x 8121 | C 720.220.1180 | F 303.832.8106
1313 Sherman Street, Room 215, Denver, CO 80203
leigh.simmons@state.co.us | <https://drms.colorado.gov>