

Mr. Patrick Lennberg
Colorado Division of Reclamation, Mining and Safety
1313 Sherman Street, Room 215
Denver, Colorado 80203

Dear Mr. Patrick Lennberg:

We are residents of the Thompson River Ranch community. Our property, like that of hundreds of other residents, will be directly adjacent to the proposed Stroh quarry in southeast Larimer County along the Big Thompson River.

We have a copy of a letter dated May 2, 2023, that you sent to Coulson Excavating Company, Inc. (Coulson) regarding the reclamation of the Kirtright pits that were mined from the late 1980s up to December 2008. The Kirtright pits are immediately west of the proposed Stroh Pit sand and gravel quarry. You stated in your letter that per Rule 3.3.3, all reclamation was to have been completed within five years from the date the operator ceased mining. Additionally, your letter stated that the 2021 Annual Report showed no mining activity had taken place since December 2008, therefore reclamation should have been completed by the end of 2013. One question of many is if they were originally required to complete reclamation of the Kirtright pits by 2013, why is it that 10 years later they are just getting around to it? Why has it taken your office so long to check on and confirm the reclamation work? This obviously makes us wonder how well Stroh Pit will be managed if the property goes into production and how long you will allow Coulson to leave the pits without reclamation.

We also have questions regarding the proposed processing facility that Coulson wants to operate on the Kirtright Pit area for the proposed Stroh Pit operations. Per your letter:

The operator would like to maintain this permit to use as a processing facility for material extracted from the adjacent Stroh Pit (M-2002-78) where mining has not begun yet, and it is not known when mining will begin. Mining permits are for operations that are developing and extracting construction materials from its natural occurrence (Rule 1.1(30)). Sites that are only being used for cleaning, preparation and transportation do not need a reclamation permit as per Rule 1.2.1. Mining is complete at the Kirtright Pit and therefore reclamation needs to be completed (Rule 3.1.3), and lands within the current permit boundary cannot be used as a processing facility for another mine.

The important part of this paragraph is the last sentence: ***Mining is complete at the Kirtright Pit and therefore reclamation needs to be completed (Rule 3.1.3), and lands within the current permit boundary cannot be used as a processing facility for another mine.*** This seems pretty clear that Coulson should not be allowed to set up processing facilities on this property for their proposed Stroh Pit operation. Considering that the new, revised flood map places the entire proposed processing facility in the floodway, it seems this would be a wise decision. Will Coulson be held to this directive?

And if we understand correctly, without your approval of mining and reclamation plans, Coulson would not be allowed to mine the Stroh section. We'd like to know if your agency has already approved or has seen a current mining and reclamation plan for Stroh quarry? Does it include any mention of material

processing, or of an asphalt plant? Have you seen the new FEMA flood maps for this area? Since the 2013 floods, the floodway has been expanded further into the Kirtright and Stroh pit areas. How does this affect your concerns for mining safety and reclamation? This is especially concerning if there is to be an asphalt or other gravel processing facility in this area.

Coulson's initial mining plan is 20 years old, and many changes have occurred in the surrounding area in that time. This is no longer a rural area. Coulson made a business decision to delay mining Stroh Pit despite warnings from the Larimer County Planning Department, which resulted in the Stroh property becoming surrounded by more than a thousand homes within a mile of the property.

If you have a revised mining and/or reclamation plan for the Stroh Pit project, could we please get a copy? We would also like to know what concerns and/or restrictions you would place on these plans considering the location so near residential properties and the Big Thompson River – **with some homes only 100 feet from the Coulson property and a short 266 feet from the proposed pit** (a little over 200 steps!). The neighborhoods of Thompson Crossing and Thompson River Ranch are also concerned by the lack of details and commitment on the part of Coulson as to their plans for reclamation. They have proposed conflicting plans, so we would like to know what, if anything, you would hold them to. Coulson's USR application claims the mining will be completed within 5 years and reclamation in another two years. But if their Kirtright Pit operation is any example, this appears to be nothing more than a smoke-screen, "selling strategy" to get the surrounding neighborhoods to accept it. (Indeed, the Larimer County Planning Department admitted that the time period for mining would be the biggest problem with getting the project approved and so when Coulson Excavating re-started their application in 2016, they settled on a 7-year timeframe as being suitably "temporary" to sell the project to the public. Yet the County refused to impose a condition that would not allow extensions beyond the seven years.)

As property owners who will be only 360 feet from this industrial operation, we feel we should know what is being proposed, and what objections and concerns you and your agency have since this open pit mine is now surrounded by over a thousand private homes, an elementary school, and an expanded floodway.

We look forward to your response and thank you in advance for your help.

Sincerely,

Terry and Cristi Baldino
4801 Wildwood Way
Johnstown, CO 80534

cc: drms_info@state.co.us