

**STATE OF
COLORADO****Michels - DNR, Amber** <amber.michels@state.co.us>

Inspection Report Follow Up

Ensminger Construction, Inc. <ensminger@haxtuntel.net>
To: "Michels - DNR, Amber" <amber.michels@state.co.us>

Mon, Aug 14, 2023 at 9:24 PM

In response to your inspection report of 7-17-23, let me address the complaints. First the reclamation plan. As I told you the day of the inspection I am in the process of shutting down the pit. I plan on finishing the West wall reclamation in the fall of this year.

Second, the sediment control. The erosion gully you observed is result of the yard drainage that comes off the area North of the NE corner of the pit. I want the drainage to continue to go into the pit instead of washing across the yard and creating gullies in the yard. I plan to riprap the gully with a 3-4" cobble type rock to allow the runoff to reach the bottom of the pit without creating the gully.

Third, markers are placed at the boundary corners again.

I will also send a hard copy with a check for \$216.00 for the revision fee. If you have any questions, please contact me.

Rick Ensminger

Sent from [Mail](#) for Windows

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STATE OF
COLORADO

Michels - DNR, Amber <amber.michels@state.co.us>

Inspection Report Follow Up

Michels - DNR, Amber <amber.michels@state.co.us>

Tue, Aug 15, 2023 at 7:50 AM

To: "Ensminger Construction, Inc." <ensminger@haxtuntel.net>

Cc: "Lennberg - DNR, Patrick" <patrick.lennberg@state.co.us>

Good morning,

1) Yes, although you want to close the pit, and finish reclamation, the reclamation plan on file doesn't adequately reclaim the land since mining occurred north of the creekbed. Technically, the mine plan changed without approval. However, because it's close to being finished, we want to give you the opportunity to just revise the permit to reflect a new reclamation plan. Instead of treating the pit as part of the creek, it will need to be reclaimed as any other construction materials site, and will need to be vegetated throughout, via an approved plan. This change needs to be addressed in a technical revision form. This can be found at the following link, (<https://drive.google.com/open?id=1IkL1q-sDhhsorQnHsc0DMrE3FprUSfUh>) and can be printed and mailed with the check, or this form can be filled out electronically via epermitting, and the fee can be paid online.

2) If you want the drainage to enter the pit, and you want to riprap the gully, this is a change in the approved reclamation plan, and may be addressed through the Technical Revision application as part of the proposed changes. As a reminder, unless you have water rights and approval from the Division of Water Resources, you have to demonstrate in your plan that you will not impound stormwater for greater than 72 hours. You must demonstrate in this new plan that the water will be able to either infiltrate or evaporate within that time. The approved post mined land use is wildlife for your permit, so we will require that you submit a new reclamation plan that addresses the separation from the creek, vegetation establishment, and temporary surface water/storm water impoundment that meets the requirements of a wildlife habitat post mining plan.

3) Please provide photos of the markers in place.

These inspection problems are **due tomorrow, August 16, 2023**. If you need additional time, [please submit an extension request via email](#).

If you have any questions, please send me an email, or call me at 720-836-0967.

Thank you,

Amber Michels
Environmental Protection Specialist



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

P 720.836.0967 | F 303.832.8106 |

Physical: 1313 Sherman Street, Room 215, Denver, CO 80203

Mailing: DRMS Room 215, 1001 E 62nd Ave, Denver, CO 80216

amber.michels@state.co.us | <https://drms.colorado.gov/>

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Inspection Report Follow Up

Michels - DNR, Amber <amber.michels@state.co.us>
To: "Ensminger Construction, Inc." <ensminger@haxtuntel.net>

Wed, Aug 16, 2023 at 1:42 PM

Rick,

Per our phone conversation, I am attaching a copy of the Division's extension request notice, extending the due date for these issues to **September 15, 2023**.

I've attached the Technical Revision form to this email. As we discussed, I think it would be best if you first sent the photos of your corner markers in place, as well as the picture of the vegetation in the pit, so that we can better assist in determining an adequate reclamation plan moving forward.

Also as a reminder, your annual fee, report, and map were past due as of July 30, 2023. Please submit these materials as soon as possible to avoid enforcement actions.

If you have any questions, send me an email or call me at 720-836-0967.

Thank you,

Amber Michels
Environmental Protection Specialist



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2 attachments



Inspection Problems Extension Approval_EnsmingerPit_m2002068.pdf
230K



MineralsTechnicalRevisionRequestForm.pdf
23K