



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

Date: _____

RE: Need for State Reclamation Permit: “Is It Mining?”

Name: _____

Street

Address: _____

Telephone: () _____

Mobile: () _____

Email

Address: _____

Enclosed are pertinent sections of the Colorado Mined Land Reclamation Board (Board) Rules governing activities that do not require a reclamation permit. To determine if you need a permit for you proposed activity, first check Rule 1.2 which describes activities the Board has determined do not require state reclamation permits. If you find a match, you can proceed based on your interpretation of the rule, but at your own risk. If you are uncertain how the Rule may apply to your activity, you should answer the list of questions below with as much detail as possible. Please feel free to use additional paper, maps, and attachments to explain your project.

Please include in your determination request answers to the following questions:

1. Please provide the legal location of the proposed project and submit a site map that clearly delineates the location of the proposed extraction site and the location of the nearest city, town, and county location name.

Section: _____

Township: _____

Range: _____

PM _____

Or NAD 27 X UTM
GPS

Y UTM

Direction and Miles to
nearest town/city: _____

County: _____



2. Is the site of material extraction on public or privately owned property?

Public

Private

3. What type(s) of material or metal is/are proposed to be extracted and describe the physical nature of the site i.e., river terrace, rocky knob, in-stream gravel deposit, etc.?

4. What processing or extraction method(s) will be used on site? Include any equipment or chemical(s) that will be used in the processing and extraction of the materials.

5. Will the extracted material be hauled offsite or used on the same parcel of property where the material is extracted?

6. How will the extracted material be used on site?

7. If the material is hauled offsite, where will it be hauled to and what is the intended use?

8. What is the approximate areal extent of the proposed extraction in acres?

9. To what approximate depth will the extraction extend?

10. In cubic yards, approximately how much material will be removed:

11. Will material extraction involve the use of explosives?

Yes ____ No ____

12. Will site of extraction result in the exposure of tributary ground water?

Yes ____ No ____

13. Will either the landowner or the mine site operator receive any type of compensation, i.e., monetary, in-kind, haulage fees, etc., from the proposed material extraction?

Yes ____ No ____

14. Please supply a copy of any documents that will ensure that the area of extraction will be reclaimed to some beneficial land use once extraction activities have been completed.

15. Do you have permits for this activity from any other governmental agencies such as building, construction, or grading permits, and if so, what are they?

16. Are there state/federal/local agency participants in terms of funding?

	Yes	No
Funding	Yes ____	No ____
Design	____	____

Percentages

State _____ Federal _____ Local Agency _____

17. What post mining land uses will be made of the extraction and why? (This question helps us determine the intent of the activity.)

18. What types and sizes of equipment will be used in the extraction?

Please send the completed questionnaire to the Division at the address above for review. The Board has directed the Division to make a decision based on the information you have supplied. We trust that the activities will be performed as represented. If we receive a complaint, we are required by law to conduct an inspection of the site. Which could result in a violation, a cease and desist order, and other corrective actions including submittal of a permit application.

If you have any questions, please contact the Division at (303)866-3567. Please feel free to visit our web site at: <https://colorado.gov/drms> for further access to the full Act and Rules governing extraction of metals, non-metals, and construction materials in the State of Colorado.

Sincerely,

Division of Reclamation, Mining and Safety Staff

Enclosure: Rule 1.2 excerpt for Hard Rock Metal Mines and Construction Materials
Rule 1.2 excerpt for Hard Rock/Metal Mining

1.2 SCOPE OF RULE AND ACTIVITIES THAT DO NOT REQUIRE A RECLAMATION PERMIT

1.2.1 Specified by Rule

The Board has determined that certain types of activities do not need reclamation permits either because the excavated substance is not a mineral as defined in Section 34-32-103(7), Colorado Revised Statutes 1984, as amended or because the activity is not a mining operation as defined by Section 34-32-103(8), C.R.S. 1984, as amended. Such activities include the following:

- (a) the exploration and extraction of natural petroleum in a liquid or gaseous state by means of wells or pipe;
- (b) the development or extraction of coal (refer to the Colorado Surface Coal Mining Reclamation Act Section 34-33-101, et seq., C.R.S. 1984, as amended);
- (c) smelting, refining, cleaning, preparation, transportation, and other off-site operations not conducted on affected land; and
- (d) the extraction of geothermal or groundwater resources.

1.2 ACTIVITIES THAT DO NOT REQUIRE A RECLAMATION PERMIT

103(3) and
(13)

1.2.1 Specified by Rule

The Board has determined that certain types of activities do not need reclamation permits either because the excavated substance is not a construction material as defined in Section 34-32.5-103(3), Colorado Revised Statutes 1984, as amended or because the activity is not a mining operation as defined by Section 34-32.5-103(13), C.R.S. 1984, as amended. Such activities include the following:

- (a) the exploration and extraction of natural petroleum in a liquid or gaseous state by means of wells or pipe:
- (b) the development or extraction of coal (refer to the Colorado Surface Coal Mining Reclamation Act Section 34-33-101, et seq., C.R.S. 1984, as amended);
- (c) cleaning, preparation, transportation, and other off-site operations not conducted on permitted land: and
- (d) the extraction of geothermal or groundwater resources.

1.2.2 Reserved

1.2.3 Reserved

1.2.4 Extraction or Exploration on Federal Lands

Any person who intends to extract or explore for construction materials on federal lands shall apply for a Mined Land Reclamation Board permit or submit a Notice of Intent to conduct exploration operations unless specifically exempted by the Board according to the provisions of this Subsection 1.2.

Topsoil Removal, Importation & Reclamation Plan

Purpose

This operation is being conducted per request of the Colorado Energy & Carbon Management Commission ("CECMC"). After construction of the Castor 7-59 10 Pad, the CECMC mandated that additional topsoil be imported from an offsite location and stored onsite for final reclamation. The location from which the topsoil will be taken was selected based on soil analysis to identify compatible soil types and surface owner preference.

Removal & Importation

The selected location from which the soil will be imported will be prepared for scraping. During removal of topsoil, operator will separate and store the topsoil horizon or the top six (6) inches, whichever is deeper, and mark or document stockpile locations to facilitate subsequent reclamation. When separating the soil horizons, the operator shall segregate the horizon based upon noted changes in physical characteristics such as organic content, color, texture, density, or consistency.

A triangle area measuring roughly 950' x 990' and six (6) inches deep of topsoil will be removed and relocated to the Castor 7-59 10 Pad. Approximately 8,700 cubic yards of topsoil will be imported to the Castor 7-59 10 Pad, located in Section 10, T7N, R59W and stored in stockpiles on the north side of the pad.

Upon importation to the Castor 7-59 10 Pad, stockpiled soils shall be protected from degradation due to contamination, compaction and, to the extent practicable, from wind and water erosion during drilling and production operations. Stockpiles will be straw crimped with mulch and seeded to stabilize the stockpile. Weeds on stockpiles shall be controlled as to prevent production of weed seed and/or enough biomass that would interfere with redistribution of soil or cause onsite debris. Signage shall be installed to identify topsoil stockpiles to facilitate subsequent reclamation and indicate to personnel that the area may not be disturbed by drilling and completion operations.

The stockpiled topsoil will be redistributed uniformly and in a manner that minimizes compaction of soil. Topsoil may not be redistributed during wet soil moisture conditions. Topsoil should be leveled with the adjacent, undisturbed land to match surrounding topography.

Reclamation

After the topsoil has been relocated to the Castor 7-59 10 Pad, the area from which the topsoil was taken will cross-rippled to a depth of 18 inches unless and to the extent

bedrock is encountered at a shallower depth for the purposes of compact alleviation. The area will also be contoured and tilled adequately to re-establish a proper seedbed. If necessary, the area shall be treated to prevent invasion of undesirable species and noxious weeds, and to control erosion. The area is cropland so the area will be seeded according to the surface owner's preference. If they have no preference, any perennial forage crops that were present before disturbance shall be re-established.

Both locations will be fully reclaimed in accordance with CECMC Series 1000 Reclamation Rules upon conclusion of operations.