



STATE OF
COLORADO

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Preliminary Adequacy Review Larsen Pit

1 message

Gagnon - DNR, Nikie <nikie.gagnon@state.co.us>

Fri, Dec 15, 2023 at 1:00 PM

To: Marcy Brossman <ccadmin@rebeltec.net>

Hi Marcy.

Attached is the preliminary adequacy review letter for the Larsen Pit, Permit No. M-2023-036. Please review the letter and reach out to me if you have any questions.

Kind regards,

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Nikie Gagnon
Environmental Protection Specialist



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

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M2023036 Larsen Pit Preliminary Adequacy Review_20231215.pdf
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December 15, 2023

Marcy Brossman
Cheyenne County
P.O. Box 567
Cheyenne Wells, CO 80810

Re: Larsen Pit, File No. M-2023-036; Preliminary Adequacy Review for 112 Construction Materials Reclamation Permit Application

Dear Ms. Brossman,

The Division of Reclamation, Mining and Safety (Division) has completed its preliminary adequacy review of the 112 Construction Materials Reclamation Permit Application for the Larsen Pit, Permit No. M-2023-036. The review consisted of comparing the application content with specific requirements of Rules 3.1, 6.3 and 6.5 of the Minerals Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials. Any inadequacies are identified under the respective exhibit heading along with suggested actions to correct them.

The following items must be addressed by the applicant to satisfy the requirements of C.R.S. 34-32.5-101 et seq. and the Mineral Rules and Regulations of the Mined Land Reclamation Board:

General Application Information

1. The Division received comment letters from History Colorado and the Division of Water Resources regarding this application. Please acknowledge receipt of these letters and address the comments as necessary.

Exhibit G – Water Information

2. Exhibit D shows an unnamed drainage within 200 feet of the western boundary of the proposed permit area. The CPW letter in Exhibit H indicates this is dry creek, however, mining will occur uphill of this ephemeral drainage and there is the potential for sediment to flow offsite, into the drainage during a storm event. Pursuant to Rule 3.1.6(3), please indicate the best management practices that will be applied along the permit boundary to avoid offsite impacts to the drainage.



Exhibit S – Permanent Man-made Structure

3. Exhibit S states the Union Pacific Railroad parallels the southern border of the permit area at approximately 185 feet. According to the email included in the application regarding a structure agreement, the Union Pacific asks Cheyenne County to move forward with an engineering evaluation pursuant to Rule 6.4.19, which states, "where such an agreement cannot be reached, the applicant shall provide an appropriate engineering evaluation that demonstrates that such structure shall not be damaged by activities occurring at the mining operation". Please submit the engineering evaluation to the Division.

Additional Information

4. Pursuant to Rule 1.6.2(2), please demonstrate that the Applicant's response to these adequacy issues have been filed with the application materials previously placed with the County Clerk and Records Office and made available for public review.

Pursuant to Rule 1.4 the 90-day decision date for this application is January 17, 2024. Please be advised that if you are unable to satisfactorily address any concerns identified in this review before the decision date, it will be your responsibility to request an extension of the review period. If there are outstanding issues that have not been adequately addressed prior to the end of the review period, and no extension has been requested, the Division may deny this application.

Sincerely,



Nikie Gagnon
Environmental Protection Specialist

cc: Amy Eschberger, DRMS