

STATE OF  
COLORADO

Czapla - DNR, Dustin &lt;dustin.czapla@state.co.us&gt;

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**RE: M-1992-054, Ignacio Pit, Reclamation Cost Update**

1 message

**Nathan Barton** <NABarton@wastelineinc.net>

Fri, Feb 9, 2024 at 1:02 PM

To: "Czapla - DNR, Dustin" &lt;dustin.czapla@state.co.us&gt;

Cc: Brian Abeln &lt;Brian.Abeln@crossfireaggregate.com&gt;, "Todd A. Fisher" &lt;todd.a.fisher.llc@gmail.com&gt;, Diana Fields &lt;dianacfields@gmail.com&gt;

Dear Dustin:

Thanks for your patience on this.

Brian Abeln and I were finally able to meet with Todd Fisher by phone yesterday and go over this and a lot of other matters. Todd is still recovering from some major surgery and not able to do a lot due to medication.

We need to and are requesting an extension until the 10<sup>th</sup> of March to get back to you on the estimate. Your calculations are all good, but the situation at the pit has changed so much since July and the annual report that the assumptions have totally changed, as have the affected areas and their status. At the same time, we hit a ledge with that underlying sandstone and ended up needing to expand the total area in the last few months to meet demand. Part of our meeting (Todd, Brian, and me) was to try to get approvals from the owner/operator for Crossfire (under contract to LBCR LLC) on expanding and relocating various items.

In essence (and I can submit a formal updated report before July if you think it would be useful), the south 10 acres (Area D except the triangle where the scale is) is ready to request reclamation release. The Area C to the north has been mined out and is at final grade but still has stockpiles of product and many of the overburden/soil stockpiles waiting to be spread and seeded in the next 2 or so months, hopefully. But the highwall is now gone, and about 90% of the area is at final grade except for soil. So we are looking at a partial release and reduction in the financial warranty for that area.

At the same time, we are moving north of the La Boca Canyon Road into Areas A and B. Area A was the old 110 permit area which had been mined illegally way back when, and then was used to dump construction debris and hydrovac junk before Todd's company bought the ranch and expanded to a 112 permit. We've cleaned up a lot of that, and are trying to figure out what gravel may actually still be there – conflicting information from past reports. So we are constructing a road from the intersection of the angled road and the Canyon Road straight north through Area A into Area B, and expect to affect about 10 acres additional area this year, which of course makes a huge difference on the reclamation cost.

So we have both items significantly reducing the warranty needed *and* increasing the affected area and therefore the warranty. And of course, we need to submit an application for the release, whether partial or full. So it is difficult for both you and us to go through the calculations and then have to do it again in a month to take into account the changes.

That is why I'm requesting such a lengthy extension.

Please let me know if I need to submit a formal letter asking for the extension of time to review and get back to you on the estimate, or if this email will be adequate. And please let me know if I need to submit a map and summary of areas immediately or as part of the overall response to the estimate.

Respectfully,

Nathan

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**From:** Czapla - DNR, Dustin <dustin.czapla@state.co.us>**Sent:** Thursday, January 25, 2024 2:04 PM**To:** Todd A. Fisher <todd.a.fisher.llc@gmail.com>**Cc:** Nathan Barton <NABarton@WastelineInc.net>**Subject:** M-1992-054, Ignacio Pit, Reclamation Cost Update

Dear Operator,

The Division periodically reviews reclamation costs for mine sites in order to ensure that the financial warranties are adequate to fund the reclamation in case of operator default. As I'm sure you are aware, inflation has driven up the cost of most things, including reclamation costs.

Attached is a reclamation cost estimate for this site. Within 15 days please review the attached estimate and let me know if any calculation errors are noted. I have also attached the Division's 2015 cost estimate for comparison.

**Dustin Czapla**

**Environmental Protection Specialist**

Division of Reclamation, Mining and Safety

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