



## CONSTRUCTION MATERIALS EXTRACTION

Staff Presentation Form

August 21-22, 2024 MLRB Meeting

### GENERAL INFORMATION:

<b>Site Name:</b>	Bernhardt Sand and Gravel Pit	<b>Permit Type:</b>	112c
<b>Permittee:</b>	W.W. Clyde & Co.	<b>Permit Acreage:</b>	111.01 acres
<b>File No.:</b>	M-2023-025	<b>Affected Acreage:</b>	111.01 acres
<b>Primary Commodities:</b>	Sand and gravel	<b>County:</b>	Weld
<b>Anticipated Use:</b>	Construction materials	<b>Required Bond:</b>	\$3,550,146.00
<b>Mining Plan:</b>	One 11-year phase with concurrent reclamation of banks	<b>Timely Objections:</b>	5
<b>Surface Owner of Affected Lands:</b>	W.W. Clyde & Co.	<b>Agency Comments:</b>	3: History Colorado, CPW, DWR
<b>Mineral Owner of Affected Lands:</b>	W.W. Clyde & Co.	<b>Lead Specialist:</b>	Rob Zuber
<b>Post-Mining Land Use:</b>	Developed water resources	<b>Review Team:</b>	Patrick Lennberg, Tim Cazier, Zach Trujillo

### REASON FOR HEARING:

Consideration of staff's recommendation to approve a 112c permit application with objections.

### CHRONOLOGY:

August 3, 2023	112c application received from IHC Scott, Inc. (through J&T Consulting, Inc.)
August 14, 2023	DRMS notice to Applicant of incomplete application
September 14, 2023	Completeness items received from Applicant
September 14, 2023	Application filed for review; Commencement of adequacy review period
	DRMS notice sent to agencies
September 19, 2023	DRMS received comments from Division of Water Resources
September 21, 2023	DRMS received comments from Colorado Parks and Wildlife
September 26, 2023	DRMS received comments from History Colorado
September 29, 2023	DRMS Adequacy Review #1 sent to Applicant
October 16, 2023	Applicant sent to DRMS the proof of notices to owners of record within 200 feet of site



October 19, 2023	Applicant's last publication in Johnstown Breeze
October 23, 2023	DRMS Adequacy Review #1 sent to Applicant (groundwater review)
November 8, 2023	Close of comment period, during which DRMS received: <ul style="list-style-type: none"><li>• Three agency comment letters</li><li>• Five timely objection letters from six objecting parties</li></ul>
November 9, 2023	DRMS pre-operation inspection
November 13, 2023	DRMS notice to Applicant of comments and objections received
November 14, 2023	DRMS Adequacy Review #1 sent to Applicant (geotechnical review)
November 21, 2023	Request and approval of SO-01, changing Applicant name to WW Clyde & Co.
November 28, 2023	Applicant's extension request approved; Decision date extended to 31 January 2024
January 23, 2024	Applicant's extension request approved; Decision date extended to 29 February 2024
February 20, 2024	Applicant's extension request approved; Decision date extended to 29 March 2024
March 21, 2024	Applicant's extension request approved; Decision date extended to 30 April 2024
April 8, 2024	Adequacy Response #1 received from Applicant
April 15, 2024	DRMS Adequacy Review #2 sent to Applicant
April 24, 2024	Applicant's extension request approved; Decision date extended to 7 June 2024
May 17, 2024	DRMS Adequacy Review #2 sent to Applicant (geotechnical review)
May 21, 2024	Adequacy Response #2 received from Applicant
May 23, 2024	Applicant's extension request approved; Decision date extended to 30 June 2024
June 6, 2024	DRMS Adequacy Review #3 sent to Applicant
June 11, 2024	Adequacy Response #3 received from Applicant
June 20, 2024	DRMS Adequacy Review #4 sent to Applicant (with reclamation cost estimate)
June 21, 2024	Adequacy Response #4 received from Applicant
June 25, 2024	Applicant's extension request approved; Decision date extended to 12 July 2024
July 2, 2024	Adequacy Response #4 received from Applicant (revisions to Exhibits N and O)
July 11, 2024	DRMS issued Recommendation and Rationale to Approve Application with Objections
July 12, 2024	DRMS Notice of Pre-hearing Conference and Formal Board Hearing sent to all Parties

July 12, 2024	DRMS Notice of Pre-hearing Conference and Formal Board Hearing sent to County
July 31, 2024	Pre-hearing Conference (Officer – Jason Musick)
August 21/22, 2024	Formal Board Hearing

**STAFF RECOMMENDATION:**

Approve the 112c permit application for the Bernhardt Sand and Gravel Pit, File No. M-2023-025.