

STATE OF  
COLORADO

Gagnon - DNR, Nikie &lt;nikie.gagnon@state.co.us&gt;

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## Bromley Lakes Inspection Report

1 message

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**Gagnon - DNR, Nikie** <nikie.gagnon@state.co.us>  
To: "Olsen, Scott" <solsen@brightonco.gov>

Wed, Oct 23, 2024 at 4:02 PM

Hi Scott.

Please see the attached inspection report for the Bromley Lakes mine site. There are two issues cited in the report that require action within the next 30 days, evidence of a mine sign and the submittal of a weed control plan. Since you will be submitting a Technical Revision for the weed control plan, I recommend reviewing the other items called out in the report and updating the reclamation plan map at the same time. The bank stabilization plan can be submitted later when you are ready to install the rip-rap.

Please review the report and reach out to me if you have any questions on how to proceed with the corrective actions.

Kind regards,

-

**Nikie Gagnon**  
Environmental Protection Specialist



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

Cell: 720.527.1640

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

**Address for FedEx, UPS, or hand delivery:**

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

[nikie.gagnon@state.co.us](mailto:nikie.gagnon@state.co.us) | <https://www.drms.colorado.gov>



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**INSP-REPORT\_M1987049\_Bromley Lakes\_20240924.pdf**  
14486K



**MINERALS PROGRAM INSPECTION REPORT**  
**PHONE: (303) 866-3567**

The Division of Reclamation, Mining and Safety has conducted an inspection of the mining operation noted below. This report documents observations concerning compliance with the terms of the permit and applicable rules and regulations of the Mined Land Reclamation Board.

<b>MINE NAME:</b> Bromley Lakes	<b>MINE/PROSPECTING ID#:</b> M-1987-049	<b>MINERAL:</b> Sand and gravel	<b>COUNTY:</b> Adams
<b>INSPECTION TYPE:</b> Monitoring	<b>WEATHER:</b> Clear	<b>INSP. DATE:</b> September 24, 2024	<b>INSP. TIME:</b> 13:00
<b>OPERATOR:</b> City of Brighton	<b>OPERATOR REPRESENTATIVE:</b> Scott Olsen	<b>TYPE OF OPERATION:</b> 112c - Construction Regular Operation	

<b>REASON FOR INSPECTION:</b> Normal I&E Program	<b>BOND CALCULATION TYPE:</b> None	<b>BOND AMOUNT:</b> N/A - government
<b>DATE OF COMPLAINT:</b> NA	<b>POST INSP. CONTACTS:</b> None	<b>JOINT INSP. AGENCY:</b> None
<b>INSPECTOR(S):</b> Nikie Gagnon	<b>INSPECTOR'S SIGNATURE:</b> 	<b>SIGNATURE DATE:</b> October 23, 2024

**The following inspection topics were identified as having Problems or Possible Violations. OPERATORS SHOULD READ THE FOLLOWING PAGES CAREFULLY IN ORDER TO ASSURE COMPLIANCE WITH THE TERMS OF THE PERMIT AND APPLICABLE RULES AND REGULATIONS. If a Possible Violation is indicated, you will be notified under separate cover as to when the Mined Land Reclamation Board will consider possible enforcement action.**

**INSPECTION TOPIC:** Revegetation

**PROBLEM/POSSIBLE VIOLATION:** Problem: There are state-listed noxious weeds present on site. This is a problem for failure to employ weed control methods for state listed noxious weed species within the permitted area, and to reduce the spread of weeds to nearby areas as required by Section 3.1.10 (6) of the rule.

**CORRECTIVE ACTIONS:** Implement approved weed control plan and provide proof to the Division that this has been done. If a weed control plan is not already in place, the operator shall develop a weed control and management plan in accordance with Section 3.1.10 (6) of the Rule. This plan should be developed in consultation with the county extension agency, or weed control district office and should include specific control measures to be applied, a schedule for when control measures will be applied and a post-treatment monitoring plan. This weed control plan shall be submitted to the Division as a Technical Revision to the approved plan with the appropriate Technical Revision fee of \$216.00 by the corrective action date.

**CORRECTIVE ACTION DUE DATE:** 11/25/24

**INSPECTION TOPIC:** Signs & Markers

**PROBLEM/POSSIBLE VIOLATION:** Problem: The mine identification sign was not posted at the entrance of the mine site. This is a problem for failure to post a mine identification sign as required by Section 3.1.12(1) of the rule. The Operator shall, at the entrance of the mine site post a sign, which shall be clearly visible from the access road, with a minimum size equaling one hundred and eighty-seven (187) square inches, such as eleven

(11) inches in height and seventeen (17) inches in width, with appropriate font size, with the following: the name of the Operator, a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board; and the permit number.

**CORRECTIVE ACTIONS:** The operator shall, at the entrance of the mine site, post a sign which shall be clearly visible from the access road with the following: the name of the operator, a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board; and the permit number. The operator shall submit photo documentation that a proper sign has been posted by the corrective action date.

**CORRECTIVE ACTION DUE DATE:** 11/25/24

### **OBSERVATIONS**

The Bromley Lakes site was inspected by Nikie Gagnon, representing the Division of Reclamation, Mining and Safety (Division) as part of the Division's normal monitoring inspection program. Scott Olsen representing the City of Brighton. (Operator/City) accompanied the Division during the inspection. The entrance to the site is located on the west side of Brighton Blvd, just north of the intersection with 144th Ave.

Bromley lakes is a 112c permit approved for 287.80 acres. Mining is complete at the site and the affected land is in the process of reclamation. The mine permit was transferred to the City of Brighton in December 2020. The primary post-mining land use approved for the site is Developed Water Resources and Wildlife Habitat. The South Platte River flows approximately 1000 feet from the west side of the permit area.

The site consists of five different area/phases. The Division inspected the following areas:

#### Phase 18 Area

The Phase 18 area near the entrance was the location of the former processing facilities. Per the approval of Technical Revision No. 8 (TR08) this area is to be reclaimed as upland wildlife habitat. During this inspection, the Division observed stockpiles of material stored in the Phase 18 area. Following the inspection, Mr. Olsen sent a memo to the Division which stated that the City has an agreement with Ready Mixed Concrete to use the stockpile area. The lease of that property expires in May 2027 and Ready Mixed is required to remove all structures and re-seed the entirety of the area.

#### Cell No. 3

The Bromley Lakes Cell No. 3 is a former pit excavation that has been reclaimed as a slurry wall lined water storage reservoir. A review of the permit file shows the operator submitted a slurry wall liner certification from DWR in 2013. The Division observed vertical slopes in some areas around the reservoir caused by water erosion. As mentioned in the previous inspection report the side slopes surrounding Cell No. 3 need weed control and repair and treatment of tamarisk trees. Repairs will consist of grading slopes to 3H:1V and installation of rip-rap to prevent future erosion. Following the inspection, Mr. Olsen sent an email to the Division which indicated they will either repair and seed the banks or work on moving the timeframe up for the bank stabilization project which includes rip rap. **Please note, the City will need to submit a technical revision to update the reclamation plan and map to show any bank stabilization measures installed around the reservoir.**

### Cell No. 2

Bromley Lakes Cell No. 2 was mined and backfilled completely and is approved to be reclaimed as upland wildlife habitat. The Division observed the revegetation in this area. Mature grasses are established across the backfilled area. A few dense patches of annual weeds were noted on the east site. A unvegetated gravel pad (approximately 300x80 ft.) was observed along the access road in the Cell 2 area. The gravel pad needs to be prepped and reseeded according to the approved reclamation plan.

### Phase 11

The Phase 11 area consisted of a long land bridge across an adjacent water storage reservoir. This land bridge has been mined and no longer exists.

### ARA Addition

The area known as the ARA Addition area on the east side of the permit area was mined and reclaimed as upland wildlife habitat. The realigned McCanne Ditch flows through this area. The Division observed several piles of road base stored in this area. The stockpiles will need to be removed, and the area should be prepped and reseeded according to the approved reclamation plan. Additionally, the Division observed an abandoned house in this area at the top of a small hill. Mr. Olsen indicated they plan to keep the house and incorporate it into the future open space park. **Please note, the City will need to submit a Technical Revision to update the reclamation plan map to show the house remaining in the ARA Addition area.**

### Hydrologic Balance:

The French Drain installed adjacent to the Spier Property appears to be functioning. Water was discharging from the drain into the McCanne Ditch. The Division observed a pond in the southeast corner of the Cell 3 area. The approved reclamation plan map does not show a pond in this area. The operator indicated it the pond is fed from a groundwater seep and the water flows into the realigned McCanne Ditch. **The City will need to submit a Technical Revision to update the reclamation plan map to show the pond and slurry wall alignment in the southeast corner of Cell 3.**

### Revegetation:

The western side of the permit area along the bike path that runs along the South Platte River was observed to be adequately vegetated with native grasses. Tamarisk trees were observed along the western and southern shorelines of the Cell No. 3 area. Additionally, the Division observed noxious weeds (primarily cheatgrass and thistle) in all areas of the permit area. This issue was discussed with the Operator. These trees and weeds need to be treated with an appropriate weed control method. The Division reviewed the permit file and did not find an approved weed control plan. Per Problem #1 cited above, the City shall develop a weed control and management plan in accordance with Section 3.1.10 (6) of the Rules. This plan should be developed in consultation with the county extension agency or weed control district office and should include specific control measures to be applied, a schedule for when control measures will be applied and a post-treatment monitoring plan. **This weed control plan shall be submitted to the Division as a Technical Revision to the approved plan with the appropriate Technical Revision fee of \$216.00 by the corrective action date.**

### Signs and Markers

The Division observed mine signs along the western side of the permit area consistent with Rule 3.1.12, however, no sign was observed at the entrance to the site. As stated in Problem 1 above, the operator shall, at the entrance of the mine site, post a sign which shall be clearly visible from the access road with the following: the name of the operator, a statement that a reclamation permit for the operation has been issued by the



Colorado Mined Land Reclamation Board; and the permit number. **The operator shall submit photo documentation that a proper sign has been posted by the corrective action date.**

This concludes the Division's report. A subset of the photographs taken during inspection are attached. Any questions or comments regarding this inspection report should be forwarded to Nikie Gagnon at the Colorado Division of Reclamation, Mining and Safety at 720-527-1640, or email at [nikie.gagnon@state.co.us](mailto:nikie.gagnon@state.co.us).

**PHOTOGRAPHS**



Photo 1: Looking northeast across Phase 18 area near the entrance.



Photo 2: Looking northeast at stockpiles in the Phase 18 area.





Photo 3. Looking west from the northeast corner of Cell No. 2. Tamarisk trees, Canada thistle and cheatgrass plants observed along the shoreline.



Photo 4: Looking west at revegetation along the northern shoreline of Cell No. 3.





Photo 5: Looking at revegetation along the eastern shoreline of Cell No. 3.



Photo 6: Looking east at revegetation in the northwest corner of Cell No. 3.





Photo 7: Looking south from the northwest corner of Cell No. 3. Red dashed circle indicates Tamarisk trees observed.



Photo 8: Looking north along the western shoreline of Cell No. 3. Tamarisk trees and thistles observed here.





Photo 9: Looking northeast from the southwest corner of Cell No. 3.



Photo 10: Looking northeast at shoreline on the east side of Cell No. 3. Arrow indicates wave cutting along the shoreline.





Photo 11: Looking northeast at shoreline on the east side of Cell No. 3. Arrow indicates wave cutting along the shoreline.



Photo 12: Looking north across backfilled and revegetated Cell No. 2.





Photo 13: Gravel pad observed adjacent to the access road in the Cell No. 2 area.



Photo 14: Pond observed in the southeast corner of the Cell No. 3.





Photo 15: French drain outlet. Water observed discharging from the drain into the McCanne Ditch.



Photo 16: Looking south at McCanne Ditch in the ARA Addition area on the east side of Cell No. 3.





Photo 17: Looking at road base stockpiled in the ARA Addition area on the east side.



Photo 18: Looking southeast at the revegetated upland in the ARA Addition area.





Photo 19: Abandoned house on a hill in the ARA Addition area.



Figure 1: Google Imagery dated 5/16/2023. Red line indicates permit boundary.

### **GENERAL INSPECTION TOPICS**

The following list identifies the environmental and permit parameters inspected and gives a categorical evaluation of each

(AR) RECORDS----- <u>Y</u>	(FN) FINANCIAL WARRANTY----- <u>NA</u>	(RD) ROADS----- <u>N</u>
(HB) HYDROLOGIC BALANCE----- <u>Y</u>	(BG) BACKFILL & GRADING----- <u>Y</u>	(EX) EXPLOSIVES----- <u>N</u>
(PW) PROCESSING WASTE/TAILING---- <u>N</u>	(SF) PROCESSING FACILITIES----- <u>N</u>	(TS) TOPSOIL----- <u>N</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>Y</u>	(FW) FISH & WILDLIFE----- <u>N</u>	(RV) REVEGETATION---- <u>PB</u>
(SM) SIGNS AND MARKERS----- <u>PB</u>	(SP) STORM WATER MGT PLAN---- <u>N</u>	(RS) RECL PLAN/COMP-- <u>Y</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>N</u>	(SC) EROSION/SEDIMENTATION--- <u>N</u>	(ST) STIPULATIONS----- <u>N</u>
(AT) ACID OR TOXIC MATERIALS----- <u>N</u>	(OD) OFF-SITE DAMAGE----- <u>N</u>	

Y = Inspected / N = Not inspected / NA = Not applicable to this operation / PB = Problem cited / PV = Possible violation cited

#### **Inspection Contact Address**

Scott Olsen  
City of Brighton  
500 South 4th Avenue  
Brighton, CO 80601

*Enclosure:* September 24, 2024 email from Scott Olsen

CC: Jared Ebert, Senior EPS, DRMS

STATE OF  
COLORADO

Gagnon - DNR, Nikie &lt;nikie.gagnon@state.co.us&gt;

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**Bromley Lakes Mine Site Visit**

1 message

**Olsen, Scott** <SOlsen@brightonco.gov>

Tue, Sep 24, 2024 at 3:34 PM

To: "nikie.gagnon@state.co.us" &lt;nikie.gagnon@state.co.us&gt;

Cc: "Mertens, Rachel" &lt;RMertens@brightonco.gov&gt;

Hi Nikie,

Thank you for meeting with us this afternoon. Attached is the 2024 permit boundary map that was submitted with the annual report. It notes the location of the Permit Boundary Markers and the Mine Identification Sign (that has since been removed). I also attached a picture of when the mine sign was placed. We will ensure it is put back up and send you a picture.

I will be in contact with our Open Space Division to get suggested contractors to assist with the weed/invasive management in the entirety of the permitted area. Please send along a weed control plan if you find one associated with the permit. If not, we will have the contractor put one together.

Looking at our capital improvement plan, it appears the bank stabilization at Cell #3 is farther out than I thought. I think we are going to have to add a project to repair the banks above the high-water line and re-seed, or move the bank stabilization project forward. This will have to be discussed with our budget team. We just finished our budget cycle, so the soonest we could add this in would be 2026.

Lastly, it appears that we have agreements allowing Ready Mixed Concrete to use the area that you noted the stockpile in near the entrance. The lease of that property expires in May 2027 and Ready Mixed is required to remove all structures and re-seed the entirety of the area.

I have outlined the areas in red on the permit boundary map that we will focus on removing from the permit as soon as possible. This will require removal of the stockpiled asphalt millings in the permit area and mechanical treatment of the weeds/invasives in these areas.

Thanks,

**Scott Olsen****Director of Utilities**

City of Brighton

O 303.655.2136

M 720.641.3085

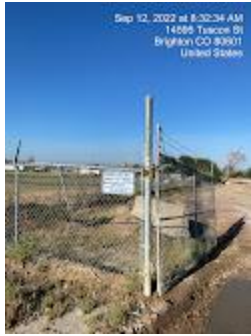
500 S 4th Ave., Brighton, CO 80601

solsen@brightonco.gov

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**2 attachments**



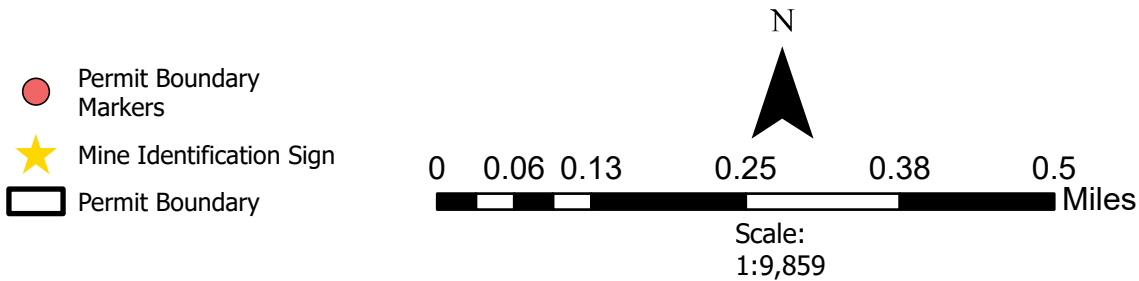


**Mine Sign.JPG**  
4683K



**AnnualReportMap2024\_Marked-Up.pdf**  
1079K

# M-1987-049 Permit Area



City of Brighton  
Utilities GIS Division  
September 2024



Spatial Reference  
Name: GCS WGS 1984  
GCS: GCS WGS 1984  
Map Units: Degree



Sep 12, 2022 at 8:32:34 AM  
14595 Tuscon St  
Brighton CO 80601  
United States

