

STATE OF
COLORADO

Lennberg - DNR, Patrick <patrick.lennberg@state.co.us>

Is It Mining Form - Yocam Borrow Pit, Permit No. M-2018-020

Kyle Graham <Kyle@ecosystempartners.com>

Thu, Jan 2, 2025 at 1:16 PM

To: "Lennberg - DNR, Patrick" <patrick.lennberg@state.co.us>, "Jennifer Hale, ENV SP" <hale@pinyon-env.com>

Cc: Case Davis <case@beavercreekhydrology.com>, Brent Scarbrough <brent@frontierenvironmental.net>

Patrick,

Attached are the Corps and EPA executed signature pages. Let us know if additional information is needed.

Thank you

Kyle Graham

Senior Program Manager



1402 Greening Avenue | Erie, CO 80516

P 828.243.2674

ecosystempartners.com | vCard

WARNING! Wire Fraud Advisory

Wire fraud and email phishing attacks are increasing. Always call your EIP contract representative or a member of the EIP finance team, using previously known contact information, for verification of EIP's banking information before you wire money to an EIP bank account. We will never change EIP's wiring/banking instructions in the middle of a transaction without discussing with you first. If you receive an email with wire instructions mid-transaction, do not reply and do not use the contact information provided in the email, but do call EIP using previously known contact information.

From: Lennberg - DNR, Patrick <patrick.lennberg@state.co.us>**Sent:** Monday, December 23, 2024 2:27 PM**To:** Jennifer Hale, ENV SP <hale@pinyon-env.com>**Cc:** Case Davis <case@beavercreekhydrology.com>; Kyle Graham <Kyle@ecosystempartners.com>; Brent Scarbrough <brent@frontierenvironmental.net>**Subject:** Re: [EXT] Is It Mining Form - Yocam Borrow Pit, Permit No. M-2018-020

Good Afternoon,

The last two pages of the South Platte Final Approved MBI Jan 24 file have a couple of signatures that are missing. The missing signatures are from Stephanie DeJong EPA and Eric A. Laux USACE. The signatures are missing but the dates have been completed. Is there a way to get a copy of the South Platte Mitigation Bank Signature Page with the completed signatures and dates?

Thank you,

Patrick

On Fri, Dec 20, 2024 at 4:33 PM Jennifer Hale, ENV SP <hale@pinyon-env.com> wrote:

Mr. Lennberg,

Enclosed for your review is the completed "Is it Mining" form provided to Mr. Scarbrough on November 21, 2024. I am submitting this form on behalf of Mr. Kyle Graham of Ecosystem Investment Partners (EIP).

Attachments for the form have been uploaded to this folder for your review.

 [DRMS Is It Mining Form _Yocam Borrow Pit](#)

If you have any issues with accessing the SharePoint folder, please contact me at hale@pinyon-env.com.

Best regards,

Jennifer Hale, ENV SP (she/her/hers)
Technical Lead - Sustainability and Resilience
Pinyon Environmental, Inc.
D: 720.614.5614

[Book time to meet with me](#)



--

Patrick Lennberg

Environmental Protection Specialist



[Quoted text hidden]

2 attachments



4_SignaturePage_IRT-EPA_24Jan2023.pdf

270K



4_SignaturePage_Sponsor-Corps_Signed7March2023.pdf

196K



South Platte Mitigation Bank Signature Page

This agreement, entered into by SCP Conservation, LLC and the US Army Corps of Engineers (COE), is for the purpose of establishing the South Platte Mitigation Bank (Bank). The Bank will be used to mitigate for unavoidable wetland and stream impacts approved through the COE, who is responsible for administering Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act (Section 404/10). Approved credits can be utilized to offset impacts to aquatic resources regulated by local, state, and other federal agencies as long as it complies with this Agreement/Instrument. The creation, operation, and use of the Bank will be in accordance with the South Platte Mitigation Banking Instrument, attached to this agreement.

The Interagency Review Team (IRT) that provided technical support to the COE includes the following agencies: U.S. Environmental Protection Agency, Region VIII; U.S. Fish and Wildlife Service, Region VI; the State of Colorado Division of Water Resources; the State of Colorado Department of Public Health and Environment (CDPHE); the Federal Highway Administration (FHA); and, Colorado Parks and Wildlife (CPW), etc. These agencies sign in support of the creation of this Mitigation Bank.

The objective of the Bank is to restore, enhance and permanently protect (a) 90.0-acres of restored (reestablishment) wetlands (b) 15.9-acres of enhanced wetlands, 65.2 acres of upland buffer enhancement and preservation. As a result of these activities, approximately 101.8 wetland credits will be generated. The goal of the bank is to establish a self-sustaining mitigation site that will result in net increases in aquatic resource functions and services.

The primary geographical service area for this bank will encompass 1) the entire 8-digit HUC within which the mitigation bank is located, and 2) any adjacent 8-digit HUC located within the same major river basin (6-digit HUC) located within the High Plains Level III Ecoregion, which includes all of the Middle South Platte-Cherry Creek 8-digit HUC 10190003, including any adjacent 8-digit HUC located within the same major river basin, South Platte 6-digit HUC 6 101900. At the discretion of the COE, Section 404/10 credits may be approved outside of the primary geographic service area.

COE approval of this Instrument constitutes the regulatory approval required for the South Platte Mitigation Bank to be used to provide compensatory mitigation for Department of the Army permits pursuant to 33 CFR 332.8(a)(1). This Instrument is not a contract between the Sponsor or Property Owners and the COE or any other agency of state or federal government which may be signatory hereto. Any dispute arising under this Instrument will not give rise to any claim by the Sponsor or Property Owners for monetary damages. This provision is controlling notwithstanding any other provision or statement in the Instrument to the contrary.

Stephanie DeJong
Manager, Clean Water Branch
Environmental Protection Agency, Region 8

Date Signed: 1/24/23



South Platte Mitigation Bank Signature Page

This agreement, entered into by SCP Conservation, LLC and the US Army Corps of Engineers (COE), is for the purpose of establishing the South Platte Mitigation Bank (Bank). The Bank will be used to mitigate for unavoidable wetland and stream impacts approved through the COE, who is responsible for administering Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act (Section 404/10). Approved credits can be utilized to offset impacts to aquatic resources regulated by local, state, and other federal agencies as long as it complies with this Agreement/Instrument. The creation, operation, and use of the Bank will be in accordance with the South Platte Mitigation Banking Instrument, attached to this agreement.

The Interagency Review Team (IRT) that provided technical support to the COE includes the following agencies: U.S. Environmental Protection Agency, Region VIII; U.S. Fish and Wildlife Service, Region VI; the State of Colorado Division of Water Resources; the State of Colorado Department of Public Health and Environment (CDPHE); the Federal Highway Administration (FHA); and, Colorado Parks and Wildlife (CPW), etc. These agencies sign in support of the creation of this Mitigation Bank.

The objective of the Bank is to restore, enhance and permanently protect (a) 90.0-acres of restored (reestablishment) wetlands (b) 15.9-acres of enhanced wetlands, 65.2 acres of upland buffer enhancement and preservation. The goal of the bank is to establish a self-sustaining mitigation site that will result in net increases in aquatic resource functions and services.

The primary geographical service area for this bank will encompass 1) the entire 8-digit HUC within which the mitigation bank is located, and 2) any adjacent 8-digit HUC located within the same major river basin (6-digit HUC) located within the High Plains Level III Ecoregion, which includes all of the Middle South Platte-Cherry Creek 8-digit HUC 10190003, including any adjacent 8-digit HUC located within the same major river basin, South Platte 6-digit HUC 6 101900. At the discretion of the COE, Section 404/10 credits may be approved outside of the primary geographic service area.

COE approval of this Instrument constitutes the regulatory approval required for the South Platte Mitigation Bank to be used to provide compensatory mitigation for Department of the Army permits pursuant to 33 CFR 332.8(a)(1). This Instrument is not a contract between the Sponsor or Property Owners and the COE or any other agency of state or federal government which may be signatory hereto. Any dispute arising under this Instrument will not give rise to any claim by the Sponsor or Property Owners for monetary damages. This provision is controlling notwithstanding any other provision or statement in the Instrument to the contrary.


Gray Stevens, SCP Conservation, LLC

Date Signed: 1.24.23

Eric A. Laux
Chief, Regulatory Branch
U.S. Army Corps of Engineers, Omaha District

Date Signed: _____