



January 9, 2025

Kyle Graham
Ecosystem Investment Partners
1402 Greening Avenue
Erie, CO 80516

**RE: Yocam Borrow Pit, Permit No. M-2018-020, Division Response to “Is It Mining?”
Questionnaire, No Permit Required**

Dear Kyle Graham,

On December 20, 2024, the Division of Reclamation, Mining and Safety (Division/DRMS) received your completed “Is It Mining” questionnaire regarding construction activities that has led to the placement of excess material on the footprint of the Yocam Borrow Pit, permit no. M-2018-020, located on a property in Morgan County. The excess material is being excavated from a wetland restoration project along the south bank of the South Platte River and then placed within the former Yocam Borrow Site and adjacent areas. For the wetland area you provided both a Long-Term Management and Maintenance and Monitoring Plans. Additionally, the Division received a copy of the lease agreement for the deposition area that includes a 5-year monitoring plan for revegetation of the area. Included with the submittal were signed approval documents from the U.S. Army Corps of Engineers and the Environmental Protection Agency.

The Mined Land Reclamation Board has requested the Division make determinations as to the need for a Mined Land Reclamation Permit. Based on the information provided in the questionnaire, the Division has determined **a permit is not required for the activity from the Division**. Any significant deviation from the described activity could result in review and possible reversal of this determination.

If you disagree with this decision, you may petition to appear before the Board during a formal public hearing for a Declaratory Order concerning this matter. Pursuant to Rule 2.5.2(1), the request must be submitted to the Board in writing and be received no later than 10 days prior to the hearing. The written request must contain the information required pursuant to Rule 2.5.2(2). The next available Board hearing will be held on February 19, 2025. All hearings are held at 1313 Sherman St., Room 318, in Denver, Colorado 80203.



If you need additional information or have any questions, please contact me by email at patrick.lennberg@state.co.us or by phone at (720) 665-0836.

Sincerely,

A handwritten signature in blue ink, appearing to read "Patrick Lennberg". The signature is fluid and cursive, with the first name "Patrick" and last name "Lennberg" clearly distinguishable.

Patrick Lennberg
Environmental Protection Specialist

cc: Jared Ebert; DRMS

ec: Brent Scarbrough, Frontier Environmental Services, brent@frontiirenvironmental.net
Travis Bell, Castle Rock Construction Company of Colorado, LLC, tbell@crccllc.com
Kyle Graham, Ecosystem Investment Partners, kyle@ecosystempartners.com
Jennifer Hale, Pinyon Environmental, Inc., hale@pinyon-env.com
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