

**STATE OF
COLORADO**

Simmons - DNR, Leigh <leigh.simmons@state.co.us>

M2025003, Russell Gulch Reclamation Project, Second Adequacy Review

Simmons - DNR, Leigh <leigh.simmons@state.co.us>

Wed, Apr 23, 2025 at 5:32 PM

To: Greg Smith <gregorydavidsmith@gmail.com>, Harold Lesser <alpinecompanies1@gmail.com>

Greg, Jay,

My second adequacy review letter is attached. You'll see that many of the items have been addressed, but a few outstanding issues remain.

The most significant issue is to do with stormwater permitting (item 10) - I have contacted cdphe for their input, but I encourage you to follow-up on this as well.

I have most of what I need to work up a reclamation cost estimate (item 8), but wanted to send this letter out to you as soon as possible - (and I need your confirmation re. mobile conveyors, item 5). You will have a chance to review my estimate and provide comments.

As far as the process from this point goes: when all of the technical issues have been addressed I can issue a decision to approve the application with the status "awaiting warranty". When the financial warranty has been received the permit will be issued and you can begin work.

I'm hopeful we can meet the current decision deadline of May 9th, but it really depends on feedback from cdphe.

Leigh Simmons
Environmental Protection Specialist

**COLORADO**
Division of Reclamation,
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M2025003_Application_AdequacyReview_2.pdf
230K



Greg Smith
CRS LLC.
64 Hyland Dr Unit B
Evergreen, CO, 80439

April 23, 2025

Re: Russell Gulch Reclamation Project Application (M-2025-003)
Initial Adequacy Review

Dear Mr. Smith,

The Division has completed an initial review of the materials submitted with the Russell Gulch Reclamation Project 110d application. Comments are organized by rule citation. Please review the following comments and address the numbered items in bold.

Rule 6.3.2 Exhibit B - Site Description

1. A paragraph was added to Exhibit B stating that the recommendations made by CPW would be adopted.

Response is sufficient.

Rule 6.3.3 Exhibit C - Mining Plan

2. Exhibit C was revised and a confidential addendum was added to describe in detail the circuit that will be used to process the historic mine waste (feedstock).

Response is sufficient.

3. Exhibit C was revised to specify that the graded worksite will be retained as a permanent feature (to support the post-mining land use) and trees larger than 15" in diameter will be removed from the site by a third party for milling into construction siding. The remaining trees will be stockpiled on-site and stored for future use, either as firewood or to be wood-chipped and distributed throughout the disturbed areas upon project completion, or a combination of both.

Response is sufficient.

4. Stormwater discussion was moved to Exhibit C, as requested. A number of general erosion and sediment control measures and best practices were listed. Of particular



note is a commitment to use 12 inches of topsoil over disturbed areas prior to seeding, for final site stabilization.

The response to this item is sufficient, but please refer to item 10.

5. Exhibit C was revised to clarify that four of the historic waste piles existing on the site will be processed. The location of the processing circuit will not change. The largest waste pile (nearest the circuit) will be processed first, followed by the two smaller piles directly East of the circuit location. The East most waste pile will be processed last. This material will be transported to the processing circuit location via conveyors.

Will the conveyors be mobile? Will there be any demolition or other costs associated with their removal, other than hooking them to a truck and towing them offsite.

Rule 6.3.4 Exhibit D – Reclamation Plan

6. Exhibit D was revised to provide a specific reclamation plan for the site, with adequate detail.

Response is sufficient.

7. Exhibit D was revised to describe revegetation at the site and provide a seed mix from the Natural Resource Conservation Service.

Response is sufficient.

8. An unsubstantiated cost estimate of \$10,000 is provided in Exhibit D.

[This item is a placeholder for now, further comments on the cost estimate will be made later in the adequacy review process following clarification on aspects of the Mining and Reclamation Plans]

Rule 6.3(5) Exhibit E – Maps

9. Mine Plan and Reclamation Plan maps were submitted.

Response is sufficient.

Rule 6.3(6) Exhibit F - Other permits

10. Exhibit F was revised to provide a list of 3 other permits that would be required:

- Driveway
- County Special Use
- Road/site grading

Each of these has either been provided or is in progress.

A statement was included that after conferring with Gilpin County it was determined that no construction stormwater permit is required since the total planned surface disturbance is less than 1.0 acres.

It would be very unusual, possibly unique, for a 110D permitted mine site to operate without some discharge or stormwater permit. Please review the requirements of Colorado Department of Public Health and Environment (CDPHE) WQ commerce and industry permitting (see <https://cdphe.colorado.gov/wq-commerce-and-industry-permitting>). I have reached out to cdphe_wqcd_permits@state.co.us for guidance.

Rule 6.3(12) Exhibit L – Permanent Man-Made Structures

11. Exhibit L was revised to include a letter from Gilpin County Department of Community Development stating that, with five conditions in place, the Russell Gulch Reclamation Project would have no negative impact on Virginia Canyon Road, and that CRS LLC has right of entry to the road.

Response is sufficient.

The decision due date for the Russell Gulch Reclamation Project application is May 5, 2025. If necessary, please request an extension to this date that will give you sufficient time to respond to this adequacy review, and for the Division to review your response.

Sincerely,

A handwritten signature in blue ink, appearing to read "L. Simmons".

Leigh Simmons
Environmental Protection Specialist