



PUBLIC WORKS DEPARTMENT
1111 H STREET, P.O. BOX 758
GREELEY, COLORADO 80632
WEBSITE: WWW.CO.WELD.CO.US
PHONE: (970) 356-4000, EXT. 3750
FAX: (970) 304-6497

June 29, 2011

Colorado Division of Reclamation, Mining, & Safety
Attention: Michael Cunningham
1313 Sherman Street, Room 215
Denver, CO 80203

Re: Carma Bayshore LLC, St. Vrain Lakes, Filing 1, Slurry Wall Permit No. M-1982-015

Dear Mr. Cunningham,

Weld County Public Works has recently become aware of a pending reclamation release request from Carma Bayshore LLC (Carma), for its slurry wall activities at the Siegrist gravel pits located in or about section 25, T3N, R68W. The mining activity has impacted the way in which the FEMA mapped floodplain functions.

FEMA requires that changes such as 100-year flood water surface elevations, floodplain boundaries, and floodway boundaries be documented and accepted through their Letter of Map Revision process (LOMR). The Federal Regulations that apply include but are not limited to the following and can be found in: 44CFR 60.3(b)(3), 60.3(b)(7), and 65.3.

The mining and slurry wall activity has potentially impacted the hydrologic balance and function of the St. Vrain River. DRMS Rule 34-32.5-116(4)(h) requires that changes to the hydrologic balance of the affected land be minimized. Since the function of the floodplain is a piece of the hydrologic balance, we request that Carma show what impact their mining activity has had on the 100-year flood water surface elevations and floodplain functions. To date, Carma has not finalized the LOMR process that they started with the planning of the St. Vrain Lakes Subdivision. Additionally, they have not provided evidence to Weld County or the DRMS showing how their mining and reclamation activities have impacted the 100-year flood water surface elevations.

DRMS Rule 34-32.5-116(4)(i) requires that areas outside of the affected land shall be protected from **damage** occurring during the mining operation and reclamation. As stated above, Carma's mining and reclamation activities may have changed the conveyance of the floodplain in the 100-year flood. Since the currently mapped floodplain extends beyond Carma's property, the potential exists for surrounding property owners to be impacted or even damaged by the mining and reclamation activities that have occurred on Carma's property. To date, Carma has not provided any evidence to Weld County or the DRMS showing how their mining and reclamation activities have not impacted property owners within the mapped 100-year floodplain.

In order to be compliant with FEMA's floodplain requirements to document changes to mapped floodplains, Weld County respectfully requests DRMS not to release any portion of the mine site until such time as FEMA has approved a LOMR which documents the impacts that the mine has had on the 100-year floodplain and the citizens of Weld County.

Sincerely,

A handwritten signature in black ink, appearing to read "Clay Kimmi".

Clay Kimmi, P.E., CFM
Drainage and Floodplain Engineer
Weld County Public Works

Original:	Michael Cunningham, <i>DRMS</i>
PC:	USR-489
CC:	Kim Ogle, <i>Planning Services</i>
	Carma Bayshore, L.L.C., 188 Inverness Dr. West, Suite 150, Englewood, CO 80112

17-82-5

FLOODPLAIN DEVELOPMENT PERMIT

Name of Applicant Siegrist Construction Co. Date 8-24-82
Address 2000 York St.; Denver Co. 80229 Phone 35-3-68
Location of Proposed Development 17032 I-25 access rd. Rt. 504
RR. 1608 8-22-82
Description of Development

- ☐ Residential Construction ☒ Non-Residential ☒ Scale House Mobile Home
☐ New Construction ☐ New Construction ☐ On Single Lot
☐ Addition or Improvements ☐ Addition or Improvements ☐ In Mobile Home Park
☐ Subdivision ☐ Fill ☐ Watercourse Alteration
☐ Other _____

The proposed development is located in the ☐ FW ☒ FPI or FP2
The Base Flood Elevation at the development site is: 4829.2
The Base Surface Elevation at the development site is: 4830.6

Source: FIRM + Interpretation by Vern Nelson
See attached letters

The following is to be completed by the Community Permit Official:

Plan Review

Elevation (Regulatory Flood Datum) to which the structure is to be elevated or Floodproofed: 4830.6 feet.

All necessary information and certificates are attached. ☒

Action

- ☐ The proposed development is not in conformance with applicable Floodplain Management Standards (explanation attached). Permit is denied.
- ☐ The proposal is not in conformance with applicable Floodplain Management Standards (explanation attached) and the application is referred to the Board of Adjustment for variance action.
- ☒ I have reviewed the plans and materials submitted in support of the proposed development and find them in compliance with applicable Floodplain Management Standards. Permit is approved.

8.25.82
Date

Robert Allison
Signature

JUL 09 1982



NELSON ENGINEERS

GREELEY NATIONAL PLAZA 822 7TH STREET GREELEY, COLORADO 80631 (303) 356-6362

July 9, 1982

Siegrist Construction Company
7000 York Street
Denver, Colorado 80229

Attention: Bob Cox

Dear Sir:

At your request, I have completed a study of elevations as they relate to the floodway in the St. Vrain Creek drainage immediately east of Interstate 25 in Weld County, Colorado. A brief description of my analysis and findings follow:

The U.S. Department of Housing and Urban Development Flood Insurance (FIRM) is very non-specific in showing elevations of the flood prone district. Further their map, Panel 850 of 1075, on file with Weld County, shows in blue shading, the floodway for a 500-year storm as nearly as can be determined. A careful comparison of that floodway boundary to my developed contour map information used for the gravel mine permit application and the existing U.S.G.S. maps indicate that boundary to be approximately at elevation 4831.5 immediately east of the service road adjacent to Interstate 25 as it crosses St. Vrain Creek. The Weld County Engineering Department has prepared several cross-sections through the St. Vrain Creek drainage from about 3/8 mile to about 7/8 mile east of Interstate 25. Their findings show that the elevation difference of water service for the 100-year storm and the 500-year storm varies from 2.1 feet to 2.5 feet. Such an analysis appears reasonable.

Using the average elevation difference from the above of 2.3 feet, the 100-year flood elevation immediately east of Interstate 25 is $4831.5 - 2.3$ or 4829.2. As a result, the minimum building elevation at the subject location should not be less than 4830.2, if the criteria remains that no building floor elevation should be less than one foot above the 100-year flood elevation.

(Continued on Page 2)

26.4.8 - Fill material

\$
elevation

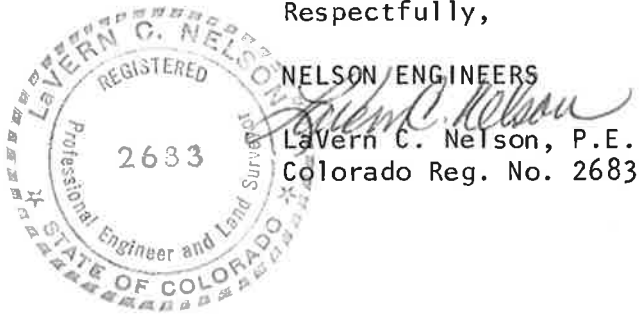
- Septic water tight

483
- 2.3
4829.2

Siegrist Construction Company
Attention: Bob Cox
July 9, 1982
Page 2

I have determined that the floor elevation of the scale house is 4830.6 and that the scale surface is at elevation 4831.3. Therefore, I have concluded that to the best of my knowledge and from the best information available, that both facilities, as now existing, are above the base criteria elevation for 100-year floodway concern.

Respectfully,

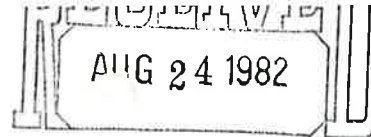


LCN: jlp



NELSON ENGINEERS

GREELEY NATIONAL PLAZA 822 7TH STREET GREELEY, COLORADO 80631 (303) 356-6362



Weld Co. Planning Commission

August 23, 1982

Mr. Rod Allison
Department of Planning Services
Weld County Services Building
Centennial Center
Greeley, Colorado 80631

RE: Siegrist Construction Company permit to build
scale house at St. Vrain Creek and Interstate 25
in Weld County.

Dear Mr. Allison:

In response to your request regarding the soils information for the subject construction, I wish to inform you that the building foundation is sand-gravel material native to the area. It has been compacted in place to at least 90% of optimum density. As a result the site is very stable.

The site is not in the direct path of water flow as it passes under Interstate 70. The base of the scale house is above the 100-year flood plain as described in my letter to Siegrist Construction Company on July 9, 1982. Because the site is not in the direct path of flow, is compacted native material, and is higher than the anticipated 100-year flood plain, it should remain in place and the scale house should not be affected or washed away during a 100-year flood.

As a part of this installation, a portable toilet has been installed adjacent to the scale house. This portable toilet will be placed at least one foot above flood plain elevation and fastened securely to the building so that it should not wash away in a 100-year flood.

Respectfully,

NELSON ENGINEERS


LaVern C. Nelson, P.E.

LCN:jl
CC: Bob Cox