



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, Colorado 80203

August 19, 2014

John DeWitt
Lincoln County
103 3rd Avenue
Hugo, CO 80821

Re: Preliminary Review of the 110 to 112 Construction Materials Reclamation Permit Conversion Application (CN-01), Pickenpaugh Gravel Pit, Permit No. M-1978-078

Mr. DeWitt,

The Division of Reclamation, Mining, and Safety (Division) has completed its preliminary adequacy review of your 110 to 112 Construction Materials Reclamation Permit Conversion application. The application was called complete for review on August 18, 2014, which is when all comment and review periods began. The decision date for this application is November 17, 2014. **Please be advised that if you are unable to satisfactorily address any concerns identified in this review before the decision date, it will be your responsibility to request an extension of the review period. If there are outstanding issues that have not been adequately addressed prior to the end of the review period, and no extension has been requested, the Division will deny this application. In order to allow the Division adequate time to review your responses to any adequacy issues, please submit your adequacy responses to the Division no later than two weeks prior to the decision date of November 17, 2014.**

Please note that any changes or additions to the application in our office must also be reflected in the public review copy which has been placed with the County Clerk and Recorder.

The review consisted of comparing the application content with specific requirements of Rules 6.1, 6.2, 6.3 (for 110c or 111c permit applications), 6.4 (for 112c permit applications), and 6.5 (if required) of the Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials. As with most applications, there are some items that will require more information or clarification of the information submitted. Any inadequacies are identified under the respective exhibit heading:

APPLICATION FEE: Adequate as submitted.

APPLICATION FORM: Adequate as submitted.

EXHIBIT A - Legal Description (Rule 6.4.1):

- 1) Adequate as submitted.
- 2) *The Applicant shall specify coordinates for latitude and longitude for the main entrance to the mine site in degrees, minutes and seconds or in decimal degrees to an accuracy of at least five (5) decimal places*



(e.g., latitude 37.12345 N, longitude 104.45678 W). For UTM, the Applicant will need to specify North American Datum (NAD) 1927, NAD 1983, or WGS 84, and the applicable zone, measured in meters.

EXHIBIT B - Index Map (Rule 6.4.2): Adequate as submitted.

EXHIBIT C - Pre-mining and Mining Plan Map(s) of Affected Lands (Rule 6.4.3): Please include on the Mining Plan Map the following:

- (a) *All immediately adjacent surface owners of record (if applicable);*
- (b) *The name of the creek to the north (if one exists);*
- (c) Adequate as submitted.
- (d) Adequate as submitted.
- (e) N/A
- (f) N/A
- (g) N/A
- (h) Adequate as submitted.

EXHIBIT D - Mining Plan (Rule 6.4.4): The mining plan shall supply the following information, correlated with the affected lands, map(s) and timetables:

- (a) Adequate as submitted.
- (b) Adequate as submitted.
- (c) Adequate as submitted.
- (d) Adequate as submitted.
- (e) Adequate as submitted.
- (f) A map (in Exhibit C - Pre-Mining and Mining Plan Maps(s) of Affected Lands, Subsection 6.4.3) may be used along with a narrative to present the following information:
 - (i) Adequate as submitted.
 - (ii) *The nature of the stratum immediately beneath the material to be mined in sedimentary deposits.*
- (g) N/A
- (h) Adequate as submitted.



- (i) *Specify if explosives will be used in conjunction with the mining (or reclamation). In conjunction with the Office, the Applicant must demonstrate, pursuant to Subsection 6.5(4), Geotechnical Stability Exhibit, that off-site areas will not be adversely affected by blasting.*

EXHIBIT E - Reclamation Plan (Rule 6.4.5):

- 1) Adequate as submitted.
- 2) The Reclamation Plan shall include:
 - (a) Adequate as submitted.
 - (b) Adequate as submitted.
 - (c) Adequate as submitted.
 - (d) *The revegetation plan shall include the rates of seeding and planting.*
 - (e) Adequate as submitted.
 - (f) A description of each of the following:
 - (i) Adequate as submitted.
 - (ii) *Seeding – please specify quantities*
 - (iii) Adequate as submitted.
 - (iv) Adequate as submitted.
 - (v) *The Division requires that a minimum of 6 inches of topsoil be salvaged for reclamation. Please state that a minimum of 6 inches of topsoil will be salvaged; or if the plant growth medium will be imported, please state where it will come from and confirm that enough will be available to apply a minimum of 6 inches on the proposed affected land.*

EXHIBIT F - Reclamation Plan Map (Rule 6.4.6): Adequate as submitted.

EXHIBIT G - Water Information (Rule 6.4.7): Adequate as submitted.

EXHIBIT H - Wildlife Information (Rule 6.4.8): Adequate as submitted.

EXHIBIT I - Soils Information (Rule 6.4.9): Adequate as submitted.

EXHIBIT J - Vegetation Information (Rule 6.4.10): Adequate as submitted.

EXHIBIT K - Climate (Rule 6.4.11): Adequate as submitted.

EXHIBIT L - Reclamation Costs (Rule 6.4.12): N/A.



EXHIBIT M - Other Permits and Licenses (Rule 6.4.13): Adequate as submitted.

EXHIBIT N - Source of Legal Right to Enter (Rule 6.4.14): Adequate as submitted.

EXHIBIT O - Owner(s) of Record of Affected Land (Surface Area) and Owners of Substance to be Mined (Rule 6.4.15): Adequate as submitted.

EXHIBIT P – Municipalities Within Two Miles (Rule 6.4.16): N/A

EXHIBIT Q - Proof of Mailing of Notices to Board of County Commissioners and Soil Conservation District (Rule 6.4.17): Adequate as submitted.

EXHIBIT R - Proof of Filing with County Clerk and Recorder (Rule 6.4.18): Adequate as submitted.

EXHIBIT S - Permanent Man-Made Structures (Rule 6.4.19): N/A

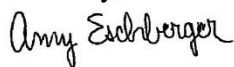
ADDENDUM 1 - Notice Requirements - Affidavit of Posting Notice (Sign) (Rule 1.6.2(1)(b)):
Adequate as submitted.

Additional Information: You will also need to provide the Division with proof of public notice publication. Requirements for the publication can be found in Rule 1.6.2(1)(d), (e), and (f). Pursuant to Rule 1.6.2(1)(g), proof of notice publication must be received by the Office before a decision on this application can be made.

This concludes the Division's preliminary adequacy review of this application. Please remember that the decision date for this conversion application is **November 17, 2014**. As previously mentioned, if you are unable to provide satisfactory responses to any inadequacies prior to this date, it will be your responsibility to request an extension of time to allow for continued review of this application. If there are still unresolved issues when the decision date arrives and no extension has been requested, the application will be denied.

If you need additional information, please contact me at the Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203, by telephone at 303-866-3567, extension 8129, or by email at amy.eschberger@state.co.us.

Sincerely,



Amy Eschberger
Environmental Protection Specialist

CC: Tom Kaldenbach, DRMS

