

October 9, 2014

Michael Coleman  
ACA Products, Inc.  
702 Gregg Drive  
Buena Vista, CO 81211



**COLORADO**  
Division of Reclamation,  
Mining and Safety  
Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

***RE: ACA 301 Pit, File No. M-2014-055, Receipt of Incomplete Construction Material Regular (112) Operation Reclamation Permit Application Package***

Dear Mr. Coleman:

On October 1, 2014, the Division of Reclamation, Mining and Safety (Division) received the Construction Material Regular (112) Operation Reclamation Permit Application package for the ACA 301 Pit, File No. M-2014-055. A preliminary review of the information received determined that the following information/items must be received before the Division can consider the application submitted and technical review can begin:

**APPLICATION PACKAGE:**

**Per Rule**

**6.4.3 EXHIBIT C - Pre-mining and Mining Plan Map(s) of Affected Lands**

Please list all adjoining surface owners of record

**6.4.5 EXHIBIT E - Reclamation Plan**

- (2) (c) Provide a description of how the Reclamation Plan will be implemented to meet each applicable requirement of Section 3.1;
- (e) Provide a plan or schedule indicating how and when reclamation will be implemented. Such plan or schedule shall not be tied to any specific date but shall be tied to implementation or completion of different stages of the mining operation as described in Subparagraph 6.4.4(e). The plan or schedule shall include:
  - (i) An estimate of the periods of time which will be required for the various stages or phases of reclamation;
  - (ii) A description of the size and location of each area to be reclaimed during each phase; and
  - (iii) An outline of the sequence in which each stage or phase of reclamation will be carried out.



- (f) Provide a description of each of the following:
  - (ii) Seeding - specify types, mixtures, quantities, and expected time(s) of seeding and planting;

**Note: Please clarify whether the seed mix proposed for the topsoil stockpiles, listed in E-2, will be the same mix used for reclamation.**

**6.4.10 EXHIBIT J - Vegetation Information**

- (1) (a) Provide descriptions of present vegetation types, which include quantitative estimates of cover and height for the principal species in each life-form represented (i.e., trees, tall shrubs, low shrubs, grasses, forbs);

**Note: Please list the principle native grass species that currently exist on site.**

**6.4.17 EXHIBIT Q - Proof of Mailing of Notices to Board of County Commissioners and Soil Conservation District**

Proof that notice, of the permit application was sent to the Board of County Commissioners and, if the mining operation is within the boundaries of a Soil Conservation District, to the Board of Supervisors of the local Soil Conservation District, pursuant to Subparagraph 1.6.2(1)(a)(ii).

**Note: Proof of mailing notice to the Board of County Commissioners was not attached.**

**1.6.2 ADDENDUM 1 - Notice Requirements - Affidavit of Posting Notice**

- (1) (b) Prior to filing the application, post notices (signs) at the location of the proposed mine site, as required by the Office, of sufficient size and number to clearly identify the site as the location of a proposed mining operation giving name, address, and phone number of the Applicant, and stating that (name of Applicant) has applied for a mining permit with the Colorado Mined Land Reclamation Board. Anyone wishing to comment on the application may view the application at the County Clerk's or Recorder's office and should send comments prior to the end of the public comment period to the Colorado Mined Land Reclamation Office, at the address given on the cover of these Rules and Regulations. Any class of Limited Impact 110 or Special 111 operation need only post notice (sign) at the location of the proposed access to the site. After having posted such notice (sign), failure by an Applicant to maintain such notice shall not constitute just cause to deny approval of the application. At the time the application is filed with the Office, the Applicant shall provide a signed affidavit that such notice (sign) was posted according to the provisions of this Rule.

Your application will not be considered submitted until the information listed above is received and found sufficient to begin our review. A decision date will be established 90 days from the date of receipt of all of the requested information. Additionally, if you have already published notice you will need to republish notice, after the Division considers the application submitted. This notice must be published once a week for four (4) consecutive weeks, starting within ten (10) days of the date your application is considered submitted. We will notify you when you should initiate republication of your notice. The final date for receiving comments is the 20th day after the fourth publication or the next regular business day.

You have sixty (60) days from the above date to submit all necessary documents that the Office needs for an application to be considered filed. If, at the end of the sixty day period, the application has not been determined to be filed with the Office, the Office shall deny the application and terminate the application file.

This letter shall not be construed to mean that there are no other technical deficiencies in your application. The Division will review your application to determine whether it is adequate to meet the requirements of the Act after submittal of all required items.

If you require additional information, or have questions or concerns, please contact me at the Division's Grand Junction Field Office.

Sincerely,



**Dustin Czaplá**  
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Division of Reclamation, Mining and Safety  
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