



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

1313 Sherman Street, Room 215
Denver, CO 80203

February 27, 2017

Mr. Kyle Reinholt
Ames Construction, Inc.
18450 E 28th Ave.
Aurora, CO 80011

**Re: Ames Construction, Inc.; Ard Property Borrow; File No. M-2017-002;
111 Construction Materials Permit Application Second Adequacy Review**

Mr. Reinholt:

The Division of Reclamation, Mining and Safety (Division/DRMS) has reviewed the content of the Ames Construction, Inc. 111 Special Operations adequacy response dated February 27, 2017 for the Ard Property Borrow, File No. M-2017-002 and submits the following comments. The Division is required to make an approval or denial decision no later than March 1, 2017 therefore; a response to the following adequacy review concerns should be submitted to the Division as soon as possible.

The review consisted of comparing the application content with specific requirements of Rules 1, 3, 6.1, 6.2, 6.3 and 6.5 of the Minerals Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials. Any inadequacies are identified under the respective exhibit heading along with suggested actions to correct them.

6.3 Specific Exhibit Requirements - 111 Special Operations

The following items must be addressed by the Applicant in order to satisfy the requirements of C.R.S. 34-32.5-101 et seq. and the Mineral Rules and Regulations of the Mined Land Reclamation Board:

Application Form

1. The copy of Page 1 of the application form submit in response to Item #2 from the Division's February 22, 2017 adequacy review letter did not include the complete location information for Item #9 of the application form. Please complete the location information on the application form as indicated in the original permit application submittal.



6.3.3 Exhibit C - Mining Plan

2. Please provide the length dimension for the access road from WCR 50 to the mining area. Additionally, please update the Exhibit E maps to indicate the road length dimension.
3. In response to Item #15 from the Division's February 22, 2017 adequacy review letter, the Applicant updated the Exhibit E – Reclamation Plan Map to indicate topsoil will be replaced at an average thickness of 4 inches. The Applicant states in section (b) of the proposed Mine Plan, the average topsoil thickness is 3 inches and the topsoil will be respreads at the depth (3") or deeper. Please explain this discrepancy and update the appropriate Exhibit as needed.

The Applicant's cost estimate for the site states 4260 cubic yards of topsoil will be replaced during reclamation. Therefore, the Division believes the 4 inch topsoil replacement value is accurate.

6.3.9 Exhibit I - Proof of Filing with County Clerk

4. Please provide an affidavit or receipt indicating the date on which the revised application documents were placed with the Weld County Clerk and Recorder in response to this letter.

Please be advised the Ard Property Borrow application may be deemed inadequate, and the application may be denied on March 1, 2017, unless the above mentioned adequacy review items are addressed to the satisfaction of the Division. If more time is needed to complete the reply, the Division can grant an extension to the decision date. This will be done upon receipt of a written waiver of the Applicant's right to a decision by March 1, 2017 and request for additional time. This must be received no later than the deadline date.

If you have any questions, please contact me at peter.hays@state.co.us or (303) 866-3567 Ext. 8124.

Sincerely,


Peter S. Hays
Environmental Protection Specialist

Ec: Wally Erickson, DRMS