



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

February 24, 2017

Alex Schatz
Brannan Sand and Gravel Company
2500 E. Brannon Way
Denver, CO 80138

RE: Trout Valley Ranch; DRMS File No. M-2016-080; Adequacy Review No. 2

Dear Mr. Schatz,

The Division has identified several other comments and questions that must be addressed prior to the Division's decision due date. **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.**

6.4.3 Exhibit C – Pre-mining and Mining Plan Map(s) of Affected Lands

1. The Applicant has asserted the proposed access road is not affected land since it will be constructed to service other land development on areas of the property outside of the permit area. Pursuant to Rule 1.1(3), affected lands include private ways or roads. Off-site roads which existed prior to the date on which notice was given or permit application was made to the office and which were constructed for purposes unrelated to the proposed mining operation are exempted. Since the access road will serve the mining operation and is not yet constructed, it is considered to be affected land.

The Applicant will need to revise all applicable portions of the Application Form and Exhibits to include the acreage associated with the access road. In addition, the Applicant must comply with the requirements of Rule 1.6.2(1)(e) by providing a copy of the notice in Rule 1.6.2(1)(d) to all owners of record of all land surface within 200 feet of the boundary of the affected lands. The noticed parties must be afforded 20 calendar days to comment as required by Rule 1.7.1(2)(a). Proof of notice may be by submitting return receipts of a Certified mailing or by proof of personal service.

2. The Applicant has stated the maximum volume of processing fines to be stockpiled is 20,000 cy. However, Map C-2 states the maximum volume of processing fines to be stockpiled is 10,000 cy. Please clarify this discrepancy.



6.4.12 Exhibit L – Reclamation Costs

3. The Applicant did not address Item No. 48 in the Division's Preliminary Adequacy Review Letter dated February 3, 2017. Please revise the reclamation cost estimate to account for grading the dredge highwalls to 2H:1V or less, or otherwise provide a technical justification for why this reclamation task is not accounted for.

6.4.19 Exhibit S – Permanent Man-made structures

4. Please revise the list of structures to include State Highway 9 and any other permanent man-made structures which are within 200 feet of the affected area. (See additional comments under Item No. 1)

As previously mentioned, if you are unable to provide satisfactory responses to any inadequacies prior to March 5, 2017, 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 have any questions, please contact me at (303)866-3567 x8116.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mike C.", is positioned above the printed name of the sender.

Michael A. Cunningham
Environmental Protection Specialist

CC: Wally Erickson, DRMS
Ben Langenfeld, Greg Lewicki and Associates