



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

July 17, 2017

Marcy Brossman
County Administrator
Cheyenne County
51 S. 1st Street/PO Box 567
Cheyenne Wells, CO 80810

RE: **Munsch Pit, Permit No. M-2000-018;
Second Adequacy Review (CN-01)**

Dear Ms. Brossman;

The Division of Reclamation, Mining and Safety (Division) received your response to our June 20, 2017 Preliminary Adequacy Review (PAR) and has completed its review of those response for your 112 construction materials reclamation permit conversion application. **The current decision date for this application was July 12, 2017.** However, the request for an acreage reduction required prior to approval of this conversion application has led to a schedule conflict described in a separate letter dated July 17, 2017. Please be advised that if you are unable to satisfactorily address any concerns identified in this Second Adequacy Review (2AR) before the new, yet to be determined 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. The comment numbering sequence from the PAR is retained for the purpose of tracking responses.

APPLICATION

1. Items 3.1 and 3.2, p. 1. The response is adequate.

6.4 SPECIFIC EXHIBIT REQUIREMENTS – REGULAR 112 OPERATIONS

6.4.1 EXHIBIT A – Legal Description

2. Mine entrance location. The response is adequate.

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

3. Haul road not included. The response is adequate.



6.4.4 EXHIBIT D – Mining Plan

4. Underlying stratum. Rule 6.4.4(f)(ii) requires a description of “the stratum immediately beneath the material to be mined in sedimentary deposits”. The response is not adequate. The Division requires a description of material that typically marks the bottom of the pit where excavation of sand and gravel will cease. This is typically shale, claystone, or sometimes clay. If you do not know what the underlying geology is, you may respond with a maximum depth to which the County expects to mine. Please indicate what type of rock or differing soil type is under the material to be mine or provide a maximum depth to be mined.

6.4.5 EXHIBIT E – Reclamation Plan

5. Haul road reclamation. Reclamation of the “existing roadway”. The response adequately address the exiting road, but does not discuss the particulars for the new road, which the Division did not understand was to be added in the original CN-01 application. Please indicate if the new road is to be reclaimed and how they will be prepared for revegetation if they are to be reclaimed. If the roads are to remain after mining is completed, please provide a letter from the land owner indicating they wish the roads to remain for future access.

6.4.6 EXHIBIT F – Reclamation Plan Map

6. Haul road not included. The response is adequate.
7. Proposed final topography. The response is adequate.
8. Proposed final land use. The response is adequate.

6.4.7 EXHIBIT G – Water Information

9. NPDES permit. The response is adequate.

6.4.14 EXHIBIT N – Source of Legal Right to Enter

10. Missing attachment. The response is adequate.

6.4.19 EXHIBIT S – Permanent Man-Made Structures

This exhibit is adequate as submitted.

6.5 Geotechnical Stability Exhibit

Not required at this time.

Other Concerns

11. Proof of publication. The response is adequate.

Post Inspection Concerns

Ms. Marcy Brossman

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12. 6.4.19 EXHIBIT S – Permanent Man-Made Structures. The Division noted a powerline on the north side of County Road M during the July 6, 2017 inspection. As this utility is within 200 feet of the affected area boundary, the Division requires a “No Negative Effect” letter from the utility company on their letterhead pursuant to Rule 6.4.16.

Please remember that the decision date for this application was July 12, 2017. The Division will need a decision date extension request to accommodate the schedule conflict with AR-02. If you have any questions, please contact me at (303) 866-3567, ext. 8169.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Timothy A. Cazier'.

Timothy A. Cazier, P.E.

Environmental Protection Specialist

ec: Wally Erickson, DRMS
DRMS file