



COLORADO DIVISION OF RECLAMATION, MINING AND SAFETY

1313 Sherman Street, Room 215, Denver, Colorado 80203 ph(303) 866-3567

REQUEST FOR TECHNICAL REVISION (TR) COVER SHEET

File No.: M- 1983-035 Site Name: Vollmer Pit

County El Paso TR# (DRMS) RECEIVED

Permittee: Schmidt Construction Company

Operator (If Other than Permittee): _____

M-1983-035 - TR01

Permittee Representative: Mark Heifner

Complied!
NO Violations!

MAR 13 2018
DIVISION OF RECLAMATION
MINING AND SAFETY

Please provide a brief description of the proposed revision: tc1, whe,

Expand 10 acre limitation to slightly larger than current affected land; increase bond

accordingly; present possible future reclamation options.

As defined by the Minerals Rules, a Technical Revision (TR) is: "a change in the permit or application which does not have more than a minor effect upon the approved or proposed Reclamation or Environmental Protection Plan." The Division is charged with determining if the revision as submitted meets this definition. If the Division determines that the proposed revision is beyond the scope of a TR, the Division may require the submittal of a permit amendment to make the required or desired changes to the permit.

The request for a TR is not considered "filed for review" until the appropriate fee is received by the Division (as listed below by permit type). Please submit the appropriate fee with your request to expedite the review process. After the TR is submitted with the appropriate fee, the Division will determine if it is approvable within 30 days. If the Division requires additional information to approve a TR, you will be notified of specific deficiencies that will need to be addressed. If at the end of the 30 day review period there are still outstanding deficiencies, the Division must deny the TR unless the permittee requests additional time, in writing, to provide the required information.

There is no pre-defined format for the submittal of a TR; however, it is up to the permittee to provide sufficient information to the Division to approve the TR request, including updated mining and reclamation plan maps that accurately depict the changes proposed in the requested TR.

Required Fees for Technical Revision by Permit Type - Please mark the correct fee and submit it with your request for a Technical Revision.

<u>Permit Type</u>	<u>Required TR Fee</u>	<u>Submitted</u> (mark only one)
110c, 111, 112 construction materials, and 112 quarries	\$216	<input checked="" type="checkbox"/>
112 hard rock (not DMO)	\$175	<input type="checkbox"/>
110d, 112d(1, 2 or 3)	\$1006	<input type="checkbox"/>

Technical Revision
Vollmer Pit
Schmidt Construction Company
Permit M-1983-035

The following changes are instituted by this technical revision to the permit. In a sense, this technical revision defines the possible conclusion of this permit with continued mining or full reclamation or possible development of the property by another party.

- I. "Bonding boundary" is established that defines the amount of land within the permit that is currently included in the bond.
 - A. The bonding boundary includes, at the minimum, the amount of affected land and/or an additional amount of land that will potentially become affected land.
 - B. Land outside the bonding boundary cannot be affected without first increasing the amount of land bonded and therefore expanding the bonding boundary.
 - C. The initial amount of land included in the bonding boundary established in this revision is 47.5 acres.
 - D. The amount of bond required is dependent upon the estimated cost to reclaim the affected land assuming any newly affected land that is not currently affected is affected in accordance with the mining and reclamation plan contained in the permit.
- II. The acreage contained in the affected land is increased from that reported in recent annual reports.
 - A. Some of this increase is quite small and accounts for some erosion that has recently been discovered to extend beyond the previous affected land boundary. This land is in the southeast corner of the currently affected land.
 - B. In previous annual reports the north berm was considered "revegetated land." Because of future reclamation or other options this land is now shifted from that category to affected land because this berm will eventually be removed to fill/topsoil the pit floor.
 - C. The total acreage in the affected land is now 41.2 acres.
 - D. The difference between affected land and bonded land is 6.3 acres. Therefore, this revision allows for 6.3 acres of additional disturbance if that is needed.
 - E. This also means that 32.5 acres of permitted land cannot be disturbed without bonding all or a portion of that land. This is all on the east end of the permit area.
- III. Future operations projection.
 - A. It is not known whether mining will continue at this operation as extensive housing development on adjacent land may restrict the efficacy of future mining.
 - B. However, the expansion of the bonding boundary eastward from the affected land boundary allows for future mining or, if necessary reclamation operations to begin full

reclamation of the operation or other approved options that may be available as surrounding land uses change.

C. Bond adjustments to include this land should be based on an assumption that it will be mined as that is the worst case scenario.

D. It is acknowledged that the site will revert to active status from a temporary cessation status on May 12, 2018.

1. At that time it is expected that activity will resume.

2. That activity could be continued mining, reclamation, or the implementation of other options as discussed below.

E. Future full reclamation option -

1. In the event no additional mining occurs either within the current affected land or on land that has not been previously affected, then reclamation should ensue.

2. The Technical Revision Map defines areas that are currently very well to pretty well vegetated and lands where no effective reclamation or revegetation has been done.

3. These following lands receive priority for additional reclamation.

a. The highest priority should be the south east corner of the current affected land as that is where the worst erosion is occurring. Erosion from here is also depositing fine materials in the very good revegetation that has been established in the basin north of the south visual berm.

b. Second priority would be the eastern cut face and adjacent land where willow and grass growth is largely absent. This is also contributing fines into the south basin.

c. Soil for this reclamation should be taken from the eastern end of the north visual berm and extending westward into that berm as far as necessary. If no further topsoiling is to be done in the near future then the fresh cut slope in that berm should be graded to at least a 2:1 slope to reduce soil loss. If no additional disturbance is expected within 2 to 3 months then the graded slope should be seeded.

d. In this option, no disturbance should be created in the south visual berm except to repair any slumps or other erosion that could threaten the integrity of the berm.

(1) this berm should remain in place through final reclamation

(2) the berm protects the development to the south from potentially unanticipated heavy stormwater flows from the operation into the development.

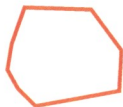



e. The remainder of the reclamation would be implemented on the rest of the unreclaimed land shown on the map.

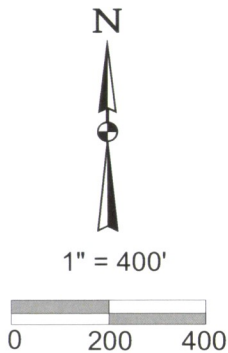
- (1) The topsoil source will be the material contained in the remainder of the north visual berm.
- (2) Movement of this soil southward would automatically fix the erosion that has occurred in the northern and northwestern cut slopes created during the mining of the mineral.
- (3) Additional fill material could be taken from the western visual berm that is an extension of the south visual berm and extends northward as far as the access road. But care should be taken to not create a path for water from the reclaimed area to flow southwestward and potentially flow into the western portions of the development to the south.
- (4) That disturbance would then be reclaimed in a fashion consistent with the pit floor.
- (5) Care should be taken to “feather” this reclamation into the currently vegetated land so these two current land types are provided with a means to blend into each other as much as possible.

F. Permit transfer (succession of operator) to a new landowner with intent to develop the land

1. As land use changes are occurring at an accelerated pace in comparison to recent years, the opportunity for development of this property for housing is clearly a possibility.
2. Such a change in use is consistent with recent changes while operating a gravel/sand pit is not necessarily consistent.
3. The owner of nearby developed land has expressed a serious interest in acquiring this property and developing it.
4. This possibility could replace the current reclamation plan with a development plan.
5. But this would require a change in final land use upon which the permit is based. That change is customarily done with an amendment, but other options are available for discussion.
6. In any event, the Colorado Mined Land Reclamation Board must approve this change **BEFORE** it is implemented.
7. In general it is expected that the final reclamation release is based upon, at a minimum, local approval of a development plan and an imminent implementation of that development plan. (The Board does not bond housing developments on previously mined land that has not first been fully reclaimed in accordance with the permitted plan.)
8. If this permit transfer is instituted the new permittee will be fully informed by the current permittee as to their responsibilities in managing the permit. This includes a copy of the entire permit file, the law, the rules and regulations, and a description of what is needed to gain approval for a change to development of the land as it affects the permit.

Vollmer Pit
Schmidt Construction Company
Technical Revision Map - 2018
Permit: M-83-035
Total Permit Area = 80 Acres

-  Affected Land = 41.2 acres (38 ac + 4.2 ac in North Visual Berm)
-  Reclamation/Revegetation Land = 19.06 acres (planted + suitable invaded natural species)
-  Land where no reclamation of any kind exists = 14.57 acres (12.22 acres in pit + 2.35 acres in access road)
-  NEW Bonding Boundary added in this revision = 47.5 acres



Note: This is a newly formatted map produced on a 2017 satellite image.

RECEIVED
MAR 13 2018
DIVISION OF RECLAMATION
MINING AND SAFETY
11x17 map

Mark A. Heifner

37 East Colorado Avenue • Denver, Colorado 80210-3105 • (303) 777-3371

March 13, 2018

Tim Cazier
Division of Reclamation, Mining and Safety
Room 215
1313 Sherman Street
Denver, CO 80203

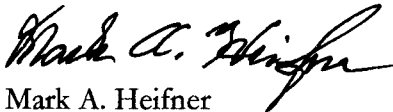
RE: Technical Revision for Vollmer Pit, Permit M-1983-035

Dear Tim,

Enclosed please find 2 copies of a technical revision for this operation. This revision serves two primary purposes. First, to increase the affected land limit and accordingly increase the bond for the operation so the site is fully covered with an appropriate and adequate bond. Second, is to present the various options regrading the future of this permit and the site. Adjacent land uses have changed dramatically in recent years and mining may no longer be appropriate for the site. With housing developments popping up everywhere, a mining operation is perhaps no longer compatible with nearby residential areas. This presents various opportunities for the future of the site. At this point, it appears likely that a land developer that has developed adjacent land to the north will acquire the Vollmer Pit for purposes of development. And that acquisition may occur fairly soon. It is not known when development would occur. Therefore, it is important to bring any outstanding issues regarding the affected land or bonding up to date so when a succession of operator is submitted the site will already be covered well for full reclamation, if that is what needs to happen at some point. We have tried to keep this TR as simple as possible so as to not create unnecessary complications for a future successor and allow them to comply with the reclamation requirements with comparative ease. As you will see, the basic instructions for what would be needed for a future owner is contained in this revision and that would become a part of the permit prior to transfer to a new owner. Additional instruction will also be provided if a succession of operator actually occurs.

If you have any questions, please contact me at the above address or at (303) 906-8096 (cell phone) or by email at mheifner610@gmail.com.

Respectfully,


Mark A. Heifner

cc: Scott Davis, Schmidt Construction

Division of Reclamation, Mining, and Safety

Fee Receipt for M1983035

Schmidt Construction Company
Scott Davis
2635 Delta Dr.

Colorado Springs

CO 809100000

Receipt #: 26366

Date: 03/13/2018

Permit: M1983035

Payment Method	Revenue Code	Fee Description/Notes	Amount
Check #1025659	4300-MTR0	Minerals Technical Revision User: sdt Payer: Schmidt Construction, Inc. TR03	\$216.00
Receipt Total:			\$216.00