



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

July 6, 2018

Mack R. Loudon
Board of County Commissioners Chairman
Las Animas County
200 E. 1st Street room 110
Trinidad, CO 81082

RE: **Arnold Pit, Permit No. M-2018-019;**
Preliminary Adequacy Review (CN-01)

Dear Mr. Loudon;

The Division of Reclamation, Mining and Safety (Division) has completed its preliminary adequacy review of your 112 construction materials reclamation permit application. The application was received on May 9, 2018 and called complete for review on May 9, 2018. **The decision date for this application is August 7, 2018.** 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 may deny this application.

The review consisted of comparing the application content with specific requirements of Rules 3.1, 6.1, 6.2, 6.4 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.

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

1. The Application is adequate as submitted.

6.4 SPECIFIC EXHIBIT REQUIREMENTS – REGULAR 112 OPERATIONS

6.4.1 EXHIBIT A – Legal Description

2. Main location. The location in Exhibit A references UTM Zone 13 N. All of Las Animas County is in UTM Zone 13 S (*for reference, the latitude band N is in the range from zero*



to eight degrees north of the equator; latitude band S is in the range from 30 to 36 degrees north of the equator). Please correct all references in Exhibit A (i.e., 1.b and 1.c) to “UTM NAD 83 Zone 13 S”.

6.4.2 EXHIBIT B – Index Map through 6.4.3 EXHIBIT C – Pre-mining and Mining Plan Map(s) of Affected Lands

These exhibits are adequate as submitted.

6.4.4 EXHIBIT D – Mining Plan

3. Reclamation Schedule. The timetable discussion states reclamation will begin within four years of the cessation of mining activities, and reclamation will be completed within five years. The establishment of vegetation in dry climate areas will likely take two or more years. The Division strongly recommends beginning reclamation within one year of the cessation of mining activity, so seeding may be implemented at the earliest optimal time of year, providing ample time for vegetation establishment prior to the five-year limit for completing reclamation.

6.4.5 EXHIBIT E – Reclamation Plan

4. Seed Mix. Rule 6.4.5(f)(ii) requires specific mixture and quantities for seeding. Please provide a specific rangeland seed mix identifying each species and seed rates in pounds pure live seed per acre. Please also indicate whether the seed rate is for drill or broadcast seeding. NOTE: If the seed mix for temporary stabilization of topsoil stockpiles is to be different from the reclamation seed mix, Rule 6.4.5(2)(d), please provide the same specificity for this seed mix.

6.4.6 EXHIBIT F – Reclamation Plan Map through 6.4.13 EXHIBIT M – Other Permits and Licenses

These exhibits are adequate as submitted.

6.4.14 EXHIBIT N – Source of Legal Right to Enter

5. Coordinate reference. As in Exhibit A, UTM Zone 13 N is used as the geographic reference in the contract provided for legal right of entry. Please correct all UTM Zone 13 N references in the contract to “UTM NAD 83 Zone 13 S”.

6.4.15 EXHIBIT O – Owner(s) of Record of Affected Land (Surface Area) and Owners of Substance to be Mined through 6.4.19 EXHIBIT S – Permanent Man-Made Structures

These exhibits are adequate as submitted.

6.5 Geotechnical Stability Exhibit

Not required at this time.

Additional Comments

Mack R. Loudon

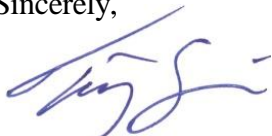
July 6, 2018

Page 3

The Division received comments from the Division of Water Resources, Colorado Parks and Wildlife, and History Colorado. Copies of these comment letters are enclosed for your records.

Please remember that the decision date for this application is August 7, 2018. As previously mentioned if you are unable to provide satisfactory responses to any inadequacies prior to this date, 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 may be denied. If you have any questions, please contact me at (303) 866-3567, ext. 8169.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Tim Cazier', with a stylized flourish at the end.

Timothy A. Cazier, P.E.

Environmental Protection Specialist

Enclosures

ec: Michael Cunningham, DRMS (w/o Attachments)
DRMS file (w/o Attachments)