



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

1313 Sherman Street, Room 215
Denver, CO 80203

July 5, 2018

John Gilleland
C & J Gravel Products
27661 Highway 160-E
Durango, CO 81301

RE: Montoya Pit, File No. M-1980-146, Construction Material Regular (112) Amendment (AM-05) Application Adequacy Review

Dear Mr. Gilleland:

The Division of Reclamation, Mining and Safety (Division) is in the process of reviewing the above referenced application in order to ensure that it adequately satisfies the requirements of the Choose an item. (Act) and the associated Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials (Rules). During review of the material submitted, the Division determined that the following issue(s) of concern shall be adequately addressed before the application can be considered for approval.

1. Application Packet:

- a. Question 3 on Page 1 of the application form lists the permit acreage to be 100.8 acres. According to AM-04 the total permit acreage 219 Acres. Please clarify the total number of acres that are currently permitted, and the total affected acreage including the pending expansion area.

2. Exhibit A- Legal Description

- a. Please provide the legal description for the proposed expansion area within the permitted area.

3. Exhibit C- Pre-mining and Mining Plan Map(s) of Affected Lands

All maps in this exhibit appear to have been shrunk to fit the page making the scale bars inaccurate and some features of the map unreadable. Please provide a new set of maps that are of appropriate size and meet the requirements of Rule 6.2.1(2). The Division suggests an 11" x 17" or larger size. All maps should also clearly identify the Permit and Affected Lands Boundaries and should either be labeled or reflected in the legend.

- a. A map of all adjoining surface owners was not included in this exhibit. It was however submitted as a part of Exhibit O. The Map included in Exhibit O was clear and well defined. It does not however meet the requirements of Section 6.2.1(2). Please submit a new copy of the map, that is full size and meets the map requirements including an



accurate scale bar and signature by the preparer. This map should also depict the permit boundary. Please also duplicate this map in Exhibit O.

b. **Map Specific Items:** The following is a list of the specific items requiring attention for the maps in Exhibit C.

- Map C-1: Incorrect Scale, the scale bar should measure 1" = 500' but the scale bar measures 7/8".
- Map C-2: Incorrect Scale, the scale bar should measure 1" = 500' but the scale bar measures 7/8", the image is distorted making the Topographic contours difficult to read.
- Map C-3: No Scale bar, North Arrow or title, map not signed.
- Map C-4: Incorrect scale bar, scale should measure 1" but the bar is 1 5/8", map not signed.
- Map C-5: Incorrect Scale, The scale bar only measures 7/8" and the images are so distorted the labels are unreadable, map not signed.

4. **Exhibit D- Mining Plan**

- a. Section 3 briefly mentions the establishment of storm water management controls in the expansion area. Please provide more details including specifics on the type of structures, their location and please include their location on one of the revised maps in Exhibit C.
- b. A Redi-Mix plant and or asphalt hot plant are mentioned in section 4 however details are not provided. Please clarify if these processing facilities are or are not to be included. If they are to be included please submit a narrative detailing the design, construction and features of the plants. As well as a map showing their location within the permitted area. Please also identify what other permits will be required with the addition of the facilities and update Exhibit N accordingly.

If the plants are intended to be added at a later time, those will need to be addressed through the Technical Revision process prior to the construction. If that is the case please clarify this.

- c. In addition to the hazardous chemicals associated with an asphalt hot plant, please identify any hazardous materials to be stored on site including but not limited to; bulk fuel storage, lubricants, oils, Etc. Please specify their storage location and estimated quantities, as well as provide details on their secondary containment structures with Spill Prevention Containment and Control (SPCC) plans associated with them.

5. **Exhibit E- Reclamation Plan**

- a. The reclamation plan outlines that portions of the private properties located within the permitted area are intended to change the post mining land use to Industrial / Commercial while the lands administered by the BLM will be reclaimed to support a post mining land use of Wildlife Habitat. Please submit a new map in compliance with Rule 6.2.1(2) that clearly depicts which areas will be Wildlife Habitat and which will be



- Industrial Commercial. These features could be included on the revised final topography map, Map F-1.
- b. In the “assumptions” section it is discussed that access roads used during the mining operations will remain post reclamation at the request of BLM. Please clarify which roads will remain and include them on the revised reclamation plan map.
 - c. The modification of storm water structures is discussed with the intention of them being left as permanent structures. Please discuss which structures will be left, where they are and how they will be modified to achieve a post reclamation configuration. Please also include the location of the storm water management structures that are to remain post reclamation on the revised reclamation plan map.
 - d. The revegetation section of the reclamation plan is detailed in the seed mix, seeding method and mulching tasks, however the total number acres to be revegetated is missing. Please specify the total number of acres in the expansion area that are to be revegetated. Please also include the total acreage within the permitted area that still require revegetation. This information should also be included and match the information provided in Exhibit L.
 - e. The use of wildlife / livestock exclusion fencing is discussed. Please clarify where that fencing will be used and how many linear feet will be required. Similarly in the BLM document titled “Decision Record”, page 7 outlines that the use of wildlife friendly fencing will be required between the active mining area and the undisturbed areas. Please provide details and clarifications on that fencing. If any of the fencing is to remain as a permanent feature post reclamation, please identify them as a permanent man made structure.
 - f. If it is understood that reclamation will be ongoing during the mining operations. However no general timeline was provided. Please clarify a plan or schedule indicating when reclamation will be implemented. Such plan or schedule shall not be tied to any specific date but shall be tied to implementation or completion of different stages of the reclamation.
 - g. Figure E-1 appears to reference a map with areas such as C-3,C-4, FW, etc. That map was not submitted with this application. Please submit the map that corresponds with Figure E-1.

6. **Exhibit F- Reclamation Plan Maps**

All maps in this exhibit appear to have been shrunk to fit the page making the scale bars inaccurate and some features of the map unreadable. Please provide a new set of maps that are of appropriate size and meet the requirements of Rule 6.2.1(2). The Division suggests an 11” x 17” or larger size. All maps should also clearly identify the Permit and Affected Lands Boundaries and should either be labeled or reflected in the legend. The revised Reclamation Plan Map should also include all items outlined in the applicable above listed adequacy items.



Map Specific Items: The following is a list of the specific items requiring attention for the maps in Exhibit F.

- Map F-1: Incorrect scale, the scale bar measures 7/8", the image is distorted and the topo lines are difficult to read.
- Map F-2: Incorrect scale, the scale bar measures 1 5/8", Map not signed.
- Map F-3: Incorrect Scale the scale bar measures, 1/2", the image and labels are distorted and unreadable, Map not signed.

7. Exhibit G – Water Information

- a. Item number 4 discusses that the BLM Environmental Assessment (EA) already addressed the surface flow concerns from the mining impacts in the upper portion of Sale Barn Canyon. Please include that information as well as summarize the details your storm water management plan in this Exhibit.

8. Exhibit H – Wildlife Exhibit

- a. While the Division understands that the BLM's EA process covers much of the same information for this and many other exhibits, that information is still required to be included in their respective Exhibits. Please submit a new Exhibit H that meets the requirements of the information required by Rule 6.4.8. Please also discuss exactly what measures will be taken to minimize the impacts to wildlife as required by the conditions of the BLM sales contract.
- b. Figure H-1 was included with this Exhibit. This figure has no description, legend or notations that describe the color gradient or what they represent. Please submit a new Figure H-1 that clearly describes the features and colors that are depicted on the map. This figure should also meet the basic map requirements as outlined in Rule 6.2.1(2).

9. Exhibit L - Reclamation Costs

- a. Please note that changes to the mining and reclamation plans as required by this or any other subsequent adequacy reviews may impact the estimate provided in Exhibit L. When necessary please update Exhibit L to reflect the changes made to other Exhibits.
- b. The summary paragraph at the end of Exhibit L states that the total reclamation costs for all affected lands totals \$246,299.00. This is contradictory to the tables provided in this exhibit, according to the tables provided the total amount to reclaim should be \$254,602.00. Please clarify the total estimate to reclaim all affected lands, including a breakdown of the cost to reclaim lands administered by the BLM and private lands located within the permit area.

10. Exhibit S – Permanent Man-made Structures

- a. While the permanent Man-made Structures are addressed in other Amendments as well as the BLM EA, please provide a list of all permanent structures within 200 feet of the affected land boundaries.



Please submit your response(s) to the above listed issue(s) by **Tuesday, August 07, 2018** in order to allow the Division sufficient time for review. The Division will continue to review your application and will contact you if additional information is needed. Please note that if you should require additional time to respond to this adequacy review an extension request to the response date as well as the decision date will be required.

If you require additional information, or have questions or concerns, please contact me at the Division's Grand Junction Field Office, by phone at (970)-243-6368 or by email at lucas.west@state.co.us.

Sincerely,



Lucas West
Environmental Protection Specialist
Division of Reclamation Mining and Safety

