



## COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

August 28, 2018

H. Bruce Humphries  
Regulatory Permits Management, Inc.  
22151 E. Euclid Pl.  
Aurora, Colorado 80016

**RE: Patty's Pit, M-1998-103, Conversion No. 1 Application (CN01)  
Adequacy Review No. 1**

Dear Mr. Humphries:

The Colorado Division of Reclamation, Mining, and Safety (DRMS or Division) received the above referenced application on July 16, 2018. The application was deemed complete and filed on July 24, 2018. The Division is required to issue a decision on the application by October 22, 2018. The following items will need to be addressed prior to the approval by the Division:

**Rule 6.4.3 – Exhibit C – Pre-Mining and Mining Plan Map**

1. In accordance with Rule 6.2.1(2)(b) please submit a copy of this map signed by the registered land surveyor, professional engineer or other qualified person who prepared it.

**Rule 6.4.5 – Exhibit E – Reclamation Plan**

2. The reclamation plan narrative on page 27 indicates the applicant proposes to replace 6 inches of topsoil over areas ready for reclamation. However, page 33 under section 3.1.9(3) indicates the applicant may remove 12 inches of topsoil from a specific soils unit area (TkC) and that the estimated reclamation need is 12,900 cubic yards of topsoil. This information is confusing and it is not clear how the applicant estimated only 12,900 cubic yards of topsoil is required for reclamation. Based on the soils information provided in Exhibit I, and information for each of the soil series identified, the topsoil (A and B horizons) range on average from 10 to 31 inches in depth. The Division would say there is about 12 to 20 inches of viable topsoil to be salvaged and used for reclamation. As the A and B horizons are typically considered viable topsoil, only replacing six inches of topsoil over the affected land is not adequate. Please clarify and revise the soil salvage depth and replacement depth accordingly.
3. The seed mix includes Crested Wheatgrass as a species to be planted for reclamation and for topsoil stockpile stabilization. Based on the information provided in Exhibit J, this species is not identified as making up a portion of the plant composition of the site. Please revise the seed mix to remove Crested Wheatgrass from the mixture for both reclamation purposes and topsoil stockpile stabilization.



**Rule 6.4.6 – Exhibit F – Reclamation Plan Map**

4. The reclamation plan map indicates topsoil will be replaced on average three to six inches. As discussed above, this amount is inadequate and does not reflect the topsoil depths found at the site. Please revise the topsoil replacement depth noted on this map based on your response to item #2 above.
5. In accordance with Rule 6.2.1(2)(b) please submit a copy of this map signed by the registered land surveyor, professional engineer or other qualified person who prepared it.

**Rule 6.4.19 – Permanent Man-made Structures**

6. Attachment V of the application includes a signed engineers statement that indicates impacts to the Geneva Rodgers fence from a mining/reclamation induces slope failure from the proposed gravel pit is not likely. Please provide an evaluation that demonstrates that such structure shall not be damaged by the activities occurring at the mining operation or other applicable rational for this statement.
7. The letter from Century Link regarding the phone line/cable must be notarized in accordance with Rule 6.4.19(c).

**Rule 1.6.2(1)(d) and (e) – Notice Requirements**

8. Please provide evidence the public notice required by Rule 1.6.2(1)(d) was published once a week for four consecutive weeks in accordance with Rule 1.6.5.
9. DRMS has received evidence the notice required by Rule 1.6.2(1)(e) was sent to the owners of record of all land surface within 200 feet of the affected land with the exception of the Colorado Department of Transportation and Vernon Miller. Please provide evidence notice was sent to these parties.

**Other**

10. DRMS received comments from the Colorado Division of Water Resources on August 27, 2018 and the Office of Archaeology and Historic Preservation on August 24, 2018. These letters are enclosed for you review.

As indicated above, the Division is required to issue a decision on the conversion application by October 22, 2018. If you need additional time to address the adequacy review items, please request an extension of the decision date. If you have any questions feel free to contact me at (303) 866-3567, extension 8120.

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Sincerely,

A handwritten signature in blue ink, appearing to read "Jared Ebert", with a stylized flourish at the end.

Jared Ebert  
Environmental Protection Specialist III

Enclosure:      1.) Colorado Division of Water Resources letter, Received August 27, 2018  
                     2.) Office of Archeology and Historic Preservation letter, Received August 24, 2018.

CC:      Dave Stone, Town of Limon