



COLORADO

Division of Reclamation, Mining and Safety

Department of Natural Resources
1313 Sherman Street, Room 215
Denver, CO 80203

July 15, 2019

Marcy Brossman
Cheyenne County
51 S. 1st Street
Cheyenne Wells, CO 80810

RE: Ackerman Pit; File No. M-2019-037, 110c Application; Preliminary Adequacy Review

Dear Ms. Brossman:

The Division of Reclamation, Mining and Safety (DRMS) has completed its preliminary adequacy review of your 110c Construction Materials Reclamation Permit Application package for the Ackerman Pit, File No. M-2019-037. The application was received on June 14, 2019 and called complete for review on July 9, 2019 after receiving a response to our June 25, 2019 Incompleteness Notice. The decision date for this application is August 7, 2019. **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 will deny this application.**

The review consisted of comparing the application content with specific requirements of Rules 3, 6.1, 6.2, 6.3 and 6.5 of the Minerals Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials (Rule). Any inadequacies are identified under the respective exhibit heading along with suggested actions to correct them.

APPLICATION

1. Location Information – The General Description states the “Approximate elevation is 5541 feet.” Topographic information provided for the area suggests the elevation is closer to 4100 feet. Please clarify or correct the site elevation.

6.3.2 EXHIBIT B – Site Description

2. Vegetation Information – Rule 6.3.2(a) requires a description of the vegetation at the proposed operation. No discussion on existing vegetation could be found in the Exhibits. Please provide a brief description of the vegetation at the proposed mine site.



3. Man-made Structures within 200 feet – Fences are considered permanent structures and need to be documented pursuant to Rule 6.3.2(b). An existing fence is shown approximately 20 feet north of the northern permit boundary on Exhibit E, Attachment A. Please add the fence as a permanent structure and provide a structure agreement for the fence as required in Exhibit L.

6.3.3 EXHIBIT C – Mining Plan

4. Thickness of Deposit – Paragraph (d) suggests the sand and gravel deposit ranges up to 72 inches. The northern contours on Exhibit E, Attachment A indicate up to 15 feet of excavation. Please clarify whether the additional nine feet is expected to be overburden or if the in deposit to be mined is expected to vary that much.
5. Roads – Please clarify whether new access road is to be reclaimed. Paragraph (1)(d) of the Exhibit D reclamation plan indicates the road might self-reclaim over time. A letter from the landowner granting permission to leave the road and stating the reason for it to remain is required.
6. Drainage Crossing – It appears the proposed access road will cross the Smoky Hill River (identified as dry). Will culverts be placed for crossing or will truck traffic drive across the creek bed? If culverts are to be installed, please indicate how they are sized and how much cover fill will be on top of the culverts, pursuant to Rule 6.3.3(g).
7. Hydrologic Balance – The final pit depth as depicted on Exhibit E, Attachment A is at least 6 feet below existing grade, and presumably below the Smoky Hill River. Insufficient detail is provided on the elevation of the bottom of Smoky Hill River with respect to the proposed pit floor elevation. Please provide cross-sections to include the banks and bottom of the Smoky Hill River and the proposed pit floor on both the east and west ends of the pit. If the pit floor is lower than the creek bottom, what precautions will be taken to minimize potential impacts to the hydrologic balance, pursuant to Rule 6.3.3(l)? Typical options are to armor the pit slopes or build a small earthen berm (“farmer’s berm”) in the buffer area on the south side of the pit which will minimize the potential for storm water flow from the creek to enter the pit.

6.3.4 EXHIBIT D – Reclamation Plan

8. Growth Media Thickness – Paragraph (1)(c)(i) states “a minimum 12 – 20 inch depth” of plant growth medium will be replaced. However, paragraph (3)(e) of Exhibit E states the “replaced topsoil is approximately 8 inches”. Please explain the discrepancy or clarify the intended amount of growth media to be replaced for reclamation.
9. Access Road – Similar to Comment 5 above, please commit to reclaiming the access road or providing a letter from the landowner granting permission to leave the road and stating the reason for it to remain is required.

6.3.5 EXHIBIT E – Map

10. Permanent Man-Made Structures – Considering Comment 3 above, please include the fence as a permanent structure in paragraph (2)(e).

11. Growth Media Thickness – Paragraph (3)(e), considering Comment 3 above, please explain the discrepancy or clarify the intended amount of growth media to be replaced for reclamation.

6.3.5 EXHIBIT L – Permanent Man-Made Structures

12. Fence – Considering Comments 3 and 10 above, please include the fence as a permanent structure in Exhibit L.

Please be advised the Ackerman Pit 110 Application may be deemed inadequate and the application may be denied on **August 7, 2019** unless the abovementioned adequacy review items are addressed to the satisfaction of the DRMS. If you feel more time is needed to complete your reply, the DRMS can grant an extension to the decision date. This will be done upon receipt of a written waiver of your right to a decision by August 7, 2019 and request for additional time. This must be received no later than the deadline date.

If you have any questions, please contact me at (303) 866-3567 x 8169.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Timothy A. Cazier', is written over a light blue rectangular background.

Timothy A. Cazier, P.E.
Environmental Protection Specialist

ec: Brock Bowles, DRMS
DRMS file