



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

July 16, 2019

Robert Christian  
Christian Construction Inc.  
16230 Reata Rd.  
Peyton, CO 80831

**RE: Adequacy Review #2; 112c Construction Materials Amendment Application (AM-02)  
Elbert County Pit, Permit No. M-1985-129**

Dear Mr. Christian:

The Colorado Division of Reclamation, Mining, and Safety (Division) received Christian Construction Inc.'s (CCI) response to the Division's preliminary adequacy review on July 11, 2019. The Division is currently required to issue a decision on the application by July 24, 2019, unless CCI requests an extension in writing prior to the due date. The adequacy review items originally identified are listed below along with the response you provided. If an item identified is considered resolved, it has been removed. If additional information or clarification is needed for an item it is listed under the applicable issue. Please respond to this Second Adequacy Review with the requested additional/updated information on permit replacement pages and summarize each response in a cover letter titled "Adequacy Response #2; M-1985-129".

**EXHIBIT C – Pre-mining and Mining Plan Map(s) of Affected Lands (Rule 6.4.3)**

1. During additional review of the permit file it appears that the proposed Amendment boundary excludes areas that are in the currently approved permit boundary, as shown on the revised permit map from AR-01 in 2007 (see Attachment A). Please update all maps to show the currently approved permit boundary. If there are areas of the approved permit boundary that fall outside the proposed amended permit boundary please incorporate those areas into the new boundary. Additionally, please provide a detailed acreage accounting showing any changes that may have occurred in redrawing the proposed permit boundary. Any changes in the proposed amendment acreage will have to be accounted for on the first page of the application form and resubmitted.
2. Please update the map to show the inclusion of the haul road and scale house into the permit boundary.  
**CCI Response:** Please see the attached request from the land owner page 9 to release the haul road and scale house from the permit boundary.  
**DRMS Response:** Release of lands from a permit area can only be made through a separate permitting action. As stated in the Division's Incompleteness Notice on February 26, 2019, inclusion of the haul road and scale house into the permit boundary will ensure compliance with Rule 1.1(3). The letter provided from the land owner in response to the Incompleteness letter allows for haul road and scale house to remain after reclamation and the permittee will not be bonded for reclamation of these features. Please update all maps to show the inclusion of the haul road and scale house into the permit boundary.



3. Please update the map to show the current boundary of affected lands as it relates to the proposed mine phases.

**CCI Response:** Please see updated exhibit C map to show affected plans in relation to proposed mine.

**DRMS Response:** On the currently approved permit map, Attachment A, the boundary of the extents of existing gravel pit are shown. Please incorporate this boundary onto the Pre-Existing and Mining Plan maps.

**EXHIBIT E – Reclamation Plan (Rule 6.4.5):**

4. Please clarify if the Operator plans on replanting any trees or shrubs.

**CCI Response:** Please see page 20 (3.1.9)(2) wood vegetation shall be removed. 3.1.9 (2) reads: The site is a mostly grassland community with little or no woody vegetation. Therefore no trees or shrubs will be replanted during revegetation.

**DRMS Response:** In section 6.4.5 (2) (f) (v) the Operator states “We propose to replant any ponderosa pines with 10% survival”. Please clarify if the Operator plans on replanting any trees or shrubs.

**Other Permits and Licenses (Rule 6.3.6):**

5. Pursuant to Rule 1.6.2(2), please demonstrate that the Applicant’s response to these adequacy issues have been placed with the application materials previously placed with the County Clerk or Records Office, and made available for public review

The decision deadline on this application is July 24, 2019. If additional time is required to respond to these adequacy issues please submit a written request for extension of the review period. The Division reserves the right to further supplement this document with additional adequacy issues and details as necessary.

If you need additional information or have any questions, please contact me at Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203, by telephone at **303-866-3567 x8114**, or by email at [patrick.lennberg@state.co.us](mailto:patrick.lennberg@state.co.us).

Sincerely,



Patrick Lennberg  
Environmental Protection Specialist

Enclosure: Attachment A – Reclamation Exhibit 2007

CC: Michael Cunningham; Division of Reclamation, Mining & Safety

RECLAMATION EXHIBIT

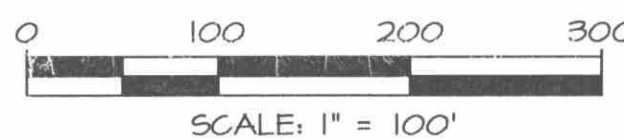
ROAD AND BRIDGES DEPARTMENT  
GRAVEL PIT

PART OF SECTION 27, T9S, R64W, OF THE 6TH P.M.  
COUNTY OF ELBERT, COLORADO

RECEIVED

JUL 11 2007

Division of Reclamation,  
Mining and Safety



LEGEND

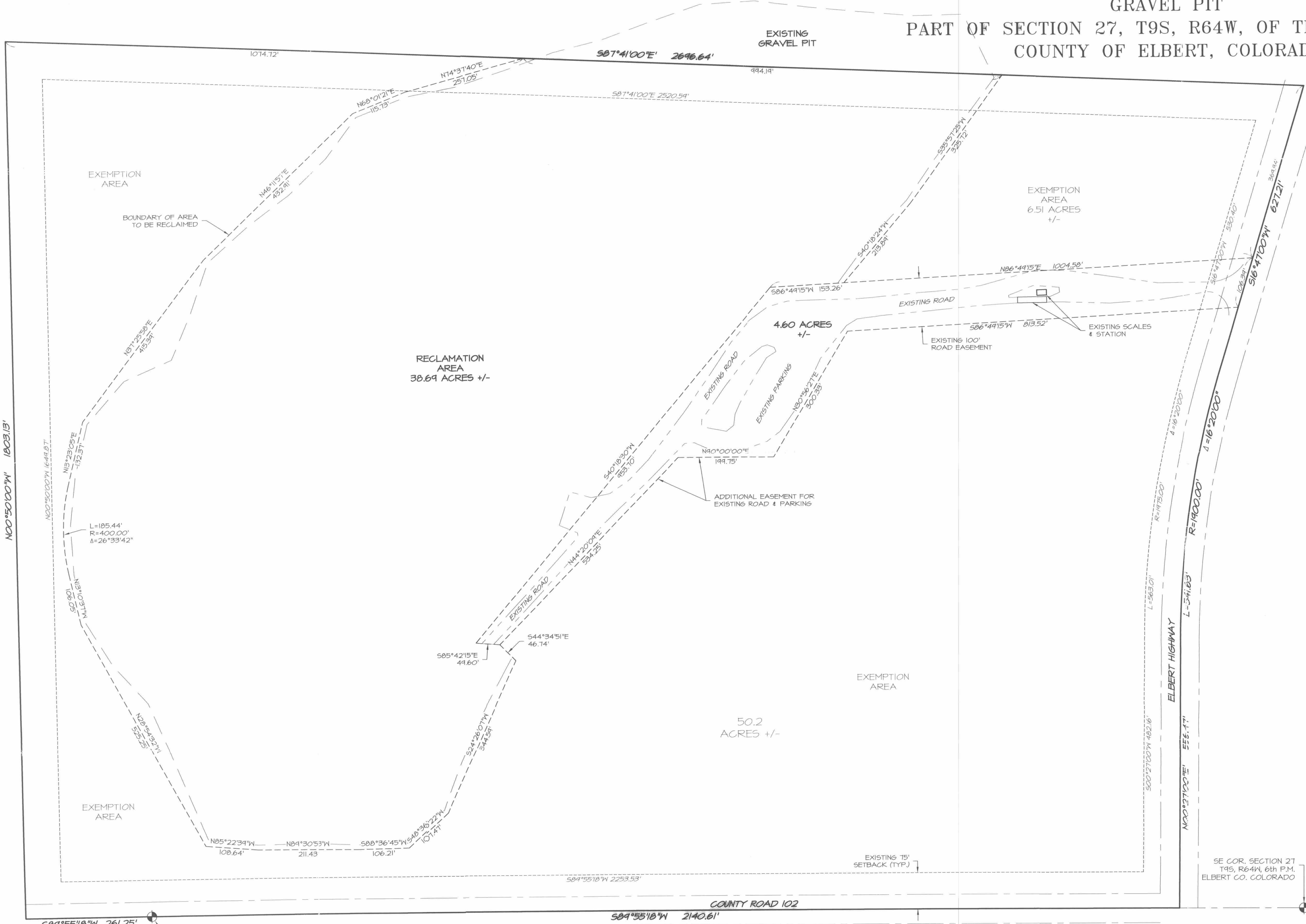
- SITE BOUNDARY
- EXISTING ROAD EASEMENT 4' 15' SETBACK
- ROAD EASEMENTS
- EXISTING GRAVEL ROAD & PARKING AREA
- PROPOSED EASEMENTS
- SURVEYED EXTENTS OF EXISTING GRAVEL PIT
- SECTION MONUMENT

BOUNDARY OF AREA TO BE RECLAIMED

A PARCEL OF PROPERTY LOCATED IN THE SOUTH 1/2 OF SECTION 27, T9S, R64W, 6th P.M. ELBERT COUNTY, COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 27 AND CONSIDERING THE SOUTH LINE OF SAID SECTION 27 TO BEAR S89°55'18"W, WITH ALL BEARING CONTAINED HEREIN RELATIVE THERETO; THENCE S89°55'18"W, ALONG SAID SOUTH LINE A DISTANCE OF 261.25 FEET; THENCE N00°50'00"W A DISTANCE OF 1803.13 FEET; THENCE S 87°41'00" E A DISTANCE OF 1074.72 FEET TO THE POINT OF BEGINNING; THENCE S 87°41'00" E A DISTANCE OF 944.14 FEET; THENCE S 35°57'25" W A DISTANCE OF 325.72 FEET; THENCE S 40°18'24" W A DISTANCE OF 213.84 FEET TO A POINT ON THE NORTHERLY LINE OF THE EXISTING ROAD EASEMENT; THENCE S 86°44'15" W A DISTANCE OF 153.26 FEET; THENCE S 40°18'30" W A DISTANCE OF 453.10 FEET; THENCE S 85°42'15" E A DISTANCE OF 44.60 FEET; THENCE S 44°34'51" E A DISTANCE OF 46.74 FEET; THENCE S 24°26'07" W A DISTANCE OF 344.54 FEET; THENCE S 48°36'22" W A DISTANCE OF 107.47 FEET; THENCE S 88°36'45" W A DISTANCE OF 106.21 FEET; THENCE N 89°30'53" W A DISTANCE OF 211.43 FEET; THENCE N 85°22'34" W A DISTANCE OF 108.64 FEET; THENCE N 28°54'32" W A DISTANCE OF 525.25 FEET; THENCE N 13°10'31" W A DISTANCE OF 106.05 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS N 76°44'23" E, HAVING A RADIUS OF 400.00 FEET, A CENTRAL ANGLE OF 26°33'42" AND AN ARC LENGTH OF 185.44 FEET; THENCE N 13°23'05" E A DISTANCE OF 132.37 FEET; THENCE N 37°25'58" E A DISTANCE OF 415.34 FEET; THENCE N 46°11'51" E A DISTANCE OF 432.41 FEET; THENCE N 68°01'21" E A DISTANCE OF 115.15 FEET; THENCE N 74°37'14" E A DISTANCE OF 251.05 FEET TO THE POINT OF BEGINNING; CONTAINING AN AREA OF 1,685,453 SQUARE FEET OR 38.64 ACRES, +/-

ROAD/PARKING EASEMENT

A PARCEL OF PROPERTY LOCATED IN THE SOUTH 1/2 OF SECTION 27, T9S, R64W, 6th P.M. ELBERT COUNTY, COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 27 TO BEAR S89°55'18"W, WITH ALL BEARING CONTAINED HEREIN RELATIVE THERETO; THENCE S89°55'18"W, ALONG SAID SOUTH LINE A DISTANCE OF 261.25 FEET; THENCE N00°50'00"W A DISTANCE OF 1803.13 FEET; THENCE S 87°41'00" E A DISTANCE OF 1074.72 FEET TO THE POINT OF BEGINNING; THENCE S 87°41'00" E A DISTANCE OF 944.14 FEET; THENCE S 35°57'25" W A DISTANCE OF 325.72 FEET; THENCE S 40°18'24" W A DISTANCE OF 213.84 FEET TO A POINT ON THE NORTHERLY LINE OF THE EXISTING ROAD EASEMENT; THENCE S 86°44'15" W A DISTANCE OF 153.26 FEET; THENCE S 40°18'30" W A DISTANCE OF 453.10 FEET; THENCE S 85°42'15" E A DISTANCE OF 44.60 FEET; THENCE S 44°34'51" E A DISTANCE OF 46.74 FEET; THENCE S 24°26'07" W A DISTANCE OF 344.54 FEET; THENCE S 48°36'22" W A DISTANCE OF 107.47 FEET; THENCE S 88°36'45" W A DISTANCE OF 106.21 FEET; THENCE N 89°30'53" W A DISTANCE OF 211.43 FEET; THENCE N 85°22'34" W A DISTANCE OF 108.64 FEET; THENCE N 28°54'32" W A DISTANCE OF 525.25 FEET; THENCE N 13°10'31" W A DISTANCE OF 106.05 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS N 76°44'23" E, HAVING A RADIUS OF 400.00 FEET, A CENTRAL ANGLE OF 26°33'42" AND AN ARC LENGTH OF 185.44 FEET; THENCE N 13°23'05" E A DISTANCE OF 132.37 FEET; THENCE N 37°25'58" E A DISTANCE OF 415.34 FEET; THENCE N 46°11'51" E A DISTANCE OF 432.41 FEET; THENCE N 68°01'21" E A DISTANCE OF 115.15 FEET; THENCE N 74°37'14" E A DISTANCE OF 251.05 FEET TO THE POINT OF BEGINNING; CONTAINING AN AREA OF 200,515 sq. ft. OR 4.60 acres, +/-



High Plains Survey Co.

LAND SURVEYING • CONSTRUCTION STAKING

LAND DEVELOPMENT CONSULTING

303-621-8672 FAX:303-621-8673

345 COMANCHE, P.O. BOX 773

KIOWA, COLORADO 80117

SCALE

1" = 100'

DATE

06/11/07

DRAWN BY

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TITLE

RECLAMATION EXHIBIT  
ROAD AND BRIDGES DEPARTMENT  
GRAVEL PIT  
COUNTY OF ELBERT, COLORADO

CLIENT

ELBERT COUNTY  
ROAD AND BRIDGES DEPARTMENT

SHEET

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OF

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JOB NUMBER

02114-RECLAMATION

DATE:

REVISIONS:

REFERENCE DWG:

02114SJR