



COLORADO
**Division of Reclamation,
Mining and Safety**
Department of Natural Resources
1313 Sherman Street, Room 215
Denver, CO 80203

August 6, 2019

Bruce Humphries
Regulatory Permits Management, Inc.
25049 E. Alder Dr.
Aurora, CO 80016

**Re: SEMA Construction, Inc., Motorcross Borrow Pit, File No. M-2019-041,
111 Construction Materials Permit Application Second Adequacy Review**

Mr. Humphries:

The Division of Reclamation, Mining and Safety (Division) reviewed the content of the SEMA Construction, Inc. 111 Special Operations permit application adequacy response submitted on July 31, 2019 for the Motorcross Borrow Pit, File No. M-2019-041 and submits the following comments. The Division is required to make an approval or denial decision no later than August 9, 2019 therefore; a response to the following adequacy review concerns should be submitted to the Division as soon as possible.

6.3.1 Exhibit A - Legal Description and Location Map

1. On Page 4 of the permit application the Applicant states the entrance of the proposed mining operation is located at 40°17'34.70" N, 104°58'50.10" W. This location differs from the primary mine entrance location provided by the Applicant on Page 2 of the application form, 40°17'31.86" N, -104°59'09.96" W.

The Applicant's response:

The application form is correct as to access point. The Application's exhibit 6.3.1, Exhibit A, page 4, has been corrected. A corrected page is included in this package for insertion into the Permit Application.

The Division did not receive a copy of the revised page 4 of the application, Exhibit A - Legal Description and Location Map. Please submit a copy of the revised application page.



6.3.9 Exhibit I - Proof of Filing with County Clerk

2. Please provide an affidavit or receipt indicating the date on which the revised application information required to address this adequacy letter was placed with the Weld County Clerk and Recorder for public review, pursuant to Subparagraph 1.6.2(1)(c).

Please be advised the Motorcross Borrow Pit application may be deemed inadequate, and the application may be denied on August 9, 2019, unless the above mentioned adequacy review items are addressed to the satisfaction of the Division. If more time is needed to complete the reply, the Division can grant an extension to the decision date. This will be done upon receipt of a written waiver of the Applicant's right to a decision by August 9, 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 peter.hays@state.co.us or (303) 866-3567 Ext. 8124.

Sincerely,

A handwritten signature in blue ink, appearing to read 'P. Hays', with a long horizontal flourish extending to the right.

Peter S. Hays
Environmental Protection Specialist

Ec: Michael Cunningham, DRMS
Allison Halverson, SEMA ahalverson@semaconstruction.com