



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

September 10, 2019

Johnathan and Mary Ann Sink
597 Ravenwood Lane
Grand junction, CO 81507

RE: Ducray Pit #2, M2019035, Application Review Concerns.

Dear Mr. and Mrs. Sink,

The Division of Reclamation, Mining and Safety is in receipt of your letter sent September 3, 2019 via e-mail and received via hard copy to the Denver Office on September 5, 2019. That letter has been placed our Laserfische system and cc'd to staff and management noted in your correspondence.

We regret that our correspondence and other contacts have not satisfied your concerns. As an adjacent landowner, we understand the potential impacts from any mining operation. This being an illegal site and under a Board Order makes things difficult for all parties. To try to address your concerns beyond the normal comment period submittals, we have had approximately six (6) formal comments from you, one (1) pre-objection submittal, numerous emails, and at least eight (8) phone conferences, and a face to face meeting with either the review environmental protection specialist, the senior environmental protection specialist supervisor, the Minerals Program Director and the Division Director.

The site is a 2.45 acre, relatively shallow unpermitted borrow excavation that also was previously disturbed somehow. It is used for RV and other storage by the landowner. The proposed post mine land use is for "residential", meaning the site needs to be stable for future building construction of some kind that is outside the jurisdiction of a reclamation permit and the Division. The Mined Land Reclamation Board Order is for a "reclamation only" permit, meaning no further mining disturbances can occur, but areas disturbed by the unpermitted mining activity must be made stable.

Given the nature of the disturbance, the Division respectfully stands by our responses to you at all levels. Our final review has shown that the information provided by the applicant meets the requirements of the Act and Rules for this level of disturbance, the post mine land use and that reclamation should commence per the Board Order. Please be assured that if adjustments need to be made in the future in regards to sloping, vegetation, stormwater or other permit conditions within our jurisdiction, we will take the appropriate level of action necessary to correct it to ensure the area is stable.

If you have any questions, please contact me at (303)866-3567 ext. 8150 or via email at russ.means@state.co.us

Sincerely,

Russ Means
Minerals Program Director
Division of Reclamation, Mining and Safety

Cc: Ginny Brannon, DRMS Director
Cc: Travis Marshall, Senior Environmental Protection Specialist, GJFO
Cc: Amy Yeldell, Environmental Protection Specialist, GJFO
Cc: Paul Martinez, Applicant, Martinez Western Constructors Inc.

