



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

1313 Sherman Street, Room 215  
Denver, CO 80203

January 21, 2020

Fred Lundy  
Lincoln County  
103 3<sup>rd</sup> Ave.  
Hugo, Co 80821

**RE: Elmer Stone Gravel Pit, M-1978-080, 112 Construction Material Conversion Application, Adequacy Review**

Dear Mr. Lundy

The Colorado Division of Reclamation, Mining, and Safety ("DRMS" or "Division"), received the above referenced application on December 6, 2019. The application was deemed complete and filed for review on January 7, 2020. The Division is required to issue a decision on the application by April 6, 2020. The following adequacy review items will need to be addressed prior to the Division's approval of the application:

**6.2.1 General Requirements**

1. Rule 6.2.1 requires all maps to show the name of the applicant, be signed and dated, and the permit area to be clearly outlined. Please resubmit all maps with this required information in addition to any updates discussed below.

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

2. Rule 6.4.3 (b), states "the name and location of all creeks, roads, buildings, oil and gas wells and lines, and power and communication lines on the area of affected land and within two hundred (200) feet of all boundaries of such area". The road leading to the mine site is labeled, however it is very difficult to see on the submitted map.
3. Rule 6.4.3 (g) requires all man-made structures within 200 feet be labeled with the owner's name, type of structure and location. The Division Considers roads and fences structures. Please resubmit the map with the required information.
4. The map submitted indicates the permit area as being 19.7 acres and the application form indicates 19.9 acres. Are you including the external haul road in the permitted area? If so, please resubmit all maps to include the haul road. If you are not including the haul road please provide an explanation for the

**6.4.4 EXHIBIT D - Mining Plan**

5. Please clarify the statement "Material is at the surface and will be mixed with what little topsoil and overburden exists". Based on the information submitted in Exhibit I, the depth of the A Horizon soil



material ranges from 4 to 7 inches. Please provide a description of the thickness and type of overburden to be removed in accordance with Rule 6.4.4(f) (i).

6. Rule 6.4.4 (g) requires secondary commodities to be identified, if there are no secondary commodities please indicate such.
7. The Division assumes no explosives will be used on site, please provide a statement to confirm.
8. Please specify what seed mixture the NRCS has recommended for stabilization of the topsoil stockpile or specifically state in the narrative which specific technical revision approved this seed mixture.

#### **6.4.5 EXHIBIT E - Reclamation Plan**

9. Rule 6.4.5 (1) (e) states a reclamation plan shall include "A plan or schedule indicating how and when reclamation will be implemented. Such plan or schedule shall not be tied to any specific date but shall be tied to implementation or completion of different stages of the mining operation as described in Rule 6.4.4(e). The plan or schedule shall include; an estimate of the periods of time which will be required for the various stages or phases of reclamation; A description of the size and location of each area to be reclaimed during each phase; and an outline of the sequence in which each stage or phase of reclamation will be carried out." Please resubmit Exhibit E with the required information.
10. Rule 6.4.5 (2)-(f)-(v) requires an anticipated minimum depth for topsoil. Please specify the depth of the topsoil to be laid down during reclamation.
11. Please provide details on the reclamation of the external haul road.
12. As the mine proceeds south it appears several small ephemeral drainages will be effected. Please explain what erosion and sediment control measures will be used to prevent off-site sedimentation from occurring in accordance with Rule 3.1.6(3) and Rule 6.4.5(2)(c).

#### **6.4.5 EXHIBIT F – Reclamation Plan Map**

13. Please revise the Exhibit F map to portray the expected physical appearance of the entirety of the affected land. The map must show proposed topography of the area with contour lines of sufficient detail to portray the direction and rate of slope of the reclaimed land in accordance with Rule 6.4.6(a).

#### **6.4.7 EXHIBIT G – Water Information**

14. If the operation is not expected to affect the surface water system, a statement and sufficient demonstration of that expectation shall be submitted. Please revise Exhibit G to include a discussion regarding the protection of the surface water system in accordance with Rule 6.4.7(1) and (2).
15. Are there any water requirements necessary for the mining and reclamation operation? If so, please revise Exhibit G to include the information required by Rule 6.4.7(3) and (4).

#### **6.4.9 EXHIBIT I – Soils Information**

16. Please provide a map that depicts the distribution of the soil over the affected land.

#### **6.4.10 EXHIBIT J - Vegetation Information**

17. Rule 6.4.10 (1 (c)) states this exhibit shall include "estimates of average annual production for hay meadows and croplands, and carrying capacity for range lands on or in the vicinity of the affected land,

if the choice of reclamation is for range or agriculture". Please submit a revised Exhibit J that includes the required information.

This concludes the Division's preliminary review of the 112 conversion application. The Division is required to issue a decision on the application by April 6, 2020. The adequacy issue listed above must be addressed to the Division's satisfaction prior to the decision date. If you need additional time to address these issues you must request an extension of the decision date. Please be aware that the Division will deny the application if outstanding adequacy issues remain when the decision date arrives or inadequate time is provided for the Division to review the response to the adequacy items.

If you have any questions, please contact me at [daniel.cunningham@state.co.us](mailto:daniel.cunningham@state.co.us) or (303) 866-3567 Ext. 8126.

Sincerely,

A handwritten signature in blue ink, appearing to read "Daniel Cunningham", is written over a light blue horizontal line.

Daniel J. Cunningham  
Environmental Protection Specialist

EC: Jared Ebert, Division of Reclamation, Mining & Safety