



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

1313 Sherman Street, Room 215
Denver, CO 80203

July 17, 2020

Stevan L. O'Brian
Environment, Inc.
7985 Vance Dr. *205A
Arvada, Co 80003

**RE: Tract 4 grading project, M-2020-032, 110c Construction Material Conversion Application,
Adequacy Review**

Dear Ms. Evans,

The Colorado Division of Reclamation, Mining, and Safety ("DRMS" or "Division"), received the above referenced application on June 23, 2020. The application was deemed complete and filed for review on June 26, 2020. The Division is required to issue a decision on the application by July 26, 2020. The following adequacy review items will need to be addressed prior to the Division's approval of the application:

General Requirements:

1. The primary mine entrance locations coordinates on page 3 of the application does not match the coordinates mention throughout the rest of the application. In addition to the mismatched coordinates, when the coordinates are enter into google earth they do not match any of the maps that were submitted. Please resubmit page 3 with the correct coordinates.

6.3.1 EXHIBIT A - Legal Description and Location Map

2. Requires a map showing all the names of all adjacent land owners. Please resubmit the location map with adjacent land owners labeled or revise Exhibit A to reference Exhibit E.

6.3.2 EXHIBIT B - Site Description

3. On page 21 of Exhibit B, under the heading Permanent Man-Made Structures it states "single privately owned power line and pole" and then later in the same section it states " There are no above or below ground communication or power lines.....within 200 feet of the affected lands." Please provide a statement clarifying this discrepancy.

6.3.3 EXHIBIT C - Mining Plan



4. Rule 6.3.3(l) requires a description of what measures will be taken to minimize disturbance to the hydrologic balance, prevent off-site damage, and provide for stability. Please submit a statement on how these measures will be taken.

6.3.4 EXHIBIT D - Reclamation Plan

5. Please provide proof that the area is zoned for residential.
6. The Division has reviewed the Operators reclamation cost estimate and agrees with \$33,190.98 suggested.

6.3.5 EXHIBIT E - Map

7. There are no roads depicted on the maps provided. Please provide maps showing any roads that are currently there or planned to be made to the Mine Site. In the event that a road will need to be made, that area will need to be added to the existing acreage and permit. You will also need to provide the required information for Exhibit C and D in accordance with Rules 6.3.3 and 6.3.4. If there is an existing road that will need to be maintained, it too will need to be added to the permitted area and plans for Exhibit C and D will need to be provided. If no roads are going to be added, please provide a brief statement on how the Division may access the site for future inspections.

This concludes the Division's preliminary review of the 111 application. The Division is required to issue a decision on the application by **July 26, 2020**. The adequacy issue listed above must be addressed to the Division's satisfaction prior to the decision date, please submit your adequacy response no later than three days 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 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 or (303) 866-3567 Ext. 8126.

Sincerely,

A handwritten signature in blue ink, appearing to read "Daniel Cunningham".

Daniel J. Cunningham
Environmental Protection Specialist

EC: Jared Ebert, Division of Reclamation, Mining & Safety
Janice Evans 33336 FM 1736, Hempstead, Tx 77445