



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

1313 Sherman Street, Room 215  
Denver, CO 80203

September 2, 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 September 21, 2020. The following adequacy review items will need to be addressed prior to the Division’s approval of the application:

**6.4.4 EXHIBIT D - Mining Plan**

1. Rule 6.4.4 (g) requires secondary commodities to be identified, if there are no secondary commodities please indicate such.
2. The Division assumes no explosives will be used on site, please provide a statement to confirm.
3. 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**

4. Rule 6.4.5 (f (v)) requires an anticipated minimum depth for topsoil. Please specify the depth of the topsoil to be laid down during reclamation.
5. Please provide details on the reclamation of the external haul road.
6. 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).

**6.4.10 EXHIBIT J - Vegetation Information**

7. Rule 6.4.10 (1 (c)) states “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 the required information.

This concludes the Division’s second adequacy review of the 112 conversion application. The Division is required to issue a decision on the application by September 21, 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 in a cursive style.

Daniel J. Cunningham  
Environmental Protection Specialist

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