



## COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

November 2, 2020

Russ Larsen  
Elam Construction, Inc.  
556 Struthers Ave  
Grand Junction, CO 81501

***RE: 23 ¼ West Pit, File No. M-2020-035, 112c Construction Materials Reclamation Permit Application Adequacy Review #2***

Dear Mr. Larsen:

The Division of Reclamation, Mining and Safety (Division) is in the process of reviewing the above referenced application in order to ensure that it adequately satisfies the requirements of the Colorado Land Reclamation Act for the Extraction of Construction Materials (Act) and the associated Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials (Rules). During review of the material submitted, the Division determined that the following issue(s) of concern shall be adequately addressed before the application can be considered for approval. **Red indicates new text.**

**Exhibit A**

1. Pursuant to Rule 6.4.1(1)(a) list the nearest quarter-quarter section. **Adequacy response summary sheet states Exhibit A has been revised however no revised Exhibit A was included with the submittal.**

**Exhibit G**

2. De-watering of Area 2 is dependent on the neighboring Orchard Grove Industrial Pit (M-1990-094). Please provide documentation from CDPHE that this is an acceptable means of discharge. Additionally M-1990-094 will need a technical revision to make commitments to support the M-2020-035 operation with regards to dewatering through life of mine,
  - a. **No approval to use Orchard Grove's discharge permit has been secure yet. In phone discussions with the consultant, using a sediment pond on the north side of Area 2 which routes water into the Wilsea Drain was mentioned. The revised Exhibit G does not mention alternative dewatering options if approval from CDPHE cannot be secured. Either include the CDPHE approval or write a secondary dewatering plan that does not rely on Orchard Grove.**



Exhibit J

3. Area 2 is entirely rangeland and is a large area which could be grazed. Address Rule 6.4.10(1)(c) **Adequacy response summary sheet states Exhibit J has been revised however no revised Exhibit J was included with the submittal.**

Exhibit L

4. **Table L-1 does not account for the maximum backfill deficit of 100,000 CY required for Area 2 overburden backfill.**
5. **Table L-1 does not include the maximum of 1500 LF of 20' tall highwall grading in Area 1.**
6. **Response summary sheet says 22 ac-ft is the maximum lake amount needing dewatered in Area 2. Table L-1 states that all of Area 1 lake 20.7 ac- dewatered to 13 ft (269.1 ac-ft) as the max. If mining is to occur simultaneously in both areas with 10 ac max disturbance what is the maximum amount of lake to be dewatered?**

Please submit your response(s) to the above listed issue(s) by Friday, November 13, 2020 in order to allow the Division sufficient time for review. The decision date for this application is November 23, 2020.

The Division will continue to review your application and will contact you if additional information is needed.

If you require additional information, or have questions or concerns, please feel free to contact me. Amy Yeldell at the Division of Reclamation, Mining and Safety, 1313 Sherman St., Room 215, Denver, CO 80203. Direct contact can be made by phone at 303-866-3567 ext. 8183 or via email at amy.yeldell@state.co.us

Sincerely,



**Amy Yeldell**  
Environmental Protection Specialist

Cc:  
Travis Marshall, Senior EPS, Grand Junction DRMS  
Jim Doody, Elam Construction  
Ben Langenfeld, Greg Lewicki and Associates