



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

May 12, 2021

Kirk Bergstrom
Ames Construction, Inc.
18450 E 28th Ave
Aurora, CO 80011

RE: Incompleteness Review of Special 111 Operation Construction Materials Reclamation Permit Application; Ames Construction Inc., Burnham Property Borrow; Permit No. M-2021-031

Dear Mr. Bergstrom,

On May 6, 2021, the Division of Reclamation, Mining and Safety (Division) received your Special 111 Operation Construction Materials Reclamation Permit Application package for the Burnham Property Borrow pit, File No. M-2021-031. Preliminary review of the information received determined the following items must be received before the Division can consider the application as being submitted and technical review can begin. Please respond to this Incompleteness Review with the requested additional/updated information on permit replacement pages and summarize each response in a cover letter titled "Incompleteness Review Response; M-2021-031".

The Division acknowledges this new permit application for the Burnham Property Borrow is to permit over the entirety of the existing Burnham Property Borrow, M2021-019, and include changes to the haul road alignment mandated by Weld County. It is the Division's understanding that when this new permit is issued the operator will request release of the old permit.

EXHIBIT B – Site Description (Rule 6.3.2):

1. The acreage quoted in a) is 15.5 acres. Please update the acreage to be consistent with the application acreage of 16 acres.

EXHIBIT C – Mining Plan (Rule 6.3.3):

2. The acreage quoted in f) is 15.5 acres. Please update the acreage to be consistent with the application acreage of 16 acres.

EXHIBIT D – Reclamation Plan (Rule 6.3.4):

3. Please indicate the rate that straw mulch will be applied. Based on the Division's experience with mulching rates two (2) tons of mulch per acre is recommended.



EXHIBIT I – Proof of Filing with County Clerk (Rule 6.3.9):

4. Please provide an affidavit or receipt indicating the date on which the revised application documents were placed with the Weld County Clerk in response to this letter. Please note, the application documents are not required to be recorded by the county clerk, however the documents must be available for public review at the county clerk's office.

EXHIBIT J – Proof of Mailing of Notices to Board of County Commissioners and Conservation District (Rule 6.3.10):

5. Please provide proof that notice of the new permit application was sent to the Board of County Commissioners and, if the mining operation is within the boundaries of a Conservation District, to the Board of Supervisors of the local Conservation District, pursuant to Rule 1.6.2(1)(a)(ii).

The application will not be considered filed until the information listed above is received and found sufficient to begin our review. A decision date will be established 15 days from the date of receipt of all of the requested information.

You have sixty (60) days from the above date to submit all necessary documents the Division needs for an application to be considered filed. If, at the end of the sixty day period, the application has not been determined to be filed with the Division, the Division shall deny the application and terminate the application file. The Division reserves the right to further supplement this document with additional adequacy issues and details as necessary

The response due date is July 11, 2021.

If you need additional information or have any questions, please contact me at Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203, by telephone at **303-866-3567 x8114**, or by email at patrick.lennberg@state.co.us.

Sincerely,



Patrick Lennberg
Environmental Protection Specialist

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

ec: Kirk Bergstrom, Ames Construction, Inc., kirkbergstrom@amesco.com
Damien Chavarria, Ames Construction, Inc., DamienChavarria@amesco.com