



COLORADO

**Division of Reclamation,
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

July 9, 2021

Matt Miles
Leadership Circle, LLC
1521 Oxbow Drive, Suite 210
Montrose, CO 81401

Re: Miami Road Properties, Reference No. M-2021-038, Division Response to “Is It Mining?” Questionnaire, Permit Required.

Mr. Barton:

Thank you for taking the time to discuss your proposed project with the Division of Reclamation, Mining and Safety (Division). The Division received your completed “Need for a Reclamation Permit” questionnaire on June 15, 2021. The Division has assigned file number M-2021-038 to the proposed project. Please display the file number on any correspondence regarding this specific project.

Based on the information you submitted the purpose of the project is to remove and process approximately 1,000 cubic yards of gravel from the site to create ponds and storm water abatement. A jaw crusher, cone crusher, screen decks and a stacker will be used for processing. The material is proposed to be used on site and also hauled offsite to other locations for use as fill and landscaping. The total projected disturbance would consist of approximately 5 acres.

Based on the Division staff inspection conducted on July 2, 2021 gravel from the extraction location is being hauled across Sunnyside Road and utilized in the development of a subdivision. Leveling of the subdivision location has resulted in an excess of shale material. The shale material from the subdivision is hauled to the gravel extraction site and used as fill where the gravel has been removed. Various stockpiles of gravel were observed on the extraction site which actually consists of approximately 6 acres. Due to the processing and removal of material from Parcel R0022625 and placement on Parcel R0007821 across Sunnyside Road, the Division has determined that a reclamation permit is required.

The Colorado Mined Land Reclamation Board (Board) has requested the Division make preliminary determinations regarding the need for a mined land reclamation permit. Based on the information provided in your response along with conditions observed by Division staff, it is the Division’s opinion, based on previous Board determinations, the project is a mining operation. Pursuant to Colorado law, you are required to first obtain a mined land reclamation permit from the Board prior to initiating the mining operation.



If you have any concerns or disagree with this decision, you may petition the Board during a formal public hearing for a formal Declaratory Order concerning this matter. The request must be made in writing and received no later than 10 days prior to the next regular scheduled MLRB hearing. The next available MLRB hearing is August 18~19, 2021.

If you need additional information, please contact me at the Division of Reclamation, Mining and Safety, Grand Junction Field Office, 101 S. 3rd St., Suite 301, Grand Junction, Colorado 81501, telephone no. 303.866.3567, ext. 8186, or by email at travis.marshall@state.co.us.
Sincerely,



Travis Marshall
Senior Environmental Protection Specialist
Grand Junction Field Office

cc: Russ Means, DRMS
Dustin Czapla, DRMS