



STATE OF
COLORADO

Zuber - DNR, Rob <rob.zuber@state.co.us>

Harris Pit adequacy letter

1 message

Zuber - DNR, Rob <rob.zuber@state.co.us>

Wed, Sep 22, 2021 at 12:52 PM

To: Tina Adamson <kiowaco100@gmail.com>

Cc: Michael Cunningham - DNR <michaela.cunningham@state.co.us>

Hi, Tina

Please see my attached letter.

Rob

Rob Zuber, P.E.
Environmental Protection Specialist II
Active Mines Regulatory Program



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

P 303.866.3567, extension 8113 | Cell 720.601.2276
1313 Sherman Street, Room 215, Denver, CO 80203
rob.zuber@state.co.us | <http://drms.colorado.gov>



DRMS_Third_Adequacy_letter.pdf

499K



September 22, 2021

Tina Adamson, County Administrator
Kiowa County
1305 Goff Street
Eads, CO 81036

**Re: Harris Pit, Permit No. M-2021-015, 112 Construction Materials Application,
Third Adequacy Review**

Dear Ms. Adamson:

On March 1, 2021 the Division of Reclamation, Mining and Safety (the Division) received your application for a Construction Materials Regular 112 Operation Reclamation Permit for the Harris Pit, File No. M-2021-015. On September 21, 2021 the Division received your latest responses to our adequacy letters. In your next submittal, please check that the order of pages is correct. For example, in Exhibit B there are figures that appear to belong in Exhibit I (Soils Information). Please check the entire submittal for other errors with pagination (see Item 21. below for another example). Also, it appears that Exhibit N (Source of Legal Right to Enter) is missing a page, namely the signed agreement with Rick Harris and Tim Harris. Please put that page back in the permit application package within Exhibit N.

The following particular comments pertain to your responses, with the numbers associated with the items in our preliminary adequacy review letter.

1. No further requirement related to this adequacy item.
2. No further requirement related to this adequacy item.
3. No further requirement related to this adequacy item.
4. No further requirement related to this adequacy item.
5. **Please clarify the minimum distance of disturbance from the permit boundary or state in the exhibit something similar to the following: “Isolation ditches and other practices will prevent negative impacts (e.g., sediment deposition, erosion) on adjacent parcels.” Also, it may be appropriate to add the following text to the exhibit: “All runoff from the active mining area will be contained onsite.” It is still unclear to the Division what “600 feet” refers to. Please clarify in the text in the exhibit.**
6. No further requirement related to this adequacy item.
7. No further requirement related to this adequacy item.



8. No further requirement related to this adequacy item.
9. **The depth of topsoil to be removed and stored for reclamation has been described in Exhibit D as 6” to 12” and described in Exhibit E as nine to twelve inches. Please explain this apparent discrepancy and/or update one of these exhibits.**
10. No further requirement related to this adequacy item.
11. **Please provide more information regarding measures taken by the County during reclamation to avoid impacts on the adjacent properties. For example, will the mulch reduce windblown sediment deposition? Will the reclamation be performed to avoid runoff from bare areas onto adjacent properties?**
12. No further requirement related to this adequacy item.
13. No further requirement related to this adequacy item.
14. No further requirement related to this adequacy item.
15. No further requirement related to this adequacy item.
16. No further requirement related to this adequacy item.
17. **The Reclamation Plan Map indicates an area at the southwest corner of the site that is similar to a pond with an embankment on the south and west sides. Please explain how this area will not detain water to a degree that is detrimental to the site for agricultural use. This could be as simple as stating, “Although the Reclamation Plan Map shows a low area at the southwest corner of the site that could potentially act as a detention pond, the soil conditions at the site will allow for sufficient infiltration to greatly limit ponding in this area and will not impact agricultural use.”** *[The Division acknowledges that this issue was addressed by Kiowa County in Exhibit G, but for clarity it is recommended that a discussion be included in Exhibit E also.]*
18. No further requirement related to this adequacy item.
19. No further requirement related to this adequacy item.
20. No further requirement related to this adequacy item.
21. **Exhibit G has been misplaced. It should be placed between Exhibit F and Exhibit H.**
22. No further requirement related to this adequacy item.
23. No further requirement related to this adequacy item.
24. **Please add a statement to Exhibit G explaining why a permit with the Water Quality Control Division (WQCD) is not applicable. If available, include documentation from the WQCD.**
25. **Please remove from this exhibit the statement on the first page that there are no structures.**

This concludes the Division's third adequacy review of this application. Please ensure the Division has sufficient time to complete its review process by responding to these adequacy items no later than one week prior to the decision due date (the new decision due date is October 13, 2021). If additional time is needed to respond, you must submit an extension request to our office prior to October 13th.

Please remember that, pursuant to Rule 1.6.2(1)(c), any changes or additions to the application on file in our office must also be reflected in the public review copy which was placed with the local County Clerk and Recorder. Pursuant to Rule 6.4.18, you must provide our office with an affidavit or receipt indicating the date this was done.

If you have questions or comments, feel free to contact me at Rob.Zuber@state.co.us or 720.601.2276.

Thank you,

A handwritten signature in blue ink, appearing to read "Robert D. Zuber".

Robert D. Zuber, P.E.
Environmental Protection Specialist

Cc: Michael Cunningham, DRMS