

February 8, 2022

Cesar Valenzuela
C & J Gravel Products, Inc.
27661 Hwy 160-E
Durango, CO 81301



1313 Sherman Street, Room 215
Denver, CO 80203

RE: Oakbrush Hill Gravel, File No. M-2021-064 , 112c Application Adequacy Review (01)

Mr. Valenzuela:

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.

Exhibit A - Legal Description, 6.4.1

1. Page one of the application form states the permitted acreage will be 163.2. However, the application package (legal description, mine plan maps, etc.) state the affected area will be 167.2 acres. Please clarify the total affected acreage and submit a corrected Page one of the application form or revised application exhibits as necessary.
2. The main entrance to the mine site was not identified pursuant to Rule 6.4.1(2). The main entrance to the mine site shall be located based on a USGS topographic map showing latitude and longitude. Please provide the location data for the mine entrance in latitude and longitude coordinates. Please specify coordinates of latitude and longitude in degrees, minutes and seconds or in decimal degrees to an accuracy of at least five (5) decimal places

Exhibit C - Pre-mining and Mining Plan Map(s) of Affected Lands, 6.4.3

3. The application packet lists the owner of the subsurface rights and the surface rights of the affected lands as Silesia Properties LP. However, sheet C-2 shows the owner to be THS Investments, LLC. Please clarify the owners of the subsurface and surface rights.



Exhibit D - Mining Plan, 6.4.4

4. The General Concept section of Exhibit D suggests there is a mineral lease for the access road (FSR-650). Please clarify if that mineral lease relates to just the portion of road between "Parcel A" and Piedra Road, or what the referenced mineral lease is related to.
5. The Mining Plan lists the total area of all phases to be 132.3 acres. However, acreages given in the descriptions do not total 132.3. Please clarify this discrepancy.
6. Based on the narrative (pg. 16) an additional 35-60 acres will be affected outside the 167.2 acre permit area. Please describe the disturbance that will occur in this area outside the proposed permit area.
7. It is noted that the reclaimed slopes will generally vary from 3H:1V to 2H:1V. Any slopes that may need to be steeper than 2H:1V will need to be addressed through a permit revision supported by a geotechnical stability analysis. Please acknowledge this.
8. The size of each area to be worked at any given time was provided. However, it is unclear if the mining method will be conducted by traditional highwall mining or if the material will be mined at the respective reclamation grade. Figure D-1 suggests highwall mining. Please clarify the method of mining in the narrative and if the traditional highwall method is preferred, please provide the average height and linear feet of highwall to be used at any given time pursuant to Rule 6.4.4(a).
9. It is inferred through Map C-1 that on-site support facilities will be located at the plant area, such as an office structure, scale house and scale. Please clarify what support facilities will be located at the plant area and also identify if these will be permanent post reclamation features or if they are to be removed. If removed, please revise the applicable sections of Exhibit E to address the reclamation of the plant area.

Exhibit E - Reclamation Plan, 6.4.5

10. It is stated (pg. 21) that some slopes may be left at a permanent steeper slope of 1H:1V or vertical. Please acknowledge that all slopes shall be reclaimed to a maximum steepness of 2H:1V. Reclaimed slopes steeper than 2H:1V will need to be addressed through a permit revision supported by geotechnical stability analysis.
11. In the "Performance as soon as feasible" section (pg. 21) it is stated that a section of 5.5 acres of mining area will be left open for ranch use. This is an acceptable practice, however, please revise Map F-1 to clearly identify this area.

Exhibit F - Reclamation Plan Map, 6.4.6

12. Please identify the area to be left open for ranch use. Also clearly identify the boundaries of the plant area to remain as a post reclamation feature.

Exhibit G - Water Information, 6.4.7

13. Pursuant to Rule 6.4.7(3) Table G-2 (pg. 36) was submitted detailing the project water requirements. However, Table G-2 indicates a total of 9.41 acre-feet per year to be consumed and the narrative states that less than 5 acre-feet per year may be consumed. Please clarify the total projected annual water use for the operation.

Exhibit M - Other Permits and Licenses, 6.4.13

14. In the summary section of Exhibit M (pg. 53), the status and remarks section of the Colorado Storm Water row indicates that the permit will cover discharges from process water and dewatering discharges. However, the application repeatedly states that no storm water discharges are expected and no dewatering operations will occur. Please clarify this discrepancy.

Exhibit N - Source of Legal Right to Enter, 6.4.14

15. You have provided an agreement between the landowner and operator to allow operator and operator representative access to the property for permitting activities. However, this Rule requires the operator provide documentation of the legal right to enter to conduct mining and reclamation. Please submit a signed statement by the Landowner and acknowledged by a Notary Public stating that the Operator/Applicant has legal right to enter to conduct mining and reclamation.

Exhibit O - Owners(s) of Record of Affected Land (Surface Area) and Owners of Substance to be Mined, 6.4.15

16. The application form states the owner of the subsurface rights and surface rights of the affected lands is Silesia Properties LP. However, Exhibit O (pg. 86) shows the owner to be THS Investments, LLC. Please clarify the owners of the subsurface and surface rights.

Please submit your response(s) to the above listed issue(s) by Friday, March 11, 2022 in order to allow the Division sufficient time for review.

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 contact me.

Sincerely,



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