



February 22, 2022

H. Bruce Humphries
Regulatory Permits Management, Inc.
25049 E. Alder Dr.
Aurora, CO 80016

Re: SEMA Construction, Inc., Motorcross Borrow Pit, File No. M-2022-006, Incomplete Submittal of Construction Materials Special 111 Operation Reclamation Permit Application Package

Mr. Humphries:

On February 15, 2022, the Division of Reclamation, Mining and Safety (Division/DRMS/Office) received the Construction Materials Special 111 Operation Reclamation Permit Application package for the Motorcross Borrow Pit, File No. M-2022-006. 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:

Application Form

1. The Division requires the application form list the exact company name registered with the Colorado Secretary of State office, "SEMA Construction or SEMA Construction, Inc.". On Page 1, Item #1 of the application form, the Applicant lists the company name as "SEMA Construction Inc". Please revise the company name on Item #1 of the application form to indicate "SEMA Construction or SEMA Construction, Inc.".
2. On Page 1, Item 3 of the application form, the Applicant indicated the proposed permitted acres as 26.6 acres. In Exhibit A, the Applicant states the Mine Parcel Permit Boundary is 26.60 acres and the Access Parcel Permit Boundary is 1.22 acres for a total permit area of 27.82 acres. Please revise Item #3 of the application form to indicate the total acreage for the 111 application.

3.1.12 Signs and Markers

Please note Rule 3.1.12(1) was updated effective July 15, 2019 to state:

At the entrance of the mine site the Operator shall post a sign, which shall be clearly visible from the access road, with a minimum size equaling one hundred and eighty-seven (187) square inches, such as eleven (11) inches in height and seventeen (17) inches in width, with appropriate font size, with the following:

- (a) the name of the Operator and the operation name;
- (b) a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board; and



(c) the permit number.

6.3.4 Exhibit D - Reclamation Plan

3. The Applicant states the landowner, Mile 250 LLC, wants the access roads to remain after reclamation of the site. Please provide a signed letter from the landowners verifying they want the access roads to remain after site reclamation.
4. The Applicant submitted a financial warranty in the amount of \$39,000.00 with the application. The Division reviewed and will accept the financial warranty amount for the proposed mining activities. Any adequacy issues with the financial warranty or performance warranty will be sent by the Division under separate cover.

6.3.9 Exhibit I - Proof of Filing with County Clerk

5. Please provide an affidavit or receipt indicating the date on which the revised application information required to address this letter was placed with the Weld County Clerk and Recorder for public review, pursuant to Rule 1.6.2(1)(c).

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 Office 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 Office, the Office shall deny the application and terminate the application file.

The response due date is April 23, 2022.

This letter shall not be construed to mean there are no other technical deficiencies in the application. The Division will review your application to determine whether it is adequate to meet the requirements of the Act after submittal of all required items.

If you have any questions, please contact me at peter.hays@state.co.us or (303) 866-3567 ext. 8124.

Sincerely,



Peter S. Hays

Environmental Protection Specialist

Ec: Jared Ebert, DRMS
Gavin Madsen, SEMA Construction, Inc.