



April 19, 2022

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,  
111 Construction Materials Permit Application Adequacy Review**

Mr. Humphries:

The Division of Reclamation, Mining and Safety (Division) reviewed the contents of the SEMA Construction, Inc. 111 Special Operations permit application for the Motorcross Borrow Pit, File No. M-2022-006 and submits the following comments. The Division is required to make an approval or denial decision no later than April 23, 2022.

The review consisted of comparing the application contents with specific requirements of Rules 1, 3, 6.1, 6.2, 6.3 and 6.5 of the Minerals Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials. Any inadequacies are identified under the respective exhibit heading along with suggested actions to correct them.

### **6.3 Specific Exhibit Requirements - 111 Special Operations**

The following items must be addressed by the Applicant in order to satisfy the requirements of C.R.S. 34-32.5-101 et seq. and the Mineral Rules and Regulations of the Mined Land Reclamation Board:

#### **Comments**

1. The Division received state agency comments from History Colorado and the Division of Water Resources. The letters were emailed to the Applicant by the Division.

The Applicant provided responses to the letters on March 17, 2022 and March 29, 2022, respectively. No additional response is required from the Applicant.

#### **6.3.9 Exhibit I - Proof of Filing with County Clerk**

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



The Applicant provided proof of placement for all adequacy issue responses. No additional information is required from the Applicant.

**6.3.12 Exhibit L - Permanent Man-Made Structures**

3. The Applicant provided an executed structure agreement with 250 LLC and provided evidence of providing a copy of an agreement with Civitas Resources, Inc. No additional information is required from the Applicant.

Please be advised the Motorcross Borrow Pit application may be deemed inadequate, and the application may be denied on April 23, 2022, unless the above mentioned adequacy review items are addressed to the satisfaction of the Division. If more time is needed to complete the reply, the Division can grant an extension to the decision date. This will be done upon receipt of a written waiver of the Applicant's right to a decision by April 23, 2022 and request for additional time. This must be received no later than the deadline date.

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

Sincerely,



Peter S. Hays  
Environmental Protection Specialist

Ec: Jared Ebert, DRMS