



May 19, 2022

Robert W. Burton Jr. and  
Susan Baker  
Burton Farms LLLP  
18918 County Road 15  
Del Norte, CO 81132

**RE: Burton Farms Gravel Pit, M-2022-012, 110C Mining Application Second Adequacy Review**

Dear Robert W. Burton Jr. and Susan Baker,

The Division received the Burton Farms LLP responses to the April 26, 2022 Preliminary Adequacy Review on May 9, 2022. The Division has reviewed the applicant's responses to the preliminary adequacy items and has the following adequacy Item;

**Rule 6.3.4(2) – Reclamation Cost Estimate**

1. The response provided to the Division satisfies Adequacy Item #1.
2. Rule 6.3.4(2)(b) states all items referenced in the Reclamation Plan must be included in the cost calculation. These items in addition to earthwork, such as building demolition, fencing, monitoring well sealing or stream channel reconstruction must also be included in the reclamation cost estimate. Please provide the Division the specifications of the scale house to calculate the cost of demolishing the scale house and the removal of the concrete pad.

Applicant Response: Upon further discussion with the proposed operator as to the requirements for setting up a scale facility, it was clarified that the scale will be a fully portable unit that will be removed at the end of mining. The requirements to set up a portable unit will likely only require a shallow excavation to place the scale along with minimal dirt approach ramps constructed out of the excavated material. As a result of using this type of portable scale, the only reclamation associated with its removal will be to grade the approaches back into the shallow excavation followed by grading, ripping and seeding in conjunction with reclamation of the surrounding area. Therefore, there will be no requirement for concrete foundations or the necessity to remove such foundations at the end of mining and the cost to reclaim the excavation is easily absorbed within the existing estimated cost of reclaiming the surrounding area.

Division Response: The use of a portable truck scale at the site is acceptable. Please revise any sections of Exhibit C (Mining Plan) and Exhibit D (Reclamation Plan) to reflect the change from a truck scale with a concrete pad to a portable scale.

**Rule 6.3.5(2)(b) - Mine Plan Map**



3. The Response provided to the Division satisfies Adequacy Item #3.

This concludes the Division's second adequacy review of the Burton Farms Gravel Pit Application. Other issues may arise from other agency comments, and as more information is supplied. This application cannot be approved until all issues brought forth by Division staff are adequately addressed. Please submit a response to the following issues as soon as possible, but no later than May 25, 2022 so the decision due date set for May 27, 2022 can be met. If your response or a written extension request are not received by May 25, 2022 this application may be denied. This concludes the Division's second adequacy review of the Burton Farms LLLP mining application. If you have any questions or concerns, please contact me at [clayton.wein@state.co.us](mailto:clayton.wein@state.co.us) or by phone (303)-866-3567 x8185.

Sincerely,

A handwritten signature in black ink that reads "Clayton Wein". The signature is written in a cursive, slightly slanted style.

Clayton Wein  
Environmental Protection Specialist

cc: Travis Marshall, Senior Environmental Protection Specialist