



May 27, 2022

Nathan Barton  
WASTELINE, Inc.  
P.O. Box 3471  
Rapid City, SD 57709-3471

***RE: South Hinsdale Gravel Pit, File No. M-2022-018, Construction Materials Limited Impact (110) Application Adequacy Review***

Dear Mr. Barton:

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 a decision can be rendered.

1. **Application Form:** The application form included in the submitted materials does not contain the mailing address for the Permitting Contact nor the Applicant/ Operator. Please complete and submit a replacement Page 2 of the DRMS Application form containing all required information.
2. **Exhibit B- Site Description Rule 6.3.2:** Details of the existence of two irrigation return ditches flowing on either side of Klechner Lane is referred to as not significant or permanent. If the ditches are owned or maintained by an irrigation company or water users association they are considered permanent and significant. Please clarify if the two ditches are owned or maintained by any organization or entity.

**Exhibit C- Mining Plan Rule 6.3.3**

3. Section 3 of the narrative implies the use of a site truck scale and control room which are interpreted to be temporary facilities, however section 7 indicates that no temporary or permanent buildings will be installed. Please clarify what support facilities, even if temporary, will be utilized on site. Additionally please provide details if the truck scale will be in set below grade, or constructed above grade. If below, please provide details of it's removal and reclamation in Exhibit D, Reclamation Plan.



4. Please specify the approximate acreage of each phase of the mining plan as well as details regarding the estimated height and length of highwalls to be utilized at any given time. Please also identify the size of area to be stripped for the continuation of mining efforts.
5. Note 1 of the narrative indicates that .8 acres of the unmined area may be affected to ensure proper access, storm water management and to protect wetlands and riverine features outside of the permit area, however Exhibit B indicates no wetlands exists on or downstream of the proposed pit location. Please clarify this discrepancy and clearly identify if any wetlands will be affected by mining or reclamation activities.
6. Item 12 indicates that water for dust control and possible washing of material will be obtained from irrigation water rights owned by the landowner. Please provide documentation that the water rights are appropriately adjudicated for industrial use. Similarly, the same section states that impounded storm water may be used in conjunction with irrigation waters. Please provide documentation from the Colorado Division of Water Resources that use of the impounded storm water is allowed.

**Exhibit D- Reclamation Plan Rule 6.3.4**

7. In conjunction with item 4 of this review, based on the estimated height and length of the proposed highwall, please provide a volumetric estimate in Cubic Yards, of the material required for backfill of the mined area to achieve the proposed reclamation topography.
8. It is noted that NRCS recommends drill seeding on revegetated areas however item 4(b) states that some slopes of 2H: 1V may be required. Please note that slopes steeper than 3H: 1V are not suitable for drill seeding and must be broadcast seeded. Please specify the number of acres that may be sloped at 2H: 1V that will need to be broadcast seeded.
9. Please provide a Noxious Weed Management Plan to be employed during mining and reclamation pursuant to Rule 3.1.10(6).

**Exhibit E- Maps**

10. Please revise the Reclamation Plan Map to include depictions of slope gradient in various areas, depth of fill and topsoil to be replaced as well as areas of revegetation pursuant to Rule 6.3.5(3)(a,b,d,e).

**Exhibit – List of Other Permits and Licenses Required**

11. Exhibit F lists that a Substitute Water Supply Plan and Construction Storm Water Discharge Permit may be required. Please provide Proof of filing for the appropriate permits or documentation from the appropriate agencies that no permit is required.

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

12. Based on the response to Item 2 of this review, if the irrigation ditches along Klechner Lane are determined to be permanent man-made structures please revise this section to include the ditch. Additionally if they are owned by an entity, an signed written agreement allowing the rerouting of the ditches along the newly constructed Klechner Lane upon reclamation must also be included.

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Please submit your response(s) to the above listed issue(s) by Monday, June 06, 2022 in order to allow the Division sufficient time for review. If you require additional time to formulate your responses please submit a written extension request no Later than Monday June 6, 2022. 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 at the Division's Grand Junction Field Office, by phone at 303-866-3567 Ext. 8187 or by email at [lucas.west@state.co.us](mailto:lucas.west@state.co.us).

Sincerely,



**Lucas West**

Environmental Protection Specialist  
Division of Reclamation, Mining and Safety

Cc: Travis Marshall, DRMS

Ec: Nathan Barton, WASTELINE Inc.