



August 10, 2022

Nick Waldow  
Flintstone Gravel Pit Inc.  
500 CR 61  
P.O. Box 950  
Granby, CO 80446

**Re: Flintstone Gravel Pit Inc., Pickering Family Pit, File No. M-2009-086,  
112c Permit Amendment Application (AM1) Adequacy Review**

Mr. Waldow,

The Division of Reclamation, Mining and Safety (Division/DRMS/Office) reviewed the content of the Flintstone Gravel Pit Inc. 112c permit amendment application (AM1) for the Pickering Family Pit, File No. M-2009-086 and submits the following comments. The Division is required to make an approval or denial decision no later than September 9, 2022, therefore a response to the following adequacy review concerns should be submitted to the Division as soon as possible.

The review consisted of comparing the amendment application content with the specific requirements of Rules 1, 3, 6.1, 6.2, 6.4 and 6.5 of the Minerals Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials effective date July 15, 2019. Any inadequacies are identified under the respective exhibit heading along with suggested actions to correct them.

### **Comments**

1. The Division received comments from U.S. Army Corps of Engineers, History Colorado and Colorado Parks and Wildlife (CPW). The comments are attached for review. Please respond to the comments noted in the letters and revise the application accordingly.

### **1.6 Public Notice**

2. As required by Rules 1.6.2(1)(d) and 1.6.5(2), please submit proof of publication in a newspaper of general circulation in the locality of the proposed mining operation.

*The Applicant submitted proof of publication for the amendment application on July 18, 2022. No additional response is required by the Applicant.*



3. As required by Rule 1.6.2(e), please submit proof of the notice to all owners of record of surface and mineral rights of the affected land and the owners of record of all land surface within 200 feet of the boundary of the affected land including all easement holders located on the affected land and within 200 feet of the boundary of the affected land. Proof of notice may be return receipts of a Certified Mailing or by proof of personal service.

*The Division received proof of notice to all owners of record for the amendment application in the form of certified mail receipts from the Applicant on July 18, 2022. No additional response is required by the Applicant.*

#### **6.4 Specific Exhibit Requirements - Regular 112 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:

##### **6.4.3 Exhibit C - Pre-Mining and Mining Plan Maps of Affected Land**

4. The Applicant provided updated Pre-Mining and Mining Plan Map on June 6, 2022. The maps are very dark, blurry and difficult to read. Please provide legible maps fulfilling all of the requirements of Rule 6.2.1. The Division prefers large format maps, if available.

##### **6.4.8 Exhibit H - Wildlife Information**

5. Please commit to complying with the CPW requirement to avoid a new phase disturbance in the spring from March 1 to July 15 to minimize disrupting the Greater Sage Grouse.

##### **6.4.12 Exhibit L - Reclamation Costs**

6. The Division calculated the cost for an independent contractor to reclaim the first three (3) phases of the site based on the information provided by the Applicant in the amount of \$160,000.00. A copy of the estimate is attached for review. The Division will require the Applicant to recalculate the financial warranty amount prior to disturbing Phase 4.

##### **6.4.18 Exhibit R - Proof of Filing with County Clerk and Recorder**

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

Please be advised the Pickering Family Pit amendment application may be deemed inadequate, and the amendment application may be denied on September 9, 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 September 9, 2022 and request for additional time.

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

Enclosures – U.S. Army Corps of Engineers, History Colorado and Colorado Parks and Wildlife  
comment letters, Bond Estimate

Ec: Jared Ebert; Division of Reclamation, Mining & Safety