

September 13, 2022

RE: Receipt of Timely Objections to a 112 Construction Materials Reclamation Permit Application, Stiles Mining Resource, File No. M-2021-067

Dear Party and/or Interested Person:

The Division of Reclamation, Mining and Safety (Division) appreciates you taking time to participate in the review process of the Stiles Mining Resource reclamation permit application filed with our office on December 13, 2021 by Asphalt Specialties Co. (Applicant). The public comment period for the application closed on January 27, 2022. The decision date for the application is currently scheduled for October 10, 2022, but is subject to change.

Because timely objections have been filed, the application will be scheduled for consideration by the Colorado Mined Land Reclamation Board (Board), in accordance with Rule 1.4.9. The Division will issue a recommendation to the Board for approval, approval with conditions, or denial of the application on or before the application decision date. A pre-hearing conference will be held after the Division has issued its written recommendation on the application and at least ten (10) calendar days prior to the formal Board hearing, in accordance with Rule 2.7.1. The Division's recommendation and rationale for approval or denial of the application shall be sent to the Applicant and to all timely objectors at least three (3) working days prior to the pre-hearing conference.

Official notice of the date, time, and location for the pre-hearing conference and formal Board hearing will be provided to the Applicant and all timely objectors. Unless notice is waived in writing by all parties, the Division shall provide all parties at least thirty (30) days written notice of the formal Board hearing date. Any person who submits a written comment during the public comment period for the application has standing for party status. Party status is subsequently maintained by participating in the pre-hearing conference and formal Board hearing.

An explanation of the Division's review process, your rights as either a party or non-party, and the jurisdiction of the Board is provided in a 6-page memorandum, Guide to Citizen Participation, last revised on October 7, 2021, which is available on the Division's website at <https://drms.colorado.gov/forms/minerals-program-forms>, specifically at this link: <https://drive.google.com/file/d/1bZmZjkSOM49SMgm-YD495cEcn46RfbAh/view>.

The following comments and objections were received for the application (please note that, although the Division reviews all comments and objections submitted, any comments or objections submitted after the public comment period are considered "untimely" and therefore, the person/agency submitting the comment or objection is not considered a party to the application):



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Agency comments received:

- 1) December 28, 2021 – Comment received from History Colorado, State Historic Preservation Office
- 2) January 4, 2022 – Comment received from State Engineer's Office Division of Water Resources

Timely objections received:

- 1) January 25, 2022 – Objection received from Cynthia Franklin
- 2) January 25, 2022 – Objection received from Bill Woods
- 3) January 25, 2022 – Objection received Sabrina Woods
- 4) January 26, 2022 – Objection received from Lance McBride
- 5) January 27, 2022 – Objection received from Albert Bush
- 6) January 27, 2022 – Objection received from Dan Bush

Untimely objections/comments received:

- 1) January 28, 2022 – Comment received from Colorado Parks and Wildlife

All letters received have been made electronically available to the Applicant for their review and/or response. The Division is currently reviewing the application for adequacy with respect to the applicable portions of the Colorado Land Reclamation Act for the Extraction of Construction Materials (Act) and the Mineral Rules and Regulation of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials (Rules). The Act and Rules are available on our website at <https://drms.colorado.gov/rules-and-regulations>. All permit files, including any correspondence regarding the application, can be viewed through our online imaged document system (Laserfiche) available on our website at <https://dnrweblink.state.co.us/drms/search.aspx?cr=1>. In Laserfiche, type the permit/file number into the "Permit No" field with no spaces or dashes like this "M2021067" and hit Enter or click Search. Tip: after all documents have loaded, you can organize them by date by clicking on the "Doc Date" column header.

If you have any questions, you may contact me by telephone at 303-866-3567, ext. 8140 or by email at eric.scott@state.co.us.

Sincerely,



Eric Scott

Environmental Protection Specialist