



October 12, 2022

Nick Varra  
Varra Building Inc.  
14440 WCR 100, Suite 1  
Nunn, CO 80648

**Re: VIP Mine, File No. M-2022-032,  
112c Permit Application, Preliminary Adequacy Review**

Mr. Varra -

The Division of Reclamation, Mining and Safety (Division) reviewed the contents of the 112c permit application for the VIP Mine, File No. M-2022-032, and submits the following comments. The Division is required to issue an approval or denial decision no later than November 14, 2022, therefore a response to the following adequacy review items should be submitted to the Division as soon as possible.

This review consisted of comparing the application contents with 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).

**ADEQUACY REVIEW ITEM #1 (from 6 October 2022 letter)**

The applicant (Varra Building Inc.) must provide letters from utilities associated with power lines and other utility lines or equipment within 200 feet of the site boundary. This includes gas and communications utilities. The letters must state that the VIP Mine, as proposed, will have no negative effect on these utilities.

**ADEQUACY REVIEW ITEM #2**

In a revised Reclamation Plan (Exhibit E), please provide more specifics on the seeding plan. Please consult with the West Greeley Conservation District for recommended species. The Division highly recommends including more than three species in the seed mix to achieve diversity. We also recommend that scientific names of species (for example, *elymus trachycaulus*) be provided in Exhibit E for clarity.

**ADEQUACY REVIEW ITEM #3**

A representative of the Colorado Parks & Wildlife (CPW) in Denver stated the following regarding the VIP Mine in an email to the Division: "This area is mapped as a Pronghorn Winter Concentration Area, could they avoid starting between Jan. 1 to April 30<sup>th</sup>?" Please respond to this comment from CPW. Input from local CPW officials would certainly be worthwhile.

Please be advised that the Two Rivers, Sand, Gravel, and Reservoir Project application may be deemed inadequate, and the application may be denied unless the above-mentioned adequacy review items (including the one from a previous letter) 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 November 14, 2022 and a request for additional time. This must be received no later than the decision date.

If you have any questions, please contact me at [rob.zuber@state.co.us](mailto:rob.zuber@state.co.us) or (720) 601-2276.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert D. Zuber".

Robert D. Zuber, P.E.

Environmental Protection Specialist

Cc: Tony Evans, Encompass LLC  
Michael Cunningham, DRMS

