



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

March 20, 2023

Vic Girardi
Hidden Mesa Ranch, LLC
3183 D Road
Grand Junction, CO 81504

Steve Baker
3B Enterprises, LLC
P.O. Box 1665
Craig, CO 81626

**Re: Hidden Pit, File No. M-2022-040,
Second Adequacy Review of a 112c Construction Materials Permit application**

Dear Sirs:

On September 9, 2022, the Division of Reclamation, Mining and Safety (Division or DRMS) received your 112c Construction Materials Reclamation Permit Application package for the Hidden Pit, File No. M-2022-040. The Division sent an adequacy letter on February 7, 2023, and we received Steve Baker's response to that letter, received on March 7, 2023 (the letter is dated March 1, 2023).

Additional adequacy responses are required, as indicated in the italic text below. For clarity, our original adequacy items are listed as well, with the original headings and numbers.

The Division is required to issue an approval or denial decision no later than March 22, 2023. A response to the following adequacy review issues should be submitted to the Division as soon as possible, but please request an extension as needed.

General Comments

- 1) The application (including the Mining Plan Map, Exhibit C) includes references to a processing area. However, this area is not shown within the permit boundary on the Mining Plan Map or other maps. Furthermore, the total acres value listed on the application form (187 acres) does not appear to include this area. Hidden Mesa Ranch, LLC must do one of two things:
 - a) Submit an amendment to the application, per Rule 1.8, and include the processing area in appropriate maps, text, and the cost estimate.



- b) Remove all references to the processing area in revised exhibits. The processing area can be [added] to the permit at a later date using a permit amendment (Rule 1.10).

The processing area has been moved to the “peninsula” of permit area that is south of the farmhouse. This is a third option and not in a) or b) above. This is acceptable to the Division, however, the processing facilities need to be discussed in the Mining Plan (exhibit D) and the Reclamation Plan (Exhibit E). Sufficient detail must be given for the Division to accurately estimate the cost of removing these facilities at the time of final reclamation. For example:

- *Will any concrete structures be constructed?*
- *Will all processing equipment be mobile?*
- *Will the process entail washing of gravel, and, if so, will a wash pond be used and what will be the specifications, including dimensions, of the pond?*

- 2) The Division received state agency comments from History Colorado. This letter is included as an enclosure with this adequacy review letter. Please review it and provide comments, as necessary.

No additional response is required.

- 3) Please provide a proof of publication from the newspaper (Delta County Independent).

No additional response is required.

1.6 Public Notice

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

No additional response is required.

6.2 General Requirements of Exhibits

- 5) Rule 6.2.1(2)(b) requires maps be signed by a registered land surveyor, professional engineer, or other qualified person. Please provide a description of the credentials of the person who signs the Exhibit C and Exhibit F maps.

No additional response is required.

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

- 6) A Pre-Mining Map should be added to Exhibit C, and it should illustrate (with hatching or other symbolism) any areas that are currently undisturbed as well as current structures and land uses.

No additional response is required.

- 7) The Mining Plan Maps should show areas that will be mined, areas that will be impacted by other mining-related activities (such as facilities and roads), and areas that will not be impacted by mining operations. In particular, the processing area must be shown on the map. For the sake of clarity, the Division recommends that the entire permit area be permitted to be affected, and this should be stated in Exhibit C and Exhibit D.

Please clarify if the entire permit area is included within the affected area or will certain areas (such as the perimeter between the pits and the permit boundary) be excluded from mining disturbance. If the latter is true, show on the Mining Plan map. On the Mining Plan "Crossection" (a new figure dated 2-2-23 and submitted with Steve Baker's adequacy response) the permit boundary should be shown.

- 8) Please add all planned structures to the Mining Plan Maps, including soil piles.

No additional response is required.

6.4.4 Exhibit D - Mining Plan

- 9) In the paragraph about the size of area to be mined at any one time, please elaborate on the phases of mining, the respective areas, and the estimated schedule for each phase. If applicable, add a statement that the Financial Warranty will be increased to reflect all of the phases being mined.

No additional response is required.

- 10) Regarding the discussion on topsoil and overburden stockpiles, more detail is needed regarding the storage volumes and locations of the piles (the discussion on location can be a reference to a map).

No additional response is required.

- 11) The Mining Plan should state that topsoil will be stripped and salvaged from the areas where soil will be stockpiled.

The issue was not addressed. Please add the statement to Exhibit D.

- 12) The Mining Plan needs to include a discussion of stabilization of topsoil stockpiles. Reference Exhibit E, as appropriate.

No additional response is required.

- 13) Exhibit D should include a discussion of the structures that will be constructed for the mining operation, including dimensions and general construction methods. (For example, will foundations include rebar reinforcement?)

Please add this discussion or explain in your response letter why it is not needed. This item is related

to Adequacy Item #1 above.

- 14) Provide a discussion of existing buildings, other structures, and easements within the disturbance area. This should indicate if structures and easements will be relocated or removed.

No additional response is required.

6.4.5 Exhibit E - Reclamation Plan

- 15) The text needs to include details for seed bed preparation (e.g., mulching) as applicable, application method (drill seeding or other), and the time of seeding.

Please add text stating the time of year when seeding will be done. (That is what was meant by “the time of seeding.”)

- 16) Please commit to seeding soil stockpiles which have been in place for 180 days and provide a seed mixture, including pounds of pure live seed (PLS) per acre.

No additional response is required.

- 17) Please add additional text to Exhibit E explaining the process to backfill and compact the mined slopes to the reclaimed 3:1 slope. This explanation should include the type of equipment used. The text should state that construction methods will insure stability of the slopes.

No additional response is required.

6.4.6 Exhibit F - Reclamation Plan Map

- 18) Please add additional information to the map, showing any buffer between the pits and the permit boundary.

This is related to Adequacy Item #7 above. On the Mining Plan “Crossection,” the permit boundary should be shown.

6.4.7 Exhibit G - Water Information

- 19) This exhibit needs to discuss the surface water tributaries in the vicinity of the site, which can be seen on the map in Exhibit B. It should also discuss the plan for ongoing irrigation practices at the site.

No additional response is required.

- 20) This exhibit needs to discuss how surface water runoff at the site shall be managed to limit erosion and sediment loading from impacting offsite areas.

No additional response is required.

- 21) This exhibit needs to include a commitment that extraction will cease, and pertinent areas will be backfilled, if groundwater is encountered.

No additional response is required.

Exhibit K - Climate

- 22) Provide more details on temperatures and precipitation for the site, including averages and ranges, by season.

No additional response is required.

6.4.12 Exhibit L - Reclamation Costs

- 23) This exhibit should provide more detail on structures, including dimensions and types of construction, and plans for removal and demolition.

This item is related to Item #1 and Item #13 above. If the removal of the processing equipment (in addition to the scale) will not entail a cost, please state that in this exhibit.

- 24) The cost estimate should include a task (or tasks) to reclaim the areas where overburden and topsoil will be stored.

No additional response is required.

6.4.13 Exhibit M - Other Permit and Licenses

- 25) Please commit to providing copies of all applicable permits and licenses to the Division when available.

In this exhibit, please state that Hidden Mesa Ranch will send permits from the County and CDPHE to the Division.

Please be advised that the Hidden Pit application may be deemed inadequate, and the application may be denied unless the above-mentioned adequacy review items are addressed to the satisfaction of the Division. As noted at the beginning of this letter, 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 March 22, 2023 and a request for additional time. This must be received no later than the decision date.

If you have any questions, please contact me by telephone at 720-601-2276, or by email at Rob.zuber@state.co.us.

Sincerely,



Robert D. Zuber, P.E.
Environmental Protection Specialist

Cc: Michael Cunningham, DRMS