



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

June 30, 2023

Alec Cortez
CoProp LLC
3613 N Lafayette Street
Denver, CO 80205

**Re: Notice of Filing Deficiencies, 110c Construction Materials Application
CoProp Pit No. 1, File No. M-2023-022**

Dear Mr. Cortez,

On June 22, 2023, the Division of Reclamation, Mining and Safety (Division) received CoProp LLC's 110c Construction Materials Limited Impact Operation Reclamation Permit Application for the proposed CoProp Pit No. 1 and assigned it File No. M-2023-022. Pursuant to Rule 1.4.1(8), the Division has determined the application contains deficiencies which prevent the application from being considered filed. Please respond to this Notice of Filing Deficiencies with the requested information and summarize each response to the numbered items below, in a cover letter titled "Response to Notice of Filing Deficiencies, M-2023-022".

APPLICATION FORM

1. Responsibility #10 (Page 5 of the application form) has been initialed, however CoProp LLC appears to be a sole entity. Please submit a new Page 5 without responsibility #10 initialed.

GENERAL APPLICATION PROCESS

2. As discussed in Exhibit A – Legal Description and Location Map and as depicted on the Exhibit A-1: Subject Property Location and Route Map, the proposed operation will be accessed by an existing private road which connects to Highway 34, approximately 8.66 miles north of the site. The Division was unable to determine the location of the Rule 1.6.2(1)(b) on-site notice. Please provide the approximate coordinates of the on-site notice. If the on-site notice is posted at the location of the proposed permit, please post an additional notice where the private access road connects to Highway 34. This location appears to be the closest public access point to the proposed operation and better complies with the intent of Rule 1.6.2(1)(b) regarding the public notice. You are welcome to modify the language of the notice to indicate that the proposed operation is located approximately 8.66 miles south of the posted notice sign. In accordance with Rule 1.6.2(1)(b), please submit an additional signed affidavit of posting the on-site notice at the access road entrance and photo documentation of the sign placement to add to the application's Addendum 2 and 2-A, respectively.

Your 110c Permit Application will not be considered filed until the information listed above is received and found sufficient to begin our review. A decision date will be established 30 days from the date of receipt and acceptance of all of the requested information. Please note, if you have already published notice you will need to republish notice, but only after the Division considers the application filed; the Division will notify you when you should initiate publication of your notice. This notice must be published once within 10 days of the date your application is considered filed. The final date for receiving comments is the 10th day after the publication or the next regular business day.



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Pursuant to Rule 1.4.1(8), you have 60 days from the date of this letter to submit all necessary documents that the Division needs for an application to be considered filed. If, at the end of the sixty day period, the application has not been determined to be filed with the Division, the Division may deny the application and terminate the application file. **The response to this Notice of Filing Deficiencies is due on or before August 29, 2023.**

This letter shall not be interpreted to mean that there are no other deficiency or adequacy requirements in your application. The Division will review your application to determine whether it is adequate to meet the requirements of the Act and Rules after submittal of all required items.

If you have any questions, please contact me at 303-866-3567 ext. 8132 or elliott.russell@state.co.us.

Sincerely,



Elliott R. Russell
Environmental Protection Specialist

Cc: Michael Cunningham, Division of Reclamation, Mining & Safety
Tony Waldron, Holsinger Law, LLC
Sarah Ostby, Holsinger Law, LLC