

# Environment, Inc.

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FOUNDER

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July 24, 2023

Mr. Brock Bowles  
Division of Reclamation, Mining & Safety  
1313 Sherman St., #215  
Denver, CO 80215

Dear Brock;

RE: W.F. Ratliff  
East Sand Canyon Mine, Permit # M-2023-021  
Adequacy Response #1

On behalf of our client W. F. Ratliff, I have responded to your July 7, 2023 - Adequacy Review #1 in the order and number format presented in that document. I have only included the sections of your letter that contain discussion that needs a response.

## **6.4.5 EXHIBIT E - Reclamation Plan -**

1. The reclamation plan states that final slopes will be graded to 2h:1v. This slope gradient is steeper than the recommended 3h:1v. The shallower 3h:1v is usually a better choice because vegetation establishes better, it reduces the potential for erosion and the tractor and seeder can drive along the contour and not tip over. Please clarify why a 2h:1v slope is being proposed.

Rule 3.1.5(7) says "... all slopes, unless otherwise approved by the Board or Office, shall be no steeper than a ration of 2:1..." and since there is no water on this mine, the requirements to slope to 3:1 does not apply. The operator understands that reclaiming 2:1 slopes is more difficult but feels they can reclaim them and since it is their responsibility to complete reclamation as approved, they do not want to change the plan. With the plan to mine using a push down method the material will already be graded 2:1 and would need no further work to reclaim, except to resoil

and seed. Using steeper slopes will allow the operator to remove more material and since eventually this permit will be converted to a 112 permit, using this initial 9.9 acres as the starting point, it will allow an orderly transition into a new permit area. If reclamation cannot be completed successfully the operator understands it may be necessary to file a Technical Revision to change the sloping rate so the mine can be successfully reclaimed.

**6.4.12 EXHIBIT L - Reclamation Costs**

1.The reclamation cost estimate was submitted with the application as required by Rule 6.4.12. The Division agrees with the cost estimate of \$17,600 suggested in the application.

Thank you for reviewing and accepting my estimate. Mr. Ratliff is in the process of obtain the bond for this amount and will submit it once the application is approved.

**1.6.2 (1) (e)** - Adjacent Landowner Notification - Please also submit proof that adjacent landowners within 200 feet of the boundary of the affected lands have been served a copy of the notice required by Rule 1.6.2 (1) (d) .

Attached is a copy of the Adjoining Owner notice letter and receipt showing it was delivered to the party.

**1.6.2 (1) (g)** - The comment period is currently open until ten (10) days after the last day of newspaper publication. The close of comment period be determined when the proof of publication is submitted to the Division. Any comments received in the meantime will be forwarded to you.

The notice was published in the Plainsman Herald on July 12, 2023 and I am still waiting on the Proof of Publication from the paper. I will file it under separate cover when I receive it.

The Division received comments from the **Army Corp of Engineers** (attached). Please address any additional comments raised by the ACOE.

I have reviewed the ACOE e-mail and the items they raise do not apply to this operation. There is no water associated with the site.

Please address any additional comments raised by the **Office of Archaeology & Historic Preservation** - Comments received by Division 7/18/2023.

We will follow their suggestions if human remains are found. It is our understanding that this area was cultivated with dryland grain crops for many years before it was seeded as rangeland. Any artifacts that may have existed on the surface prior to cultivation have been disturbed and /or destroyed.

Proof that a copy of this response and attachments was placed with the Baca County Clerk will be provided under separate cover.

I hope these responses have addressed the adequacy items you had also thank you for all your help on this application. If you have any questions please call.

Sincerely,  
Environment, Inc



Stevan L. O'Brian  
President

cc W.F. Ratliff  
Baca County Clerk  
file

enclosures

**W.F. RATLIFF**  
**P.O. BOX 38**  
**PRITCHETT, COLORADO 81064**

July 12, 2023

Colorado State Land Board  
1127 Sherman Street, Suite 300  
Denver, CO 80203

Dear Board Members;

W.F. Ratliff, whose address and phone number is P.O. Box 38, Pritchett, CO 81064, (719)361-0235 has applied for a Construction Materials, Limited Impact (110) Reclamation Permit with the Colorado Mined Land Reclamation Board under provisions with the Colorado Mined Land Reclamation Act for extraction of construction materials. The proposed mine is known as the East Sand Canyon Mine, M-2023-021, is located at or near the Lot 19, Section 16, T-34-S, R-48-W, 6th P.M., Baca County, Colorado. The proposed date of commencement is July 2023 and the proposed date of completion is 2045. The proposed future use of the land is rangeland.

Additional information and a tentative decision date may be obtained at the Division of Reclamation, Mining & Safety, 1313 Sherman Street, Rm 215, Denver, Colorado 80203, (303) 866-3567, or at the office of the Baca County Clerk and Records office, Baca County Courthouse, 741 Main St., Springfield, CO 81073.

Written comments to the application must be received at the office of the Division of Reclamation, Mining & Safety no later than 4:00 p.m. on the 24th day of July, 2023.

Please note that comments related to noise, truck traffic, hours of operation, visual impacts, effects on property values and other social or economic concerns are issues not subject to this Office's jurisdiction. These subjects and similar ones, are typically addressed by your local governments, rather than the Division of Minerals and Geology or the Mined Land Reclamation Board.

W.F. Ratliff  
Pritchett, Colorado

CERTIFIED, RETURN  
RECEIPT REQUESTED  
ITEM # 7019 2970 0000 8239 3350

W.F. RATLIFF

ADJOINING OWNER NOTICE AND RECEIPT

7/18/2023

EAST SAND CANYON MINE

PERMIT # M-2023-021

7019 2970 0000 8239 3350

U.S. Postal Service™  
**CERTIFIED MAIL® RECEIPT**  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

OFFICIAL USE

Certified Mail Fee \$4.35

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.66

Total Postage and Fees \$5.01

Sent To: **COLO STATE LAND BOARD**  
Street and Apt. No., or PO Box No. **1127 SHERMAN ST #300**  
City, State, ZIP+4® **DENVER CO 80203.**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Postmark Here  
JUL 12 2023  
07/12/2023

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY												
<ul style="list-style-type: none"><li>Complete items 1, 2, and 3.</li><li>Print your name and address on the reverse so that we can return the card to you.</li><li>Attach this card to the back of the mailpiece, or on the front if space permits.</li></ul>	<p>A. Signature X <i>Andy Bessete</i> <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>ANDY BESSETE</i> C. Date of Delivery <i>7/17/23</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input checked="" type="checkbox"/> No</p>												
<p>1. Article Addressed to:</p> <p><b>COLORADO STATE LAND BOARD</b> <b>1127 SHERMAN ST, Suite 300</b> <b>DENVER, CO 80203</b></p> <p>9590 9402 5695 9346 6382 31</p>	<p>3. Service Type</p> <table><tr><td><input type="checkbox"/> Adult Signature</td><td><input type="checkbox"/> Priority Mail Express®</td></tr><tr><td><input type="checkbox"/> Adult Signature Restricted Delivery</td><td><input type="checkbox"/> Registered Mail™</td></tr><tr><td><input checked="" type="checkbox"/> Certified Mail®</td><td><input type="checkbox"/> Registered Mail Restricted Delivery</td></tr><tr><td><input type="checkbox"/> Certified Mail Restricted Delivery</td><td><input type="checkbox"/> Return Receipt for Merchandise</td></tr><tr><td><input type="checkbox"/> Collect on Delivery</td><td><input type="checkbox"/> Signature Confirmation™</td></tr><tr><td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td><td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td></tr></table>	<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®	<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™	<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery	<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Return Receipt for Merchandise	<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™	<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery
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<p>2. Article Number (Transfer from service label)</p> <p>7019 2970 0000 8239 3350</p>	<p>Domestic Return Receipt</p>												

PS Form 3811, July 2015 PSN 7530-02-000-9053