



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

October 3, 2023

Raul Vasquez  
Blue Mountain Stone, Inc.  
4168 Ute Hwy.  
Longmont, CO 80503

**Re: Adequacy Review No. 3, Conversion Application (CN-1),  
Phillips Stone Company, Permit No. M-1981-075**

Mr. Vasquez:

On September 21, 2023, the Division of Reclamation, Mining and Safety (Division/DRMS) received your responses to items in the Division's Preliminary Adequacy Review and Adequacy No. 2 letters dated October 19, 2022 and September 8, 2023, respectively. After review of your responses the Division has identified additional items that need to be addressed.

Subsequent to receipt and review of the Applicant/Operator's response to these items the Division may identify additional adequacy items. Please respond to this Adequacy Review No. 3 with the requested additional/updated information and summarize each response in a cover letter titled "Adequacy Review No. 3 Response; M-1981-075".

**EXHIBIT C – Pre-Mining and Mining Plan Map(s) of Affected Lands (Rule 6.4.3):**

1. The Mining Plan Map provided indicates the permit area to be 15.516 acres. However, on the application page for the Conversion Application, page 1, the Applicant indicated the permit was for 43 acres. Please clearly state what the intended acreage is to be for the permit.
2. Please provide the coordinates of the six corners that define the proposed permit boundary.
3. The map provided does not clearly state what the affected land boundary is to be. On the Reclamation Plan Map it is indicated that the affected land boundary is 11 acres. If the Applicant is going to propose an affected land boundary that is less than mine permit boundary please clearly state that this is case and provide the coordinates of the affected land boundary corners. The Division encourages the Applicant to make the affected land and mine permit boundaries to be the same.



**EXHIBIT E – Reclamation Plan (Rule 6.4.5):**

4. Pursuant to Rule 3.1.10 Revegetation, land shall be revegetated in such a way as to establish a diverse, effective, and long-lasting vegetative cover that is capable of self-regeneration without continued dependence on irrigation, soil amendments or fertilizer. The proposed seed mix consisting of two types of grasses is not diverse enough and needs to be revised to resemble the grasses that are found in Exhibit C(e). The currently approved grass seed mix consists of Blue Grama, Sheep Fescue, Western Wheatgrass and Spike Muhly. Additionally, nursery stock planting consists of Rocky Mountain Juniper, Ponderosa Pine, Mountain Mahogany, and Skunkbrush Sumac. Please propose a more diverse seed mix or commit to currently approved revegetation plan.
5. A review of the Reclamation Plan Map indicates the Applicant has proposed two building areas and areas where backfilling will take place. Pursuant to Rule 6.4.5(2)(e) please provide the following:  
A plan or schedule indicating how and when reclamation will be implemented. Such plan or schedule shall not be tied to any specific date but shall be tied to implementation or completion of different stages of the mining operation as described in Rule 6.4.4(e). The plan or schedule shall include:
  - (i) An estimate of the periods of time which will be required for the various stages or phases of reclamation;
  - (ii) A description of the size and location of each area to be reclaimed during each phase; and
  - (iii) An outline of the sequence in which each stage or phase of reclamation will be carried out.
6. Pursuant to Rule 6.4.5(2)(f)(i) please provide a description of the final grading – specify the maximum anticipated slope gradient or expected ranges thereof. While the Reclamation Plan Map states reclaimed slopes will be graded to 2H:1V where the natural slope will support it a statement needs to be provided describing the locations of the buildings and other areas (recommend 3H:1V).
7. Please provide a description of the dirt roads that are within the proposed permit and affected land boundaries. It is the Division's understanding that these roads will not be reclaimed after mining is complete because they were present before mining began and are used by others to access property located behind the permit. Please provide the approximate dimensions of the road (length x width) through the permit area so this area can be accounted for in the Reclamation Cost Estimate as not needing to be reclaimed.

**EXHIBIT F – Reclamation Plan Map (Rule 6.4.6):**

8. Please update the Reclamation Plan Map according to the answer provided in #1 above. Both the permit and affect land boundaries need to be portrayed for clarity and consistency.

**EXHIBIT L – Reclamation Costs (Rule 6.4.12):**

9. While the Applicant has stated that 11 acres are to be reclaimed in total. Will 11 acres be the maximum amount of acres that will be disturbed at any one time needing to be reclaimed? Or does the Applicant plan on doing concurrent reclamation as mining progresses thus limiting the maximum number of acres requiring complete reclamation to a number less than 11 acres?

**EXHIBIT M – Other Permits and Licenses (Rule 6.4.13):**

10. The Division acknowledges the Applicant is working with Boulder County to determine if additional permitting is required. Please commit to providing documentation regarding the County's final determination, please affirmatively acknowledge this commitment.

**Other:**

11. Pursuant to Rule 1.6.2(2), please demonstrate that the Applicant's response to these adequacy issues have been placed with the application materials previously placed with the County Clerk or Records Office, and made available for public review.

**The decision date for this application was September 27, 2023. Please provide your responses as soon as you are able to avoid a Board Hearing in November.**

If you need additional information or have any questions, please contact me by telephone at **303-866-3567 x8114**, or by email at [patrick.lennberg@state.co.us](mailto:patrick.lennberg@state.co.us).

Sincerely,



Patrick Lennberg  
Environmental Protection Specialist

cc: Jared Ebert; DRMS

ec: Raul Vasquez, Blue Mountain Stone, Inc., [bluemtystone@gmail.com](mailto:bluemtystone@gmail.com)