



October 24, 2023

Carlos Wright  
City of Colorado Springs  
1521 S. Hancock Expressway MC: 1816  
Colorado Springs, CO 80903

RE: Adequacy Review; 112 Construction Materials Amendment (AM-01); Clear Spring Ranch Pit; DRMS File No. M-1992-074

Dear Carlos Wright,

The Division of Reclamation, Mining, and Safety (Division) has reviewed the content of the Routt County 112 Construction Materials Application for Amendment AM-01 for the Clear Spring Ranch Pit, File No. M-1992-074, and submits the following additional comments. If comments were received from other agencies regarding this proposed permit renewal, they are attached to this letter. The Division is required to make an approval or denial decision no later than January 15, 2024; therefore, a response to the following adequacy review concerns should be submitted to the Division as soon as possible.

1. The Division found the application for AM-01 complete on October 17, 2023. Pursuant to Rule 1.6.2(1)(g), upon completeness City of Colorado Springs is required to publish a Public Notice for four consecutive weeks which will initiate a 20 day comment period from the date of the last publication. As of the date of this letter, the Division has yet to receive a proof of publication of the public notice for AM-01. Please provide the Division with a copy of the public notice to ensure that the Public Notice was published as required.
2. Please provide proof of notice to the entities listed under Rule 1.6.2(1)(e). In this case, the following will need to be notified: City of Fountain, Fountain Colony, and CO Part Inc.

**6.4.3 Exhibit C - Pre-mining and Mining Plan Map(s) of Affected Land & 6.4.6 Exhibit F – Reclamation Plan Map**

3. Pursuant to Rule 6.4.3(d) and Rule 6.4.6, Mining and Reclamation Plan Maps must portray the total area of affected land. This includes all phases of the total scope of mining, both current and proposed. Please submit additional Mining and Reclamation Plan Maps which show the full scope of the Operation. A match line may be utilized to



conserve detail within individual maps or a new map which shows the entirety of the Operation may be submitted.

4. Please ensure that all major surface features to be used in connection with the proposed operation such as topsoil, overburden, and product stockpiles are outlined on the updated Mine Plan Map to show where material from the proposed expansion will be stored within the previously mined area.

#### **6.4.5 Exhibit E – Reclamation Plan**

5. Please amend No. 5 of the current Exhibit E Reclamation Plan to commit to using weed-free mulch to conduct reclamation activities.
6. Section 7 of the Reclamation Plan outlines the design for stabilized low flow channels which may need to be established through the footprint of the removed sedimentation ponds. These channels may be armored with rip rap and filter fabric. Please clarify for the Division if this type of structure would require any long term maintenance to ensure proper function.

#### **6.4.17 Exhibit Q - Proof of Mailing of Notices to Board of County Commissioners and Conservation District**

7. The email receipt provided as proof of notice to the El Paso Board of County Commissioners states that delivery of the notice was completed, but a delivery notification was not sent to the destination survey. Please provide additional proof that the El Paso Board of County Commissioners received the Notice of Filling Application. An email back from the recipient stating 'received', such as the one provided from the Conservation District, would be sufficient.

This concludes the Division's adequacy review of this application. This letter shall not be interpreted to mean that there are no other technical deficiencies in your application; other issues may arise as additional information is supplied. Please be advised the permit application may be deemed inadequate, and the application may be denied on January 15, 2024, unless the above mentioned adequacy review items 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 January 15, 2024, and the request for additional time. This must be received no later than the deadline date.

If you have any questions, please contact me at (720)868-7757 or by email at [hunter.ridley@state.co.us](mailto:hunter.ridley@state.co.us).

Sincerely,

A handwritten signature in blue ink that reads "Hunter C. Ridley". The signature is written in a cursive style with a large initial 'H' and a stylized 'R'.

Hunter C. Ridley  
Environmental Protection Specialist

CC: Michael Cunningham, DRMS