

STATE OF
COLORADO

Gagnon - DNR, Nikie <nikie.gagnon@state.co.us>

M-2006042 AM1 Preliminary Adequacy

1 message

Gagnon - DNR, Nikie <nikie.gagnon@state.co.us>

Mon, Nov 6, 2023 at 12:04 PM

To: Mark Kokes <mdkokes@gmail.com>

Hello Mark.

Please see the attached Preliminary Adequacy Review letter for the MMM Partnership Gravel Pit Amendment (AM1). As you will see in the letter, there are a few minor issues with the maps and the application that need to be addressed. The primary issue is that the amendment application was submitted prior to the acreage release approval. These revisions can happen consecutively (release then an amendment) but should not overlap before a decision is reached on the first revision. It's too confusing to have the release acres in this application. Therefore, the first page of the application and the maps need to be corrected to show only the current acres in the permit area, after the release.

I confirmed with my supervisor that we can accept the hand drawn maps; however, the maps submitted are missing required information as noted in Question 3 in the attached adequacy letter. If you take a look at the maps submitted with the conversion application in 2014, prepared by Randy Schafer, you'll see an example of the information we require on every map.

Feel free to call me if you have any questions about the letter.

Kind regards,

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Nikie Gagnon

Environmental Protection Specialist

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

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**M2006042_MMM Partnership_AM1_Preliminary Adequacy Ltr.pdf**

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COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

November 6, 2023

Mark Kokes
MMM Partnership
36366 Cty Rd. 79
Crook, CO 80726

**Re: MMM Partnership Gravel Pit, Permit No. M-2006-042;
Preliminary Adequacy Review for Amendment Application (AM1)**

Dear Mr. Kokes,

The Division of Reclamation, Mining and Safety (Division) has completed its preliminary adequacy review of the 112 Construction Materials Reclamation Permit Amendment for the MMM Partnership Gravel Pit, Permit No. M-2006-042. The review consisted of comparing the application content with specific requirements of Rules 3.1, 6.3 and 6.5 of the Minerals Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials. Any inadequacies are identified under the respective exhibit heading along with suggested actions to correct them.

The following items must be addressed by the applicant to satisfy the requirements of C.R.S. 34-32.5-101 et seq. and the Mineral Rules and Regulations of the Mined Land Reclamation Board:

Application

1. Page 1, Question 3 lists the permitted acres (new or existing) to be 27.8. On September 13, 2023, the Division approved a release of 13.6 acres from the permit area. The Amendment Application (AM1) was filed prior to the partial release of 13.6 acres in the original permit. For clarity, please confirm that the proposed Amendment area is 31.4 acres and the Total Acreage in the Permit area will be 46.6 acres. Please resubmit the first page of the application showing the correct acres on Question 3.

Exhibit C - Pre-Mining & Mining Maps and Exhibit F - Reclamation Plan Map

2. As noted above in Question #1, the Division approved a release of 13.6 acres from the permit area. For clarity, please revise the maps in Exhibits C and F to show only the outline of the current permit area and the proposed amendment area which corresponds to the application.
3. Pursuant to Rule 6.2.1(2), please revise all maps in Exhibits C & F to show the following:
 - Map title (e.g. Exhibit C - Mining Plan Map);
 - Name of Applicant;
 - Signature of qualified person who prepared the map;
 - Date prepared;
 - Appropriate map scale (not larger than 1 inch = 50 feet nor smaller than 1 inch = 600 feet);
 - Legend (if needed to clarify notations);
 - North arrow.



Exhibit E – Reclamation Plan

4. The reclamation plan narrative states, "any slopes created will be graded to 3H:1V more or less". This statement is too vague and was previously addressed during the adequacy review for the 2014 conversion application. Pursuant to Rule 3.1.5(7), please confirm all slopes will be reclaimed to 3H:1V or flatter to be compatible with the configuration of surrounding conditions and the selected post-mining rangeland use.
5. Pursuant to Rule 3.1.10 (5), the Division requires a minimum of 6 inches of topsoil to be placed on all disturbed areas to insure the establishment of a diverse and long-lasting vegetative cover. Please commit to replacing a minimum of 6 inches of topsoil across all disturbed areas.

Exhibit G – Water Information

6. The McCracken Draw runs between the two mining areas. Mining will occur uphill of this ephemeral drainage and there is the potential for sediment to flow offsite, into the drainage during a storm event. Pursuant to Rule 3.1.6(3), please review and revise as appropriate the 2014 Stormwater Management Plan to show the Best Management Practices that will be applied along the permit boundary to avoid offsite impacts to the McCracken Draw.

Additional Information

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

Pursuant to Rule 1.4 the 90-day decision date for this application is December 21, 2023.

Please be advised that if you are unable to satisfactorily address any concerns identified in this review before the decision date, it will be your responsibility to request an extension of the review period. If there are outstanding issues that have not been adequately addressed prior to the end of the review period, and no extension has been requested, the Division may deny this application.

Sincerely,



Nikie Gagnon
Environmental Protection Specialist

cc: Amy Eschberger, DRMS