



STATE OF  
COLORADO

Lennberg - DNR, Patrick <patrick.lennberg@state.co.us>

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## Kirtright Completeness Response #2

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**Peter Wayland** <pwayland@weilandinc.com>  
To: Patrick Lennberg <patrick.lennberg@state.co.us>

Fri, Jun 7, 2024 at 2:37 PM

Patrick,

Please find attached. I will email receipt for FedEx mailing to Clerk & Records shortly.

Thanks

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Peter Wayland

Weiland, Inc.

PO Box 18087

Boulder, CO 80308

M 303.518-2182

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### 5 attachments

 **Incompleteness Response 6-7-24.pdf**  
237K

 **NOTICE SIGNS.pdf**  
2063K

 **EXHIBIT C 6-7-24 a.pdf**  
1071K

 **Sign Map.pdf**  
397K

 **Exhibit D.pdf**  
79K



06/07/2024

Patrick Lennberg  
Environmental Protection Specialist  
Colorado Division of Reclamation Mining & Safety  
1313 Sherman Street, Room 215  
Denver, CO 80203

Re: Response to Incompleteness Notice No. 2 112c Construction Materials Amendment Application No. 1 (AM-1), Kirtright Pit, Permit No. M-1986-123 dated May 10, 2024

Patrick,

On behalf of Coulson Excavating Co., Inc. (CEC), please find my responses to your comments below in bold italics:

AMENDMENT APPLICATION:

1. In the Mined Land Reclamation Board (Board) Order, signed on November 27, 2023, for MV-2023-012. The first Board Ordered Corrective Action states The Operator shall, within 90 days of the effective date of this Order, submit an amendment application to encompass all of the affected land at the site and update only the reclamation plan for the site-any update to the mining plan to allow for processing at the site will not be considered-and obtain approval of the required revision within statutory deadlines. A review of Exhibit C-2 Mining Plan Map and Exhibit D - Mining Plan the Applicant is proposing changes to the Mining Plan to allow for processing at the site. AM-1 is a Board Ordered corrective action to expand the permit boundary to include the 4.7 acres found to be affected, by the Applicant, beyond the permit boundary and update the Reclamation Plan to account for those disturbances and address the Applicant's desire to backfill various ponds at the site that were to remain according to the currently approved Reclamation Plan. If the Applicant wants to update the Mining Plan to account for processing and stockpiling of mined material from the Stroh Pit (M2002-078) a separate amendment application will have to be submitted after approval of AM-1.

A response is required.

***This is understood and the application exhibits have been edited to reflect the Board's specific language.***

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

2. Exhibit C-2 - Mining Plan Map needs to be withdrawn from the AM-1, see item #1 above.  
Please provided a statement acknowledging withdrawal of Exhibit C-2 - Mining Plan Map.  
***Exhibit C-2 Mining Map has been withdrawn***
3. Exhibit C-1 – Pre-Mining Plan Map needs to updated with a perimeter line, or similar feature, to clearly depict what is within two hundred (200) feet of the affected land boundary.  
***Exhibit C has been revised to include linework indicating a 200ft offset boundary from the affected area.***
4. The title block of Maps C-1 and F (Reclamation Plan Map) incorrectly identify the county where the Kirtright Pit is located, please update.  
***Exhibit C has been revised to include the correct County.***

**EXHIBIT D – Mining Plan (6.4.4):**

5. Exhibit D needs to be updated to clearly state no mining, processing or stockpiling is proposed in this amendment. Mining is complete and only reclamation activities will occur at the site.  
***Exhibit D has been revised to include this language.***

**ADDENDUM 1 – Notice Requirement (Rule 1.6.2(1)(b)):**

6. Pursuant to Rule 1.6.2(1)(b) the Office (Division) may require additional notice signs be posted at the site. The Division requires two additional notice signs be placed along Lacy Lane facing south towards the Thompson River Ranch subdivision and another sign along the Frontage Road. Please provide an affidavit indicating the date on which the additional notices were posted at the mine site, as required by the Office, of sufficient size of a minimum size of sixteen (16) inches high by twelve (12) inches wide, with font sufficient to be readable at a reasonable distance, and number to clearly identify the site as the location of a proposed mining operation giving name, address, and phone number of the Applicant, and stating that (name of Applicant) has applied for a mining permit with the Colorado Mined Land Reclamation Board. Please include photo documentation of all signs placed and a map indicating the locations of all signs. The map does not need to meet the general requirement of Rule 6.2.1.

***Photographs of 2 additional Notice signs and a location map has been enclosed***

**Other:**

7. Pursuant to Rule 1.6.2(1)(c), please demonstrate that the Applicant's response to these incompleteness issues have been placed with the application materials previously placed with the County Clerks or Records Offices, and made available for public review.  
***These material were mailed federal express to the County Clerks office on 6/7/2024***

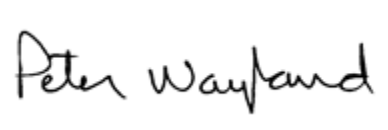
Your Amendment Application will not be considered filed until the information listed above is received and found sufficient to begin our review. A decision date will be established 90 days from the date of receipt and acceptance of all of the requested information. Additionally, if you have already published notice you will need to republish notice, but only after the Division considers the application complete and filed. The Division will notify you when you should initiate publication of your notice. This notice must be published once a week for four (4) consecutive weeks, starting ten (10) days of the date your application is considered filed. The final date for receiving comments is the twentieth (20<sup>th</sup>) day after the Please respond to these incompleteness items no later than thirty (30) days from the date on this letter. If, at the end of the 30 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. Should additional time be required to submit all the necessary documents an extension request can be submitted in writing for consideration by the Division.

**The response to Incompleteness Notice No. 2 is due on or before June 9, 2024.**

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

***This is understood***

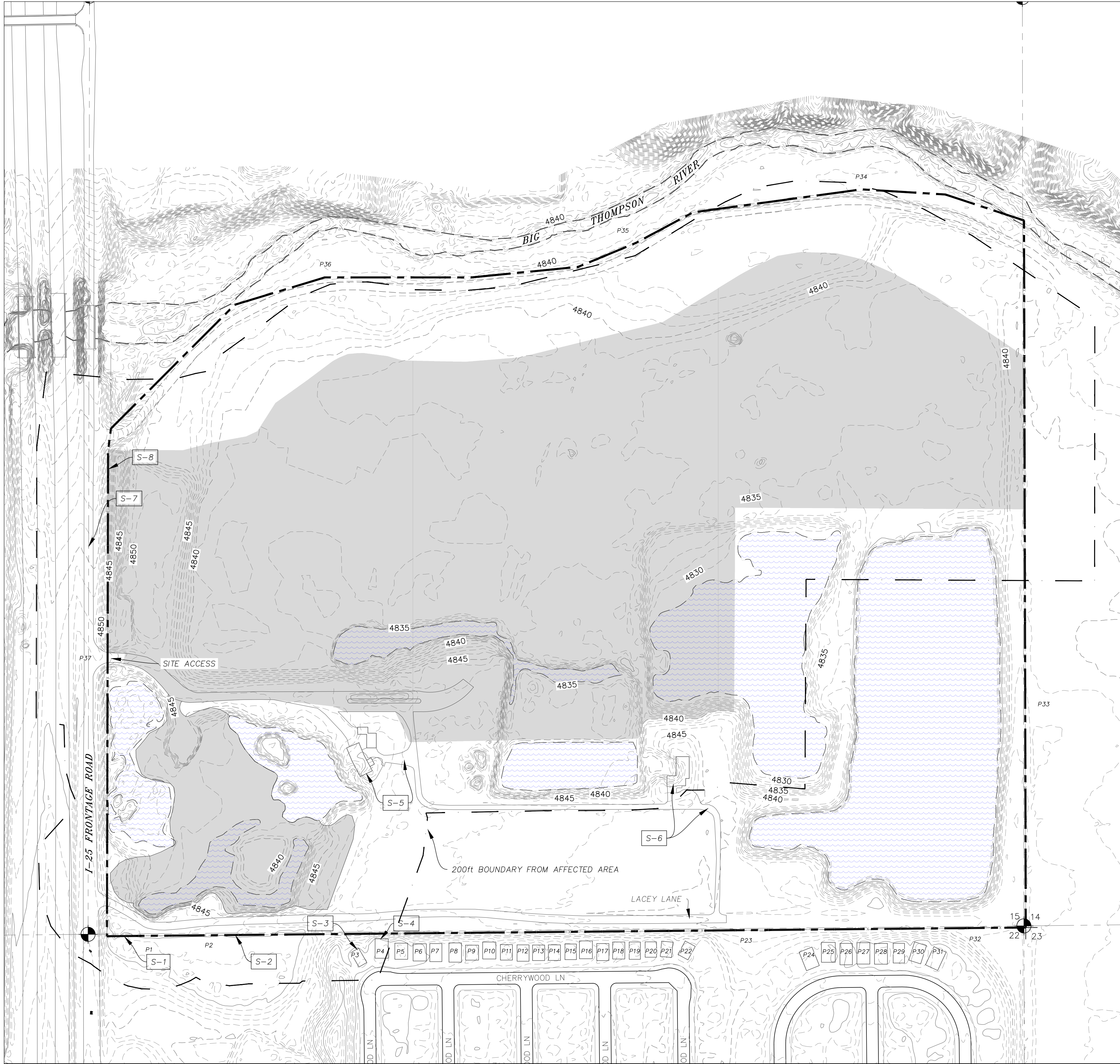
Sincerely,

A handwritten signature in black ink that reads "Peter Wayland". The signature is written in a cursive, flowing style. It is contained within a thin black rectangular border.

Peter Wayland  
President

Encl., Revised Exhibits C and D, Sign Location Map, photographs of additional notice signs.





ADJOINING LAND OWNERS	
MAP KEY	OWNER
P1	WIENS ENTERPRISES LLC
P3	LUNA MARIA AZUCENA
P4	JOHNSON DWIGHT E/KAREN K
P5	SANCHEZ MARISSA
P6	SADUSKY RYAN/MARISSA
P7	RYNDERS PAUL/BERNICE JEAN
P8	BRANDT PENNY JO
P9	ONEILL MARTHA C
P10	GREENE JEFFREY S
P11	WALSH ANGELA M
P12	LYNCH BRANDON M/WHITNEY P
P13	SPITZER ERIC J
P14	ALARCON PHILLIP/ADA
P15	SCHNULLE KERRI L
P16	DELIMA BENJAMIN J JR
P17	SMITH MEGAN HOPE
P18	ISENBERG WILLIAM D
P19	HUNTER ROBERT A/MINDY L
P2,P23,P32	THOMPSON CROSSING METRO DISTRICT No. 3
P20	PARR PATRICK J/ERIN
P21	POTTER JENNIFER J/JASON
P22	COSPER THOMAS/DESTAINE
P24	BECKER MICA A/BONNIE J
P25	HALL GARY K/DARLENE L
P26	GRAFF GRAYSON/CAROLYNN L
P27	ORTIZ JACUELINE VILLAN
P28	REINDL KURTIS SCOTT
P29	SAYLER TROY M/TRACEY J
P30	GREEN MATTHEW R
P31	LEE MING FAI
P33	COULSON RICHARD L/KENNETH L
P34,P36	KIRTRIGHT RANDY A
P35	OBRIEN LIVING TRUST THE
P37	CDOT ASSET MANAGEMENT

LEGEND	
-----	EXISTING TOPOGRAPHIC CONTOUR 5FT
-----	EXISTING TOPOGRAPHIC CONTOUR 1FT
-----	EXISTING RIVER/STREAM/CANAL
-----	EXISTING BARBED WIRE FENCE
-----	EXISTING PARCEL BOUNDARY
	EXISTING POND
-----	EXISTING LIMIT OF FLOODWAY
-----	EXISTING LIMIT OF 100 YR FLOODPLAIN
-----	PROPOSED PERMIT BOUNDARY
	AFFECTED AREA
-----	200FT BOUNDARY FROM AFFECTED LAND

PERMANENT MAN-MADE STRUCTURES WITHIN 200FT		
MAP KEY	STRUCTURE	OWNER
S-1	FENCE	WIENS ENTERPRISES LLC
S-2	FENCE	THOMPSON CROSSING METRO DISTRICT No. 3
S-3	HOUSE	LUNA MARIA AZUCENA
S-4	HOUSE	JOHNSON DWIGHT E/KAREN K
S-5	HOUSE & DRIVEWAY	KIRTRIGHT RANDY A
S-6	HOUSE & DRIVEWAY	OBRIEN LIVING TRUST THE
S-7	FENCE	CDOT ASSET MANAGEMENT
S-8	ROADWAY	CDOT ASSET MANAGEMENT

REVISIONS			
REV	DESCRIPTION	DATE	APPROVED



PO BOX 18087  
BOULDER, CO 80308  
ph 303-443-9521

### KIRTRIGHT PIT AMENDMENT

### REGULAR 112 PERMIT APPLICATION

LARIMER COUNTY, CO

COULSON EXCAVATING CO, INC

PREPARED FOR:

### EXHIBIT C-1

### PRE-MINING PLAN MAP

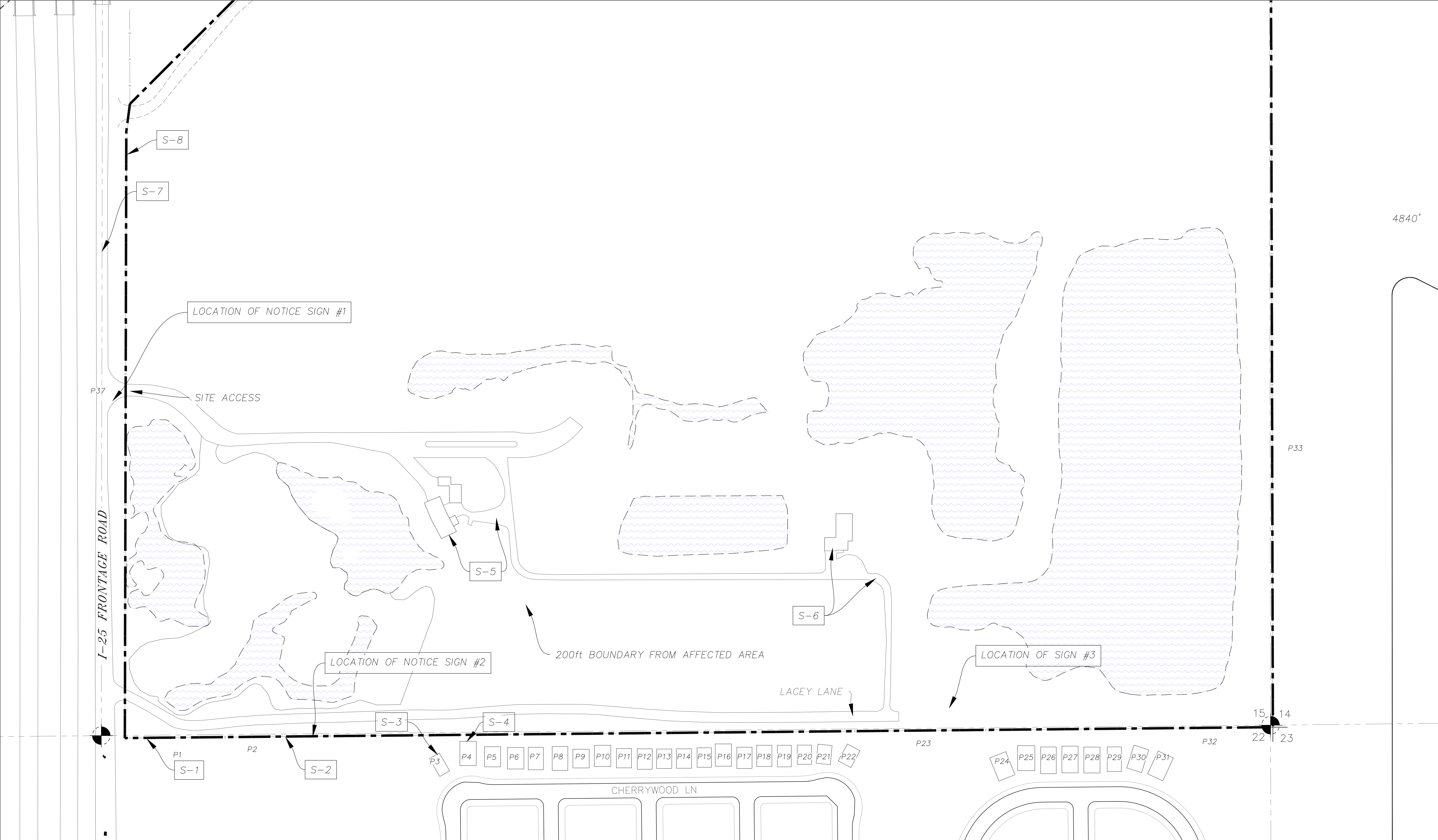
SCALE 1"=150'	DWG NO. EXHIBIT F.DWG	REV REV
DRAWN BY: CTW	CHECKED BY: PFW	DATE: 06/07/2024
SHEET 1 OF 1		



#### **6.4.4**

#### **Exhibit D – Mining Plan**

No mining, processing or stockpiling is proposed in this amendment. Mining is complete and only reclamation activities will occur at the site. Mining of the site has been completed.



REVISIONS			
REV	DESCRIPTION	DATE	APPROVED



PO BOX 18087  
BOULDER, CO 80308  
ph 303-443-9521

**KIRTRIGHT PIT AMENDMENT**  
**REGULAR 112 PERMIT APPLICATION**

LARIMER COUNTY, CO

COULSON EXCAVATING CO, INC

PREPARED FOR:

LOCATIONS OF NOTICE SIGNS			
SCALE	NTS	DWG NO.	NOTICE SIGNS.DWG
DRAWN BY:	CTW	CHECKED BY:	PFW
DATE:	06/07/2024	SHEET	1 OF 1



## NOTICE SIGN #2

**NOTICE**  
This site is the location of a proposed construction materials operation. Coulson Excavating Company, Inc. whose address and phone number is, 3609 Madison Ave, Loveland, CO 80538 970-667-2178 has applied for a Land Reclamation Permit with the Colorado Mined Reclamation Board. Anyone wishing to comment on the application may view the Recorder's Office, 200 W. Oak Street, First Floor, Fort Collins, CO 80521, and should send comments prior to the end of the public comment period to the Division of Reclamation, Mining, and Safety, 1313 Sherman St, Room 215, Denver, Colorado 80203.



NOTICE SIGN #3

