



June 24, 2024

Amy Brooks  
Castle Rock Construction Company of Colorado, LLC  
6274 S. Racine Circle  
Centennial, CO 80111

**Re: Proctor Pit, File No. M-2024-027, 111 Construction Materials Reclamation Permit Application, Preliminary Adequacy Review**

Dear Amy Brooks:

The Division of Reclamation, Mining and Safety (Division) has completed its preliminary adequacy review of your 111 Construction Materials Reclamation Permit Application submitted for the Proctor Pit in Logan County. The current decision date for the application is set for June 28, 2024.

The Division's review consisted of comparing the application content with the requirements of the Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials. The Division has identified the following adequacy items in the application which require clarification or additional information:

**Rule 6.3 Specific Permit Application Exhibit Requirements – 110 or 110(6) Limited Impact and 111 Special Operations**

Rule 6.3.2 Exhibit B – Site Description

1. It appears that County Road 67 is also located within 200 feet of the proposed affected lands (the access road portion); therefore, this structure must be identified in the site description as a permanent man-made structure.

Rule 6.3.3 Exhibit C – Mining Plan

2. Please identify any secondary commodities and incidental products that will be extracted, if any, and describe their intended use.
3. Will topsoil stockpiles be seeded and if so, what will be the seed mix? Please note that Rule 3.1.9(3) requires topsoil stockpiles to be configured in a way that minimizes erosion and planting grasses on topsoil stockpiles may be required to achieve this.

Rule 6.3.4 Exhibit D – Reclamation Plan



4. The reclamation plan map indicates a temporary fence around the proposed permit boundary. If this fence is temporary and will be removed for reclamation, please describe it as a structure to be removed in the reclamation plan under Question 3.
5. How many acres will be re-topsoiled and re-seeded?
6. What equipment will be used for reclamation, including the specific type (e.g., Dozer D8, D10)? This information is essential for accurately assessing reclamation costs.

#### Rule 6.3.5 Exhibit E – Map

##### Mining Plan Map:

7. Please indicate the pit boundary on the mine plan map as required by Rule 6.3.5(c). Please mark the dimensions of the pit boundary (acres, cubic feet, etc.) on the map as well and make sure it matches the dimensions described in the mining plan.

##### Reclamation Plan Map:

8. Please indicate where vegetation will be established on this map and make sure it matches the acreage to be re-topsoiled and re-seeded described in the reclamation plan.

#### Rule 6.3.7 Exhibit G – Legal Right-to-Enter

9. Sufficient documentation of legal right to enter to conduct mining and reclamation is not provided as required by Rule 6.3.7. A copy of an Application for Mineral Lease to the Colorado State Board of Land Commissioners, dated April 26, 2024 is provided. However, the applicant has not provided an approved or fully executed lease agreement for the proposed affected lands. The Division cannot approve the application until the applicant has provided sufficient documentation of their legal right to enter.

#### Rule 6.3.8 Exhibit H – Municipalities Within a Two-mile Radius

10. This section listed "Logan County" as a municipality within a 2-mile radius of the proposed mining operation. However, Logan County is not a municipality. Please remove this from Exhibit H and either leave the field blank or add the names of any actual municipalities located within a 2-mile radius of the proposed operation.

#### Rule 6.3.12 Exhibit L – Permanent Man-Made Structures

11. It is indicated that the only permanent man-made structure located within 200 feet of the proposed affected lands is a cattle fence owned by the Colorado State Board of Land Commissioners and that this structure is covered by the lease agreement.

- a) A fully executed lease agreement has not been provided;
- b) If the structure is covered by the lease agreement, this portion of the fully executed agreement should be identified in Exhibit L to demonstrate compliance with Rule 6.3.12(a);
- c) It appears that County Road 67 is also located within 200 feet of the proposed affected lands (the access road portion); therefore, this structure must be identified in the application and a fully executed structure agreement with its owner must be provided.

Please be advised that the application decision date is June 28, 2024. If you are unable to satisfactorily address the comments 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.

If you require additional information, or have questions or concerns, please feel free to contact me by phone at (720) 812-2002, or by email at [joel.renfro@state.co.us](mailto:joel.renfro@state.co.us).

Sincerely,



Joel Renfro  
Environmental Protection Specialist

Cc:

Travis Bell, Castle Rock Construction Company, LLC  
Amy Eschberger, DRMS