



August 9, 2024

Jerry Carson  
5A Aggregate LLC  
1741 W 112th Ave  
Westminster, CO 8234

RE: Deer Trail Pit – File No. M-1988-090, Technical Revision (TR-1), Update to mining and reclamation plan in response to Board Order

Jerry Carson:

On July 19, 2024 the Division of Reclamation, Mining and Safety (Division) filed your Technical Revision request (TR-2) for the Deer Trail Pit, Permit No. M-1980-090. During review of the material submitted, the Division determined that the following issue(s) of concern need to be adequately addressed before the Technical Revision can be considered for approval. Please provide the following:

1. The Mining (Exhibit C) and Reclamation Plan (Exhibit E) maps submitted with TR-1 are missing key elements. Please resubmit Exhibit C and E maps which comply with all the requirements of Rule 6.2.1(2) and Rules 6.4.3 and 6.4.6.
2. As per Rule 6.4.5(1), Operators/Applicants are encouraged to allow flexibility in their plans by committing themselves to ranges of numbers (e.g., 6"-12" of topsoil) rather than specific figures. Section 2 in Exhibit E states that growth media will be replaced in at least a 6-inch lift across reclaimed areas. Consider revising this number to be a range with a minimum of 6 inches rather than a specific figure to allow for variability during reclamation without need for a future revision.
3. As discussed during the in-person meeting with the Division on August 8, 2024, please add text and photographs to Exhibit D to clarify and account for the updated number of currently affected acres at the site, which is 22 acres. The Division understands that a portion of this area has already been partially reclaimed. However, until such acreage is formally released by the Division through a revision, this area is still considered affected acreage and will need to be included in the total affected acreage number. If all future mining and reclamation is to be conducted within 15 acres of affected land, as suggested in TR-1, please specify this in Exhibit D as part of the update.
4. Please explain for the Division why the installation of highwalls, as referenced in Exhibit E Section 2 would potentially be necessary to “minimize erosion and protect adjacent properties”.



5. Will slopes be mined at a 3H:1V slope or will highwalls exist on site? If highwalls are to exist at any time during the mining or reclamation period, please commit to a maximum length of highwall that will need to be reclaimed at any one time.

Please submit your response(s) to the above listed issue(s) by **August 15, 2024**, in order to allow the Division sufficient time for review. If you cannot address the above issues by such date, please request an extension to the decision due date in order to ensure adequate time for the Division to review the materials. A decision due date of August 18, 2024 has been set. If any adequacy issues remain by the decision due date the Division may deny your request.

The Division will continue to review your Technical Revision and will contact you if additional information is needed.

If you require additional information, or have questions or concerns, please feel free to contact me at 720-868-7757 or [hunter.ridley@state.co.us](mailto:hunter.ridley@state.co.us)

Sincerely,  
Hunter C. Ridley



Environmental Protection Specialist

CC: Zach Trujillo, DRMS