



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

November 21, 2024

Steve Davis
Dolores County Road & Bridge Dept.
8477 RD 7.7
P.O. Box 426
Dove Creek, CO 81324

RE: Disappointment Valle, Permit No. M-1980-038 , 112c Conversion Application, Adequacy Review

Dear Mr. Davis:

The Division of Reclamation, Mining and Safety (Division) is in the process of reviewing the above referenced application in order to ensure that it adequately satisfies the requirements of the Colorado Land Reclamation Act for the Extraction of Construction Materials (Act) and the associated Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials (Rules). During review of the material submitted, the Division determined that the following issue(s) of concern shall be adequately addressed before a decision can be rendered.

Exhibit D- Mining Plan- Rule 6.4.4

1. Pursuant to Rule 6.4.4(e) please provide a narrative clarifying the mining method(i.e. highwall mining vs. reclamation grade mining). This narrative should also discuss mining areas within the pit, supported by a map depicting the approximate areas, and give a rough timetable for each area. Additionally, if highwall mining is to be proposed, please clarify the maximum height and length of highwall to be exposed at any given time.
2. Exhibit D, Pg 4 of the application materials references a map to show the location of topsoil and overburden stockpiles, however no map depicting those features was included. Please provide a map of similar scale to Map C.e depicting all components of the operation such as Topsoil, Overburden and Processed Materials stockpile locations and scales or portable building locations if applicable.

Exhibit F- Reclamation Plan Map- Rule 6.4.6

3. The Map included in Exhibit F appears to be intended as a Mine Plan Map and does not meet the requirements of Rule 6.4.6. Please submit a revised Reclamation Plan Map that depicts the expected physical appearance of the area of the affected land. The map must show proposed topography of the area with contour lines of sufficient detail to portray the direction and rate of slope of all reclaimed lands and portrayal of the proposed final land use for each portion of the affected lands pursuant to Rule 6.4.6(a) and (b).



Exhibit H- Wildlife Information- Rule 6.4.8

4. The provided Exhibit H addresses the recommendations provided by Colorado Parks and Wildlife. However, the provided materials do not address the possible presence of threatened or endangered species from either federal or state lists, and does not include a description of the general effect during and after the proposed operation on the existing wildlife of the area. Please provide a narrative to address Sections (c) and (d) of Rule 6.4.8.

Exhibit M- Other Permits and Licenses- Rule 6.4.13

5. During the Public Comment Period a comment was received addressing the need for a San Miguel Mining Special Use Permit, received by San Miguel County. That comment was provided to you on November 6, 2024. Please provide proof of application for a San Miguel County Permit, or provide a written commitment that a copy of the approved permit will be provided to the Division upon receipt and prior to the commencement of mining operations.

Exhibit N – Source of Legal Right to Enter- Rule 6.4.14

6. The Bureau of Land Management Environmental Assessment was provided as an attachment to the application, however the Record of Decision document was not. Please provide a copy of the BLM Record of Decision as documentation of the Legal Right to Enter the affected lands, pursuant to Rule 6.4.14.

Exhibit R- Proof of Filing with County Clerk and Recorder- Rule 6.4.18

7. Proof of Filing with the County Clerk and Recorder was provided in the application materials however the receipt shows that the application was filed with the Dolores County Clerk and Recorder when it should've been filed with the San Miguel County Clerk and Recorder. Please file the originally submitted materials, along with your responses to this review with the San Miguel Clerk and Recorder and provide the receipt to the Division.

Please submit your responses to the above listed issues by Monday December 16, 2024 in order to allow the Division sufficient time for review. The decision date for your application is scheduled for Friday December 20, 2024. If you need additional time to address the above listed issues, please provide a written Decision Date Extension Request by Monday December 16, 2024. If a Decision Date Extension Request or Response to this review are not received your application may be denied.

If you require additional information, or have questions or concerns, please feel free to contact me. Direct contact can be made at the Division's Grand Junction Field Office, by phone at 303-919-2997 or by email at lucas.west@state.co.us.

Sincerely,



Lucas West
Environmental Protection Specialist
Division of Reclamation, Mining and Safety

Cc: Travis Marshall, DRMS