

November 19, 2024

Andy Azcarraga
M.A. Concrete Construction, Inc.
2323 River Road
Grand Junction, CO 81505

RE: Rolling Hills Gravel Pit, File No. M-2023-040 , 112c Construction Materials Application, Adequacy Review-3

Dear Mr. Azcarraga:

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 the application can be considered for approval. **New or follow up items are listed in red. River City Consultants' responses are in blue.**

Rule 6.4.4 Exhibit D – Mining Plan

1. Page 3 Phase 3. Please clarify this language “There will be no highwall given the max mining slope will be 1H: 1V.” If the final highwall grade will be 3H: 1V slope then additional grading to the existing highwall will be required. A wall need not be vertical to be considered a highwall.

Page 3 Phase 3 Still states “The west and south sides of Phase 3 will be mined at 1H:1V and will be reclaimed to 3HV:1V slopes. There will be no highwall given the max mining slope will be 1H:1V. “ A 1H: 1V slope is still considered a highwall.

Response: Language has been revised.

2. Please clarify during Phase 3 what is the maximum length and height of a 1H: 1V slope that would need to be regraded to a 3H: 1V. Also, will this slope be graded using cut/fill or backfill?

This is not stated within the Mining Plan. Please include language provided in the adequacy response into Mining Plan.

Response: In addition to the language revision noted above, additional information was included is Phase 3 explaining the mining steps and the necessary steps to complete this phase.

Bonding

3. On Table L-1, how is the 42,361 CY associated with highwall slope reduction (cut/fill) calculated. If the maximum slope is 915 LF 50'D @1H: 1V going to a 3H: 1V cut/fill is 21,181 CY.

Response: Revised.

4. Will the scale house be fixed structure or skid mounted? Please provide dimensions and anticipated building materials for all features which would require demotion for completion of final reclamation. (scale, scale house, etc.)

- a. If demo is applicable, please state the disposal method/ location.

Response: This will be a portable trailer (Typically 8'x20'), this is dependent on what is available, but overall, it will ultimately be a portable trailer. No utility hookups so final reclamation will just involve hooking up and pulling away. No demo required.

5. Worse case scenario would require trucking of overburden from the initial stockpile location. Does the overburden tasks for Phase 4 include trucking?

- a. Phase 4 is approximately 3400 LF away at 18" over 10.1 ac is 24,442 CY
 - b. Scale area, initial stockpile area and Phase 3 could be sourced from adjacent phases within 500 feet.

Response: Listing this at \$2.30 a CY is a conservative number for internal material moving. There will be large mining equipment onsite that may make this cheaper in the long run but will stick to the conservative number that is listed.

6. Please provide the quote supporting the purchase and delivery of topsoil at \$30 a CY.

Response: We called Whitewater Building Materials, and they have fill material that is typically used as topsoil in the valley, but in addition to this, we are also going to add ½" Mesa Magic Compost. This will be mixed onsite with mining equipment that is already located onsite prior to being spread for reclamation purposes. An explanation of this is included in Exhibit E – Reclamation Plan.

We reached out to Whitewater Building materials and the price of the fill material, including trucking, is \$13.75/CY. The cost of the Mesa Magic Compost plus trucking is \$32.50/CY. At a mixture of 50/50 (stated in the reclamation plan), this totals a cost of \$23.13/CY. Although this is lower than what was stated in the latest bond, we are leaving \$30/CY to encompass the mixing efforts that will be required.

We were not able to obtain actual quotes for this information, but the Mesa Magic Pricing can be found online at:

<https://www.mesacounty.us/departments-and-services/solid-waste-management/organic-materials-composting-facility>

Purchasing compost

Listed prices do not include tax. Taxes will be applied at the time of purchase. There is a one-yard minimum purchase on all bulk products. Call us to inquire about price breaks when you purchase more than 10 cubic yards of compost or mulch.

Mesa Magic Compost

1/2" Compost Bulk - \$28.50 per yard

1/2" Compost Bagged - \$4.75 per 1.25 cubic foot bag

1/4" Compost Bulk - \$33.25 per yard

1/4" Compost Bagged - \$5.25 per 1.25 cubic foot bag

Ultrafine Compost Bulk - \$38 per yard

Ultrafine Compost Bagged - \$5.75 per 1.25 cubic foot bag

Wood Mulch

Small Wood Mulch Bulk - \$14.25 per yard

Large Wood Mulch Bulk - \$9.50 per yard

[The quote for the fill material from Whitewater Building Materials was sent by Mark Gardner via email and is attached to this responses to adequacy review document.](#)

Please submit your response(s) to the above listed issue(s) by Wednesday, November 27, 2024 in order to allow the Division sufficient time for review. Please place a copy of your adequacy response at the County Clerk or Recorder per Rule 1.6.2(2). The current decision date for your application is scheduled for November 29, 2024.

Note that on October 23, 2024, an extension was requested from the MLRB to extend the decision date beyond 365 days . The MLRB did not have a quorum during the November meeting and so the matter will be considered at the December 11, 2024, meeting. If approved the new decision deadline would be January 28, 2025. If any deficiencies remain by the decision due date the Division may deny the application.

The Division will continue to review your application 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.

Sincerely,



Amy Yeldell
Environmental Protection Specialist

Ec:

Travis Marshall, Senior EPS, DRMS
Ivan Geer, River City Consultants
Courtney Patch, River City Consultants

Responses to Comments:
November 26, 2024



215 Pitkin Ave, Unit 201
Grand Junction, CO 81501
(970)241-4722

Physical Address: 1313 Sherman Street, Room 215, Denver, CO 80203 P 303.866.3567 F 303.832.8106
Mailing Address: DRMS Room 215, 1001 E 62nd Ave, Denver, CO 80216 <https://drms.colorado.gov>
Jared S. Polis, Governor | Dan Gibbs, Executive Director | Michael A. Cunningham, Acting Director



Courtney Patch

From: Mark Gardner <mark@whitewater.construction>
Sent: Tuesday, November 26, 2024 11:13 AM
To: Courtney Patch
Subject: fill dirt quote

Whitewater's Fill Dirt material currently costs \$11.75 per yard picked up at 1360 Coffman Road and I estimate delivery to MA's new site on Coffman Rd at \$2.00 per yard.

Mark Gardner
Whitewater Building Materials
940 S 10th Street
Grand Junction, CO 81501
(970) 242-7538