

STATE OF
COLORADO

Gibson - DNR, Amber <amber.gibson@state.co.us>

Decision Document, Ghost River Gravel Pit, M-2024-029

1 message

Gibson - DNR, Amber <amber.gibson@state.co.us>

Mon, Dec 2, 2024 at 8:19 AM

To: PFM Consulting <pfmconsultingcompany@gmail.com>

Cc: linsie pye-steele <linsie1205@hotmail.com>, PowerHouse Excavation & Construction <phexcavationco@gmail.com>

Good morning,

Attached is a copy of the Division's decision document for the 112c permit application submitted for the Ghost River Gravel Pit, file no. M-2024-029. The decision reached by the Division is: **awaiting warranty**.

Included with the decision document is the performance warranty that must be completed and received by the Division prior to permit's issuance. Please go to the following link and select the Financial Warranty Forms drop down list to find the appropriate financial warranty documents: <https://drms.colorado.gov/forms/minerals-program-forms>. Please contact the Division's Financial Assurance Specialist, Sara Stevenson-Benn at sara.stevenson-benn@state.co.us for submitting financial warranty and performance warranty documents, and for any questions regarding the financial warranty.

Also attached with this email is the reclamation cost estimate agreed upon for only bonding the Phase I portion of the operation at this time.

Notice: The decision document permit table states that the affected acreage is 21.6 acres. This is in reference to the total approved affected acreage over the life of the mine. As a reminder, you have selected to operate as a Phased operation, and upon receipt of the agreed upon financial warranty, the maximum acreage allowed to be affected upon the permit's approval will be 10 acres (Phase I only).

Let me know if you have any questions.

Thank you,

Amber M. Gibson
Environmental Protection Specialist I



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

P 720.836.0967 | F 303.832.8106 |
amber.gibson@state.co.us

Mailing: DRMS Room 215, 1001 E 62nd Ave, Denver, CO 80216

Physical: 1313 Sherman Street, Room 215, Denver, CO 80203

<https://drms.colorado.gov/>

2 attachments

Phase I only_Reclamation Cost Estimate_GhostRiverGravelPit_M2024029.pdf
261K



Approval awaiting warranty_GhostRiverGravelPit_M2024029.pdf
259K



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

December 2, 2024

Patrick Steele
P B & S Sand and Gravel LLC
8425 Park Road
Rye, CO 81069

Re: Ghost River Gravel Pit – File No. M-2024-029
P B & S Sand and Gravel LLC
112c Construction Materials
Reclamation Application

Dear Patrick Steele:

On December 2, 2024 the Division of Reclamation, Mining and Safety concluded its review of the Construction Materials Reclamation Permit Application submitted to the Division on June 13, 2024. The decision reached by the Division is: **Awaiting warranty**. The amount of financial warranty set by the Division for this operation is \$28,181.00. You must submit a financial warranty in this amount and a performance warranty in order for us to issue a permit. In the event you have requested a financial warranty form, we will provide you with the applicable form. If you have not, please select a type of financial warranty from Rule 4.3, and then contact us so that we can provide you with the appropriate warranty form. We have enclosed a performance warranty form with this letter for your use.

PLEASE NOTE THAT MINING OPERATIONS MAY NOT COMMENCE UNTIL A PERMIT HAS BEEN ISSUED BY THE DIVISION AFTER RECEIPT OF YOUR FINANCIAL AND PERFORMANCE WARRANTIES. A PERMIT CANNOT BE ISSUED UNTIL WE HAVE VERIFIED THE ADEQUACY OF YOUR FINANCIAL AND PERFORMANCE WARRANTIES.

M-2024-029: Approved Surety and Acreage	
Reclamation Liability (Required Surety):	\$28,181.00
Approved Permit Acreage:	21.60
Approved Affected Acreage:	21.60

If you have any questions, please contact me by telephone at (720) 836-0967, or by email at amber.gibson@state.co.us

Sincerely,





Amber M. Gibson
Environmental Protection Specialist

cc: Jordan Power
Jodi Schreiber



PERFORMANCE WARRANTY

Permittee/Operator: _____

Operation known as: _____

Permit Number: _____

This form is approved by the Colorado Mined Land Reclamation Board (“Board”) pursuant to C.R.S. 34-32-117 of the Colorado Mined Land Reclamation Act and C.R.S. 34-32.5-117 of the Colorado Land Reclamation Act for the Extraction of Construction Materials.

All parties are on Notice from this Document that:

The above listed Operator provides this warranty to the Board in conjunction with a reclamation Permit to conduct the above described mining operation on certain lands in Colorado. The “Affected Lands” are described in the above listed reclamation Permit, and include any Permit Amendment(s) approved by the Division of Reclamation Mining and Safety (“Division”).

The Colorado Mined Land Reclamation Act, C.R.S. 34-32-101 *et seq.* (“Hard Rock Act”), and the Colorado Land Reclamation Act for the Extraction of Construction Materials, C.R.S. 34-32.5-101 *et seq.* (“Construction Materials Act”), both require a permit issued by the Board to include a written promise by the Operator to comply with all requirements of the Hard Rock and Construction Materials Acts (referred to herein together as “Acts”).

Through the terms and conditions of this performance warranty and Permit, the Operator agrees to be bound by all requirements of the Acts and all Mineral Rules and Regulations of the Board for Hard Rock, Metal, and Designated Mining Operations (2 C.C.R. 407-1) and all Mineral Rules and Regulations of the Board for the Extraction of Construction Materials (2 C.C.R. 407-4) (referred to herein together as “Rules”).

The Operator hereby provides the Board warranties of performance pursuant to C.R.S. 34-32-117(2), (3), and (4)/C.R.S. 34-32.5-117(2), (3), and (4), and promises the Board it will comply with all applicable requirements of the Acts and Rules.

The Operator hereby promises the Board it will comply with all of the terms of the reclamation Permit, including any Permit Amendment(s) approved by the Division. This performance warranty obligation of the Operator shall continue until the Operator’s liability is released by the Board.

The Operator promises to be responsible for reclamation costs up to the amount established by the Board and incorporates its financial warranty to this performance warranty. The Operator agrees to maintain a financial warranty (or warranties) in good standing for the reclamation costs for the entire life of the



Permit. The amount of the financial warranty shall be sufficient to assure the completion of reclamation of affected lands if the Division has to complete such reclamation due to forfeiture. If the Board determines the Operator is in default under this performance warranty and the Operator fails to cure such default, the Operator's financial warranty shall be subject to forfeiture pursuant to C.R.S. 34-32-118/34-32.5-118.

This performance warranty by the Operator is perpetual and shall remain in full force and effect until all obligations have been met and all associated financial warranty is released by the Board. Any release of liability in a succession of Operators shall comply with C.R.S. 34-32-119/34-32.5-119.

The provisions hereof shall bind and inure to the benefit of the parties hereto and their successors and assigns.

SIGNED, SEALED AND DATED this _____ day of _____, 20_____.

Operator: _____

Signature: _____

Name: _____

Title: _____

NOTARIZATION OF OPERATOR'S ACKNOWLEDGEMENT

STATE OF _____)
) ss.

COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 20_____
(Day) (Month) (Year)

by _____ as _____
(Name) (Title)

of _____.
(Operator)

NOTARY PUBLIC

My Commission expires: _____

APPROVED:
State of Colorado
Mined Land Reclamation Board
Division of Reclamation, Mining and Safety

By: _____ Date: _____
Division Director

COST SUMMARY WORK

Task description: Reclamation Cost Summary for Max Disturbance - Phase I only

Site: Ghost River Gravel Pit

Permit Action: New Application

Permit/Job#: M2024029

PROJECT IDENTIFICATION

Task #: 000

State: Colorado

Abbreviation: None

Date: 11/26/2024

County: Huerfano

Filename: M029-000

User: AMG

Agency or organization name: DRMS

TASK LIST (DIRECT COSTS)

Task	Description	Form Used	Fleet Size	Task Hours	Cost
001	Grade Highwalls to a 3H:1V	DOZER	1	4.37	\$956
002	Spread gravel in 2.1 acre gravel area	DOZER	1	1.45	\$301
003	Spread topsoil in Phase I Area (7 acres total)	DOZER	1	6.94	\$1,514
004	Phase I Re-veg, 3 ac Rangleand Area & 4 ac Residential	REVEGE	1	7.00	\$14,122
005	Mob/Demob	MOBILIZE	1	5.22	\$4,691
<u>SUBTOTALS:</u>				24.98	\$21,584

INDIRECT COSTS

OVERHEAD AND PROFIT:

Liability insurance: 2.02

Total = \$436

Performance bond: 1.05

Total = \$227

Job superintendent: 11.76

Total = \$932

Profit: 10.00

Total = \$2,158

TOTAL O & P = \$3,753

CONTRACT AMOUNT (direct + O & P) = \$25,337

LEGAL - ENGINEERING - PROJECT MANAGEMENT:

Financial warranty processing (legal/related costs): \$500

Total = \$500

Engineering work and/or contract/bid preparation: 4.25

Total = \$1,077

Reclamation management and/or administration: 5.00

\$1,267

CONTINGENCY: 0.00

Total = \$0

TOTAL INDIRECT COST = \$6,597

TOTAL BOND AMOUNT (direct + indirect) = \$28,181

BULLDOZER WORKTask description: Grade Highwalls to a 3H:1VSite: Ghost River Gravel Pit Permit Action: New Application Permit/Job#: M2024029**PROJECT IDENTIFICATION**

Task #: 001 State: Colorado Abbreviation: None
 Date: 11/14/2024 County: Huerfano Filename: M029-001
 User: AMG

Agency or organization name: DRMS**HOURLY EQUIPMENT COST**

Basic Machine: Cat D7R DS XR Series II
 Horsepower: 240
 Blade Type: Semi-Universal
 Attachment: 3-shank ripper
 Shift Basis: 1 per day
 Data Source: (CRG)

Cost Breakdown:

		<u>Utilization %</u>
Ownership Cost/Hour:	<u>\$90.24</u>	<u>NA</u>
Operating Cost/Hour:	<u>\$78.95</u>	<u>100</u>
Ripper own. Cost/Hour:	<u>\$9.25</u>	<u>NA</u>
Ripper op. Cost/Hour:	<u>\$1.56</u>	<u>30</u>
Operator Cost/Hour:	<u>\$38.59</u>	<u>NA</u>

Total unit Cost/Hour: \$218.59
 Total Fleet Cost/Hour: \$218.59

MATERIAL QUANTITIES

Initial Volume: 1,953
 Swell factor: 1.124
 Loose volume: 2,194 LCY

Source of estimated volume: 500' x 20' max highwall dimensions, cut-fill method
 Source of estimated swell factor: Cat Handbook

HOURLY PRODUCTION

Average push distance: 50 feet
 Unadjusted hourly production: 1,022.9 LCY/hr

Materials consistency description: Compacted fill or embankment 0.9

Average push gradient: -5 %
 Average site altitude: 5,674 feet

Material weight: 2,900 lbs/LCYWeight description: Sand and gravel - Dry

<u>Job Condition Correction Factor</u>	<u>Source</u>
Operator Skill: <u>0.750</u>	<u>(AVG.)</u>
Material consistency: <u>0.900</u>	<u>(CAT HB))</u>
Dozing method: <u>1.100</u>	<u>(50% SL)</u>
Visibility: <u>1.000</u>	<u>(AVG.)</u>

Job efficiency:	0.830	(1 SHIFT/DAY)
Spoil pile:	0.900	(SSD-FC)
Push gradient:	1.115	(CAT HB)
Altitude:	1.000	(CAT HB)
Material Weight:	0.793	(CAT HB)
Blade type:	1.000	(PAT)

Net correction: 0.4904

Adjusted unit production: 501.63 LCY/hr

Adjusted fleet production: **501.63** LCY/hr

JOB TIME AND COST

Fleet size: 1 Dozer(s)

Unit cost: \$0.436/LCY

Total job time: **4.37** Hours

Total job cost: **\$956**

BULLDOZER WORKTask description: Spread gravel in 2.1 acre gravel areaSite: Ghost River Gravel Pit Permit Action: New Application Permit/Job#: M2024029**PROJECT IDENTIFICATION**

Task #:	<u>002</u>	State:	<u>Colorado</u>	Abbreviation:	<u>None</u>
Date:	<u>11/26/2024</u>	County:	<u>Huerfano</u>	Filename:	<u>M029-002</u>
User:	<u>AMG</u>				

Agency or organization name: DRMS**HOURLY EQUIPMENT COST**

Basic Machine:	<u>Cat D7R DS XR Series II</u>
Horsepower:	<u>240</u>
Blade Type:	<u>Semi-Universal</u>
Attachment:	<u>NA</u>
Shift Basis:	<u>1 per day</u>
Data Source:	<u>(CRG)</u>

Cost Breakdown:

		<u>Utilization %</u>
Ownership Cost/Hour:	<u>\$90.24</u>	<u>NA</u>
Operating Cost/Hour:	<u>\$78.95</u>	<u>100</u>
Ripper own. Cost/Hour:	<u>\$0.00</u>	<u>NA</u>
Ripper op. Cost/Hour:	<u>\$0.00</u>	<u>0</u>
Operator Cost/Hour:	<u>\$38.59</u>	<u>NA</u>

Total unit Cost/Hour:	<u>\$207.78</u>
Total Fleet Cost/Hour:	<u>\$207.78</u>

MATERIAL QUANTITIES

Initial Volume:	<u>847</u>
Swell factor:	<u>1.060</u>
Loose volume:	<u>898 LCY</u>

Source of estimated volume:	<u>3inches deep across 2.1 acres</u>
Source of estimated swell factor:	<u>Cat Handbook</u>

HOURLY PRODUCTION

Average push distance:	<u>50 feet</u>
Unadjusted hourly production:	<u>1,022.9 LCY/hr</u>

Materials consistency description: Partly consolidated stockpile 1.1

Average push gradient:	<u>-5 %</u>
Average site altitude:	<u>5,674 feet</u>

Material weight: 2,550 lbs/LCYWeight description: Gravel - Dry

<u>Job Condition Correction Factor</u>		<u>Source</u>
Operator Skill:	<u>0.750</u>	<u>(AVG.)</u>
Material consistency:	<u>1.100</u>	<u>(CAT HB)</u>
Dozing method:	<u>1.100</u>	<u>(50% SL)</u>
Visibility:	<u>1.000</u>	<u>(AVG.)</u>

Job efficiency:	0.830	(1 SHIFT/DAY)
Spoil pile:	0.800	(FND-RF)
Push gradient:	1.115	(CAT HB)
Altitude:	1.000	(CAT HB)
Material Weight:	0.902	(CAT HB)
Blade type:	1.000	(PAT)

Net correction: 0.6060

Adjusted unit production: 619.88 LCY/hr

Adjusted fleet production: **619.88** LCY/hr

JOB TIME AND COST

Fleet size: 1 Dozer(s)

Unit cost: \$0.335/LCY

Total job time: **1.45** Hours

Total job cost: **\$301**

BULLDOZER WORKTask description: Spread topsoil in Phase I Area (7 acres total)Site: Ghost River Gravel Pit Permit Action: New Application Permit/Job#: M2024029**PROJECT IDENTIFICATION**

Task #: 003 State: Colorado Abbreviation: None
 Date: 11/26/2024 County: Huerfano Filename: M029-003
 User: AMG

Agency or organization name: DRMS**HOURLY EQUIPMENT COST**

Basic Machine: Cat D7R DS XR Series II
 Horsepower: 240
 Blade Type: Semi-Universal
 Attachment: 3-shank ripper
 Shift Basis: 1 per day
 Data Source: (CRG)

Cost Breakdown:

		<u>Utilization %</u>
Ownership Cost/Hour:	<u>\$90.24</u>	<u>NA</u>
Operating Cost/Hour:	<u>\$78.95</u>	<u>100</u>
Ripper own. Cost/Hour:	<u>\$9.25</u>	<u>NA</u>
Ripper op. Cost/Hour:	<u>\$1.04</u>	<u>20</u>
Operator Cost/Hour:	<u>\$38.59</u>	<u>NA</u>

Total unit Cost/Hour: \$218.07
 Total Fleet Cost/Hour: \$218.07

MATERIAL QUANTITIES

Initial Volume: 5,647
 Swell factor: 1.215
 Loose volume: 6,861 LCY

Source of estimated volume: 4 acres around structures for resid., 3 acres of rangeland
 Source of estimated swell factor: Cat Handbook

HOURLY PRODUCTION

Average push distance: 360 feet
 Unadjusted hourly production: NA LCY/hr

Materials consistency description: Partly consolidated stockpile 1.1

Average push gradient: -5 %
 Average site altitude: 5,674 feet

Material weight: 1,600 lbs/LCYWeight description: Top Soil**Job Condition Correction Factor**

		<u>Source</u>
Operator Skill:	<u>0.750</u>	<u>(AVG.)</u>
Material consistency:	<u>1.100</u>	<u>(CAT HB)</u>
Dozing method:	<u>1.100</u>	<u>(50% SL)</u>
Visibility:	<u>1.000</u>	<u>(AVG.)</u>

Job efficiency:	0.830	(1 SHIFT/DAY)
Spoil pile:	0.800	(FND-RF)
Push gradient:	1.115	(CAT HB)
Altitude:	1.000	(CAT HB)
Material Weight:	1.438	(CAT HB)
Blade type:	1.000	(PAT)

Net correction: 0.9662

Adjusted unit production: 988.33 LCY/hr

Adjusted fleet production: 988.33 LCY/hr

JOB TIME AND COST

Fleet size: 1 Dozer(s)

Unit cost: \$0.221/LCY

Total job time: 6.94 Hours

Total job cost: **\$1,514**

REVEGETATION WORKTask description: **Phase I Re-veg, 3 ac Rangleand Area & 4 ac Residential**Site: **Ghost River Gravel Pit**Permit Action: **New Application**Permit/Job#: **M2024029****PROJECT IDENTIFICATION**Task #: **004**State: **Colorado**Abbreviation: **None**Date: **11/26/2024**County: **Huerfano**Filename: **M029-004**User: **AMG**Agency or organization name: **DRMS****TILLING**

Description	Cost /Acre
Disc harrowing, 6" deep (MEANS 32 91 13.23 6100)	\$117.61
Total Tilling Cost/Acre	\$117.61

SEEDING

Seed Mix	Rate – PLS LBS / Acre	Seeds per SQ. FT	Cost /Acre
Blue Grama - Native	1.20	19.59	\$25.59
Sand Dropseed	0.10	11.94	\$1.30
Galleta	1.60	5.84	\$88.70
Western Wheatgrass - Arriba	16.00	40.40	\$144.54
Winter Fat	0.10	0.25	\$4.67
Totals Seed Mix	19.00	78.02	\$264.80

Application

Description	Cost /Acre
Broadcast seeding [DMG]	\$272.56
Total Seed Application Cost/Acre	\$272.56

MULCHING and MISCELLANEOUS**Materials**

Description	Units / Acre	Unit	Cost / Unit	Cost /Acre
Straw, delivered {MEANS 31 25 14.16 1200}	2.00	TON	\$492.78	\$985.56
Total Mulch Materials Cost/Acre				\$985.56

Application

Description	Cost /Acre
Crimping, with tractor {DMG survey data}	\$85.37
Power mulcher (MEANS 32 91 13.16 0350)	\$157.25

Total Mulch Application Cost/Acre	\$242.63
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JOB TIME AND COST

No. of Acres:	<u>7</u>	Cost /Acre:	<u>\$1,883.16</u>
Estimated Failure Rate:	<u>25%</u>	Cost /Acre*:	<u>\$537.36</u>
*Selected Replanting Work Items:	<u>SEEDING</u>		
Initial Job Cost:	<u>\$13,182.12</u>		
Reseeding Job Cost:	<u>\$940.38</u>		
Total Job Cost:	<u>\$14,122</u>		
Job Hours:	<u>7.00</u>		

EQUIPMENT MOBILIZATION/DEMOBILIZATIONTask description: **Mob/Demob**Site: **Ghost River Gravel Pit**Permit Action: **New Application**Permit/Job#: **M2024029****PROJECT IDENTIFICATION**Task #: **005**State: **Colorado**Abbreviation: **None**Date: **11/26/2024**County: **Huerfano**Filename: **M029-005**User: **AMG**Agency or organization name: **DRMS****EQUIPMENT TRANSPORT RIG COST**Shift basis: **1 per day**Cost Data Source: **CRG Data**Truck Tractor Description: **GENERIC ON-HIGHWAY TRUCK TRACTOR, 6X4, DIESEL POWERED,
400 HP (2ND HALF, 2006)**Truck Trailer Description: **GENERIC FOLDING GOOSENECK, DROP DECK EQUIPMENT
TRAILER (25T, 50T, AND 100T)****Cost Breakdown:**

Available Rig Capacities	0-25 Tons	26-50 Tons	51+ Tons
Ownership Cost/Hour:	\$10.44	\$22.18	\$23.94
Operating Cost/Hour:	\$26.48	\$54.55	\$55.65
Operator Cost/Hour:	\$22.52	\$22.52	\$22.52
Helper Cost/Hour:	\$0.00	\$23.53	\$23.53
Total Unit Cost/Hour:	\$59.44	\$122.78	\$125.64

NON ROADABLE EQUIPMENT:

Machine Description	Weight/ Unit (TONS)	Owner ship Cost/hr/ unit	Haul Rig Cost/hr/unit	Fleet Size	Haul Trip Cost/hr/ fleet	Return Trip Cost/hr/ fleet	DOT Permit Cost/ fleet
Cat D7R DS XR Series II	35.93	\$99.49	\$122.78	1	\$222.27	\$122.78	\$250.00
Drill/Broadcast Seeder with Tractor	25.00	\$41.02	\$59.44	2	\$200.92	\$118.88	\$500.00
Power Mulcher (Bowie LD-90)	6.00	\$27.21	\$59.44	1	\$86.65	\$59.44	\$250.00

Subtotals: **\$509.84** **\$301.10** **\$1,000.00****ROADABLE EQUIPMENT:**

Machine Description	Total Cost/hr/ unit	Fleet Size	Haul Trip Cost/hr/ fleet	Return Trip Cost/hr/ fleet
Fuel Tanker, 4x2, 170 HP	\$55.22	1	\$55.22	\$55.22
Water Tanker, 2,500 Gal.	\$55.22	1	\$55.22	\$55.22
Light Duty Pickup, 4x4, 3/4 T.	\$119.71	1	\$119.71	\$119.71

Subtotals: **\$230.15** **\$230.15**

EQUIPMENT HAUL DISTANCE and Time

Nearest Major City or Town within project area region:	<u>PUEBLO</u>	
Total one-way travel distance:	<u>35.00</u>	miles
Average Travel Speed:	<u>55.00</u>	mph

Total Non-Roadable Mob/Demob Cost *	<u>\$4,398.48</u>
** two round trips with haul rig:	
Total Roadable Mob/Demob Cost **	<u>\$292.92</u>
** one round trip, no haul rig:	

Transportation Cycle Time:

	Non-Roadable Equipment	Roadable Equipment
Haul Time (Hours):	<u>0.64</u>	<u>0.64</u>
Return Time (Hours):	<u>0.64</u>	<u>0.64</u>
Loading Time (Hours):	<u>0.67</u>	<u>NA</u>
Unloading Time (Hours):	<u>0.67</u>	<u>NA</u>
Subtotals:	<u>2.61</u>	<u>1.27</u>

JOB TIME AND COST

Total job time:	<u>5.23</u>	Hours
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Total job cost:	<u>\$4,691</u>
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