

STATE OF
COLORADO

Gagnon - DNR, Nikie <nikie.gagnon@state.co.us>

120th Estates Partners M2001085 TR8 Adequacy Review Letter

1 message

Gagnon - DNR, Nikie <nikie.gagnon@state.co.us>

Thu, Jan 23, 2025 at 4:21 PM

To: Adam Schultejan <adam@rmheavy.com>

Hello Adam.

Please see the attached adequacy review letter for the Technical Revision submitted for the 120th Estates mine. After a review of the permit file, the Division determined there are areas still within the permit boundary that need to be addressed in the revised reclamation plan and map.

Once you review the adequacy letter and your permit files, feel free to give me a call to discuss this further to go over the necessary changes. A lot has happened at this site over the years and we need to clean up the reclamation plan and map with this revision before the Division can consider releasing any of the areas.

Kind regards,

Nikie Gagnon
Environmental Protection Specialist**COLORADO**
Division of Reclamation,
Mining and Safety
Department of Natural Resources

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

nikie.gagnon@state.co.us | <https://www.drms.colorado.gov>**M2001085_120th Partners_TR8 Adequacy Ltr #1.pdf**

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January 23, 2025

Adam Schultejaan
120 85 LLC
10925 E. 120th Ave
Henderson, CO 80640

Re: 120th Estate Partners, File No. M-2001-085, Technical Revision 8 (TR8), Adequacy Review

Dear Mr. Schultejaan:

On January 7, 2025, the Division of Reclamation, Mining and Safety (Division) received the request for a Technical Revision (TR8) for the above reference mine site, proposing a new grading plan for reclamation. During the review, the Division determined that additional information is required before TR8 can be considered for approval.

The Division reviewed permit history and compared it to the revised reclamation map submitted in TR8. According to our records, the map does not show all the areas remaining in the permit. Over the years, the following amendments adjusted the acreage within the permit area:

- Amendment 2 (2003) added 41.2 acres in the southwest corner of the site;
- Amendment 3 (2004) added 7.6 acres into the permit area: 5 acres to dredge a portion of the adjacent ski lake, a 0.4 acre crossing of the Fulton Ditch, and incorporated 2.2 acres from Permit No. M-2002-113;
- Release Request 1 (AR1) 2004, released the original permit area, a 34.3-acre reservoir on the north end of the site, leaving 49.10 acres in the permit area;
- Amendment 5 (2011) added 2 acres to incorporate two stockpiles on the adjacent property bringing the total acres to 51.10.

A Google Earth image depicting the areas remaining in the permit is enclosed for your review. Please revise the reclamation plan and map as described below to include all areas remaining in the permit area.

Exhibit E – Reclamation Plan

1. Per Rule 6.4.5 please submit a revised Exhibit E - Reclamation Plan which includes a description of the types of reclamation proposed in each area along with a general description of the methods used to complete the reclamation.
2. The reclamation map in TR8 depicts upland and lowland seeding. Per Rule 6.4.5 (2)(f), specify the types, mixtures and quantities and expected time(s) of seeding and planting.



3. Per Rule 6.4.5 (2)(f), provide a description, if applicable, of any fertilization that will be used for reclamation and specify the type, mixture, quantity and time of application.

Exhibit F – Reclamation Plan Map

4. Per Rule 6.4.6, please submit a revised Reclamation Plan map which shows the entire permit area and depicts the proposed final land use for each portion of the affected area.

This concludes the Division's adequacy review of TR8. Please be advised that TR8 may be deemed inadequate, and the request may be denied after February 6, 2025 unless the above-mentioned adequacy review items are addressed to the satisfaction of the Division. If more time is needed to respond, the Division can grant an extension of the decision date following a request to do so by the Operator.

If you have any questions, please contact me by telephone at 720-527-1640 or by email at nikie.gagnon@state.co.us.

Sincerely,



Nikie Gagnon
Environmental Protection Specialist

Enclosures: Amendment 3 Map

Cc: Jared Ebert, Senior EPS, DRMS

