



January 30, 2025

Sydney Connor
Lewicki & Associates
3375 W Powers Cir
Littleton, CO 80123

**Re: Lewicki & Associates, Limon Sand and Gravel Resource, File
No. M-2024-053, 112c Permit Application Adequacy Review**

Ms. Connor,

The Division of Reclamation, Mining and Safety (Division) is in the process of reviewing the above referenced application to ensure 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.

6.2 General Requirements of Exhibits

1. Per Rule 1.6.2(g), please provide proof of publication within a newspaper of general circulation which follows the requirements of Rule 1.6.2(d) and Rule 1.6.5 to the Division.
2. Per Rule 1.6.2(b), please provide the Division with proof of a replacement public notice posted at the entrance of the proposed site. While evidence of the original sign was provided with the initial application, at the time of the pre-operation inspection conducted by DRMS the sign has since fallen into disrepair and is considered inadequate.
3. Per Rule 1.6.2(e)(ii), please provide proof of notice adhering to the requirements of Rule 1.6.2(d) and Rule 1.6.5 that has been sent to the Colorado State Land Board, who's land falls within the 200 feet boundary of the affected area near the northeast portion of the site.

6.4.1 Exhibit A – Legal Description

4. Per Rule 6.4.1(2), please provide the latitude and longitude coordinates for the mine site entrance within the legal description section in addition to those provided in the index map.

6.4.2 Exhibit C – Pre-mining and Mining Plan Maps of Affected Lands

5. On Map C-1 of the application, please include the boundary of the current active permit held within the site, DRMS permit no. M2013080.

6. On Map C-1 of the application, please provide additional information regarding the type of present vegetation covering the affected area. This may be in the form of an additional item within the provided legend generally describing the vegetation located outside of the river corridor.
7. On Map C-2 of the application, please include the planned locations of the topsoil piles described in exhibit D.

6.4.3 Exhibit D – Mining Plan

8. On page D-1 of the application, the applicant states that a conveyor belt is being considered as a part of the operation. Please commit to supplying the Division with a Technical Revision prior to any work is performed to add a conveyor belt to the current mining plan.
9. Per Rule 6.4.4(j), please provide more information on if any improvements to existing roads are planned, as well as additional information regarding the locations and dimensions of any currently planned haul roads or access roads.
10. On page D-1 of the application, the applicant states “during pre-mining stripping, all agricultural structures will be demolished.” Please elaborate on which structures are planned to be demolished. If it is the structures currently included within the structure agreement, please cite exactly which structures area planned to be removed. If there are additional structures present not included in the structure agreements, please provide additional structure agreements to include the additional structures.
11. Per Rule 6.4.4(f)(ii), please include information describing the nature of the material directly below the material to be mined.
12. Within table D-2 and page D-4 of the application, the application states that the total stripped area will be 901 acres. Both the affected area and the area to be reclaimed are stated to be 957.5 acres elsewhere in the application. Please elaborate on this discrepancy, specifically what the additional 57.5 acres include that is not planned to be stripped.
13. On pages D-5 and E-1 of the application, the operator states that topsoil will be replaced in an average of a two-foot layer throughout the site. Elsewhere in the application it is stated that a 5-7 inch layer of topsoil is present throughout the site. Please correct this discrepancy or elaborate on the intended topsoil placement.

6.4.4 Exhibit E – Reclamation Plan

14. As mentioned, per Rule 3.1.9(3), please include the proposed locations of topsoil piles within the mining plan map C-2.
15. Per Rule 3.1.9(4), please commit to rehandling the topsoil stockpiles as little as possible during mining.
16. Per Rule 3.1.13, please include a section committing to all applicable reporting requirements of any toxic or hazardous substances pursuant to the referenced rule.

6.4.7 Exhibit G – Water Information

17. The discussion on the floodplain and floodway needs more detail. Given that Big Sandy Creek flows through the middle of the site, how is the site not in the floodway? Should the text state that the affected area is not in the floodway? Also, provide more detail on the “upstream data” referenced in the Floodplain section (Section 3.).

18. The text appears to contain a contradiction related to storage of diesel fuel and oil. On the first page of Exhibit G, the text states that there will be no storage, but on the third page there is a discussion of secondary containment and related practices. The text needs to be revised to address this contradiction.
19. In Section 6.1, the text states that reclamation will return the flows to pre-mining conditions. However, for three of the basins, Table G-3 indicates that post-mining flows will be higher than baseline flows. The applicant needs to add a discussion addressing this apparent contradiction between the text and table. This is related to a more general issue: the text needs to provide more explanation as to how the modeling shows that the applicant will comply with Rule 3.1.6 of the Division's Construction Materials rules.
20. Section 6.1.2 includes text regarding a "reclaimed reservoir." Please elaborate on where this reservoir is located. It is not apparent on the Reclamation Map, Exhibit F-1. Also not mentioned in post mining land use.
21. At the bottom of the third page, a reference is made to the Mile High Flood District. This appears to be a reference to a manual or other document. Please revise the text as appropriate.
22. In the text for Appendix G-1, there is a reference to six drainage basins. Is that correct or are there only five basins? Please revise the text as necessary.
23. In the text for Appendix G-1, there is a reference to a "Lockhart surface hydrology model." Please provide a detailed reference for this model.
24. On G-1 Drainage Map, the scale appears to be incorrect. In addition, the legend appears to label the river corridor as rangeland. Please revise this map.
25. More details are needed to illustrate how intensity values were determined; Exhibit G should be revised accordingly. Describe the methodology, assumptions, and inputs used and provide examples. Is the middle table on page 32 of Appendix G-1 used? If so show sample calculations to illustrate how it is used. Finally, how does the methodology correspond to Chapter 5 of the Urban Storm Drainage Criteria Manual of the Mile High Flood District?
26. More details are needed to illustrate how runoff coefficients were determined; Exhibit G should be revised accordingly. What percentage of imperviousness are assumed for different conditions (baseline, mining, reclamation) and each of the basins? What soil groups are assumed for mining and reclamation (post-mining) conditions? Furthermore, the Division calculates different coefficients than in Appendix G-1. For example, for Drainage Basin 4, Baseline condition, the application uses a runoff coefficient of 0.24. From Table 6-4 in Volume 1 of the Urban Storm Drainage Criteria Manual, the Division calculates that the runoff coefficient should be 0.49 for a 100-year storm, D-group soils, and an impervious area of two percent.
27. Please address the additional comments provided by DWR.

6.4.8 Exhibit H – Wildlife Information

28. Please address all applicable comments provided by CPW in this section.

6.4.10 Exhibit J – Vegetation Information

29. On page J-1 of the application, the applicant states that some areas of the site are currently used as agricultural fields. Please identify these areas within pre-mining map C-1.

6.5 Geotechnical Stability Exhibit

30. On page GS-1 of the application, please clearly define Bishop's method of slices within the text.
31. The intended mining setback is not clearly defined within the exhibit. On page GS-4 of the application, a setback of greater than 120 ft is listed for the active mining phase of the operation within table GS-2. An addition setback of 110 is listed with a FOS of 1.5. Later, a setback of 50 ft is mentioned based upon the location of a 1.5 FOS compared to the closest structure. Please clarify the total intended setback from the transmission lines.
32. On page GS-4 of the application, the applicant states that a secondary analysis was used to determine the 50 ft distance from the structures that allows for a 1.5 FOS but is not included in the exhibit. Please include this analysis and any other necessary supporting documentation.

Please be advised the Limon Sand and Gravel Resource application may be deemed inadequate, and the application may be denied on **April 3, 2025**, unless the above-mentioned adequacy review items are addressed to the satisfaction of the Division. If more time is needed to complete the reply, the Division can grant an extension to the decision date. This will be done upon receipt of a written waiver of the Applicant's right to a decision by **April 2, 2025** and request for additional time. This must be received no later than the decision date.

If you have any questions, please contact me at ben.hammar@state.co.us or (720) 793-2988.

Sincerely,

Benjamin Hammar
Environmental Protection Specialist

Ec: Zachary Trujillo, Division of Reclamation, Mining & Safet

