



March 7, 2023

Ben Langenfeld
Lewicki & Associates
3375 W Powers Cr.
Littleton, CO 80123

RE: North Hangs Mine, File No. #M-2024-059 Application Adequacy Review

Dear Mr. Langenfeld:

The Division of Reclamation, Mining and Safety (Division) is in the process of reviewing the above referenced Conversion request 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 B

1. Per Rule 6.2.1(2)(b) & (e) please include a north arrow and signature on the Location Map.

Exhibit C

2. Per Rule 6.4.3(a) please include the names of adjoining surface owners of record on a map in Exhibit C.
3. Per Rule 6.4.3(g) please show the owner's name, type of structures, and location of all significant, valuable, and permanent man-made structures contained on the area of affected land and within two hundred (200) feet of the affected land. Exhibit S lists 7 structures between 5 owners. All of these structures should be identified.
4. Per Rule 6.2.1(2)(e) please include a north arrow on Map C-1.

Exhibit D

5. The Mine Plan calls for Area A to be mined first after the Processing and Operating Area is established. However, a significant portion of Area A is within 400 ft of riverbank. Please commit to submitting a Technical Revision that addresses the February 2024 Floodplain Protection Standards for Sand and Gravel Pits Adjacent to Rivers and Perennial Streams (see comment below) before mining within 400 ft of the riverbank or revise the Mine Plan to begin mining in an area that is greater than 400 ft. from the riverbank.

Exhibit E

6. Section 5. Topsoil and Revegetation Plan calls for cottonwood trees to be planted in accordance with Maps F-2 and C-4. However, no Map F-2 was submitted and information on the submitted C-4 does not pertain to tree planting. Per Rule 6.4.5(2)(f)(iv) please specify the quantity size and location of cottonwoods to be planted.



Exhibit G

7. Please commit to submitting quarterly groundwater baseline data on a quarterly basis.
8. Please commit to not exposing groundwater prior to the completion of 5 quarters of baseline groundwater data.
9. Please commit to submitting a Technical Revision to address the floodplain protection standards before mining within 400 feet of the riverbank. For the entire permit area, the applicant must comply with the floodplain protection standards and the Technical Revision shall include one of three options to protect the hydrologic balance of the affected land and surrounding area:

- 1) A 400-foot setback from the riverbank, or shorter distance as described in the standards.
- 2) Designed structures to allow floodwaters from the 100-year event to enter and exit the pits without eroding banks.
- 3) A detailed analysis that illustrates that a 100-year flood will not result in river capture by the pits or significant damage to the riverbanks.

A combination of these options will be considered by the Division if proposed by the applicant.

If the third option above is selected, this could entail one or a combination of the following:

- A hydraulics model (e.g., the U.S. Army Corps of Engineers software HEC-RAS) that analyzes the velocities and forces during the 100-year flood.
- A detailed hydrology and/or geomorphology study that illustrates that the 100-year storm will not cause significant damage to the riverbanks.

The Division is available to discuss these options (or similar options) with the applicant, prior to submittal of a revision.

Exhibit J

10. Per Rule 6.4.10(1)(a) please include estimates of cover and height for the principal species in each lifeform represented (i.e., trees, tall shrubs, low shrubs, grasses, forbs).
11. Per Rule 6.4.10(1)(b) please include a description or map of the relationship of present vegetation types to soil types.

Exhibit M

12. Please provide copies of permits listed in Exhibit M. If a permit has not yet been received, a copy of the submitted permit application is also acceptable.

Public Notice

13. Per 1.6.5(2) please provide proof of Public Notice publication. Proof may consist of either a copy of the last newspaper publication, to include the date published, or a notarized statement from the paper.

Please submit your response(s) to the above listed issue(s) by Friday, March 28, 2025 in order to allow the Division sufficient time for review prior to the Decision Date of April 21, 2025.

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 contact me at the Division's Grand Junction Field Office.

Sincerely,



Todd Jesse

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Cc: Travis Marshall, DRMS
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