

March 13, 2025

Jason Kohring
Elbert County
PO Box 116
Kiowa, CO 80117

RE: Allison Gravel Pit, File No. M-2001-010, Technical Revision (TR-6) Adequacy Review #1

Mr. Kohring:

The Division of Reclamation, Mining and Safety (Division) has completed its adequacy review #1 of your Technical Revision (TR-6) submitted for the Allison Gravel Pit located in Elbert County. TR-6 was called complete on March 5, 2025. The decision date for TR-6 is currently set for April 4, 2025.

The Division's review consisted of comparing the TR-6 content with the requirements of the Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials. The Division has identified adequacy items requiring clarification or additional information. These items are identified below under their respective exhibit heading and are numbered sequentially.

Exhibit C – Pre-Mining and Mining Plan Map(s) of Affected Lands (Rule 6.4.3):

Please refer to the approved Exhibit C Maps enclosed for the following items.

For the Existing Conditions Map:

- 1) Please provide a map key that identifies the permit boundary and other important map features.
- 2) Please label all adjoining surface owners of record, the name and location of all creeks, roads, buildings, and power and communication lines within the affected land and within 200 feet of the permit boundary.
 - a. The name of the existing access road (Co Rd 149).
- 3) Please label the total acreage of the permit area, including the mined area and affected lands area.
- 4) A Google Earth aerial view of the site with mine coordinates was provided with the TR-6 materials. If this map is meant to replace the approved Existing Conditions Map, it needs to meet all requirements of Rule 6.2.1(2) and Rule 6.4.3 which are enclosed with this report.

For the Mining Plan Map:



- 5) Please provide a map key that identifies the permit boundary and other important map features.
- 6) Please show the following:
 - a. The location(s) of any topsoil stockpiles.
 - b. The location(s) for material stockpiling.
 - c. The location(s) of any fuel/oil storage.
 - d. The location(s) of any water management structures including sediment ponds, sumps, ditches, culverts, and discharge locations required for the operation.
 - e. The acreage of the mining area and proposed mining area.
 - f. The direction of mining.
 - g. Any proposed mining setbacks from existing structures (e.g., fences) or the permit boundary.
 - h. The name of the existing access road (Co Rd 149).
- 7) A Google Earth aerial view of the site with approximate acreages of areas throughout the site was provided with the TR-6 materials. If this map is meant to replace the approved Mining Plan Map, it needs to meet all requirements of Rule 6.2.1(2) and Rule 6.4.3 which are enclosed with this report.

Exhibit D – Mining Plan (Rule 6.4.4):

- 8) The approved affected land disturbance at any time is 40 acres. Please clarify if TR-6 will go beyond 40 acres of disturbance.

This concludes the Division's adequacy review #1 of TR-6. Please ensure the Division sufficient time to complete its review process by responding to these adequacy items no later than one week prior to the decision date, by **March 28, 2025**. If additional time is needed to respond, you must submit an extension request to our office prior to the decision date.

If you have any questions, you may contact me by telephone at 720-793-3031, or by email at ursula.armstrong@state.co.us.

Sincerely,



Ursula Armstrong
Environmental Protection Specialist

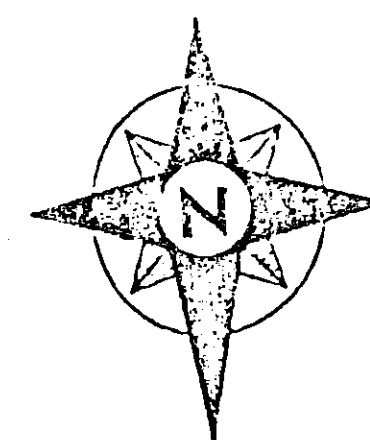
Encls: Approved Exhibit C Maps from 2001
 Maps submitted with TR-6
 Rule 6.2 - General Requirements of Exhibits
 Rule 6.4.3 - Specific Exhibit Requirements - 112 Reclamation Operation

Cc: Amy Eschberger, DRMS

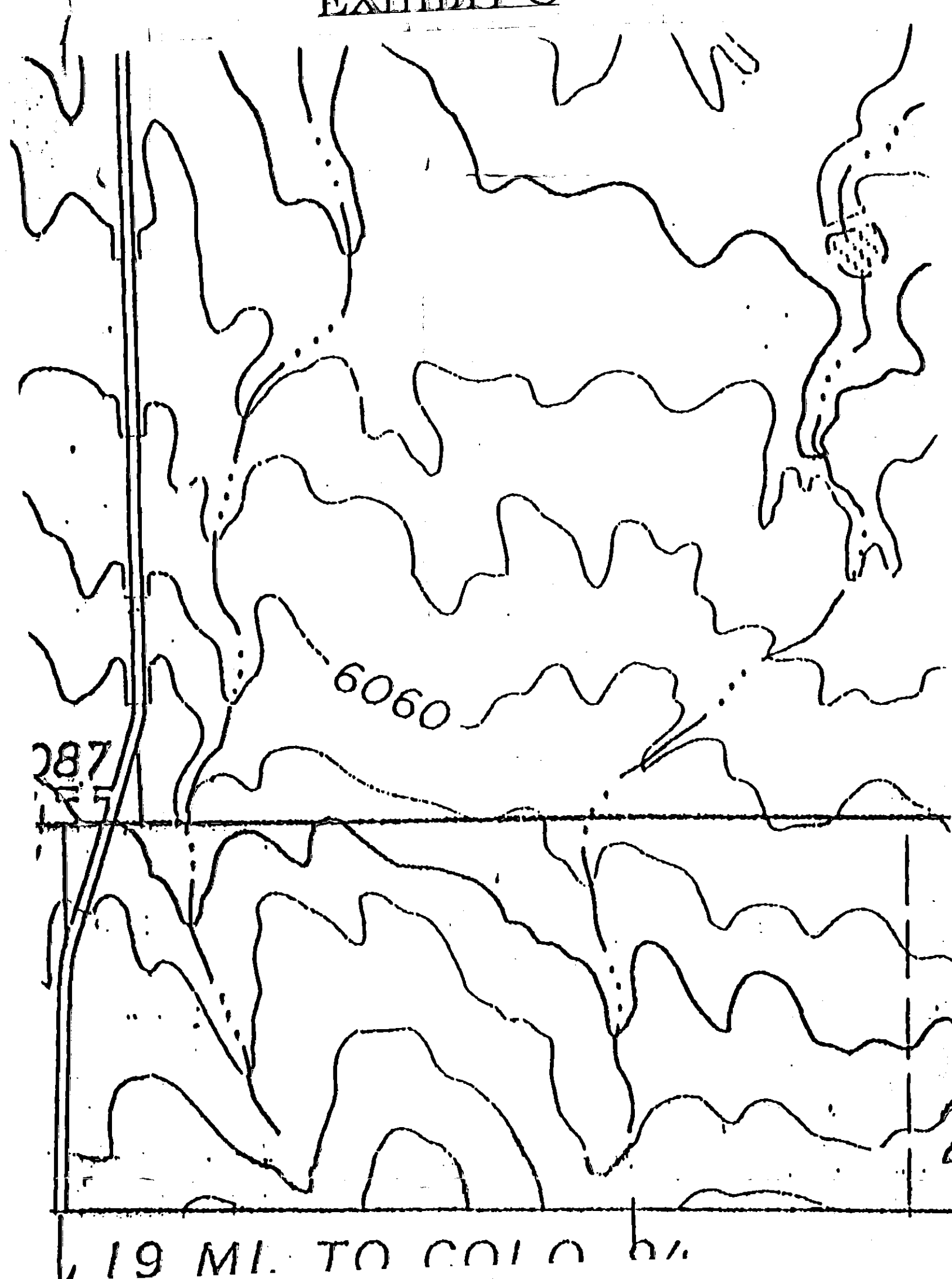
ALLISON GRAVEL PIT
COUNTY OF ELBERT,
STATE OF COLORADO
NW¼ sec 2, T 11, R 59
ELBERT COUNTY ROAD AND BRIDGE
SIMLA DIVISION OPERATOR
809 UTE AVE SIMLA, COLORADO

719-541-2268

PIT AREA 80 ACRES

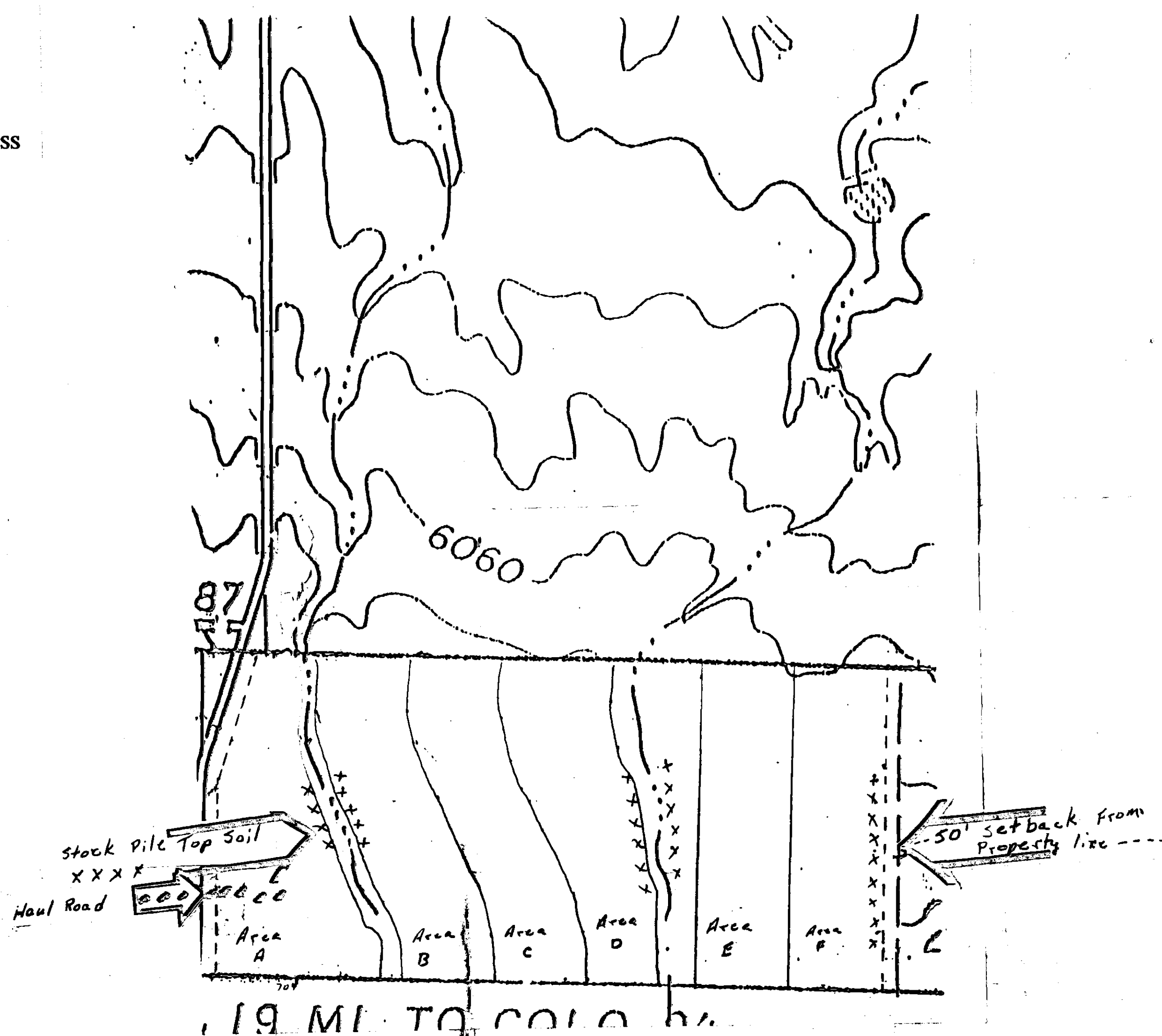


PRE-MINING MAP
EXHIBIT C



MINING PLAN MAP
EXHIBIT C

- MINING PLAN MAP
PIT AREA 80 ACRES
PRIMARY COMMODITY TO BE MINED (GRAVEL)
1. REMOVE & STOCK PILE TOP SOIL.
 2. SEED STOCK PILE.
 3. REMOVE GRAVEL.
 5. RE-SLOPE BANKS AT A 3-TO 1 SLOPE
 6. REPLACE TOP SOIL SMOOTH AND PLANT TO GRASS



Division of Minerals and Geology
MAR 01 2001
RECEIVED

EXHIBIT C PRE-MINING/MINING PLAN MAPS		
Scale: 1" = 350'	APPROVED BY:	DRAWN BY:
DATE:		
NW¼ of NW¼ Sec 2, T11S, R59W		
DRAWING NUMBER:		

Permit #: M-2001-010
Date: 3-1-2001
Document Name: Exhibit C
Origin: Original Permit Application



Allison Pit – Permit #
M-2001-010

N39 7.71.W103 58 634

N39 7.71.W103 58 072

N39 7.71.W103 58 354

Allison Pit

119

N39 7.496.W103 58 634

N39 7.496.W103 58 072

N39 7.496.W103 58 354

Affected 40 acres

40 acres

© 2015 Google

Google earth

95° R

**Allison Pit: Permit #
M-2001-010**

Road and
unused area
2.20 acres

Reclaimed 2.63 acres

Reclaimed
1.25 acres

New drainage
1.20 acres

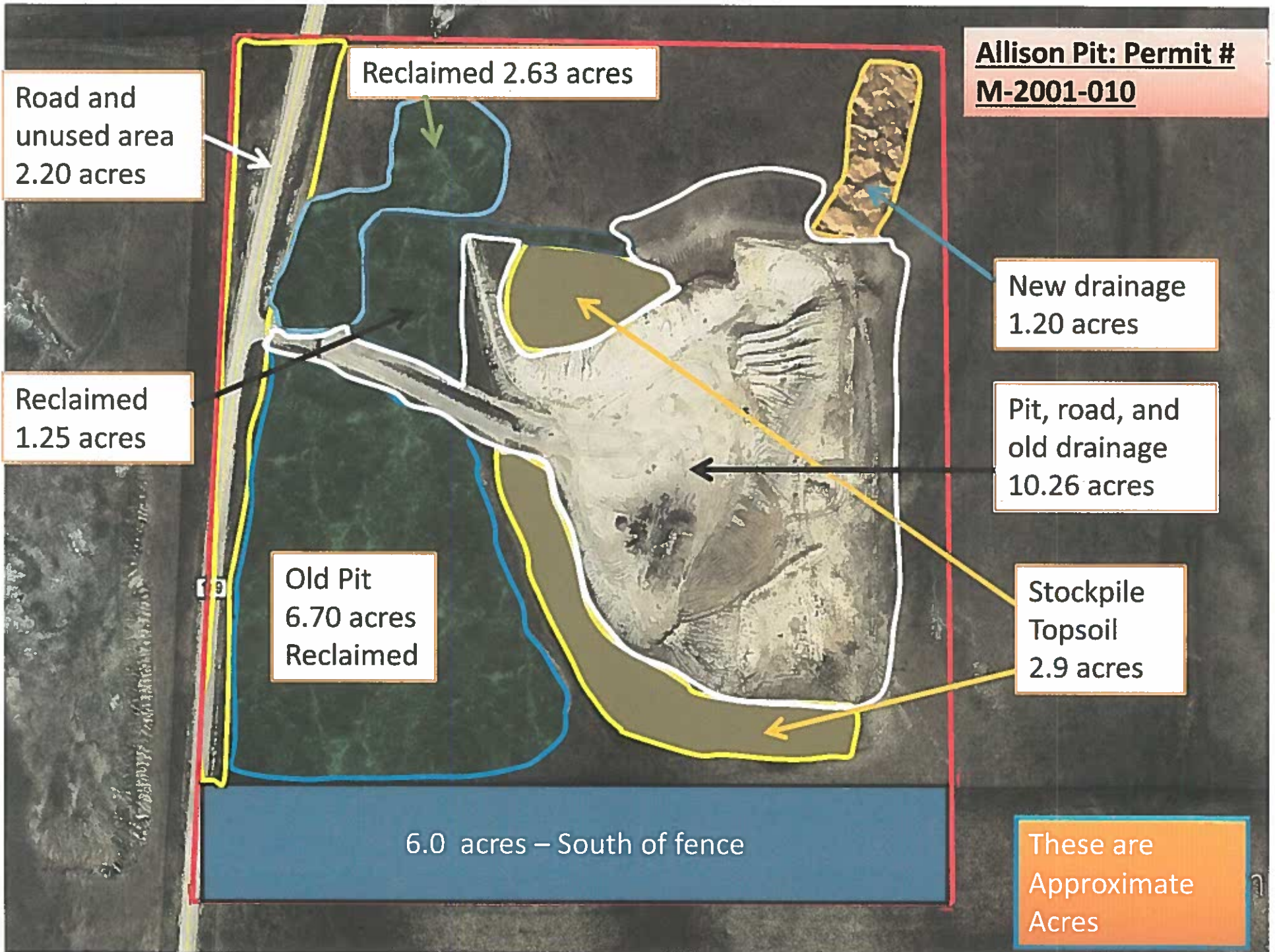
Pit, road, and
old drainage
10.26 acres

Old Pit
6.70 acres
Reclaimed

Stockpile
Topsoil
2.9 acres

6.0 acres – South of fence

These are
Approximate
Acres



RULE 6: **PERMIT APPLICATION EXHIBIT REQUIREMENTS**

6.1 REQUIREMENTS FOR SPECIFIC OPERATIONS

6.1.1 General Provisions

This Rule provides for the specification of Exhibits required to be submitted along with each type of Permit application.

6.1.2 110, 110(6) Limited Impact, 111 Special Operations

These operations shall provide all the Exhibits, as described in Rule 6.3. Rule 6.5 (Geotechnical Stability Exhibit) may also be required on a case-by-case basis.

6.1.3 112 Reclamation Permit Operations

These operations shall provide all the Exhibits, as described in Rule 6.4. Rule 6.5 (Geotechnical Stability Exhibit) may also be required on a case-by-case basis.

6.2 GENERAL REQUIREMENTS OF EXHIBITS

6.2.1 General Requirements

(1) This Rule provides for the guidelines for, and information requirements of, each Exhibit required to be submitted with the permit application, as specified according to Rule 6.1.

(2) Maps and Exhibits

Maps, except the index map, must conform to the following criteria:

- (a) show name of Applicant;
- (b) must be prepared and signed by a registered land surveyor, professional engineer, or other qualified person;
- (c) give date prepared;
- (d) identify and outline the area which corresponds with the application;
- (e) with the exception of the map of the affected lands required in Section 34-32.5-112(2)(d), C.R.S. 1984, as amended, shall be prepared at a scale that is appropriate to clearly show all elements that are required to be delineated by the Act and these Rules. The acceptable range of map scales shall not be larger than 1 inch = 50 feet nor smaller than 1 inch = 660 feet. Also, that a map scale, appropriate legend, map title, date and a north arrow shall be included.

110
112

- (c) where such structure is a utility, the applicant may supply a notarized letter, on utility letterhead, from the owner(s) of the utility that the mining and reclamation activities, as proposed, will have "no negative effect" on their utility.

112

6.4 SPECIFIC EXHIBIT REQUIREMENTS - 112 RECLAMATION OPERATION

6.4.1 EXHIBIT A - Legal Description

- (1) The legal description must identify the affected land, specify affected areas and be adequate to field locate the property. Description shall be by (a), township, range, and section, to at least the nearest quarter-quarter section and (b), location of the main entrance to the site reported as latitude and longitude, or the Universal Transverse Mercator (UTM) Grid as determined from a USGS topographic map. A metes and bounds survey description is acceptable in lieu of township, range, and section. Where available, the street address or lot number(s) shall be given. This information may be available from the County Assessor's office or U.S. Geological Survey (USGS) maps.
- (2) The main entrance to the mine site shall be located based on a USGS topographic map showing latitude and longitude or Universal Transverse Mercator (UTM). The operator will need to specify coordinates of latitude and longitude in degrees, minutes and seconds or in decimal degrees to an accuracy of at least five (5) decimal places (e.g., latitude 37.12345 N, longitude 104.45678 W). For UTM, the operator will need to specify North American Datum (NAD) 1927, NAD 1983, or WGS 84, and the applicable zone, measured in meters.

6.4.2 EXHIBIT B - Index Map

An index map showing the regional location of the affected land and all roads and other access to the area. A standard U.S. Geological Survey topographic quadrangle or equivalent is acceptable. Scale criteria need not be followed for this map.

6.4.3 EXHIBIT C - Pre-mining and Mining Plan Map(s) of Affected Lands

One or more maps may be necessary to legibly portray the following information:

- (a) all adjoining surface owners of record;
- (b) the name and location of all creeks, roads, buildings, oil and gas wells and lines, and power and communication lines on the area of affected land and within two hundred (200) feet of all boundaries of such area;
- (c) the existing topography of the area with contour lines of sufficient detail to portray the direction and rate of slope of the affected land;
- (d) the total area to be involved in the operation, including the area to be mined and the area of affected lands (see definition of "Affected Land");
- (e) the type of present vegetation covering the affected lands; and

- (f) in conjunction with Exhibit G - Water Information, Rule 6.4.7, if required by the Office, further water resources information will be presented on a map in this section.
- (g) 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.
- (h) In conjunction with Exhibit I - Soils Information, Rule 6.4.9, soils information may be presented on a map in this section.
- (i) Aerial photos, if available, may be included in this section.

112(3)(c)
115(4)(e)

6.4.4 EXHIBIT D - Mining Plan

The mining plan shall supply the following information, correlated with the affected lands, map(s) and timetables:

- (a) description of the method(s) of mining to be employed in each stage of the operation as related to any surface disturbance on affected lands;
- (b) earthmoving;
- (c) all water diversions and impoundments; and
- (d) the size of area(s) to be worked at any one time.
- (e) An approximate timetable to describe the mining operation. The timetable is for the purpose of establishing the relationship between mining and reclamation during the different phases of a mining operation. An Operator/Applicant shall not be required to meet specific dates for initiation, or completion of mining in a phase as may be identified in the timetable. This does not exempt an Operator/Applicant from complying with the performance standards of Rule 3.1. If the operation is intended to be an intermittent operation as defined in Section 34-32.5-103(11)(b), C.R.S., the Applicant should include in this exhibit a statement that conforms to the provisions of Section 34-32.5-103(11)(b), C.R.S. Such timetable should include:
 - (i) an estimate of the periods of time which will be required for the various stages or phases of the operation;
 - (ii) a description of the size and location of each area to be worked during each phase; and
 - (iii) outlining the sequence in which each stage or phase of the operation will be carried out.

(Timetables need not be separate and distinct from the mining plan, but may be incorporated therein.)

- (f) A map (in Exhibit C - Pre-Mining and Mining Plan Maps(s) of Affected Lands, Rule 6.4.3) may be used along with a narrative to present the following information:
 - (i) nature, depth and thickness of the deposit to be mined and the thickness and type of overburden to be removed (may be marked "CONFIDENTIAL," pursuant to Rule 1.3(3)); and
 - (ii) nature of the stratum immediately beneath the material to be mined in sedimentary deposits.
- (g) Identify the primary and secondary commodities to be mined/extracted and describe the intended use; and
- (h) name and describe the intended use of all expected incidental products to be mined/extracted by the proposed operation.
- (i) Specify if explosives will be used in conjunction with the mining (or reclamation). In consultation with the Office, the Applicant must demonstrate pursuant to Rule 6.5(4), Geotechnical Stability Exhibit, that off-site areas will not be adversely affected by blasting.
- (j) Specify the dimensions of any existing or proposed roads that will be used for the mining operation. Describe any improvements necessary on existing roads and the specifications to be used in the construction of new roads. New or improved roads must be included as part of the affected lands and permitted acreage. Affected land shall not include off-site roads which existed prior to the date on which notice was given or permit application was made to the office and which were constructed for purposes unrelated to the proposed mining operation and which will not be substantially upgraded to support the mining operation. Describe any associated drainage and runoff conveyance structures to include sufficient information to evaluate structure sizing.

6.4.5 EXHIBIT E - Reclamation Plan

- (1) In preparing the Reclamation Plan, the Operator/Applicant should be specific in terms of addressing such items as final grading (including drainage), seeding, fertilizing, revegetation (trees, shrubs, etc.), and topsoiling. Operators/Applicants are encouraged to allow flexibility in their plans by committing themselves to ranges of numbers (e.g., 6"-12" of topsoil) rather than specific figures.
- (2) The Reclamation Plan shall include provisions for, or satisfactory explanation of, all general requirements for the type of reclamation proposed to be implemented by the Operator/Applicant. Reclamation shall be required on all the affected land. The Reclamation Plans shall include:
 - (a) A description of the type(s) of reclamation the Operator/Applicant proposes to achieve in the reclamation of the affected land, why each was chosen, the amount of acreage accorded to each, and a general discussion of methods of reclamation as related to the mechanics of earthmoving;

- (b) A comparison of the proposed post-mining land use to other land uses in the vicinity and to adopted state and local land use plans and programs. In those instances where the post-mining land use is for industrial, residential, or commercial purposes and such use is not reasonably assured, a plan for revegetation shall be submitted. Appropriate evidence supporting such reasonable assurance shall be submitted;
- (c) A description of how the Reclamation Plan will be implemented to meet each applicable requirement of Rule 3.1;
- (d) Where applicable, plans for topsoil segregation, preservation, and replacement; for stabilization, compaction, and grading of spoil; and for revegetation. The revegetation plan shall contain a list of the preferred species of grass, legumes, forbs, shrubs or trees to be planted, the method and rates of seeding and planting, the estimated availability of viable seeds in sufficient quantities of the species proposed to be used, and the proposed time of seeding and planting;
- (e) A plan or schedule indicating how and when reclamation will be implemented. Such plan or schedule shall not be tied to any specific date but shall be tied to implementation or completion of different stages of the mining operation as described in Rule 6.4.4(e). The plan or schedule shall include:
 - (i) An estimate of the periods of time which will be required for the various stages or phases of reclamation;
 - (ii) A description of the size and location of each area to be reclaimed during each phase; and
 - (iii) An outline of the sequence in which each stage or phase of reclamation will be carried out.

(The schedule need not be separate and distinct from the Reclamation Plan, but may be incorporated therein.)
- (f) A description of each of the following:
 - (i) Final grading - specify maximum anticipated slope gradient or expected ranges thereof;
 - (ii) Seeding - specify types, mixtures, quantities, and expected time(s) of seeding and planting;
 - (iii) Fertilization - if applicable, specify types, mixtures, quantities and time of application;
 - (iv) Revegetation - specify types of trees, shrubs, etc., quantities, size and location; and

- (v) Topsoiling - specify anticipated minimum depth or range of depths for those areas where topsoil will be replaced.

6.4.6 EXHIBIT F - Reclamation Plan Map

The map(s) of the proposed affected land, by all phases of the total scope of the mining operation, shall indicate the following:

- (a) The expected physical appearance of the area of the affected land, correlated to the proposed mining and reclamation timetables. The map must show proposed topography of the area with contour lines of sufficient detail to portray the direction and rate of slope of all reclaimed lands; and
- (b) Portrayal of the proposed final land use for each portion of the affected lands.

6.4.7 EXHIBIT G - Water Information

- (1) If the operation is not expected to directly affect surface or groundwater systems, a statement and sufficient demonstration of that expectation shall be submitted.
- (2) If the operation is expected to directly affect surface or groundwater systems, the Operator/Applicant shall:
 - (a) Locate on the map (in Exhibit C) tributary water courses, wells, springs, stock water ponds, reservoirs, and ditches on the affected land and on adjacent lands where such structures may be affected by the proposed mining operations;
 - (b) Identify all known aquifers; and
 - (c) Submit a brief statement or plan showing how water from de-watering operations or from runoff from disturbed areas, piled material and operating surfaces will be managed to protect against pollution of either surface or groundwater (and, where applicable, control pollution in a manner that is consistent with water quality discharge permits), both during and after the operation.
- (3) The Operator/Applicant shall provide an estimate of the project water requirements including flow rates and annual volumes for the development, mining and reclamation phases of the project.
- (4) The Operator/Applicant shall indicate the projected amount from each of the sources of water to supply the project water requirements for the mining operation and reclamation.
- (5) The Operator/Applicant shall affirmatively state that the Operator/Applicant has acquired (or has applied for) a National Pollutant Discharge Elimination System (NPDES) permit from the Water Quality Control Division at the Colorado Department of Health and Environment, if necessary.

6.4.8 EXHIBIT H - Wildlife Information

- (1) In developing the wildlife information, the Operator/Applicant may wish to contact the local wildlife conservation officer. The Operator/Applicant shall include in this Exhibit, a description of the game and non-game resources on and in the vicinity of the application area, including:
 - (a) a description of the significant wildlife resources on the affected land;
 - (b) seasonal use of the area;
 - (c) the presence and estimated population of threatened or endangered species from either federal or state lists; and
 - (d) a description of the general effect during and after the proposed operation on the existing wildlife of the area, including but not limited to temporary and permanent loss of food and habitat, interference with migratory routes, and the general effect on the wildlife from increased human activity, including noise.
- (2) The application may be reviewed and commented upon by Colorado Parks and Wildlife (CPW). If CPW has comments, they must be provided prior to the end of the public comment period specified in Rule 1.7.1(2)(a) to be considered by the Board and Office.

6.4.9 EXHIBIT I - Soils Information

- (1) In consultation with the Natural Resources Conservation Service (NRCS) or other qualified person, the Operator/Applicant shall indicate on a map (in Exhibit C) or by a statement, the general type, thickness and distribution of soil over the affected land. Such description will address suitability of topsoil (or other material) for establishment and maintenance of plant growth. If necessary, at its discretion, the Board may require additional information on soils or other growth media to be stockpiled and used in revegetation.

6.4.10 EXHIBIT J - Vegetation Information

- (1) The Operator/Applicant shall include in this Exhibit a narrative of the following items:
 - (a) descriptions of present vegetation types, which include quantitative estimates of cover and height for the principal species in each life-form represented (i.e., trees, tall shrubs, low shrubs, grasses, forbs);
 - (b) the relationship of present vegetation types to soil types, or alternatively, the information may be presented on a map; and
 - (c) estimates of average annual production for hay meadows and croplands, and carrying capacity for range lands on or in the vicinity of the affected land, if the choice of reclamation is for range or agriculture.

- (2) The Operator/Applicant shall show the relation of the types of vegetation to existing topography on a map in Exhibit C. In providing such information, the Operator/Applicant may want to contact the local Conservation District.

6.4.11 EXHIBIT K - Climate

Provide a description of the significant climatological factors for the locality.

6.4.12 EXHIBIT L - Reclamation Costs

- (1) All information necessary to calculate the costs of reclamation must be submitted and broken down into the various major phases of reclamation. The information provided by the Operator/Applicant must be sufficient to calculate the cost of reclamation that would be incurred by the state.
- (2) The Office may request the Operator/Applicant to provide additional, reasonable data to substantiate said Operator/Applicant's estimate of the cost of reclamation for all Affected Lands.

6.4.13 EXHIBIT M - Other Permits and Licenses

A statement identifying which of the following permits, licenses and approvals the Operator/Applicant holds or will be seeking in order to conduct the proposed mining and reclamation operations: effluent discharge permits, air quality emissions permits, radioactive source material licenses, the State Historic Preservation Office clearance, disposal of dredge and fill material (404) permits, permit to construct a dam, well permits, explosives permits, highway access permits, U.S. Forest Service permits, Bureau of Land Management permits, county zoning and land use permits, and city zoning and land use permits.

6.4.14 EXHIBIT N - Source of Legal Right to Enter

Provide documentation of the legal right to enter to conduct mining and reclamation, for Owners of Record described in Rule 1.6.2(1)(e)(i). This may include a copy of a lease, deed, abstract of title, a current tax receipt, or a signed statement by the Landowner and acknowledged by a Notary Public stating that the Operator/Applicant has legal right to enter to conduct mining and reclamation.

6.4.15 EXHIBIT O - Owner(s) of Record of Affected Land (Surface Area) and Owners of Substance to be Mined

The complete list of all owners can be submitted as a list or on a map in Exhibit C.

6.4.16 EXHIBIT P - Municipalities Within Two Miles

A list of any municipality(s) within two (2) miles of the proposed mining operation and address of the general office of each municipality.

6.4.17 EXHIBIT Q - Proof of Mailing of Notices to Board of County Commissioners and Conservation District

Proof that notice, of the permit application was sent to the Board of County Commissioners and, if the mining operation is within the boundaries of a Conservation District, to the Board of Supervisors of the local Conservation District, pursuant to Rule 1.6.2(1)(a)(ii).

6.4.18 EXHIBIT R - Proof of Filing with County Clerk and Recorder

An affidavit or receipt indicating the date on which the application was placed with the local County Clerk and Recorder for public review, pursuant to Rule 1.6.2(1)(c).

115(4)(e)

6.4.19 EXHIBIT S - Permanent Man-made Structures

Where the affected lands are within two hundred (200) feet of any significant, valuable and permanent man-made structure, the applicant shall:

- (a) provide a notarized agreement between the applicant and the person(s) having an interest in the structure, that the applicant is to provide compensation for any damage to the structure; or
- (b) where such an agreement cannot be reached, the applicant shall provide an appropriate engineering evaluation that demonstrates that such structure shall not be damaged by activities occurring at the mining operation; or
- (c) where such structure is a utility, the Applicant may supply a notarized letter, on utility letterhead, from the owner(s) of the utility that the mining and reclamation activities, as proposed, will have "no negative effect" on their utility.

6.5 GEOTECHNICAL STABILITY EXHIBIT

116(4)(i)

- (1) On a site-specific basis, an Applicant shall be required to provide a geotechnical evaluation of all geologic hazards that have the potential to affect any proposed impoundment, slope, embankment, highwall, or waste pile within the affected area. A geologic hazard is one of several types of adverse geologic conditions capable of causing damage or loss of property and life. The Applicant may also be required to provide a geotechnical evaluation of all geologic hazards, within or in the vicinity of the affected lands, which may be de-stabilized or exacerbated by mining or reclamation activities.
- (2) On a site-specific basis, an Applicant shall be required to provide engineering stability analyses for proposed final reclaimed slopes, highwalls, waste piles and embankments. An Applicant may also be required to provide engineering stability analyses for certain slopes configuration as they will occur during operations, including, but not limited to embankments. Information for slope stability analyses may include, but would not be limited to, slope angles and configurations, compaction and density, physical characteristics of earthen materials, pore pressure information, slope height, post-

placement use of site, and information on structures or facilities that could be adversely affected by slope failure.

- (3) Where there is the potential for off-site impacts due to failure of any geologic structure or constructed earthen facility, which may be caused by mining or reclamation activities, the Applicant shall demonstrate through appropriate geotechnical and stability analyses that off-site areas will be protected with appropriate factors of safety incorporated into the analysis. The minimum acceptable safety factors will be subject to approval by the Office, on a case-by-case basis, depending upon the degree of certainty of soil or rock strength determinations utilized in the stability analysis, depending upon the consequences associated with a potential failure, and depending upon the potential for seismic activity at each site.
- (4) At sites where blasting is part of the proposed mining or reclamation plan, the Applicant shall demonstrate through appropriate blasting, vibration, geotechnical, and structural engineering analyses, that off-site areas will not be adversely affected by blasting.