



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

April 30, 2025

Ken Coulson
Coulson Excavating Company, Inc.
3609 North County Road 13
Loveland, CO 80538

**Re: Adequacy Review No. 3, 112c Construction Materials Amendment Application (AM-1)
Kirtright Pit, Permit No. M-1986-123**

Mr. Coulson:

On April 21, 2025, the Division of Reclamation Mining and Safety (DRMS/Division) performed a Pre-Operation Inspection of the Kirtright Pit, permit no. M-1986-123, in response to the Amendment Application (AM-1) and an inspection as required for the Acreage Release Request (AR-1). After the inspection the Division has additional items that need to be addressed or clarified.

The following items will need to be addressed to the Division's satisfaction prior to the decision date. If you are unable to satisfactorily address any concerns identified in this review before the decision date, it will be your responsibility to request an extension of the review period. If there are outstanding issues that have not been adequately addressed prior to the end of the review period, and no extension has been requested, the Division may issue a recommendation to deny this application to the Mined Land Reclamation Board (MLRB or Board). After receipt and review of the Applicant/Operator's response to these items the Division may identify additional adequacy items. Please respond to this Adequacy Review No. 3 with the requested additional/updated information on permit replacement pages and summarize each response in a cover letter titled "Adequacy Response No. 3; M-1986-123". If the Applicant desires, they may respond to Adequacy Reviews Nos. 2 and 3 in the same response but please clearly indicate that in the response.

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

1. During the inspection the Division noted there are three isolated piles of gravel material in the area north of the currently approved and proposed permit boundary. Two of the piles (Pile 1 and 2) are on the easternmost property owned by Randy Kirtright and the other (Pile 3) is on the O'Brien property. Two of the piles (Pile 1 and 3) are north of the proposed/current permit boundary. The other (Pile 2) appears to be on the proposed/current permit boundary. A review of historic aerial imagery, using Google Earth and the Larimer County Assessor's website, shows that these piles were generated



during mining operations at the Kirtright Pit that occurred outside the approved permit boundary. Please see attachment 1. The Applicant must, at a minimum, expand the currently proposed permit boundary to the limits that were originally proposed (see response to incompleteness #2 dated June 7, 2024) to incorporate all areas that have been affected by the Operator during mining of the Kirtright Pit and to allow access to the three piles that need to be reclaimed and to address grading concerns discussed below.

2. Please update Map C-1 to include a table that clearly indicates the areas and totals that make up the affected area. The Division recommends the permit area and affected land area be equal, ensuring that any additional reclamation activities in other areas of the permit, if needed, will not require an amendment prior to initiating those activities.
3. Please update Map C-1, Permit Boundary Points of Intersection, with the coordinates of the revised permit boundary.

EXHIBIT E – Reclamation Plan (Rule 6.4.5):

4. The Reclamation Plan needs to be updated to provide details on how the new areas north of the currently approved permit boundary will be reclaimed.
5. During the inspection the Division was presented with two different scenarios about how the site floods, specifically the flood in 2023. Please provide a hydrologic model or similar demonstration on how the site floods. The Applicant states that the site floods when Big Thompson River water backs-up along the drainage swale along the western boundary of the site, on CDOT property, until it overtops the road, near the mine access point, and flows into the site near the area where Pond 1 was located. Ms. O'Brien states that the site floods when river water enters the site from a low area located in the northeastern corner of the eastern parcel adjacent to the Stroh Pit.
6. Please describe how the area outside the currently approved permit boundary was affected by mining (as discussed in Item #1 above) and how it was reclaimed. Please provide a plan for reclaiming the area currently affected by the exiting stockpiles. Also, it appears to the Division that this area in question had an unmined surface elevation of around 4840' and now has an elevation of 4835'. This now low-lying area should be graded so the area positively drains back toward the river, please revise the reclamation plan and map to address this.
7. The Applicant needs to perform an analysis of the pond banks to identify areas that do not meet the permit requirements of 3H:1V slopes. During the inspection the Division noted areas where the slopes did not meet this requirement. Examples of where this has occurred are the western edge of Pond 2 where Mr. Kirtright has expanded a flat area of his property, the road between Ponds 2 and 3, the southern bank of Pond 2, and the southern bank of Pond 4.
8. In the responses to the Division's preliminary adequacy review the majority of the pre-1981 area is shaded to indicate the Applicant/Operator has never mined or affected this area. The Division

noted during its inspection that a large pile of gravel was now located in this area that was not there during the 2023 inspection, please comment on the origins of this pile. A review of aerial imagery from May 2023 indicates that haul trucks are being loaded with material from the shaded pre-1981 area and that material used to backfill the Pond 1 area, attachment 2. Additionally, it appears other areas of the pre-1981 area were graded and contoured during this same time. These areas also need to be included into the affected area and details for their reclamation into the Reclamation Plan.

EXHIBIT G – Water Information (Rule 6.4.7):

9. It is stated in the currently proposed reclamation plan that if permanent augmentation cannot be approved then the ponds will be lined. The Division considers lining of the ponds to be a significant change to the post mining land use and will require a separate amendment to be submitted for the Division's consideration. Please commit to submitting an amendment to revise the permit for lining the ponds as necessary.

Other:

10. Pursuant to Rule 1.6.2(2), please demonstrate that the applicant's response to these adequacy issues and the Preliminary Adequacy issues have been placed with the application materials previously placed with the County Clerk or Records Office, and made available for public review

Please respond to these adequacy issues before the decision deadline. The decision due date for this application is June 11, 2025. If additional time is required to respond to these adequacy issues, please submit a written request for extension of the review period. The Division reserves the right to further supplement this document with additional adequacy issues and details as necessary.

If you need additional information or have any questions, please contact me at by email at patrick.lennberg@state.co.us.

Sincerely,



Patrick Lennberg
Environmental Protection Specialist

cc: Jared Ebert; Division of Reclamation, Mining & Safety

Attachment: 1 – Time Series Photographs of Area North of Permit Boundary
2 – Time Series Photographs of Pre-1981 Area

ec: Ken Coulson, Coulson Excavating Company, Inc., ken@coulsonex.com
Peter Wayland, Weiland, Inc., pwayland@weilandinc.com
Hanna Gustafsson, Kaplan Kirsch, hgustafsson@kaplankirsch.com
Polly Jessen, Kaplan Kirsch, pjessen@kaplankirsch.com

Attachment 1

Kirtright Pit M-1986-123

Aerial Image 1999

2025

Legend

- Area Affected Outside of Permit Boundary 4.7 acres
- Historic Disturbance 1999-2006 14.3 acres
- M1986123 Kirtright
- Pile
- Pond 2 1.25 acres
- Pond 3 5.93 acres
- Pond 4 9.41 acres
- Proposed AM-1 Permit Boundary

M1986123 Kirtright

Pile 1 2014

Pile 1 2006
Pile 2

Pile 3

Google Earth

Image U.S. Geological Survey

900 ft

N



Larimer County Image 2002

Kirtright Pit M-1986-123

Aerial Image 2004

Legend

- Area Affected Outside of Permit Boundary 4.7 acres
- Historic Disturbance 1999-2006 14.3 acres
- M1986123 Kirtright
- Pile
- Pond 2 1.25 acres
- Pond 3 5.93 acres
- Pond 4 9.41 acres
- Proposed AM-1 Permit Boundary

M1986123 Kirtright

Pile 1 2014

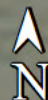
Pile 1 2006
Pile 2

Pile 3

Google Earth

Image USDA/FPAC/GEO

900 ft



Kirtright Pit M-1986-123

Aerial Image 2005

Legend

- Area Affected Outside of Permit Boundary 4.7 acres
- Historic Disturbance 1999-2006 14.3 acres
- M1986123 Kirtright
- Pile
- Pond 2 1.25 acres
- Pond 3 5.93 acres
- Pond 4 9.41 acres
- Proposed AM-1 Permit Boundary

M1986123 Kirtright

Pile 1 2014

Pile 1 2006
Pile 2

Pile 3

Google Earth

Image USDA/FFAO/GEO

900 ft

N

Kirtright Pit M-1986-123

Aerial Image 2006

Legend

- Area Affected Outside of Permit Boundary 4.7 acres
- Historic Disturbance 1999-2006 14.3 acres
- M1986123 Kirtright
- Pile
- Pond 2 1.25 acres
- Pond 3 5.93 acres
- Pond 4 9.41 acres
- Proposed AM-1 Permit Boundary

M1986123 Kirtright

Pile 1 2014

Pile 1 2006
Pile 2

Pile 3

Google Earth

Image © 2025 Maxar Technologies

900 ft

N



3515000025

3521200901

SW

3522000910

3522000006

NE FRONTAGE RD

25

INTERSTATE 25 SB

INTERSTATE 25 NB

LOVELAND

Br Thompson River

15

3515405702

T05N
R68W

SE

3515000029

3515000003

14

3514000009

3514311013

JOHNSTOWN

THOMPSON PKWY

Larimer County Image 2009

ACCESS RD

3515405701

Kirtright Pit M-1986-123

Aerial Image 2012

Legend

- Area Affected Outside of Permit Boundary 4.7 acres
- Historic Disturbance 1999-2006 14.3 acres
- M1986123 Kirtright
- Pile
- Pond 2 1.25 acres
- Pond 3 5.93 acres
- Pond 4 9.41 acres
- Proposed AM-1 Permit Boundary

M1986123 Kirtright

Pile 1 2014

Pile 1 2006
Pile 2

Pile 3

Google Earth

Image USDA/FFAC/GEO

900 ft

N

Kirtright Pit M-1986-123

Aerial Image 2014

Legend

- Area Affected Outside of Permit Boundary 4.7 acres
- Historic Disturbance 1999-2006 14.3 acres
- M1986123 Kirtright
- Pile
- Pond 2 1.25 acres
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- Proposed AM-1 Permit Boundary

M1986123 Kirtright

Pile 1 2014

Pile 1 2006
Pile 2

Pile 3

Google Earth

Image USDA/FPAC/GEO

900 ft

N

Kirtright Pit M-1986-123

Aerial Image 2025

Legend

- Area Affected Outside of Permit Boundary 4.7 acres
- Historic Disturbance 1999-2006 14.3 acres
- M1986123 Kirtright
- Pile
- Pond 2 1.25 acres
- Pond 3 5.93 acres
- Pond 4 9.41 acres
- Proposed AM-1 Permit Boundary

Pile 1 2014

Pile 1 2006

Pile 2

Pile 3

M1986123 Kirtright

Google Earth

Image © 2025 Airbus

900 ft

N

Attachment 2

9/2021

M1986123 Kirtright



Aerial Image September 2021



Aerial Image April 2023

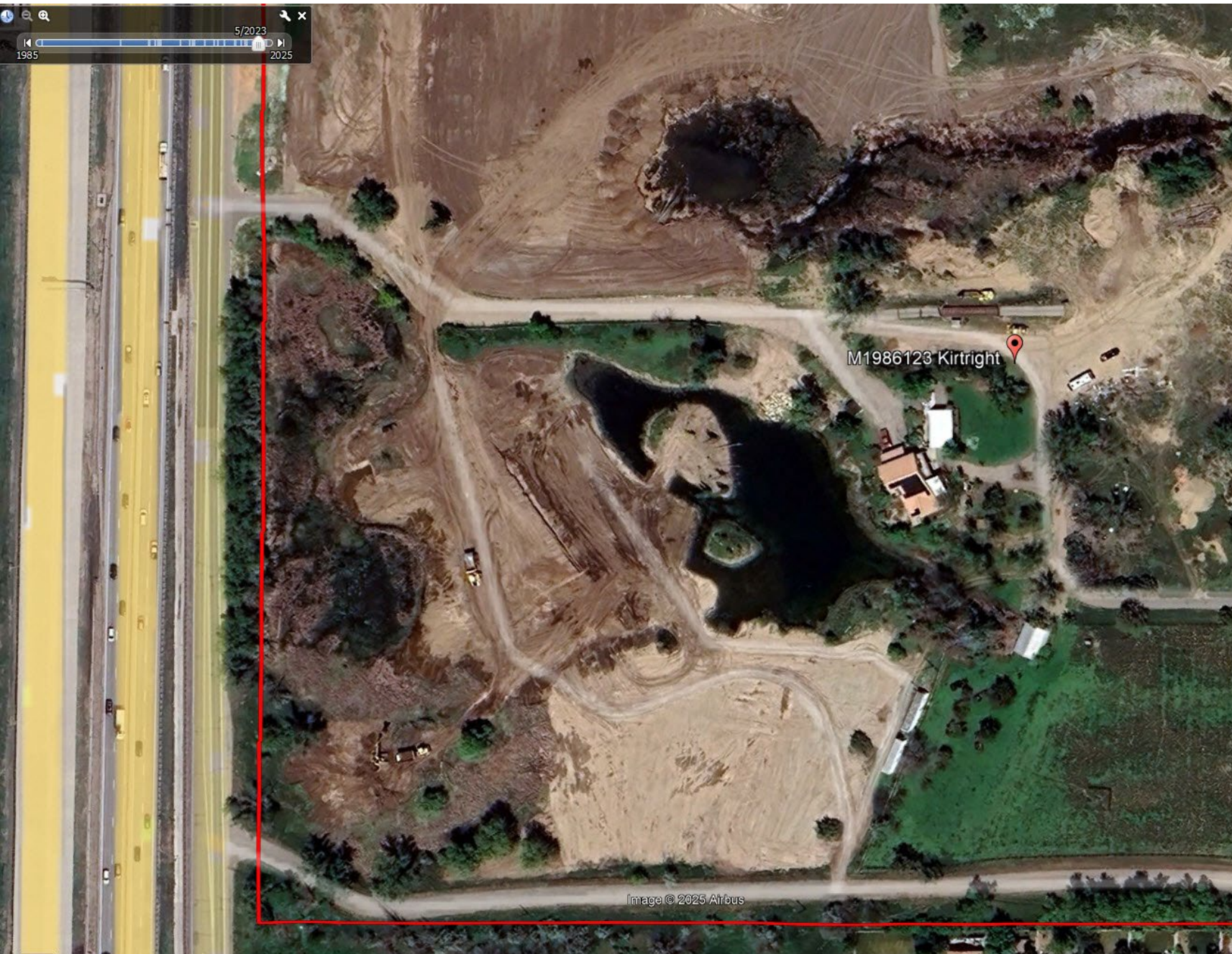
Haul trucks moving material
between Pond 1 and
surrounding areas and the
Pre-1981 area

Aerial Image May 2023

Disturbance of Pre-1981 area has moved from the southeastern area to the central area. Travel paths lead to backfilling activities in the Pond 1 area.

Image © 2025 Airbus

Imagery Date: 5/22/2023 lat 40.394142°



Aerial Image May 2023

Disturbance of Pre-1981 area has moved to the southwestern area. Travel paths lead to backfilling activities in the Pond 1 area.



Aerial Image March 2025

Current state of Pre-1981
area