



## MEMO

**DATE:** June 18, 2025

**TO:** Mined Land Reclamation Board

**FROM:** Patrick Lennberg, Environmental Protection Specialist

**RE:** Supporting Documents Consent Agenda Item  
Coulson Excavating Co., Inc.  
Kirtright Pit, Permit No. M-1986-123

Consideration of Operator's request to extend the decision date 60-days beyond the 365-day decision date to address the outstanding adequacy items for AM-1 application.

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The Board packet contains the following document:

1. Request from Coulson Excavating Co., Inc. to extend the decision date from June 11, 2025, to August 10, 2025.
2. Staff Summary Form for Consent Agenda Item, June 18, 2025



## **Attachment 1**

May 30, 2025

**VIA EMAIL**

Mined Land Reclamation Board  
c/o Patrick Lennberg, Environmental Protection Specialist  
Division of Reclamation, Mining and Safety  
1313 Sherman Street, Room 215  
Denver, CO 80203  
Email: Patrick.lennberg@state.co.us

Re: Request for Extension of Preliminary Adequacy Review, 112c Construction Materials  
Amendment Application (AM-1), Kirtright Pit, Permit No. M-1986-123

Dear Mined Land Reclamation Board:

I am writing on behalf of Coulson Excavating Company, Inc. (“Coulson”) regarding the above-referenced application (the “Amendment Application”). Kaplan Kirsch LLP (“Kaplan Kirsch”) is assisting Coulson in updating the Amendment Application and in responding to the Adequacy Review letters provided by the Division of Reclamation, Mining and Safety (“DRMS”) in connection with the Amendment Application (the “Adequacy Review Letters”). Coulson has been coordinating with DRMS to ensure that the Amendment Application properly addresses all items raised by DRMS in the Adequacy Review Letters.

DRMS recently asked Coulson to prepare hydrologic modeling of a portion of the affected lands subject to the Amendment Application. Coulson is prepared to do so; however, the need for this modeling is a serious unforeseen circumstance that Coulson will not be able to address prior to the current decision date of June 11, 2025. Coulson will need to obtain certain data from the Colorado Department of Transportation and engage an additional engineering consultant to assist in preparing HEC-RAS (Hydrologic Engineering Center - River Analysis System) modeling. Accordingly, Patrick Lennberg of DRMS has suggested that Coulson request a sixty day extension of the decision date.

Pursuant to this letter, Coulson requests that the June 11, 2025 decision date be extended by sixty days to August 10, 2025. This request is in keeping with Rule 1.4.1(7) of the Mineral

May 28, 2025

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Rules and Regulations of the Colorado Mined Land Reclamation Board, which provides that “[i]n the case of any complex Permit applications, serious unforeseen circumstances or significant snow over on the affected land that prevents a necessary on-site inspection, the decision date established by the Office may be extended up to sixty (60) days beyond the usual maximum limit for an operation of that particular typer and size.”

We appreciate your consideration in this matter. Please do not hesitate to contact me at (303) 825-7000 if you have any questions regarding this request or wish to discuss this matter further.

Sincerely,

A handwritten signature in blue ink, appearing to read "Hanna Gustafsson".

Hanna Gustafsson

A handwritten signature in blue ink, appearing to read "Polly Jessen".

Polly Jessen

cc: Ken Coulson, Coulson Excavating Company  
Peter Wayland, Weiland, Inc.  
Jared Ebert, DRMS  
Scott Schultz, Assistant Attorney General for DRMS

## **Attachment 2**



**COLORADO**  
**Division of Reclamation,  
Mining and Safety**  
Department of Natural Resources  
1313 Sherman Street, Room 215  
Denver, CO 80203

### STAFF SUMMARY FORM FOR CONSENT AGENDA ITEMS

<b>Date</b>	June 18, 2025	<b>Applicant</b>	Coulson Excavating Company, Inc.
<b>File No.</b>	M-1986-123	<b>Site Name</b>	Kirtright Pit
<b>Specialist</b>	Patrick Lennberg	<b>Objecting Party</b>	N/A
<b>County</b>	Larimer	<b>Permit Type</b>	112c

#### Action:

The 365-day review period for AM-1, a Board Ordered amendment for MV-2023-012, expired on June 14, 2025, with adequacy items that have not been fully resolved to the Division's satisfaction.

On May 30, 2025, the Operator requested a 60-day extension beyond the 365-day decision date to address the outstanding adequacy items with the application as needed.

#### Resolution:

Division Staff recommends the Board Approve, without conditions, the extension request for the Kirtright Pit, M-1986-123 to August 10, 2025.

#### Chronology:

1. DRMS Conducted an Inspection of the Kirtright Pit, June 27, 2023
2. Reason to Believe a Violation Exists and Notice of Board Hearing, August 8, 2023
3. MLRB Board Order, MV-2023-013, November 27, 2023
4. Amendment Application (AM-1) submitted, February 27, 2024
5. Amendment Application (AM-1) considered filed, June 14, 2024



6. Responses to Division's Adequacy Review No. 2 and 3 remain outstanding or are currently under review, June 2, 2025

### **STAFF RECOMMENDATION**

#### **Board Actions:**

Approve without conditions, the extension request to August 10, 2025.