

# STATE OF COLORADO

## DIVISION OF RECLAMATION, MINING AND SAFETY

Department of Natural Resources

1313 Sherman St., Room 215

Denver, Colorado 80203

Phone: (303) 866-3567

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John W. Hickenlooper  
Governor

John W. Hickenlooper.  
Governor

Mike King  
Executive Director

Loretta E. Piñeda  
Director

July 23, 2012

Mr. Ken Wagner  
Director of Public Works  
City of Las Animas  
532 Carson Ave  
PO Box 468  
Las Animas, CO 81054

RE: City of Las Animas Sand Excavation Area (DRMS file: M-2012-008) SE ¼ SE ¼ of S28, T23S, R52W  
Adequacy Review of 111 New Application

Dear Mr. Wagner;

The Division of Reclamation, Mining and Safety (Division) has completed its adequacy review of your conversion for a 111 Construction Materials Reclamation Permit Application. The application was received on July 13, 2012 and was called complete on July 18, 2012. All comment and review periods began on July 18, 2012. The decision date for this application is August 2, 2012. **Please be advised that if you are unable to satisfactorily address any concerns identified in this review before the decision date, the Division will deny this application.**

The review consisted of comparing the application content with specific requirements of Rules 1.4.4, 6.1, 6.2, 6.3, and 6.5 of the Minerals Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials. The application was substantially adequate, however, as with most applications there are a few items that will require the submittal of additional information or clarification of the existing information. Inadequacies are identified under the respective exhibit heading along with suggested corrective actions to correct them.

### Application Form

- Primary Mine Entrance Location. Please provide coordinates for the primary mine entrance in either latitude/longitude or UTM.
- Primary Future (Post-Mining) Land Use. Please identify only ONE primary land use for post-mining.
- Primary Present Land Use. Please identify only ONE primary current land use.

### 1.4.4 Specific Application Requirements – 111 Special Operations Applications

No comment.

### 6.3.1 Exhibit A – Legal Description and Location Map

- As specified in Rule 6.3.1(2), coordinates (latitude and longitude) of the main entrance to the mine site need to be provided.

- If the existing access road shown in the maps included in Exhibit A is to be improved or altered in any way, it must be included in the proposed permit boundary. Please provide information regarding any improvements to be made to this access road.

#### **6.3.2 Exhibit B – Site Description**

- As specified in Rule 6.3.2(b), the site description should include identification of any permanent man-made structures within 200 feet of the proposed affected area, and the owner of each structure. This includes roads, fences, utility lines, buildings, etc. Please include this information.

#### **6.3.3 Exhibit C – Mining Plan**

- As specified in Rule 6.3.3(b), please describe the estimated depth and salvage and stockpile process for the topsoil on the site. Stockpile locations should be shown on the map (Exhibit E).
- The mine plan does not indicate if there will be any overburden stockpiles (Rule 6.3.3(c)).
- There appears to be an approximately 1-acre area of disturbed ground in the southwestern portion of the proposed permit area. Please describe this existing ground disturbance.

#### **6.3.4 Exhibit D – Reclamation Plan**

- Please include the dispersal of topsoil in your reclamation plan. Seed growth will be inadequate without the application of growth medium for vegetation to establish.
- Please include details of your weed management program to control weed growth at the site.

#### **6.3.5 Exhibit E – Map**

- Please include topsoil stockpile locations referenced above.

#### **6.3.6 Exhibit F – Other Permits and Licenses Required**

No comment.

#### **6.3.7 Exhibit G – Source of Legal Right-to-Enter**

No comment.

#### **6.3.8 Exhibit H – Municipalities within a Two-Mile Radius**

No comment.

#### **6.3.9 Exhibit I – Proof of Filing with County Clerk**

No comment.

#### **6.3.10 Exhibit J – Proof of Mailing of Notices to Board of County Commissioners and Soil Conservation District**

No comment.

#### **6.3.11 Exhibit K – Terms of Governmental Contract**

No comment.

#### **6.3.12 Exhibit L – Permanent Man-Made Structures**

- Exhibit L indicates that there are no permanent man-made structures located within 200 feet of the permit boundary. Based on air photographs, there appears to be a county road within 200 feet of the western permit boundary. The applicant should update Exhibit L and Exhibit B to include this road, as well as any other man-made structure (such as fenceline, utility, road, building, etc) within 200 feet of the permit area.

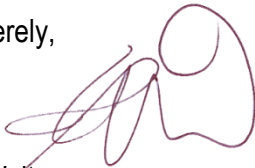
### **6.5 GEOTECHNICAL STABILITY EXHIBIT**

Not required.

This concludes the Division's preliminary adequacy review of this application. Please remember that the decision deadline for this application is August 2, 2012. As previously mentioned, if you must provide satisfactory responses to any inadequacies prior to this date. If there are still unresolved issues when the decision date arrives and no extension has been requested, the application will be denied.

If you have any questions, please contact me at (303) 866-3567, extension 8114.

Sincerely,



TC Wait  
Environmental Protection Specialist

CC: Tom Kaldenbach, DRMS