

STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY Department of Natural Resources

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January 18, 2013

Eric Mangeot
Resource Engineer
909 Colorado Avenue
Glenwood Springs, CO
81601

John W. Hickenlooper
Governor

Mike King
Executive Director

Loretta Piñeda
Director

RE: Bear Ranch Gravel Mine, File No. M-2013-002, Receipt of Incomplete Construction Material Limited Impact (110) Reclamation Permit Application Package

Dear Mr. Mangeot:

On Wednesday, January 09, 2013, the Division of Reclamation, Mining and Safety received the Construction Materials Limited Impact (110) Reclamation Permit Application package for the above referenced site. A preliminary review of the submitted material determined that the following items must be received before the Division can consider the application filed and begin the technical review:

Per Rule

6.3.4 EXHIBIT D - Reclamation Plan

- (2) All 110 Limited Impact applications must provide an estimate of the actual costs to reclaim the site based on what it would cost the State of Colorado using an independent contractor to complete reclamation. (Such estimates are not required for activities contemplated by the operator and approved by the Office to be outside the scope of the proposed reclamation plan.) The unit costs should include estimates for the following activities as appropriate to the operation: backfilling, grading, topsoil application, seeding, mulching, fertilization, and labor to complete reclamation. Determine and specify the point during the operation when the site has reached a point of maximum disturbance. The cost to reclaim the site to the specifications of the Reclamation Plan at this point must be estimated. Unit costs (cost per cubic yard), volumes, haul or push distances, and grades must be included when backfilling and grading are part of the Reclamation Plan. Volume and unit costs for finish grading, subsoil and topsoil application must be provided in terms of cost per cubic yard. The estimated cost for fertilizer, seed and mulch acquisition and application must be provided as cost per acre.
 - (a) Equipment costs must include such factors as equipment operator wages and benefits, fuel and lubricant consumption and depreciation. The cost to mobilize and demobilize the equipment from the nearest population center known to have the required equipment availability should be estimated.
 - (b) All items referenced in the Reclamation Plan must be included in the cost calculation. These items in addition to earthwork, such as building demolition, fencing, monitoring well sealing or stream channel reconstruction must also be included in the reclamation cost estimate.

- (c) After the direct costs noted above have been estimated, the Office may add up to an additional maximum eighteen and one-half (18.5%) percent of that total, which includes private contract, typical overhead costs. This additional cost is required to cover indirect costs that an independent contractor would incur when performing reclamation of the site. Five (5%) percent additional cost shall be added to cover Office administration cost in the event of bond forfeiture and permit revocation.

6.3.7 EXHIBIT G - Source of Legal Right-to-Enter

Provide a description of the basis for legal right of entry to the site and to conduct mining and reclamation, for Owners of Record described in Rule 1.6.2(1)(e)(i). This may be a copy of access lease, **deed, abstract of title, or a current tax receipt**. A signed statement by the Landowner and acknowledged by a Notary Public stating that the Operator/Applicant has legal right to enter and mine is also acceptable.

The application will not be considered filed until the information listed above is received and found sufficient to begin our adequacy review. Notice of the application should not be published until the Division informs you that the application has been filed.

If the above requested material/information is not received within sixty (60) days, the Division shall deny the application and terminate the file.

This letter shall not be construed to mean that there are no other technical deficiencies in the application. Once filed, the Division will review the application in order to determine if it is adequate to meet the requirements of the *Colorado Land Reclamation Act for the Extraction of Construction Materials*.

If you require additional information, or have questions or concerns, please contact me at the Division's Grand Junction Field Office.

Sincerely,



Dustin Czaplá
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Division of Reclamation, Mining and Safety
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Cc: