



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources
1313 Sherman Street, Room 215
Denver, Colorado 80203

December 19, 2014

Bruce Humphries
Regulatory Permits Management, Inc.
435 Kendall Ct., Unit 212
Castle Pines, CO 80108

Re: Thomeczek Pit, Permit No. M-1995-007
Conditions Required for Approval of Extension of Corrective Action Due Date

Mr. Humphries:

On December 15, 2014, the Division of Reclamation, Mining and Safety (Division) received your request to extend the corrective action due date for the problems cited in the Inspection Report for July 03, 2014. The Division is willing to approve the extension if you will commit to achieving the required tasks in accordance with the timeline listed below, including providing the Division with photographic evidence that each milestone has been achieved by the date specified. **Please submit to the Division by December 31, 2014 a letter signed by the Operator stating agreement with the terms listed below.**

Please commit to achieving the following milestones by the dates provided and submitting photographic evidence (via mail or email) to the Division after each milestone has been achieved:

- By March 31, 2015: Regain property access (if necessary) for reclamation work.
- By April 30, 2015: Begin removing state-listed noxious weeds (particularly Tamarisk and Russian Olive trees) from areas of the site that were disturbed by the operation.
- By May 31, 2015: Begin removing stockpiled material from the site.
- By June 30, 2015: Begin grading pond banks to 3H:1V slopes or flatter.
- By July 31, 2015: Tamarisk and Russian Olive trees removed from disturbed areas and continue to monitor and treat any new growth.
- By August 31, 2015: Pond banks graded to 3H:1V slopes or flatter.
- By September 30, 2015: Stockpiled material completely removed from the site.
- By October 31, 2015: Complete seeding of disturbed areas.



The Division understands that additional interseeding and weed control may be required after October 31, 2015 in order to establish the approved vegetation. **However, please be aware that failure to demonstrate that a milestone has been achieved by the date specified in the timeline above will result in a Possible Violation.**

Enclosed for your reference are the Reclamation Plan Map that was recently approved in Technical Revision (TR-01) on October 14, 2014 and the Reclamation Plan that was approved with the original permit application.

If you have any questions, please contact me at 1313 Sherman Street, Room 215, Denver, CO 80203, call me at (303) 866-3567, extension 8129, or email me at amy.eschberger@state.co.us.

Sincerely,



Amy Eschberger
Environmental Protection Specialist

Enclosure(s): Approved Reclamation Plan Map
Approved Reclamation Plan

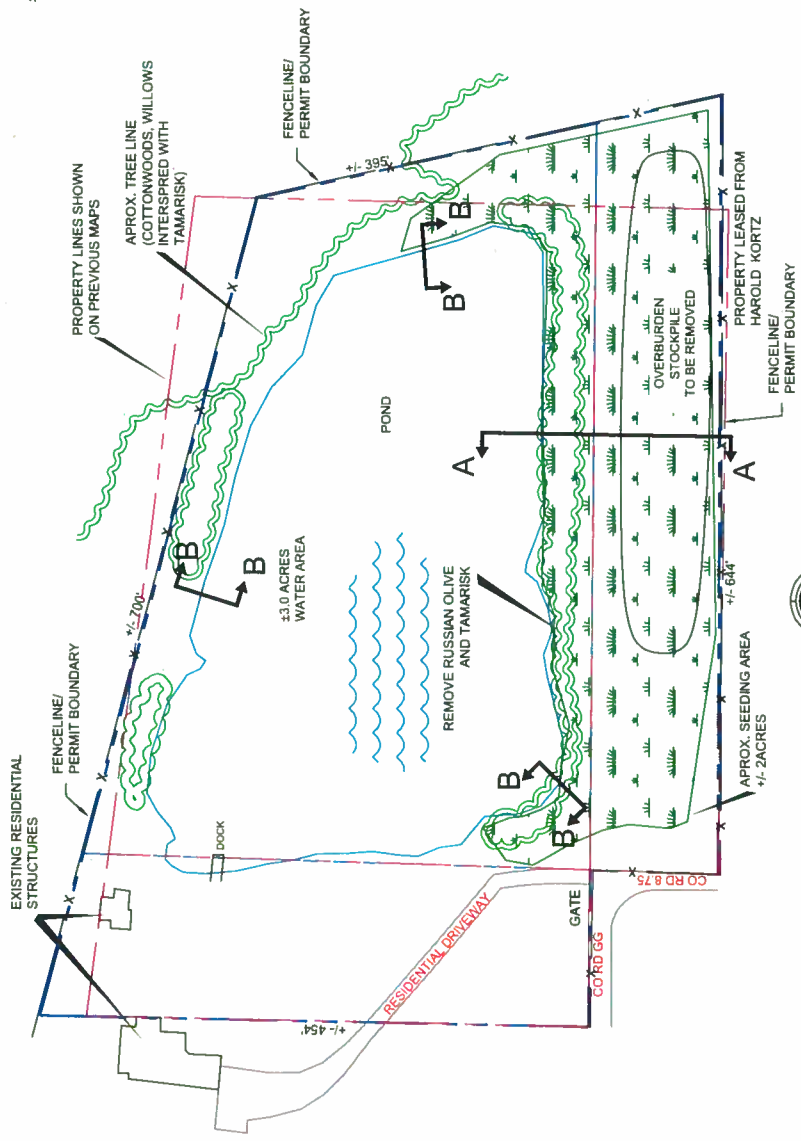
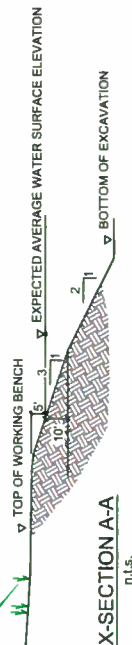
Cc: Joe H. Thomeczek
Bent County Ready Mix
P.O. Box 387
Las Animas, CO 81054

Tony Waldron, DRMS
Tom Kaldenbach, DRMS
Tyler O'Donnell, DRMS



PROPERTY/FENCE LINE

REMOVE STOCKPILE AND REVEGETATE AREA



0 100 200
APPROX. SCALE 1"=100'
BASEMAP SOURCE: AERIAL IMAGERY
DATED FEBRUARY 2013

RECEIVED

OCT 14 2014

DIVISION OF RECLAMATION
MINING AND SAFETY

THOMECZECK PIT			
CLIENT:	BENT COUNTY READY MIX		
CONSULTANT:	GAGLIANO ENGINEERING, INC.		
DRMS FILE NO.	M-1995-007	PREPARED BY:	J.V. GAGLIANO
EXHIBIT F	RECLAMATION MAP	DATE: 10/13/14	

"Exhibit B"

UNITED STATES
DEPARTMENT OF
AGRICULTURE

SOIL
CONSERVATION
SERVICE

LAS ANIMAS FO
760 BENT AVENUE
LAS ANIMAS, CO 81054

July 24, 1986

To: Joe Tomeczek
646 West Sixth St.
Las Animas, CO 81054

Subject: Joe Tomeczek gravel pit - Reclamation Plan

The proposed site is located on Colby and Glenberg soils which were once irrigated and farmed. These soils both have about 11 inches of topsoil over stratified sands and gravels. The land is in capability class VIe and VIw. The range site is Loamy Plains.

The existing vegetation is predominately field bindweed, kochia and mustards since the fields were never revegetated to native grasses when the irrigation water was removed.

Reclamation of this site should include shaping all slopes to stable grades of 4:1 or less. The topsoil should be stockpiled when the new area is opened. This material should then be spread evenly over the shaped and graded site at the time of reclamation. A soil test should also be performed at the time of reclamation to determine if plant nutrients in the topsoil are adequate. The attached "Grass Seeding Plan", form CO-ECS-5, contains seeding mixture and mulch recommendations as well as other pertinent information.



Robert Appel,
District Conservationist

"EXHIBIT D"

RECLAMATION PLAN

Reclamation of the Thomeczek Pit will take two directions; one the exposed water area and two, the balance of the land in the permit area. Total land in permit area is ~~9.78~~ acres of which ~~2.48~~ acres are dry land. 9.9 4.63

First, the exposed water area (pond) will be left in ecologically sound manner. There will be no banks steeper than a ration of 3:1 (horizontal to vertical ration) because banks will be no more than 5 feet above and about 10 feet below the expected water line.

SEE
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PAGE

The land area of the permit area shall be graded and top soil placed so as to create the most successful growth of the re-seeded grasses and tree life. Grading will be done in a manner to control erosion and siltation of the land in the permit area.

By utilizing and enhancing the pond and the planting of cottonwood trees and native willows, operator will create habitat encouraging both game and non-game species. These trees will be planted so as to insure their survival without irrigation requirement. Cottonwood trees, approximately 50 on 2.48 acres, will be of the one gallon potted nature. The cottonwood trees will be planted so that roots will not be without moisture. The native willows will be established close to the pond to insure survival.

Operator is stock piling and segregating top soil. Although, upon completion of operations very little dry ground surface area will be disturbed, stock piled top soil will be used as need on roads or any other areas so that re-vegetation will be most successfully accomplished.

Re-vegetation will be done in such a way as to establish a diverse, effective and long lasting vegetation cover that is capable of self regeneration at least equal in extent of cover to the natural vegetation of the surrounding area.

The top soil will be prepared to an average depth of 7 to 10 inches. The balance of the waste material stock pile will be graded and modeled, covered with top soil and configured with a minimum of 3:1 slope to minimize erosion and enhance successful re-vegetation.

Roads within permit area not utilized as ranch and farm roads will be ripped, reconditioned and re-vegetated.

Re-seeding will follow the attached grass seeding plan, furnished by the Soil Conservation Service.

"EXHIBIT D" - (con't)
RECLAMATION PLAN

Using this plan will make the reclaimed land of subject site superior to that of neighboring lands.

Execution of this reclamation plan is estimated to be \$3,500.00. Most of the cost will be in the grading and preparation for re-vegetation. Materials necessary for accomplishment are on site and little dry surface area will be affected. Operator will keep the banks of the bond at not steeper than a 3:1 ratio during mining operations. This will minimize need for much work on banks of pond at time of reclamation.

This Reclamation Plan will be completed 120 days after termination of mining operations at the Thomeczek Pit.

Acres of Dryland estimate

1.	New area on W end	0.6 ac
2.	Old stockpile area, SW.	1.26 "
3.	New " " , SE.	0.98 "
4.	Pond perimeter (L x W) (L = 550' + 550' + 430' + 430' + 400' + 290' = 2600' L x 30' W = 78,000 sf) =	1.79 "
<u>total =</u>		<u>4.63 ac</u>

"Exhibit D"

U.S. Department of Agriculture
Soil Conservation Service

PART I - GRASS SEEDING PLANNED

Planner: RW Apple Date: 7-24-86
Producer: JOE TOMCZEK

Contract or Agreement # _____

1. Field No. _____ Ac. 4.2 Contract Item No. _____ Practice No. and Name GRAVEL P.T. RECLAMATION
Land Resource Area _____ Terrigated _____ Dryland X Range Site LOAMY PLAINS

2. Planned:

Seedbed Prep: (a) Method MECHANICAL
(b) Approximate dates Sept - Oct.
(c) Clean tilled X
Firm seedbed X
Stubble cover _____
Interseed _____
Other _____

Seeding Operation: (a) Method: drill X
Interseed _____
broadcast _____

(b) Drill spacing 7-10" (c) Date NOV - APR
Type GRASS (d) planting depth 1/2"

Fertilizer:

Fertilize as per soil sample
Pounds actual per acre N₂ Recommendations prior
(available) P₂O₅ to seeding
K _____

Wood Control:

Mowing: X
Chemical: _____ Type & Amount: _____
Dates: As needed.

Mulch:

Kind: Grass Hay
Amount: 4,000 pounds/Ac
How-applied: mulch spreader
How-anchored: Disks
Anchorage depth: 4"

Seed:

Variety	Species	(1) Required PLS rates per acre (100%)	(2) % of species in mixture
<u>-</u>	<u>ALKALI SACATON</u>	<u>1</u>	<u>30</u>
<u>-</u>	<u>SAND DROPSIED</u>	<u>0.3</u>	<u>25</u>
<u>-</u>	<u>VINE MESQUITE</u>	<u>6</u>	<u>25</u>
<u>Jose</u>	<u>TALL WHEAT GRASS</u>	<u>11</u>	<u>20</u>

(3) PLS seeding rate per species/Ac. (1)x(2)	(4) Planned Acres	(5) Total PLS lbs/ species planned (3)x(4)
<u>.3</u>	<u>3</u>	<u>.9</u>
<u>.08</u>	<u>3</u>	<u>.24</u>
<u>1.5</u>	<u>3</u>	<u>4.5</u>
<u>2.2</u>	<u>3</u>	<u>6.6</u>

Remarks: _____