



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, Colorado 80203

July 31, 2015

Frank Leone, Jr.
Leone Sand and Gravel, LLC
2400 E. Main St.
Trinidad, CO 81082

**Re: Leone Gravel Pit #2, Permit No. M-2006-085, Comments Received in Response to 112c
Amendment Application (Revision No. AM-01)**

Mr. Leone:

The Division of Reclamation, Mining, and Safety (Division) received comments in response to your 112c permit amendment application (Revision No. AM-01) that was filed on May 12, 2015. These comments were received before the public comment period ended on June 25, 2015, and are enclosed for your review.

If you have any questions, please contact me at the Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203, by telephone at 303-866-3567, extension 8129, or by email at amy.eschberger@state.co.us.

Sincerely,

Amy Eschberger
Environmental Protection Specialist

Enclosure(s): History Colorado comment, received 05/19/2015
Colorado Parks and Wildlife comment, received 06/10/2015
Colorado Division of Water Resources comment, received 06/15/2015

CC: Steve O'Brian
Environment, Inc.
7985 Vance Dr., #205A
Arvada, CO 80003

Wally Erickson, DRMS



AME
WHE



May 19, 2015

TO Amy Eschberger
Environmental Protection Specialist
Division of Reclamation, Mining and Safety
1313 Sherman Street, Room 215
Denver, CO 80203

Re: Notice of 112 Construction Materials Reclamation Permit Amendment Application
Consideration Leone Sand & Gravel LLC, Leone Gravel Pit #2 Permit No. M-2006-085 - Am01
(SHPO Project #68184)

Dear Ms. Eschberger:

Thank you for your correspondence dated May 13, 2015 (received by our office on May 18, 2015) regarding the subject project.

A search of the Colorado Cultural Resource Inventory database indicated that no cultural resource inventories have taken place in the vicinity of the proposed project area and no historic properties have been recorded within the subject property. However, our files contain incomplete information for this area, as most of Colorado has not been inventoried for cultural resources. As a result, there is the possibility that as yet unidentified cultural resources exist within the proposed project area.

Should human remains be discovered during the proposed project activities, the requirements under State law C.R.S. 24-80 (part 13) apply and must be followed.

Thank you for the opportunity to comment. If we may be of further assistance, please contact Todd McMahon, Staff Archaeologist at (303) 866-4607/ todd.mcmahon@state.co.us or Dan Corson, Intergovernmental Services Director at (303) 866-2673/ dan.corson@state.co.us.

Sincerely,

Edward C. Nichols
State Historic Preservation Officer
ECN/TCM

AMS
WHE



COLORADO

Parks and Wildlife

Department of Natural Resources

Pueblo Service Center - Area 11
600 Reservoir Road
Pueblo, CO 81005
P 719.561.5300 | F 719.561.5321

June 10, 2015

Amy Eschberger
Division of Reclamation Mining and Safety
1313 Sherman St, Room 215
Denver, CO 80203

RECEIVED
JUN 10 2015
DIVISION OF RECLAMATION
MINING AND SAFETY

RE: Notice of 112 Construction Materials Reclamation Permit Amendment Application
Consideration Leone Sand & Gravel LLC, Leone Gravel Pit #2, Permit No. M-2006-085-AM01

Dear Amy Eschberger:

Colorado Parks and Wildlife (CPW) would like to thank you for the opportunity to comment on the gravel pit being proposed by Leone Sand & Gravel, LLC. The general location of the proposed gravel pit is east of Trinidad on property owned by Biber Family. This request was forwarded to Trinidad East District Wildlife Manager Jacob Way for evaluation and comments.

The area can best be categorized as short grass prairie transitioning into several hills. The focus of the impacted area will be on several hill tops expanding the present pit #2 operated by Leone Sand & Gravel. Wildlife species that may be commonly found in the proposed and surrounding areas are pronghorn, mule deer, scaled quail, western rattle snake, bull snake, black tailed prairie dog, burrowing owl, as well as other various raptor and song bird species. There are no known active black tailed prairie dog colonies within the boundaries of the proposed area. There are also no known state or federal threatened or endangered species occupying the site.

Disturbance to the short grass prairie habitat will occur due to the proposed action; however this disturbance can be reduced if some recommendations are followed.

- Care should be taken in the design and construction of access roads to the site to minimize erosion, taking into account proper drainage and sloping of road cuts. Slopes should be seeded with a native seed mix and monitored for successful vegetation establishment.
- A stockpile of the removed topsoil should be set aside for reclamation purposes. This stockpile should also be temporarily seeded to minimize erosion losses, and then spread over the mined area prior to seeding with native grasses, forbs, and shrubs.
- The site should be sloped to approximate contours that existed prior to mining.
- It is recommended that livestock be excluded from the site until such time as the site is released and the bond returned. This will help ensure vegetation reestablishment.



- A noxious weed plan should also be developed and implemented to eliminate the establishment of invasive noxious weeds throughout the mining period.
- Should black tailed prairie dogs be found, it is recommended to avoid those areas to keep from impacting an obligate species, the burrowing owl, which is listed as a state threatened species.
- Mined areas should be reclaimed when moving from one phase of the mining operation to another.

Colorado Parks and Wildlife would like to thank you for the opportunity to comment on this issue. If you have any questions, do not hesitate to contact me or DWM Jacob Way at 719-680-1412.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mike Trujillo".

Mike Trujillo

Area Wildlife Manager

Colorado Parks and Wildlife

719-561-5300



COLORADO

Division of Water Resources

Department of Natural Resources

Office of the State Engineer
1313 Sherman St, Suite 818
Denver, CO 80203

Response to Reclamation Permit Amendment Application Consideration

DATE: June 15, 2015
TO: Amy Eschberger, Environmental Protection Specialist
CC: Division 2 Office; District 19 Water Commissioner
FROM: Caleb Foy, P.E.
RE: Leone Gravel Pit #2, File No. M-2006-085
Operator: Leone Sand & Gravel LLC
Contact: Steve O'Brian, (303) 846-4170
Sec.29, Twp. 32S, Rng. 62W, Sixth P.M., Las Animas County

CONDITIONS FOR APPROVAL

- ☒ The proposed operation does not anticipate exposing groundwater. Therefore, exposure of ground water must not occur during or after mining operations. If stormwater is contained on-site, it must infiltrate into the ground or be released to the natural stream system within 72 hours, or all work must cease until a substitute water supply plan, or augmentation plan approved by water court, is obtained. Reclamation plans must ensure water will not be retained onsite for more than 72 hours unless an augmentation plan approved by water court is obtained.

COMMENTS: N/A

