



**COLORADO**

**Division of Reclamation,  
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

November 23, 2015

Bob Beltramo  
Tony J. Beltramo and Sons, Inc.  
1541 Stockyard Road  
Pueblo, CO 81001

Mark Carmel  
Carmel Management Company  
1088 South Lynx Drive  
Pueblo West, CO 81007

**Re: Cesar Pit, DRMS File No. M-1998-101,  
Construction Materials Reclamation Permit Amendment No. 1 (AM-01),  
Incompleteness**

Dear Mr. Carmel and Mr. Beltramo:

On November 18, 2015, the Division of Reclamation, Mining and Safety (Division) received your 112 Construction Materials Reclamation Permit Amendment Application No. 1 (AM-01) package for the Cesar Pit, DRMS Permit No. M-1998-101. On November 23, 2015, the Division determined that the following items must be received before the Division can consider your application as being submitted and technical review can begin:

**Application form**

- 1) The amendment application form indicated that the new total permit acreage will be 160 acres. The Reclamation Plan Map submitted in this packet indicated that there are approximately 207.1 acres within the new amended permit boundary. Please clarify and/or correct on the application form, the new amended permit acreage (old permit acreage plus areas being added through this amendment).

**EXHIBIT B - Index Map (Rule 6.4.2)**

- 2) The map submitted for this exhibit depicts the original permit boundary from the 1998 permit. Please submit an index map showing the regional location of the new amended permit acreage (old permit acreage plus areas being added through the amendment) and all roads and other access to the area. A standard U.S. Geological Survey topographic quadrangle or equivalent is acceptable. Scale criteria need not be followed for this map.



**EXHIBIT C - Pre-mining and Mining Plan Map(s) of Affected Lands (Rule 6.4.3)**

- 3) The maps submitted for this exhibit depicts the original permit boundary from the 1998 permit. The new maps submitted with the amendment application shall illustrate the new amended permit acreage (old permit acreage plus areas being added in this amendment). Please submit one or more maps to legibly portray the following information:
- a. all immediately adjacent surface owners of record;
  - b. the name and location of all creeks, roads, buildings, oil and gas wells and lines, and power and communication lines on the area of affected land and within two hundred (200) feet of all boundaries of such area;
  - c. the existing topography of the area with contour lines of sufficient detail to portray the direction and rate of slope of the affected land;
  - d. the total area to be involved in the operation, including the area to be mined and the area of affected lands (see definition of "Affected Land");
  - e. the type of present vegetation covering the affected lands; and
  - f. in conjunction with Exhibit G - Water Information, Subsection 6.4.7, if required by the Office, further water resources information will be presented on a map in this section.
  - g. Show the owner's name, type of structures, and location of all permanent or man-made structures contained on the area of affected land and within two hundred (200) feet of the affected land.
  - h. In conjunction with Exhibit I - Soils Information, Subsection 6.4.9, soils information may be presented on a map in this section;
  - i. Aerial photos, if available, may be included in this section.

**EXHIBIT F - Reclamation Plan Map (Rule 6.4.6)**

- 4) One of the maps submitted for this exhibit depicts the original permit boundary submitted in the 1998 application. The new map submitted with the amendment application shall illustrate the new amended permit acreage (old permit acreage plus areas being added in this amendment). Please submit map(s) of the proposed affected land, by all phases of the total scope of the mining operation, shall indicate the following:

- a. The expected physical appearance of the area of the affected land, correlated to the proposed mining and reclamation timetables. The map must show proposed topography of the area with contour lines of sufficient detail to portray the direction and rate of slope of all reclaimed lands; and
- b. Portrayal of the proposed final land use for each portion of the affected lands.

**EXHIBIT L - Reclamation Costs (Rule 6.4.12)**

- 5) Please submit all information necessary to calculate the costs of reclamation must be submitted and broken down into the various major phases of reclamation (backfilling, grading, replacing topsoil and seeding). You must provide sufficient information to calculate the cost of reclamation that would be incurred by the state.

**EXHIBIT Q - Proof of Mailing of Notices to Soil Conservation District (Rule 6.4.17)**

- 6) The Turkey Creek Conservation District was the recipient of the required notice. The Division believes that the Cesar Pit is located within the South Pueblo County Conservation District. The Division made this determination based on maps available from the Colorado Department of Agriculture's website <https://www.colorado.gov/pacific/agconservation/conservationboard>. Please submit proof of actual delivery or proof of mailing by Certified Mail, return receipt requested, of Notice of the amendment application to the South Pueblo County Soil Conservation District.

**EXHIBIT R - Proof of Filing with County Clerk and Recorder (Rule 6.4.18)**

- 7) Please note that any changes or additions to the amendment application on file in our office must also be reflected in the public review copy, which has been placed with the Pueblo County Clerk and Recorder. You must submit an affidavit or receipt indicating the date on which the application or changes to that application was placed with the local County Clerk and Recorder.

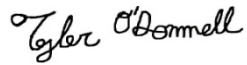
Your application will not be considered submitted until the information listed above is received and found sufficient to begin our review. A decision date will be established 90 days from the date of receipt of all of the requested information. You have sixty (60) days from the above date to submit all necessary documents that the Division needs for an application to be considered filed. If, at the end of the 60 day period, the application has not been determined to be filed with the Division, the Division shall deny the application and terminate the application file.

This letter shall not be construed to mean that there are no other technical deficiencies in your application. The Division will review your application to determine whether it is adequate to meet the requirements of the Act after submittal of all required items.

Bob Beltramo and Mark Carmel  
Tony J. Beltramo and Sons, Inc.  
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If you need additional information please contact me at the Division of Reclamation, Mining and Safety, 1313 Sherman St., Room 215, Denver, CO 80203, by telephone at 303-866-3567, extension 8131, or by email at [Tyler.ODonnell@state.co.us](mailto:Tyler.ODonnell@state.co.us).

Sincerely,

A handwritten signature in black ink that reads "Tyler O'Donnell". The signature is written in a cursive, flowing style.

Tyler O'Donnell  
Environmental Protection Specialist

cc: Wally Erickson, DRMS