

TOD



COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources

1313 Sherman St. Room 215  
Denver, CO 80203

TO: Various

✓ June 15, 2016

John P. Ary  
Fremont Paving & Redi-Mix, Inc.  
839 MacKenzie Avenue  
P.O. Box 841  
Canon City, CO 81212

Re: **Pueblo County Aggregate Project, File No. M-2016-009,**  
✓ **Receipt of Amendment to a 112 Construction Materials Reclamation Permit Application in Review**

Dear Mr. Ary:

On June 14, 2016, the Division of Reclamation, Mining and Safety received your Amendment to a 112 Construction Materials Reclamation Permit application in review for the Pueblo County Aggregate Project, which is located in Pueblo County. All comment and review periods began on June 14, 2016. The decision date for your application is scheduled for September 12, 2016.

Within ten (10) days after submittal, you must publish notice in a newspaper of general circulation in the locality of the proposed mining operation once a week for four (4) consecutive weeks. Immediately after the first publication, mail a copy of the notice to all owners of record of surface and mineral rights, holders of any recorded easements, and all owners of record of lands that are within 200 feet of the boundary of the affected land. Proof of notice and mailings, such as Certified Mail - Return Receipt Requested, must be submitted to the Division of Reclamation, Mining and Safety prior to the decision date. Additionally, any changes or additions to the 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.

The Division is reviewing your application to determine whether it is adequate to meet the requirements of the Act. We will contact you if additional information is needed.

Please be reminded that all operators must contact the Colorado Department of Health, Water Quality Control Division regarding storm water permits.

If you have any questions, please contact me.

Sincerely,

Tyler V. O'Donnell  
Environmental Protection Specialist

M-AP-08





## COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

June 15, 2016

Air Pollution Control Division  
Colorado Dept of Public Health/ Environment  
4300 Cherry Creek Drive South  
Denver, CO 80246-1530

**RE: Notice of an Amendment to a 112 Construction Materials Reclamation Permit Application  
in Review Consideration  
Fremont Paving & Redi-Mix, Inc., Pueblo County Aggregate Project, File No. M-2016-009**

Please be advised that on June 14, 2016, Fremont Paving & Redi-Mix, Inc., whose address and telephone number are 839 MacKenzie Avenue, P.O. Box 841, Canon City, CO 81212; (719)-275-1289, filed an Amendment to application in review to conduct Surface extraction of construction materials and reclamation, at or near Section 25, Township 21S, Range 63 W, 06th Principal Meridian, in Pueblo County. Please be advised that the permit area may be located in more than one Section, Township, and Range. The application decision is scheduled for September 12, 2016.

A copy of the application is available for review at the Pueblo County Clerk & Recorder's office and at the office of the Division of Reclamation, Mining and Safety, Room 215, 1313 Sherman Street, Denver, Colorado 80203.

If you desire to make comments or objections, they must be submitted within twenty (20) days of the date of the last newspaper public notice to be considered in the application review process by the Division. You should contact the applicant for the newspaper publication date. If we do not receive your comments or any objection by the end of the public comment period, the Office will assume you have no objection or comment to the proposed activity.

If you have any questions, please contact me.

Sincerely,

Tyler V. O'Donnell  
Environmental Protection Specialist

M-AP-09





## COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

June 15, 2016

Pueblo County Commissioners  
County Commissioner  
10th & Main  
Pueblo, CO 81003-2889

**RE: Notice of an Amendment to a 112 Construction Materials Reclamation Permit Application  
in Review Consideration  
Fremont Paving & Redi-Mix, Inc., Pueblo County Aggregate Project, File No. M-2016-009**

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If you have any questions, please contact me.

Sincerely,

Tyler V. O'Donnell  
Environmental Protection Specialist

M-AP-09





## COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

June 15, 2016

Mark Tobias  
Office of Archaeology & Historic Preservation  
History Colorado Center  
1200 Broadway  
Denver, CO 80203

**RE: Notice of an Amendment to a 112 Construction Materials Reclamation Permit Application  
in Review Consideration  
Fremont Paving & Redi-Mix, Inc., Pueblo County Aggregate Project, File No. M-2016-009**

Dear Mr. Tobias:

Please be advised that on June 14, 2016, Fremont Paving & Redi-Mix, Inc., whose address and telephone number are 839 MacKenzie Avenue, P.O. Box 841, Canon City, CO 81212; (719)-275-1289, filed an Amendment to application in review to conduct Surface extraction of construction materials and reclamation, at or near Section 25, Township 21S, Range 63 W, 06th Principal Meridian, in Pueblo County. Please be advised that the permit area may be located in more than one Section, Township, and Range. The application decision is scheduled for September 12, 2016.

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If you have any questions, please contact me.

Sincerely,

Tyler V. O'Donnell  
Environmental Protection Specialist

M-AP-09





## COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

June 15, 2016

Peter Milonas  
State Board of Land Commissioners  
Department of Natural Resources  
1127 Sherman Street, Suite 300  
Denver, CO 80203-2206

**RE: Notice of an Amendment to a 112 Construction Materials Reclamation Permit Application  
in Review Consideration  
Fremont Paving & Redi-Mix, Inc., Pueblo County Aggregate Project, File No. M-2016-009**

Dear Mr. Milonas:

Please be advised that on June 14, 2016, Fremont Paving & Redi-Mix, Inc., whose address and telephone number are 839 MacKenzie Avenue, P.O. Box 841, Canon City, CO 81212; (719)-275-1289, filed an Amendment to application in review to conduct Surface extraction of construction materials and reclamation, at or near Section 25, Township 21S, Range 63 W, 06th Principal Meridian, in Pueblo County. Please be advised that the permit area may be located in more than one Section, Township, and Range. The application decision is scheduled for September 12, 2016.

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If you have any questions, please contact me.

Sincerely,

Tyler V. O'Donnell  
Environmental Protection Specialist

M-AP-09





## COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

June 15, 2016

Dan Prenzlów  
Colorado Parks and Wildlife  
Southeast Region Manager  
SE Region Administrative Office  
4255 Sinton Rd.  
Colorado Springs, CO 80907-4233

**RE: Notice of an Amendment to a 112 Construction Materials Reclamation Permit Application  
in Review Consideration  
Fremont Paving & Redi-Mix, Inc., Pueblo County Aggregate Project, File No. M-2016-009**

Dear Mr. Prenzlów:

Please be advised that on June 14, 2016, Fremont Paving & Redi-Mix, Inc., whose address and telephone number are 839 MacKenzie Avenue, P.O. Box 841, Canon City, CO 81212; (719)-275-1289, filed an Amendment to application in review to conduct Surface extraction of construction materials and reclamation, at or near Section 25, Township 21S, Range 63 W, 06th Principal Meridian, in Pueblo County. Please be advised that the permit area may be located in more than one Section, Township, and Range. The application decision is scheduled for September 12, 2016.

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If you have any questions, please contact me.

Sincerely,

Tyler V. O'Donnell  
Environmental Protection Specialist

M-AP-09





## COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

June 15, 2016

Pueblo County Dept. of Planning & Development  
ATTN: Joan Armstrong  
229 W. 12th St.  
Pueblo, CO 81003-2810

**RE: Notice of an Amendment to a 112 Construction Materials Reclamation Permit Application  
in Review Consideration  
Fremont Paving & Redi-Mix, Inc., Pueblo County Aggregate Project, File No. M-2016-009**

Dear Ms. Armstrong:

Please be advised that on June 14, 2016, Fremont Paving & Redi-Mix, Inc., whose address and telephone number are 839 MacKenzie Avenue, P.O. Box 841, Canon City, CO 81212; (719)-275-1289, filed an Amendment to application in review to conduct Surface extraction of construction materials and reclamation, at or near Section 25, Township 21S, Range 63 W, 06th Principal Meridian, in Pueblo County. Please be advised that the permit area may be located in more than one Section, Township, and Range. The application decision is scheduled for September 12, 2016.

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If you have any questions, please contact me.

Sincerely,

Tyler V. O'Donnell  
Environmental Protection Specialist

M-AP-09





## COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

June 15, 2016

Ed Angelovich  
Board of Supervisors - Soil Conservation District  
South Pueblo County Conservation Dist.  
200 S. Santa Fe Ave. 4th Floor  
Pueblo, CO 81003

**RE: Notice of an Amendment to a 112 Construction Materials Reclamation Permit Application  
in Review Consideration  
Fremont Paving & Redi-Mix, Inc., Pueblo County Aggregate Project, File No. M-2016-009**

Dear Mr. Angelovich:

Please be advised that on June 14, 2016, Fremont Paving & Redi-Mix, Inc., whose address and telephone number are 839 MacKenzie Avenue, P.O. Box 841, Canon City, CO 81212; (719)-275-1289, filed an Amendment to application in review to conduct Surface extraction of construction materials and reclamation, at or near Section 25, Township 21S, Range 63 W, 06th Principal Meridian, in Pueblo County. Please be advised that the permit area may be located in more than one Section, Township, and Range. The application decision is scheduled for September 12, 2016.

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If you have any questions, please contact me.

Sincerely,

Tyler V. O'Donnell  
Environmental Protection Specialist

M-AP-09







## COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

June 15, 2016

Janet Kieler  
Colo. Dept. of Public Health & Environment  
Water Quality Control Division Permit Section  
4300 Cherry Creek Drive South  
Denver, CO 80246-1530

**RE: Notice of an Amendment to a 112 Construction Materials Reclamation Permit Application  
in Review Consideration  
Fremont Paving & Redi-Mix, Inc., Pueblo County Aggregate Project, File No. M-2016-009**

Dear Ms. Kieler:

Please be advised that on June 14, 2016, Fremont Paving & Redi-Mix, Inc., whose address and telephone number are 839 MacKenzie Avenue, P.O. Box 841, Canon City, CO 81212; (719)-275-1289, filed an Amendment to application in review to conduct Surface extraction of construction materials and reclamation, at or near Section 25, Township 21S, Range 63 W, 06th Principal Meridian, in Pueblo County. Please be advised that the permit area may be located in more than one Section, Township, and Range. The application decision is scheduled for September 12, 2016.

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Sincerely,

Tyler V. O'Donnell  
Environmental Protection Specialist

M-AP-09





## COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

June 15, 2016

Colorado Division of Water Resources  
Department of Natural Resources  
1313 Sherman Street, Room 818  
Denver, CO 80203

**RE: Notice of an Amendment to a 112 Construction Materials Reclamation Permit Application  
in Review Consideration  
Fremont Paving & Redi-Mix, Inc., Pueblo County Aggregate Project, File No. M-2016-009**

Dear Ms. Johnson:

Please be advised that on June 14, 2016, Fremont Paving & Redi-Mix, Inc., whose address and telephone number are 839 MacKenzie Avenue, P.O. Box 841, Canon City, CO 81212; (719)-275-1289, filed an Amendment to application in review to conduct Surface extraction of construction materials and reclamation, at or near Section 25, Township 21S, Range 63 W, 06th Principal Meridian, in Pueblo County. Please be advised that the permit area may be located in more than one Section, Township, and Range. The application decision is scheduled for September 12, 2016.

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Sincerely,

Tyler V. O'Donnell  
Environmental Protection Specialist

M-AP-09





## COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

June 15, 2016

Van Truan  
U.S. Army Corps of Engineers  
Southern Regulatory Office  
200 S Santa Fe Ave Ste 301  
Pueblo, CO 81003

**RE: Notice of an Amendment to a 112 Construction Materials Reclamation Permit Application  
in Review Consideration  
Fremont Paving & Redi-Mix, Inc., Pueblo County Aggregate Project, File No. M-2016-009**

Dear Mr. Truan:

Please be advised that on June 14, 2016, Fremont Paving & Redi-Mix, Inc., whose address and telephone number are 839 MacKenzie Avenue, P.O. Box 841, Canon City, CO 81212; (719)-275-1289, filed an Amendment to application in review to conduct Surface extraction of construction materials and reclamation, at or near Section 25, Township 21S, Range 63 W, 06th Principal Meridian, in Pueblo County. Please be advised that the permit area may be located in more than one Section, Township, and Range. The application decision is scheduled for September 12, 2016.

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If you have any questions, please contact me.

Sincerely,

Tyler V. O'Donnell  
Environmental Protection Specialist

M-AP-09



# 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  
FAX: (303) 832-8106



### CONSTRUCTION MATERIALS REGULAR (112) OPERATION RECLAMATION PERMIT APPLICATION FORM

CHECK ONE: ☐ There is a File Number Already Assigned to this Operation

Permit # M - - - - (Please reference the file number currently assigned to this operation)

☐  
☐  
☐

New Application (Rule 1.4.5)



Amendment Application (Rule 1.10)

Conversion Application (Rule 1.11)

Permit # M - 2016 009 (provide for Amendments and Conversions of existing permits)

The application for a Construction Materials Regular 112 Operation Reclamation Permit contains three major parts: (1) the application form; (2) Exhibits A-S, Addendum 1, any sections of Exhibit 6.5 (Geotechnical Stability Exhibit; and (3) the application fee. When you submit your application, be sure to include one (1) complete signed and notarized ORIGINAL and one (1) copy of the completed application form, two (2) copies of Exhibits A-S, Addendum 1, appropriate sections of 6.5 (Geotechnical Stability Exhibit, and a check for the application fee described under Section (4) below. Exhibits should NOT be bound or in a 3-ring binder; maps should be folded to 8 1/2" X 11" or 8 1/2" X 14" size. To expedite processing, please provide the information in the format and order described in this form.

#### GENERAL OPERATION INFORMATION

Type or print clearly, in the space provided, ALL information requested below.

1. Applicant/operator or company name (name to be used on permit): Fremont Paving & Redi-Mix Inc.
  - 1.1 Type of organization (corporation, partnership, etc.): corporation
2. Operation name (pit, mine or site name): Pueblo County Aggregate Project
3. Permitted acreage (new or existing site): 1471 permitted acres
  - 3.1 Change in acreage (+) 46 acres
  - 3.2 Total acreage in Permit area 1517 acres
4. Fees:

4.1 New Application	<u>\$2,696.00</u>	application fee
4.2 New Quarry Application	<u>\$3,342.00</u>	quarry application
4.4 Amendment Fee	<u>\$2,229.00</u>	amendment fee
4.5 Conversion to 112 operation (set by statute)	<u>\$2,696.00</u>	conversion fee
5. Primary commodity(ies) to be mined: gravel sand
  - 5.1 Incidental commodity(ies) to be mined:
    1. NA - lbs/Tons/yr
    2. / lbs/Tons/yr
    3. / lbs/Tons/yr
    4. / lbs/Tons/yr
    5. / lbs/Tons/yr
  - 5.2 Anticipated end use of primary commodity(ies) to be mined: construction material
  - 5.3 Anticipated end use of incidental commodity(ies) to be mined: NA

## 6.4.1 Exhibit A Legal Description

Fremont Paving's 44<sup>th</sup> Lane Project is located in eastern Pueblo County, Colorado, within the Pueblo County 2016 Gravel Crushing Project Area #2 (Figure follows). The mine area will be accessed by two private haul roads in order to minimize impact to county roads. The haul road construction design is included in Exhibit D. The North Haul Road exits the mine area at the northeast corner and proceeds north to CO State Hwy 50. The Southwest Haul Road exits the mine area at the southwest corner and proceeds west to Pueblo County's designated commercial vehicle route, 36<sup>th</sup> Lane.

The project mine permit boundary encompasses approximately 1471 acres and is comprised of eight parcels, five (5) privately owned and three (3) owned by the State of Colorado.

### State of Colorado Parcels:

- A portion of Lots 3 & 4, East ½ of the Southwest ¼, West ½ of the Southeast ¼ of Section 19, Township 21 South, Range 62 West (235.41 acres);
- A portion of Lots 1-4, West ½ of the Northeast ¼, East ½ of the West ½ and Southeast ¼ of Section 30 Township 21 South, Range 62 West (552.04 acres);
- A portion of the South ½ and Southwest ¼ of the Northwest ¼ of Section 25, Township 21 South, Range 63 West (360 acres).

### Pritekel Brothers Farm LLC Parcels:

- North ½ of the Northwest ¼ and Northwest ¼ of the Northeast ¼ of Section 25, Township 21 South, Range 63 West (120 acres);
- A portion of the South ½ of the Northwest ¼, Southwest ¼ of the Northeast ¼, Southwest ¼, West ½ of Southeast ¼ of Section 24, Township 21 South, Range 63 West (360 acres).

### Danny J and Cindy L Henrichs Parcels:

- A portion of the East ½ of the Southeast ¼ of Section 24, Township 21 South, Range 63 West (80 acres);
- East ½ of the Northeast ¼ of Section 25, Township 21 South, Range 63 West (80 acres);
- Southeast ¼ of the Northwest ¼ and the Southwest ¼ of the Northeast ¼ of Section 25, Township 21 South, Range 63 West (80 acres).

### The North Haul Road

Fremont proposes access to Olson Road and CO Hwy 50. Mine employees and vendor access is proposed at Olson Road, northeast of the subject property at 38°12'46.88"N, 104°21'50.17"W. Haul trucks will access at CO Hwy 50 at 38°14'11.55"N, 104°21'49.56"W

Sixty foot wide road easement agreements were secured from the following property owners and across the following parcel descriptions:

- Tom Bregar - West of Bessemer Ditch in the West ½ of the Northwest ¼ and the East ½ of the West ½ of the Northwest ¼ of Section 20, Township 21 South, Range 62 West.
- Centa Land Co., LLC - Lot 2 in the Southwest ¼ of Section 7 Township 21 South, Range 62 West; Lots 30, 31, 32, 33, 40, 41, 48, 49, 54 and 55 of Frederica Mesa.
- BL & KJH, LLC - Blocks 62 and 69 in Sections 17 and 18, Township 21 South, Range 62 West.
- Dan Henrichs - East ½ of the Southeast ¼ of Section 19 Township 21 South, Range 62 West.

### Southwest Haul Road

Fremont proposes access to 40<sup>th</sup> Lane and 36<sup>th</sup> Lane. Mine employees and vendor access is proposed at 40<sup>th</sup> Lane, southwest of the subject property at 38°11'00.02"N, 104°25'23.99"W. Haul trucks will access at 36<sup>th</sup> Lane 38°10'57.76"N, 104°27'35.62"W, Pueblo County's designated truck route.

Road easement agreements were secured from the following property owners and across the following parcel descriptions:

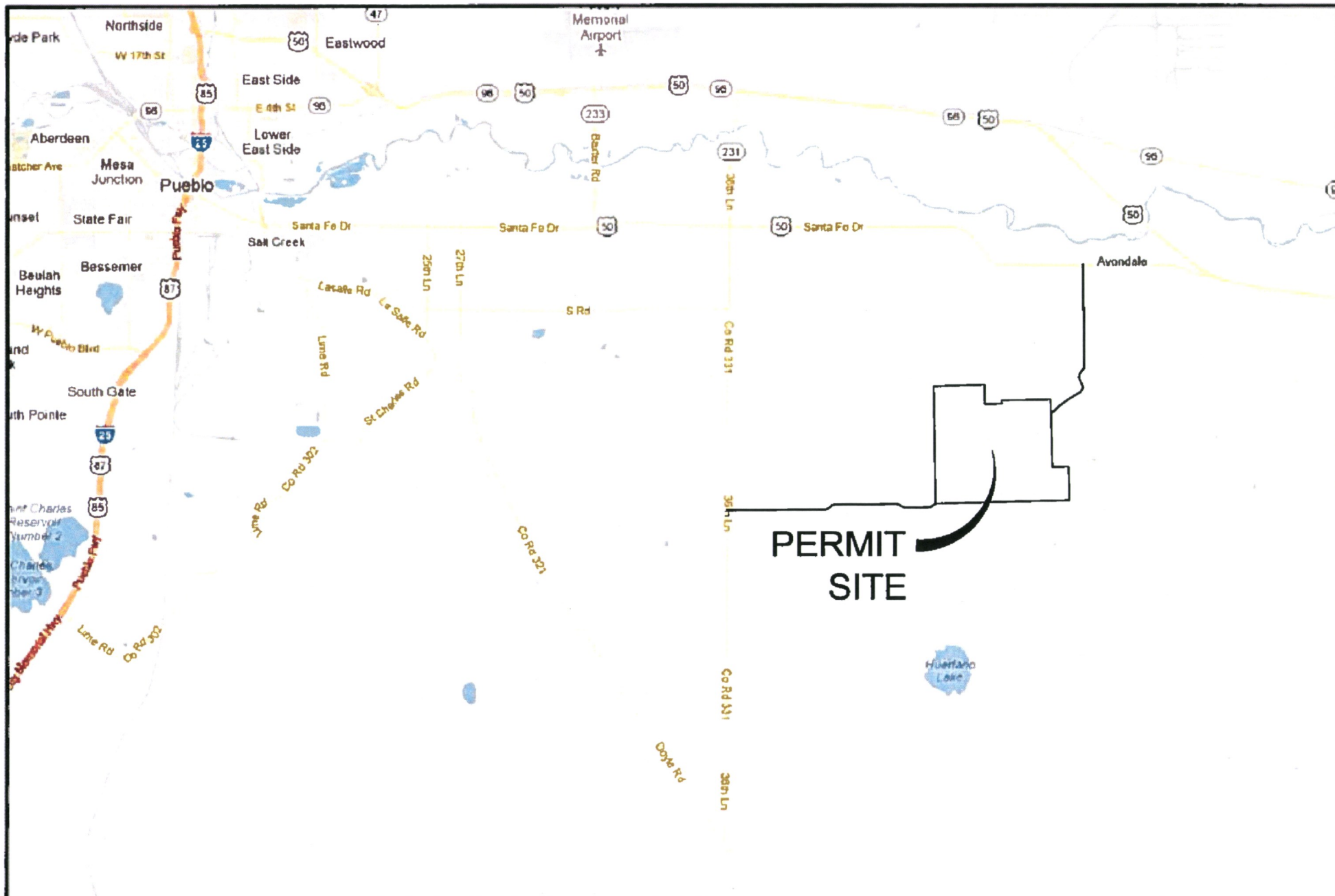
- Douglas Thacker - NE ¼ of Section 34 Township 21 South, Range 63 West.
- State of Colorado - All of Section 36 and contiguous 320 acres in Section 35 Township 21 South, Range 63 West.

Fremont has options to purchase the following property:

- From Martin Valadez - South 780 feet of North 2640 feet of Northwest ¼ of Section 35 and West 20 acres of the South 780 feet of the North 2640 feet of the Northwest ¼ of Section 35 Township 21 South, Range 63 West.
- From Pikes Peak Home Center Inc. - North ½ of the Northwest ¼ of Section 34 and the North ½ and Southwest ¼ of Section 33 Township 21 South, Range 63 West.

All land descriptions are in Pueblo County, Colorado and are based on the 6<sup>th</sup> Prime Meridian.

## **6.4.2 Exhibit B Index Map**



SHEET 1  
OF 1

DATE: JUNE 2016

REGULAR 112 PERMIT  
PUEBLO COUNTY AGGREGATE PROJECT  
PUEBLO COUNTY

EXHIBIT B  
VICINITY MAP

SCALE: 1" = 10000'

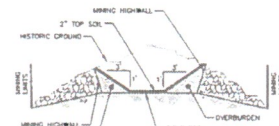


1. THE PROPOSED FISH LAMP USE FOR THE FUTURE COUNTY WAGGLATE PROJECT IS FANGLAND
2. EXHIBIT F-10 PROVIDES MORE DETAILED INFORMATION FOR THE RECLAMATION WORK WITH THE PROPOSED PERMIT BOUNDARY
3. RECLAMATION NEED IN SIZE SHALL BE CREATED FROM BACFILL WITH OVERBURDEN AND IS NECESSARY A COMBINATION OF "T" AND "FILL" SO AS TO PREVENT OVERBURDEN FROM USE IN ESTABLISHING A PLANT GROWTH-MEDIUM ELSEWHERE IN THE RECLAMATION
4. ALL RECLAIMED SHALL BE GRADED TO 3" OR 4" OR FLATTER AND TO RETURN TO HISTORIC CHANNEL PATTERNS
5. AVAILABLE TOPSOIL OR OVERBURDEN MATERIAL WILL BE USED FOR BACKFILLING A MINIMUM OF 2" TO 4" OF GROWTH-MEDIUM WILL BE PLACED FROM TO SEEDING DURING FINAL RECLAMATION
6. THE SEED MIXTURE FOR THE PROPOSED PERMIT AREA IS LISTED BELOW

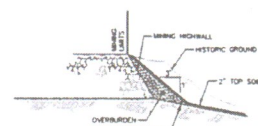
Rates are for drill seeding. If broadcast seeding is used, double seeding rates.



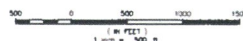
MINING SECTION A (CROSSED HATCH)



MINING SECTION C (DIAGONAL HATCH)



MINING SECTION B (SOLID HATCH)



LEGEND:

PERMIT BOUNDARY

PROPOSED MAIN ROAD

PROPOSED MINING LIMITS

EXISTING PARCELS

EXISTING CROWN

EXISTING GAS LINE

EXISTING OVERHEAD ELECTRIC

EXISTING EASEMENT

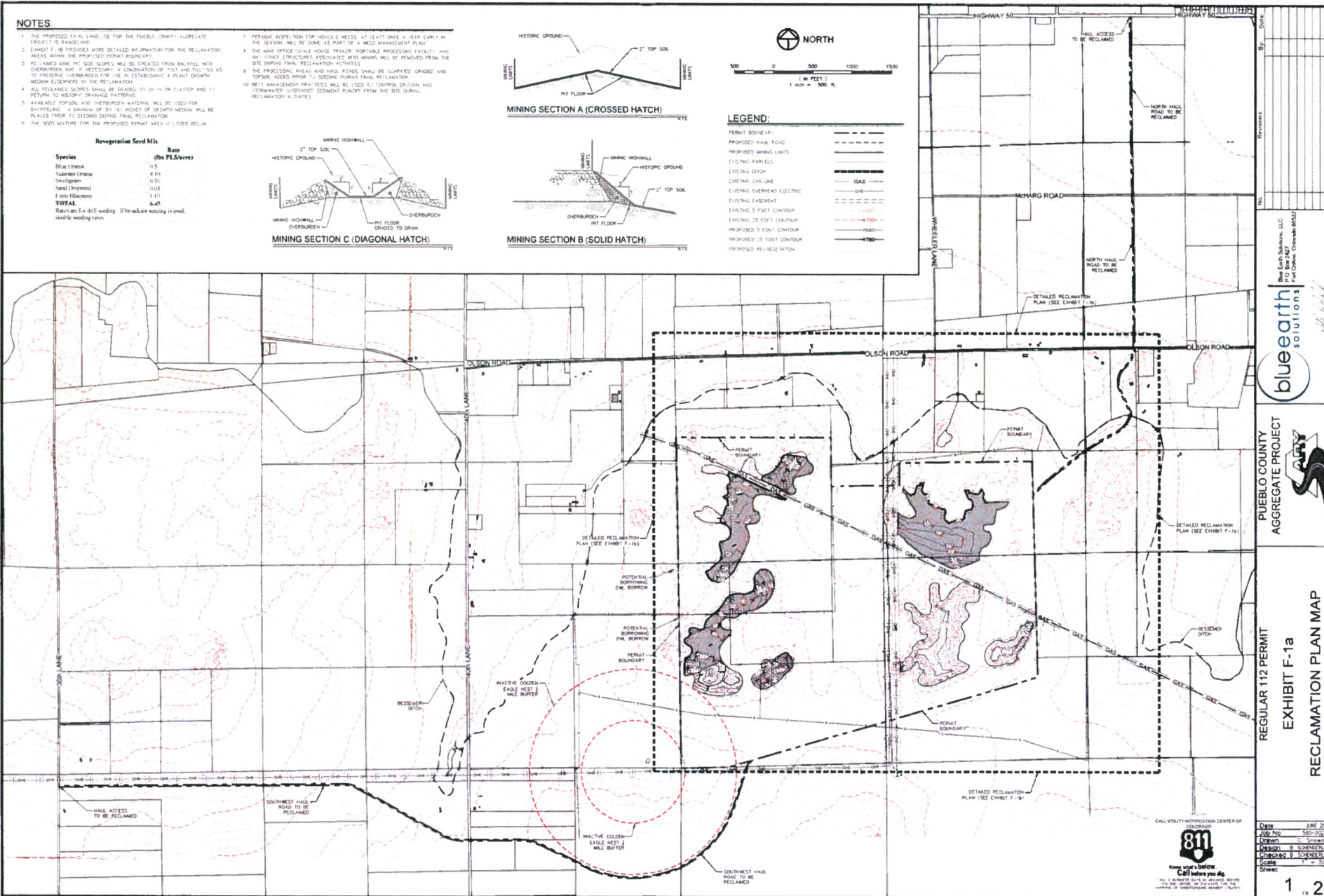
EXISTING 5 FOOT CONTOUR

EXISTING 25 FOOT CONTOUR

PROPOSED 5 FOOT CONTOUR

PROPOSED 25 FOOT CONTOUR

PROPOSED RE-VEGETATION

[illegible]

Blue Earth Solutions, LLC  
P.O. Box 2427  
Fort Collins, Colorado 80527



**PUEBLO COUNTY  
AGGREGATE PROJECT**

REGULAR 112 PERMIT  
EXHIBIT F-1a  
RECLAMATION PLAN MAP

Date	JUL 20
Job No.	590-002
Drawn	C. SNOEDER
Design	B. SCHNEIDER
Checked	B. SCHNEIDER
Scale	1" = 5'
Sheet	1 of 2

Date: JUNE 21  
Job No: 590-002  
Drawn: C. SNEDECOR  
Design: B. SCHNEIDER  
Checked: B. SCHNEIDER  
Scale: 1" = 50'  
Sheet: 1 of 2