

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

FREE USE APPLICATION AND PERMIT
VEGETATIVE OR MINERAL MATERIAL

FORM APPROVED
OMB NO. 1004-0001
Expires: June 30, 2013

Permit Number
COC-075940

Expiration Date
10/01/2020

District
Royal Gorge Field Office

APPLICATION

Name of applicant
Fremont County

Address (include zip code) FCDOT
1170 Red Canyon Road
Canon City, CO 81212

Kind of material Sand and Gravel/Roadbase

Estimated quantity 150,000 tons

Give legal land description

TOWNSHIP	RANGE	SECTION	SUBDIVISION
19 S	73 W	19	NE;
19S	73W	19	SE;

State of Colorado

County of Fremont

Materials are to be used for Construction and maintenance of county roads

I HEREBY AGREE TO COMPLY WITH the special conditions as set forth below. I CERTIFY That the: (a) materials to be removed are to be used for the purpose noted above; (b) none of the materials removed are to be sold or bartered; (c) removal of materials can begin only upon receipt of an approved copy of this permit; and, (d) the Bureau of Land Management (BLM) must be notified upon completion of removal.

I CERTIFY That I am a citizen of the United States, and of the age of majority in the State in which I reside.

I FURTHER CERTIFY That the statements made by me in this application are true, complete, and correct to the best of my knowledge and belief and are made in good faith.

5/26/15

(Date)

Tony Alpmuec

(Signature of Applicant)

Title 18 U.S.C. Section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.

PERMIT

SPECIAL CONDITIONS

This permit is hereby issued for the materials applied for but may be canceled if it appears that this permit was issued erroneously or the terms or conditions contained herein are not observed. It will be subject to the following special conditions:

See attached conditions.

Conservation practices must be carried out as provided by 43 CFR 5511.1-1(b), 2-3(c), and .3-3;

Equipment, personal property, and improvements must be removed within ninety (90) days after expiration date 43 CFR 5511.3-5);

Any use of the surface of the lands involved in this permit must not interfere with any mining claim subject to the provisions of Section 4 of the Act of July 23, 1955 (30 U.S.C. 613);

The permittee must clean up all work areas and must remove or dispose of all refuse resulting from the permittee's operations;

This permit is issued under the Act of July 31, 1947, as amended, and 43 U.S.C. and 1201, and under the free use privilege of the Act of May 14, 1898 (Alaska only).

An annual report indicating the amount (cu. yds. or tons) of material removed must be filed with the District Office on the anniversary date of the permit, or within *thirty* (30) days after permit expiration (Alaska only).

6/12/15

(Date)

[Signature]

(Signature of BLM)

☒ APPLICANT

☐ FIELD OFFICE

NOTICES

The Privacy Act and 43 CFR 2.48(d) require that you be furnished with the following information in connection with the information requested by this form.

AUTHORITY: 30 U.S.C. 601, 602; 43 U.S.C. 1201; and 43 CFR 3620 and 5510 permit collection of the information requested by this form.

PRINCIPAL PURPOSE: Application to remove vegetal or mineral material from public lands under the Free Use Regulations at 43 CFR Parts 3620 and 5510. The BLM uses the information to determine if such material may be removed under these authorities.

ROUTINE USES: The BLM will only disclose this information in accordance with the Freedom of Information Act, the Privacy Act, and the provisions at 43 CFR 2.56(b) and (c).

EFFECT OF NOT PROVIDING INFORMATION: Submission of the requested information is necessary to obtain a benefit. Failure to submit all of the requested information or to complete this form may result in delay or preclude the BLM's acceptance of the application.

The Paperwork Reduction Act requires us to inform you that:

The BLM collects this information to establish material, quantity and compliance with the Free Use Regulations. Submission of the requested information is necessary to complete the permit transaction and obtain or retain a benefit.

You do not have to respond to this or any other Federal agency-sponsored information collection unless it displays a valid OMB control number.

BURDEN HOURS STATEMENT: The public reporting burden for this form is estimated to average 30 minutes per response, including the time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. You may submit comments regarding the burden estimate or any other aspect of this form to: U.S. Department of the Interior, Bureau of Land Management (1004-0001), Bureau Information Collection Clearance Officer (WO-630), 1849 C Street, N.W., Room 2134LM, Washington, D.C. 20240.



BLM, Royal Gorge Field Office

COC-075940 Permit Conditions Fremont County – Highway 69 Quarry Mineral Materials Free Use Permit

Conditions to be implemented, from the 2012 EA

1. Fremont County will be responsible for monitoring and treatment of non-native species. Periodic monitoring will also be conducted by BLM staff.
2. As outlined in the proposed action, recommendations by Colorado Parks and Wildlife during the hunting season would enact seasonal restrictions from September through December, as follows: 1) Closure of the quarry from September through November. 2) Operations conducted on a one day per week schedule from November through December. During this time, operations will be limited to the hauling of material only; major excavation operations will not take place.
3. To be in compliance with the Migratory Bird Treaty Act (MBTA) and the Memorandum of Understanding between BLM and USFWS required by Executive Order 13186, BLM must avoid actions, where possible, that result in a “take” of migratory birds. Generally this is a seasonal restriction that requires vegetation disturbance be avoided from May 15 thru July 15. However, if vegetation clearing is completed prior to the nesting season, quarry operation may occur during the restricted period. *NOTE - An exception to this timing limitation will be granted if nesting surveys conducted no more than one week prior to surface-disturbing activities indicate no nesting within 30 meters (100 feet) of the area to be disturbed. Surveys shall be conducted by a qualified breeding bird surveyor between sunrise and 10:00 a.m. under favorable conditions. This provision does not apply to ongoing construction, drilling, or completion activities that are initiated prior to May 15 and continue into the 60-day period.*
4. Seed used under the reclamation plan should be native, and must be certified weed free. Seed species should be adapted to the site.
5. Disturbance to the railroad segment will be avoided by project activities by placing boulders along the base of the railroad grade, as a barrier, in order to prevent damage to the ballast by heavy machinery working nearby. This work will be need to be coordinated with BLM ahead of time, so BLM can be onsite during the boulder placement work.
6. Stockpiles should not exceed heights that would make them overly visible from the highway on a routine basis. As the amount and locations of the stockpiles may vary, this mitigation will need to be continually coordinated with BLM, in order to ensure that it is being met adequately.
7. Since this project involves some type of oil or fuel use, transfer and/or storage, an adequate spill kit is required to be onsite. The project proponent will be responsible for adhering to all applicable local, State and Federal regulations in the event of a spill, which includes following the proper notification procedures in BLM’s Spill Contingency Plan.
8. The access road and old railroad bed should be left open for future forestry work. All trees over 5 inches in diameter shall be cut, limbed, and decked in an orderly fashion on site for future use by the county, which requires the appropriate permit, or for future commercial firewood sales. Trees less than 5 inches diameter shall be chipped and scattered on site or piled for future burning.

Standard RGFO Stipulations for Mineral Materials

1. As applicable the permittee and/or operator is responsible for obtaining and maintaining written access authorization(s). Relinquishment, loss, or forfeiture of this right will result in the termination and cancellation of this contract without liability to the United States. If requested, the permittee and/or operator will provide a copy of this agreement.
2. The permittee and/or operator is responsible for keeping an accurate account of material removed and this record shall be available for inspection. A summary of rock removal by date is required.
3. Copies of all certifications associated with scales used in association with this contract must be submitted to the BLM at the start of the contract and when new ones are obtained.
4. Access across BLM associated with this mine is considered part of this contract and mine permit boundary.
5. If, in its operation, the permittee and/or operator discovers any cultural remains, monuments or site, or any object of antiquity subject to the Antiquities Act of June 8, 1906, the Archaeological Resources Protection Act of 1979, and 43 CFR, Part 3, the purchaser shall immediately cease activity and report directly to the (AO) of the BLM.
6. If any vertebrate fossils are discovered during operations, the purchaser shall cease construction immediately and notify the AO so as to determine the significance of the discovery.
7. All trash shall be removed and disposed of in a legal manner and oil or lubricants shall not be drained onto the ground surface.
8. Due care must be taken to safeguard all domestic animals and wildlife, in the vicinity of the operations.
9. As applicable, range improvements (fences, reservoirs, etc) or land treatment projects (contour furrowing, seeding, or range monitoring sites) shall not be disturbed or altered without prior written approval of the AO.
10. All fires set or caused as a result of these operations shall be extinguished without expense to the government. All fires shall be reported to the BLM as soon as possible.
11. Official government survey markers shall not be disturbed.
12. Required mitigation identified during the NEPA process needs to be adhered to.
13. The operator will comply with 43 CFR 3600 as well as all applicable Federal, State and Local permit and use requirements (i.e. Mining Safety and Health Administration (MSHA) regulations, Colorado Division of Reclamation and Mining Safety (CDRMS) construction permit, Colorado Department of Public Health and Environment (CDPHE) regulations and permits, and county planning or zoning permits (if applicable).



STATE OF
COLORADO

Cazier - DNR, Tim <tim.cazier@state.co.us>

requested docs

1 message

Annette Ortega <annette.ortega@fremontco.com>

Thu, Apr 12, 2018 at 1:53 PM

To: "Cazier - DNR, Tim" <tim.cazier@state.co.us>

Cc: Tony Adamic <tony.adamic@fremontco.com>, Sterling Rife <sterling.rife@fremontco.com>, Don Moore <don.moore@fremontco.com>, "Stephanie S. Carter P.G." <sscarter@blm.gov>, Matt Koch <matt.koch@fremontco.com>

Hi Tim,

Attached is the BLM permit stating conditions, specifically item #8 on page 3 with regard to the railroad bed. Also attached is an extension request until May 4, 2018.

Let me know if you need anything else, and thank you for your help!

Annette Ortega

Phone: 719-276-7430

Fax: 719-275-2120

Annette.ortega@fremontco.com

Nothing leaves us more hollow than being full of ourselves. We have no greater burden than our own egos. ~Beth Moore

This email and any files attached with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error delete this message and notify the sender. If you are not the named recipient you should not disseminate, distribute or copy this email or any attachment.

2 attachments

Hwy 69 BLM Free Use Permit.pdf
1950K

4.12.18 Extension request.pdf
46K