



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

April 22, 2019

Mr. Robert Dellacroce
2210 W. Baptist Road
Colorado Springs, CO 80921

Re: Dellacroce Pit, Permit No. M-1993-050; Second Adequacy Review for 112c Construction Materials Reclamation Permit Amendment Application (AM-02)

Dear Mr. Dellacroce:

On April 3, 2019, the Division of Reclamation, Mining and Safety (DRMS) received responses to our preliminary adequacy review (PAR) of your 112c Construction Materials Reclamation Permit Amendment Application package for the Dellacroce Pit, Permit No. M-1993-050. **The decision date for this application is May 2, 2019.** Please be advised that if you are unable to satisfactorily address any concerns identified in this review before the decision date, **it will be your responsibility to request an extension of the review period.** If there are outstanding issues that have not been adequately addressed prior to the end of the review period, and no extension has been requested, the DRMS may deny this application.

The following items indicating the response is inadequate must be addressed by the applicant in order to satisfy the requirements of C.R.S. 34-32.5-101 et seq. and the Mineral Rules and Regulations of the Mined Land Reclamation Board:

APPLICATION

1. Item 3, p. 1: Permitted acreage. The response is adequate
2. Item 16, p. 4: Description of Amendment. The response is adequate.

6.4 SPECIFIC EXHIBIT REQUIREMENTS – REGULAR 112 OPERATIONS

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

3. Acreage clarification: The response is inadequate. Additional clarification is required. It is unclear from the revised Exhibit C whether the haul road through the “Released 15.007 Acres” is to remain in the affected and permit areas. The currently approved permit indicates this haul road will be reclaimed after mining is completed. As such, it is still considered affected area and must remain in the permit area. Please clarify the reclamation intent of this portion of the Haul Road and revise Exhibit C to reflect the intent. If the intent is for the road to remain for



future access, the DRMS will need a letter from the land owner indicating the desire for the road to remain and for what purpose.

6.4.12 EXHIBIT L – Reclamation Costs

4. Reclamation costs: No response is necessary.

Publication of Public Notice

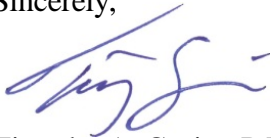
5. Rule 1.6.5(2): Proof of publication was received on March 18, 2019. No response is necessary.

Agency Comments

6. The DRMS received a response from the Division of Water Resources (DWR). No response is necessary.
7. Weed control plan. A weed control plan was provided in the response to the DRMS PAR. The response is adequate.

Please remember that the decision date for this application is May 2, 2019. As previously mentioned if you are unable to provide satisfactory responses to any inadequacies prior to this date, it will be your responsibility to request an extension of time to allow for continued review of this application. If there are still unresolved issues when the decision date arrives and no extension has been requested, the application may be denied. If you have any questions, please contact me at (303) 866-3567, ext. 8169.

Sincerely,



Timothy A. Cazier, P.E.
Environmental Protection Specialist

ec: DRMS file
Angela Bellantoni, Environmental Alternatives, Inc