



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

February 22, 2021

Mr. Jerald Schnabel
Castle Concrete Aggregates
7250 Allegheny Drive
Colorado Springs, CO 80203

Mr. Dan Tucker
CWPDA
200 South Main Street
Fowler, CO 81039

RE: Adequacy Review No. 2; 112c Construction Materials Amendment Application (AM-05), Pueblo East, Permit No. M-1986-015

Messrs. Schnabel and Tucker:

On November 9, 2020, the Division of Reclamation, Mining and Safety (Division) deemed the above referenced application complete for the purposes of filing. Pursuant to Rule 1.4 the 90-day decision date for the application was set for February 8, 2021. On January 20, 2021 the Division approved an extension request to extend the decision date to March 10, 2021. Please be advised on March 10, 2021, the application may be deemed inadequate and may be denied unless the following adequacy items are addressed to the Division's satisfaction. On February 9, 2021 the Operator responded to the Division's Preliminary Adequacy Review dated December 22, 2020. After review of the responses the Division has additional items that need to be addressed or clarified. 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 Division will deny this application. Subsequent to receipt and review of the Operator's response to these items the Division may identify additional adequacy items. Please respond to this Adequacy Review No. 2 with the requested additional/updated information on permit replacement pages and summarize each response in a cover letter titled "Adequacy Review No. 2 Response; M-1986-015".

APPLICATION PAGE

1. Permitted Acreage. On page one, question #3, the permit acreage needs to be revised to reflect the permit acreage approved with AM-04 in 2011 to be 466.16 acres.



EXHIBIT B – Index Map (Rule 6.4.2)

2. Please provide an updated Index Map that depicts the current approved permit boundary along with acreage. The map provided does not reflect acreage that was added to the permit in AM-01 to the southeast and the 28 acres that was added with the approval of AM-04 south of the Arkansas River. Attached to this review are the permit boundary maps from the four Amendments to help the operator.

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

3. The Division agrees that no Mining Plan Map needs to be included with this amendment. The operator has stated that no mining is going to occur at the site and only activities associated with reclamation will occur.
4. All maps must meet the minimum requirements of Rules 6.2.1(2), 6.4.3, 6.4.4, and 6.4.6. Including but limited to: date map was prepared, signed by qualified person, and scale no larger than 1 inch = 50 feet and no smaller than 1 inch = 660 feet. Please note the Pre-Mining Plan Map/Current Conditions Map will need to reflect the entire permit boundary. If needed additional sheets can be used to show more detail.

EXHIBIT E – Reclamation Plan

5. The operator states that there is a table that was to be included with one of the maps that gives a schedule as to when a particular structure not to remain on site was due to be removed, the Division was not able to find the table. Please provide the table.
6. Please clarify that it is the intent of the operator to use concrete and other inert material for backfill. Due to the shallow groundwater elevation at the site metal material may not be used for backfill in areas where it may come into contact with groundwater. The operator is reminded that TR-04 approved in November 2017 detailed using concrete as backfill.
7. In Phase 2 the operator states that there will be some grading and topsoiling of various areas, mainly the open area north and west of Phase 1, totaling 19 acres. On the reclamation map it indicates 13,200 cy of material is needed. The Division estimates that 15,300 cy would be needed to cover 19 acres with 6-inches of material. Please address this difference.
8. Please confirm that the Phase 2 material needed for grading and topsoiling would be sourced from the Phase 2 area.
9. The operator states that 9 acres will be regraded and reseeded, is that area included in the previously mentioned 19 acres or in addition to the 19 acres?

- 10.** On the Reclamation Plan Map it is noted that there are spillways, both in Phase 2 and Phase 1 areas, which are going to be installed. Please commit to submitting a Technical Revision for the spillways once the design engineering has been completed. Additionally, will the SEO or DWR approval be needed for these structures?
- 11.** Where does the operator plan on using the 16,200 cy of concrete debris located in Phase 1 area?
- 12.** Please clearly show on the Reclamation Plan Map the location of the Quonset Hut to remain after reclamation is complete.
- 13.** Please clearly show on the Reclamation Plan Map the 12 acre area that will be excavated for the ~660,000 cys of material.
- 14.** In reply to question #21 of the Preliminary Adequacy Review (PAR) the operator stated there are 6 topsoil stockpiles across the site. However only 5 stockpiles are identified, 2 piles in Phase 1, 2 piles in Phase 2 and 1 pile in Phase 7. A review of the Reclamation Plan Map shows there are 3 piles in Phase 2 with quantities noted, none called out in Phase 1, and 1 pile identified but missing volume estimate. Please clearly identify all topsoil stockpiles at the site along with the estimate volumes of the piles.
- 15.** In response to PAR question #23 the operator states that the settling basins may not be backfilled if it determined they are now considered jurisdictional wetlands. What is the timing of having a wetland delineation completed at the site? Please commit to providing the Division with a copy of the completed report. Note in order to become a jurisdiction wetland the US Army Corps of Engineers will have to provide an official letter stating it is a jurisdictional wetland. However, if it is found that the ponds constitute a wetland and there is no exposed groundwater the operator may submit a Technical Revision to update the Reclamation Plan for the basins and backfilling will not need to occur.
- 16.** In response to PAR question #26, the topsoil volume for covering 50.6 acres is incorrect. Please revise the volume as needed.
- 17.** The Table for Phase 7 Reclamation is missing a line item for grading out the highwalls to a 3:1 slope or shallower, please update the table or provide an explanation of where this items cost is covered.
- 18.** The Reclamation Plan Map indicates there is 4300 linear feet of highwall at an average height of 10 feet that needs reclaiming. The response to PAR question #27 indicates different values, please clarify to correct numbers and update accordingly.
- 19.** Please submit a summary of the Reclamation Plan that captures what the operator is planning for each phase. Please include at the end of the summary the tables that reflect volumes and cost estimates. Any minor maps can be included in Exhibit F along with any other maps.

EXHIBIT L – Reclamation Cost Estimate (Rule 6.4.12):

20. Please provide updated cost estimate tables for each phase and summary table for the permit, the Division will use these table and quantities to calculate a reclamation cost estimate.

EXHIBIT S – Permanent Man-made Structures (Rule 6.4.19):

21. Pursuant to Rule 1.6.2(1)(e)(ii) the operator shall send a copy of the notice immediately after the first publication to the Owners of Record of all land surface within 200 feet of the boundary of the affected lands. The Division counted approximately 31 land owners adjoining the permit boundary but only 24 certified mail receipts. Please demonstrate that all Owners of Record were notified. Updates to the permit maps may require additional notifications of Owners of Record.

Other Permits and Licenses (Rule 6.3.6):

22. Pursuant to Rule 1.6.2(2), please demonstrate that the Operator's response to these adequacy issues have been placed with the application materials previously placed with the County Clerk or Records Office, and made available for public review. Demonstration shall be in the form of a Certified Mail Receipt, signed affidavit, or other mail tracking receipt.

Please respond to these adequacy issues no later than one week before the decision deadline, to ensure ample time for the Division to complete its review prior to its decision deadline. The decision deadline on this application is March 10, 2021. If additional time is required to respond to these adequacy issues please submit a written request for extension of the review period. The Division reserves the right to further supplement this document with additional adequacy issues and details as necessary.

If you need additional information or have any questions, please contact me at Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203, by telephone at **303-866-3567 x8114**, or by email at patrick.lennberg@state.co.us.

Sincerely,



Patrick Lennberg
Environmental Protection Specialist

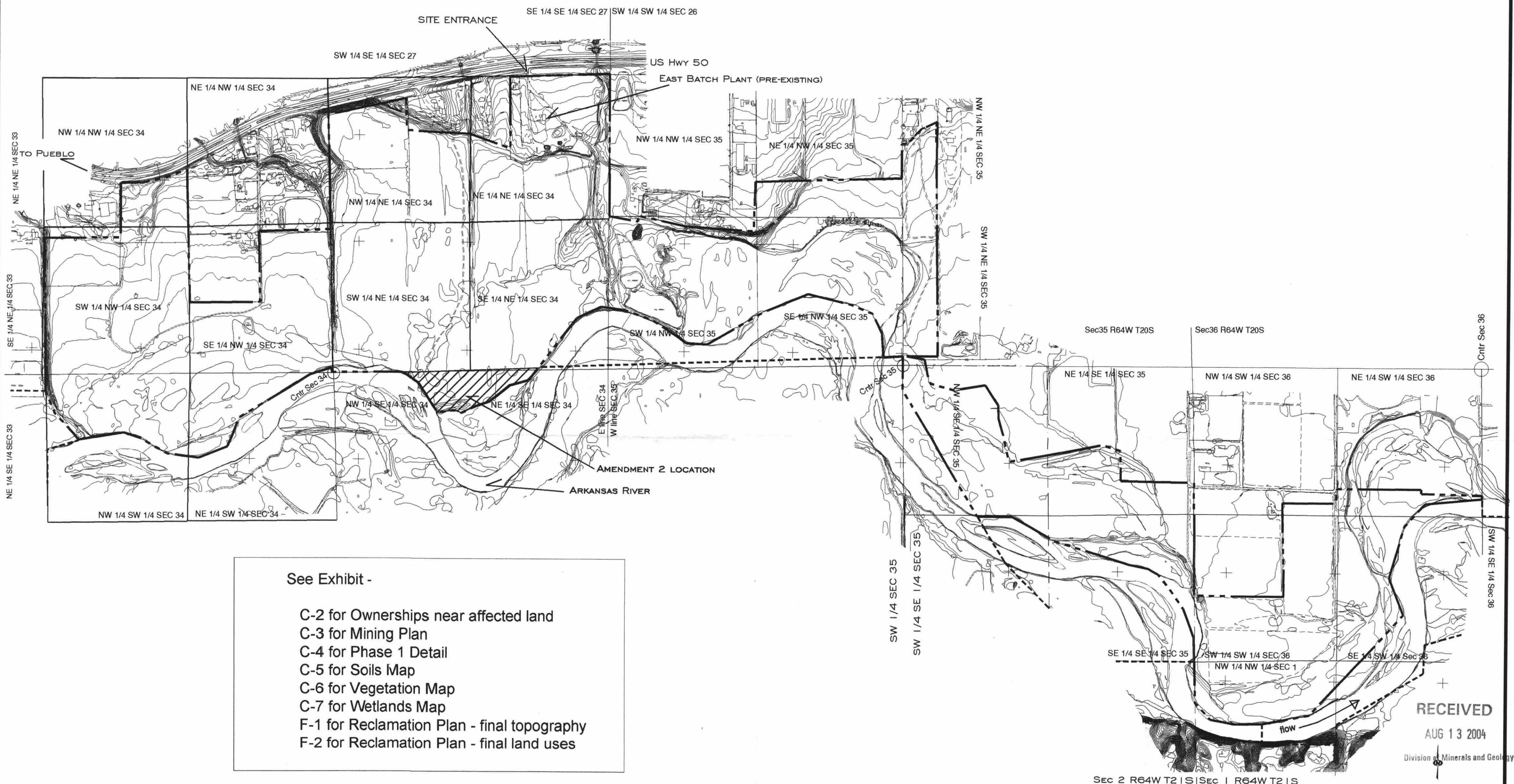
Attachments: AM-01, 2002, Site Map
AM-02, 2004, Site Map
AM-03, 2007, Site Map
AM-04, 2011, Site Map

Pueblo East, M1986-015
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Page 5 of 5

cc: Jared Ebert; Division of Reclamation, Mining & Safety

ec: Jerald Schnabel, Castle Aggregates, Jerald_Schnabel@castleaggregate.com
Dan Tucker, CWPDA, dan@cwpa.org

Attachments



See Exhibit -

- C-2 for Ownerships near affected land
- C-3 for Mining Plan
- C-4 for Phase 1 Detail
- C-5 for Soils Map
- C-6 for Vegetation Map
- C-7 for Wetlands Map
- F-1 for Reclamation Plan - final topography
- F-2 for Reclamation Plan - final land uses

----- Amended Permit Area = 450.66 acres (with amendment 2)

----- Property Line (Continental Materials and Valco)
(where not congruent with permit boundary)
See Exhibit C-2 for other ownerships

RECEIVED

AUG 13 2004

Division of Minerals and Geology

scale: 1" = 600'
contour interval = 2'

Continental Materials (M-1986-015)
East Pit - Transit Mix of Pueblo

Exhibit C-1 (Amendment 2)

General Site Map

Revised: Original
Amendment 2 Addition

Drawn by: MAH (BGA) *Maple High*

Permit #: M-1986-015

Class: Revision

From: Continental Materials Corp To: DMG

Doc. Name: EXH C-1 General Site Map

Date: 08/13/2004

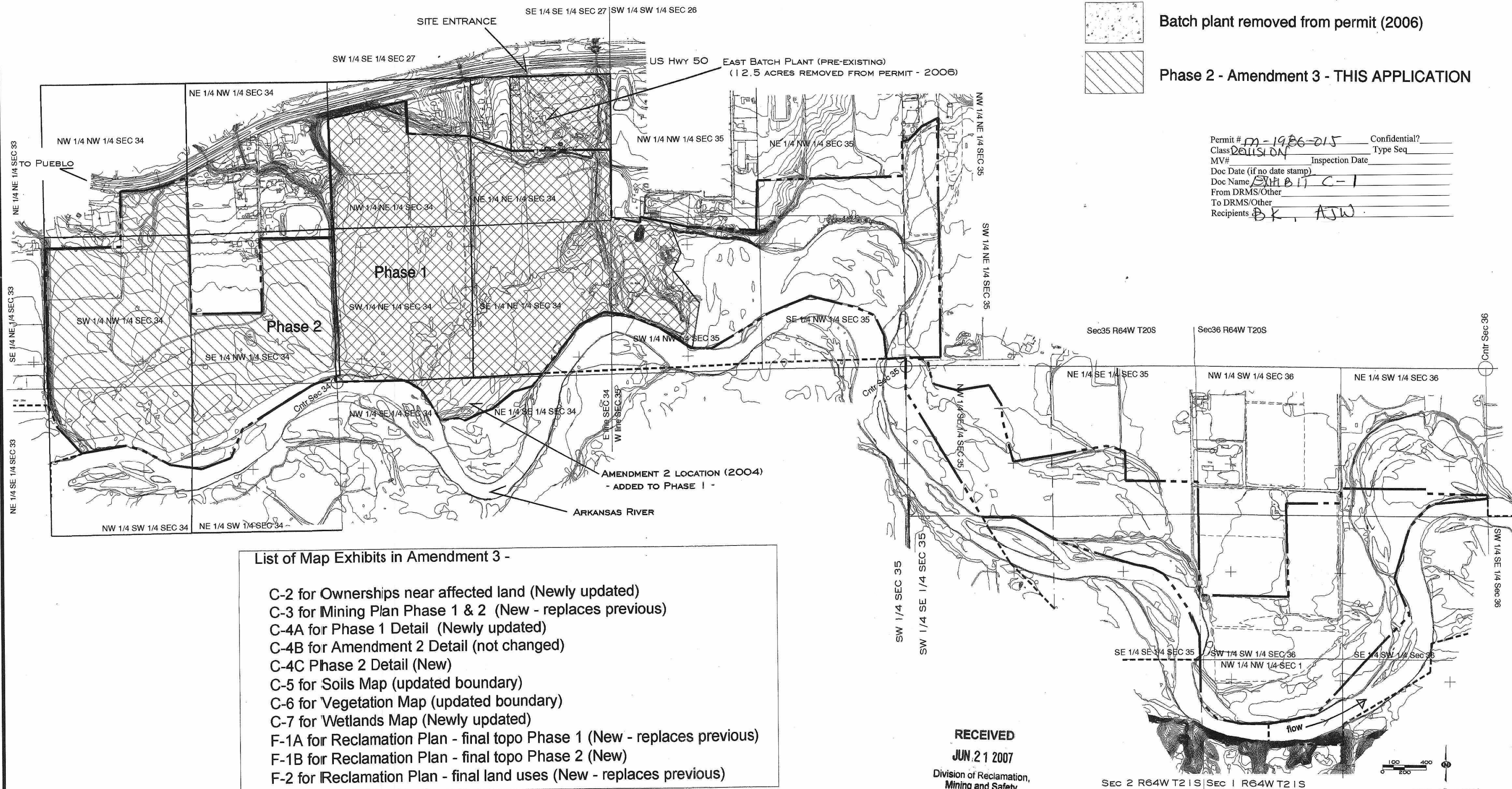
Specialist: BMK

Confidential?: N

Type/Seq.: AM-2

- Phase 1 - Amendment 1
- Land added to Phase 1 - Amendment 2
- Batch plant removed from permit (2006)
- Phase 2 - Amendment 3 - THIS APPLICATION

Permit # M-1986-015 Confidential? ☐
 Class REVISION Type Seq
 MV# Inspection Date
 Doc Date (if no date stamp)
 Doc Name EXHIBIT C-1
 From DRMS/Other
 To DRMS/Other
 Recipients BK, ASW



- List of Map Exhibits in Amendment 3 -
- C-2 for Ownerships near affected land (Newly updated)
 - C-3 for Mining Plan Phase 1 & 2 (New - replaces previous)
 - C-4A for Phase 1 Detail (Newly updated)
 - C-4B for Amendment 2 Detail (not changed)
 - C-4C Phase 2 Detail (New)
 - C-5 for Soils Map (updated boundary)
 - C-6 for Vegetation Map (updated boundary)
 - C-7 for Wetlands Map (Newly updated)
 - F-1A for Reclamation Plan - final topo Phase 1 (New - replaces previous)
 - F-1B for Reclamation Plan - final topo Phase 2 (New)
 - F-2 for Reclamation Plan - final land uses (New - replaces previous)

----- Permit Area = 438.16 acres (with amendment 2 and removal of batch plant land)

----- Property Line (Continental Materials or Valco) (where not congruent with permit boundary)
 See Exhibit C-2 for other ownerships

RECEIVED
 JUN 21 2007
 Division of Reclamation,
 Mining and Safety

SEC 2 R64W T21S SEC 1 R64W T21S

REVISOR: 12/06
 AMENDMENT 3 ADDITION

REVISOR: 08/04
 AMENDMENT 2 ADDITION

Continental Materials (M-1986-015)
 East Pit - Transit Mix of Pueblo

Exhibit C-1 (Amendment 3)
 General Site and History Map

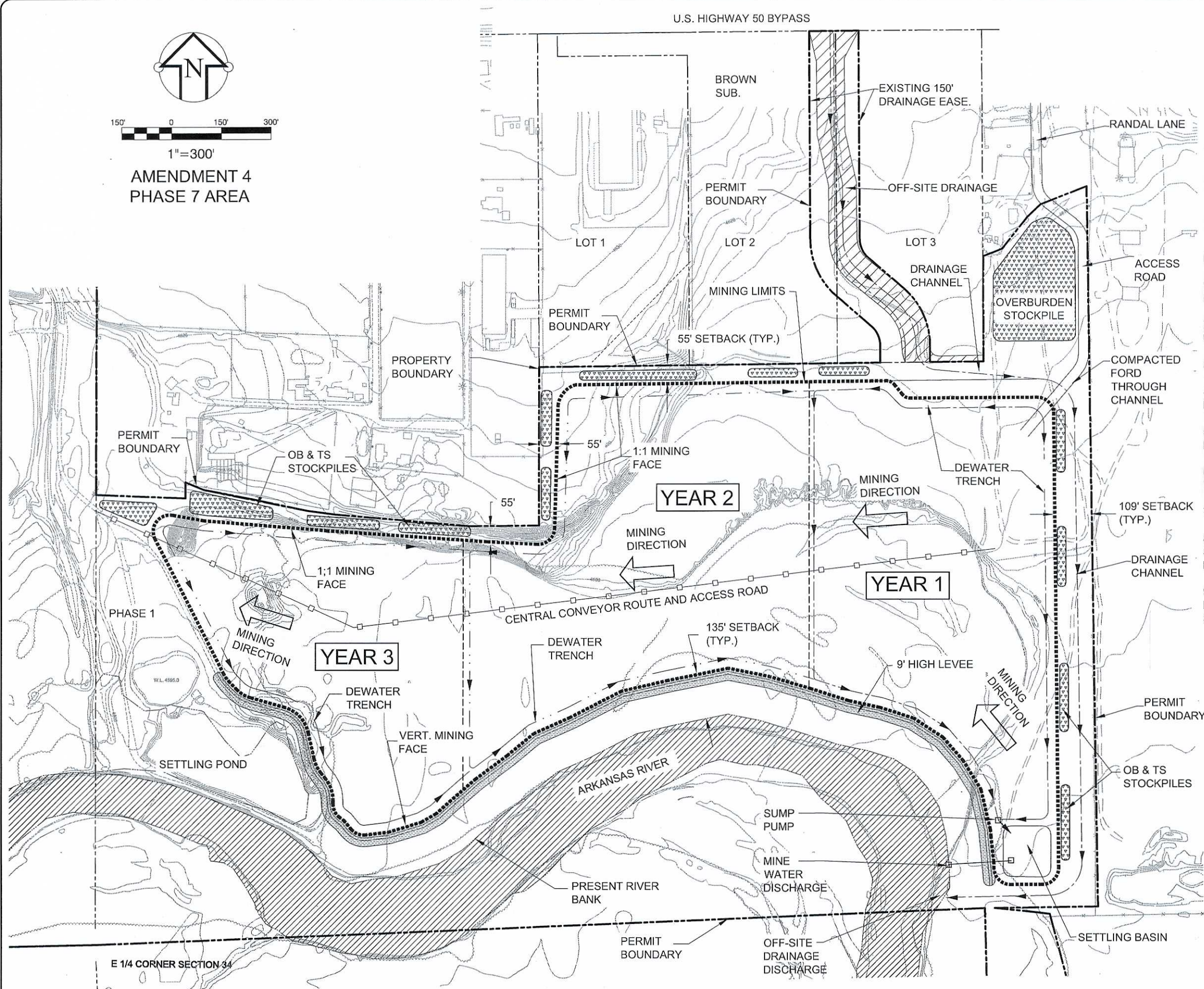
Drawn by: MAK



150' 0 150' 300'

1"=300'

AMENDMENT 4
PHASE 7 AREA



MINING NOTES:

1. CENTRAL CONVEYOR ROUTE HAS BRANCHES OF CONVEYORS TO THE MINING FACE.
2. TREE DEBRIS IS TEMPORARY STORED ON UNMINED GROUND.
3. TREES TO REMAIN WITHIN 100' OF RIVER BANK.
4. SAND AND GRAVEL MATERIAL CONVEYED TO EXISTING PROCESSING PLANT IN PHASE 7.
5. MINING WILL DISTURB 20 ACRES PER YEAR. MINING PERIOD IS FORECAST AT 2.5 YEARS.
6. DEWATER TRENCHES DUG IN YEAR PREVIOUS TO MINING.
7. AVERAGE DEPTH OF MINING IS 37 FEET.
8. TOPSOIL HANDLING-STRIP 0.5' OF SOIL. PLACE IN SEPARATE STOCKPILES OR PLACE IN LAND THAT IS COMPLETELY BACKFILLED.
9. OVERBURDEN HANDLING-STRIP 8' TO 9' AS NEEDED. PLACE IN LEVEE, IN SEPARATE STOCKPILES OR BACKFILL BEHIND MINING.

E 1/4 CORNER SECTION 34

SIGNED: *Greg J. Tuttle*

DATE: *10-25-11*

REVISION		BY
No.	DATE	GT
1	6-8-11	GT
2	8-22-11	GT

PREPARED FOR:
**TRANSIT MIX
OF PUEBLO**
444 EAST COSTILLA
COLORADO SPRINGS, COLORADO 80903

PUEBLO EAST PIT AMENDMENT 4
**EXHIBIT C PRE-MINING
AND MINING PLAN**

PREPARED BY:
Tuttle & Associates
Planning and Permitting Services
PO BOX 485,
Broomfield, Co 80038-0485
Phone: 303.653.5584
garytuttle@gmail.com

Date
6-8-2011
Project No.
TMP001-2011
Sheet No.
1