



P.O. BOX 700  
HENDERSON, CO 80640  
MAIN: (303) 289-1837

November 10, 2021

Mr. Patrick Lennberg  
Division of Reclamation, Mining and Safety  
1313 Sherman Street, Suite 215  
Denver, CO 80203

Dear Mr. Lennberg;

RE: Reduction-in-Acreage Request  
Cooley Reservoir and Fulton Wildlife Area - M-1999-034

Aggregate Industries (the Operator) has requested a reduction-in-acreage for the above-mentioned reclamation permit. The mine is located at 9991 Brighton Rd, Henderson, CO 80640, SW1/4, Sect. 16, Township 2 South, Range 67 West. The primary landowner is Albert R Frei LLLP, an entity related to Albert Frei & Sons, Inc (AFS).

There are three concerns that AFS would like the Operator to address prior to release:

- Relocate power lines back to original location. The power lines were relocated sometime in the early 2000's from along 100<sup>th</sup> Ave to inside the northwest corner of the AFS property to accommodate a conveyor in the area. Now that mining is complete, the power lines should be relocated to the original location along 100<sup>th</sup> Ave to minimize the encumbrance on AFS property.
- Removal of the southwest berm. The west end of the berm along the south side of the property is a stockpile of aggregate material. This material should be graded into the site.
- It's not clear if all of the perimeter slopes meet the 3:1 slope requirement and/or have been properly revegetated.

Additionally, Fulton Ditch has expressed a concern that the drainage ditch that drains the southwest area of the site westward to the Bull Seep is unlined. Rip-rap or other type of erosion control material should be placed to prevent sediment and other material from being discharged into the Bull Seep. Apparently, during plant operation three truckloads of squeegee were washed into the Bull Seep ditch and had to be removed.

If you have any questions or need more information, please call me at 303-913-6583.

Sincerely,  
Albert Frei and Sons, Inc.

A handwritten signature in blue ink that reads "Joel Bolduc".

Joel Bolduc  
Land and Environment Manager