



April 6, 2023

Jodi Schreiber
Fremont Paving and Redi-Mix
839 Mackenzie Ave.
Canon City, CO 81212

**RE: Mooney 5804 Altura Pit (Permit No. M-2010-012)
Adequacy Review #2**

Dear Ms. Schreiber:

On April 3, 2023, the Division of Reclamation, Mining and Safety received your response to the Division's adequacy letter of March 21, 2023. The following questions address adequacy issues and missing information that is needed to complete the application. This information needs to be addressed and/or received before the Division can approve the application.

Rule 6.4 - Specific Exhibit Requirements - 112 Reclamation Operation

Rule 6.4.1 EXHIBIT A - Legal Description- Adequate as submitted.

Rule 6.4.2 EXHIBIT B – Index Map –

1. The name of the pit on the application is Mooney 5804 Altura. Exhibit A/B has a text box referencing the permit boundary as Mooney Hills (which is a separate permit, M-2007-007). Please amend the text box to Mooney Altura.

Rule 6.4.3 EXHIBIT C – Pre-mining and Mining Plan Map-

1. The name of the pit on the application is Mooney 5804 Altura. Exhibit C has a text box referencing the permit boundary as Mooney Hills (which is a separate permit, M-2007-007). Please amend the text box to Mooney Altura.

6.4.4 EXHIBIT D – Mining Plan

2. The name of the pit on the application is Mooney 5804 Altura. Exhibits D.1 and D.2 each have a text box referencing the permit boundary as Mooney Hills (which is a separate permit, M-2007-007). Please amend the text box to Mooney Altura.
3. Exhibit D-2-Mining Map shows the extent of the affected area as 320 acres and is depicted



in blue. The Reclamation Map, Exhibit E shows that only a portion of the affected area will be reclaimed. Please clarify the extent of the affected area and if all affected areas will be reclaimed?

4. Item resolved.

6.4.5 EXHIBIT E – Reclamation Plan –

5. This question was answered adequately in the cover letter. Please add this text to Exhibits D and E of the permit.

6. Item resolved.

6.4.6 EXHIBIT F - Reclamation Plan Map –

7. The name of the pit on the application is Mooney 5804 Altura. Exhibit E has a text box referencing the permit boundary as Mooney Hills (which is a separate permit, M-2007-007). Please amend the text box to Mooney Altura.

6.4.7 EXHIBIT G - Water Information- Adequate as submitted.

6.4.8 EXHIBIT H - Wildlife Information- Adequate as submitted.

6.4.9 EXHIBIT I - Soils Information - Adequate as submitted.

6.4.10 EXHIBIT J - Vegetation Information - Adequate as submitted.

6.4.11 EXHIBIT K - Climate - Adequate as submitted.

6.4.12 EXHIBIT L - Reclamation Costs

8. At the top of the page it states that the active mining area is 420 acres. According to the Exhibit D.1 Mining Map, the affected area is only 320 acres. Please clarify how many acres will be disturbed and reclaimed.

6.4.13 EXHIBIT M - List of Other Permits and Licenses Required -

9. Item resolved.

6.4.14 EXHIBIT N - Source of Legal Right-to-Enter - Adequate as submitted.

6.4.15 EXHIBIT O Owner(s) of Record of Affected Land and Substance to be Mined – Adequate as submitted.

6.4.16 EXHIBIT P - Municipalities Within a Two-Mile Radius: Adequate as submitted.

6.4.17 EXHIBIT Q - Proof of Mailing of Notices to Board of County Commissioners and Conservation District- Adequate as submitted.

6.4.18 EXHIBIT R - Proof of Filing with County Clerk and Recorder - Adequate as submitted

6.4.19 EXHIBIT S - Permanent Man-made Structures

In an effort to organize this permit file, all the documents associated with this amendment will be compiled and uploaded as a single document to Laserfiche when the permit is issued. The documents will be organized by exhibit for ease of being able to research the permit. Please respond to the above comments in the format you sent the application in. The preferred method is to incorporate your response into the text of the appropriate exhibit. The updated permit pages can then be returned to DRMS for review.

The decision date for this application is May 15, 2023. 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. Also, the comment period for this application is still open and any comments or objections received may initiate new adequacy questions. Please submit the proof of newspaper publication that is required by Rule 1.6.5(2).

All corrected pages must be provided to the Las Animas County Clerk & Recorder.

If you have any questions, please contact me at (720) 774-0040 or brock.bowles@state.co.us.

Sincerely,



Brock Bowles
Environmental Protection Specialist