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MINE ENGINEERING
MINE RECLAMATION

CIVIL ENGINEERING
CONST. MANAGEMENT

April 21, 2023

Rob Zuber
Division of Reclamation, Mining & Safety
1313 Sherman St., Room 215
Denver, CO 80203

Re: Bowie Resources, LLC, Bowie No. 2 Mine
Permit Renewal PR-08
Adequacy Response #2
Permit C-1981-038

Dear Mr. Zuber:

DRMS' letter dated March 29, 2023 transmitted its adequacy review for the referenced permit revision. On behalf of Bowie Resources, LLC, following are its responses to the DRMS' comments and concerns.

1. **DRMS:** Please confirm the acreages in the application form, and explain any discrepancies with recent Annual Reclamation Reports (ARRs) or other documents related to this permit. This check should include, but not be limited to, the number of acres that have been bond released. The application contains acreages that are different than the acreages in the 2021 ARR. For example, the RN-08 application value for 100 percent release is 10.38 acres, but in the 2021 ARR this value is 13.38 acres; the value should not have decreased. If revisions to the form are necessary, please mail a hard copy with an original signature to the Division office on Sherman Street (in addition to an electronic submittal of your entire response to this PAR).

BRL: Please see revised **application form**. The source for the acreages was the 2022 ARR.

PAP Text, Appendices and Maps

3. **DRMS:** Section 2.03.5 – The page should be updated, as necessary, to reflect current conditions. In the footer, the date and revision number should be updated.

BRL: Please see revised **page 2.03-14**

6. **DRMS:** Section 2.05.4

e. In this table, DH23 is listed as “open” and sealed. What does that mean?

BRL: Please see revised **page 79ii**. In addition, DH23 was updated with ADQ #1 to show that it was a pre-law hole, however, it was not communicated in the first adequacy response that the change had been made.

f. Regarding the tunnel under Black Bridge Road, what will be used to fill that? Describe in the text what the type and source of material will be.

BRL: Please see **Volume 7, page 2.05-14**.

g. Provide an approximate schedule for future reclamation activities at the loadout, including the year of the reclamation.

BRL: There is no schedule for reclamation as the loadout will be used as a storage area during reclamation of the #2 mine for miscellaneous equipment that the company would like to keep.

h. Add a discussion on the plan for the asphalt roads at the loadout.

BRL: Asphalt at the loadout will be hauled to the asphalt plant for recycling. If unable to do so, it will be disposed of at the landfill. Please see revised **Volume 7, page 2.05-5**.

Please feel free to contact me if you have any questions.

Sincerely,

Tamme Bishop

Tamme Bishop, P.E.
Project Engineer

Cc: Bureau of Land Management - Electronic
USDA-FS - Electronic
Paonia Library
Basil Bear



COLORADO DIVISION OF RECLAMATION, MINING AND SAFETY

1313 Sherman Street, Room 215, Denver, Colorado 80203, (303) 866-3567

APPLICATION FORM RENEWAL OF A VALID, EXISTING PERMIT TO CONDUCT MINING IN COLORADO

This form is an application for successive renewal of a valid, existing permit to conduct surface or underground mining and reclamation activities or other surface coal mining and reclamation operations in Colorado pursuant to C.R.S. 34-33-101, *et seq.* This application form is designed to revise and update the application form currently included in your permit application. The right of successive renewal applies only to lands and activity which were permitted during the previous term. Extensions of the permit area and significant new activity within the permit area are subject to the review procedures applicable to new permit applications, in accordance with Rule 2.08.5(1)(c) and 2.08.4.

For a renewal application to be deemed complete by the Division pursuant to C.R.S. 34-33-109(7), an applicant must submit: (1) all information as specified on this application form; (2) a copy of the newspaper notice; (3) evidence that a liability insurance policy will be provided for the proposed period of renewal; and (4) five reproducible copies of the permit renewal application with original signatures.

For federal mines, a copy of the renewal application must be submitted to all agencies on the federal agency mailing list at the same time the application is submitted to the Division, and proof of distribution must be submitted to the Division. Copies of renewal pages modified during the review process must be distributed in the same manner, along with proof of distribution. Proof of distribution must be submitted prior to implementation of the renewal.

GENERAL OPERATION INFORMATION

Type or print clearly the appropriate information as listed below. Supplemental sheets may be used as necessary. Such sheets must be attached to the form and referenced or keyed to the numbers on the form.

1. Permittee: _____
2. Name of Operation: _____
3. Permit Number (same as current permit number): C - ____ - ____
4. Type of Revision: R N Renewal Number: ____
5. Application Submittal Date: ____ / ____ / ____

6. Correspondence Information

APPLICANT/OPERATOR (Name, Address and Phone of Name to be used on Permit)

Individual's Name: _____

Company Name: _____

Street: _____

City: _____

State: _____

Telephone: (____) _____

PERMITTING CONTACT (If different from Applicant/Operator above)

Individual's Name: _____

Company Name: _____

Street: _____

City: _____

State: _____

Telephone: (____) _____

INSPECTION CONTACT (If different from Applicant/Operator above)

Individual's Name: _____

Company Name: _____

Street: _____

City: _____

State: _____

Telephone: (____) _____

7. Location Information: The center of the operation lies in -

County: _____

USGS Quadrangle: _____

Principal Meridian (check one): ☐ 6th (Colorado) ☐ 10th (New Mexico) ☐ UteTownship (Write number and check direction): ____ North ☐ South ☐Range (Write number and check direction): ____ East ☐ West ☐Section: _____ Quarter Section (Check one): ☐ NE ☐ NW ☐ SE ☐ SWQuarter-Quarter Section (Check one): ☐ NE ☐ NW ☐ SE ☐ SW

Longitude (Write number): ____ Degrees (102-110) ____ Minutes (0-60)

____ . ____ Seconds (0.00-60.0)

Latitude (Write number): ____ Degrees (37-41) ____ Minutes (0-60)

____ . ____ Seconds (0.00-60.0)

General Description (Miles and direction from nearest town and approximate elevation):

<i>(Not for DP Entry)</i>			
	Permitted	Actual	Proposed
8. Mineral ownership: Indicate currently permitted acreage for each			
Federal: _____ acres			
State: _____ acres			
Private: _____ acres			
Indian: _____ acres			
9. Surface ownership: Indicate currently permitted acreage for each			
Federal: _____ acres			
State: _____ acres			
Private: _____ acres			
Indian: _____ acres			
10. Affected area (in acres)			
11. Disturbed area (in acres)			
12. Acreage of area reclaimed in previous permit term			
A. Backfilled and graded	N/A		N/A
B. Retopsoiled	N/A		N/A
C. Reseeded	N/A		N/A
13. Acreage for which bond has been released			
A. 60 percent	N/A		N/A
B. 85 percent	N/A		N/A
C. 100 percent	N/A		N/A
14. Renewal Term Requested (Years)	N/A	N/A	
<i>Note: If the application contains proposed (new) acreage, then a permit revision application form must also be completed for those acreages.</i>			

15. Type of Mine (Check one): ☐ Underground ☐ Surface
☐ Combined Surface and Underground
☐ Loadout ☐ Other

16. Current Permit Status (Check one): ☐ Active ☐ Temporary Cessation
☐ Permanent Cessation (Reclamation Only) ☐ Inactive/Phase II Bond Release
☐ Suspended
17. Current Estimated Life of Mine (in years):

APPLICATION REQUIREMENTS

Type or clearly print the appropriate original or revised page number(s) of the permit application in the spaces below. Where a map has been used to supplement or clarify the narrative, indicate in the space provided where the appropriate map(s) may be found in the application. The asterisk (*) denotes sections where maps are required.

Each application for permit renewal must provide appropriate information which minimally addresses each of the following requirements. The narrative should describe the conditions which have been encountered during the previous permit term, and analyze how those conditions compare with those anticipated in the original permit application. These narratives should be submitted as revised pages.

In cases where any item is not applicable, the applicant should so specify.

		Location in Application	
INFORMATION CATEGORY		NARRATIVE	MAPS
2.03.4	Identification of Interests		
2.03.5	Compliance Information		
2.03.6	Rights of Entry and Operation Information		
2.03.7	Relationship to Areas Designated Unsuitable for Mining		
2.03.8	Permit Term Information		
2.03.9	Personal Injury and Property Damage Information		
2.08.5	Bonding Information		
2.03.10	Identification of Other Licenses and Permits		
2.03.12	Newspaper Advertisement (Submit a copy of the proposed newspaper advertisement)		
2.04.3	Site Description and Land Use Information		*Land Use 2.04(2)(a)
2.04.4	Cultural and Historic Resource Information		
2.04.5	General Description of Hydrology and Geology		*Geology, surface and ground water systems of the permit, adjacent and general area 2.04.5(1)

		Location in Application	
INFORMATION CATEGORY		NARRATIVE	MAPS
2.04.6	Geology Description		*Geology of the permit area 2.04.6(1)(a) or 2.04.6(2)(a)
2.04.7(1)	Ground Water Information		*Hydrology 2.04.7(4)
2.04.7(2)	Surface Water Information		*Hydrology 2.04.7(4)
2.04.7(3)	Alternative Water Supply Information		
2.04.8	Climatological Information		
2.04.9	Soils Resource Information		*Soils 2.04.9(1)(c)
2.04.10	Vegetation Information		*Vegetation 2.04.10(1)
2.04.11	Fish and Wildlife Resources Information		
2.04.12	Prime Farmland Investigation		
2.05.2	Operation Plan: Estimated Area for Life of Operation		
2.05.3	Operation Plan: Permit Area		*Operation Plan 2.05.3
2.05.3(1)	Production Methods and Equipment		
2.05.3(2)	Operation Description		
2.05.3(3)	Mine Facilities		
2.05.3(4)	Ponds, Impoundments and Diversions		
2.05.3(5)	Topsoil (removal and storage)		
2.05.3(6)	Overburden		
2.05.3(7)	Coal Handling Structures		
2.05.3(8)	Coal Processing Waste and Non-Coal Processing Waste		
2.05.3(9)	Return of Coal Processing Waste to Abandoned Workings		
2.05.4	Reclamation Plan		

		Location in Application	
INFORMATION CATEGORY		NARRATIVE	MAPS
2.05.4(2)(a)	Timetables		
2.05.4(2)(b)	Reclamation Cost Estimates		
2.05.4(2)(c)	Backfilling and Grading		*Post-mining topography 2.05.4(2)(c)
2.05.4(2)(d)	Topsoil (Redistribution)		
2.05.4(2)(e)	Revegetation		
2.05.4(2)(f)	Disposal of Debris, Acid-Forming and Toxic-Forming Materials		
2.05.4(2)(g)	Sealing or Managing Mine Openings, Exploration Holes, Other Boreholes or Wells		
2.05.5	Post-Mining Land Uses		*Post-Mining Land Use 2.05.5(1)(c) or (2)(c)
2.05.6	Mitigation of the Impacts of Mining Operations		
2.05.6(1)	Air Pollution Control Plan		
2.05.6(2)	Fish and Wildlife Plan		
2.05.6(3)	Protection of the Hydrologic Balance		
2.05.6(4)	Protection of Public Parks and Historic Places		
2.05.6(5)	Surface Mining Near Underground Mining		
2.05.6(6)	Subsidence Survey, Subsidence Monitoring and Subsidence Control Plan		
2.06	Special Categories of Mining		
2.06.8	Alluvial Valley Floors (If not applicable, demonstrate why)		*Reconnaissance Level AVF Investigation 2.06.8(5)(b)
Additional Information the Applicant May Wish to Submit			

To the best of my knowledge, all the information presented in this application is true and correct.

BY: _____

TITLE: _____

(Signature by Individual Legally Authorized to Bind the Operator to this Application)

2.03.5 Compliance Information

- (1)(a) Neither the applicant, Bowie Resources, LLC, nor its subsidiaries or affiliates, if any, or persons controlled by or under common control with it, have had a Federal or state mining permit for surface coal mining operations suspended or revoked in the last five years prior to the date of submission of this application.
- (1)(b) Neither the applicant, Bowie Resources, LLC, nor its subsidiaries or affiliates, if any, or persons controlled by or under common control with it, have forfeited a mining bond or similar security deposited in lieu of bond.
- (2) No response necessary.
- (3) Bowie Resources, LLC, has not had any violation notice pertaining to any provision of the Act, or of any law, rule or regulation of the United States, or of any State law, rule or regulation enacted pursuant to Federal law, rule or regulation pertaining to air or water environmental protection during the three year period preceding the date of this page revision.

The applicant is not aware of any unabated cessation orders or any unabated air or water quality violation notices received by any surface coal mining and reclamation operation owned or controlled by the applicant or by any person who owns or controls the applicant received prior to the revision date at the bottom of this page.

Bowie No. 1 Mine								
Drill Hole List and Status								
Hole Number	Section	Township	Range	Date Drilled	Depth	Permit	Comment	Sealed Status
DH-52							Not Drilled	
DH-53							Not Drilled	
DH-54	11	13S	92W	10/27/1981	2073.5	Bowie-1	Sealed 1982	Sealed 1982
DH-55	10	13S	92W	11/18/1981	2035	Bowie-1	Sealed 1982	Sealed 1982
DH-56	15	13S	92W	11/17/1981	1169.5	Bowie-1	Sealed 1982	Sealed 1982
DH-57	7	13S	91W	9/19/1981	1694	Bowie-2	Sealed 1982	Sealed 1982
DH-58	18	13S	91W	11/22/1981	1963	Bowie-2	Monitoring Well	Sealed 2015
DH-59	14	13S	92W	1981	1401.5	Bowie-1	Sealed 1982	Sealed 1982
DH-60	14	13S	92W	1982	1085	Bowie-2	Monitoring Well	
DH-61	7	13S	91W	1982	2132	Bowie-2	Sealed 1982	Sealed 1982
DH-62	7	13S	91W	1982	1912	Bowie-2	Sealed 1982	Sealed 1982
DH-63	11	13S	92W	1982	1380	Bowie-1	Sealed 1982	Sealed 1982
DH-64	11	13S	92W	1982	1760	Bowie-1	Sealed 1982	Sealed 1982
DH-65	15	13S	92W	1982	1650	Bowie-1	Monitoring Well	
DH-66	15	13S	92W	1982	1528	Bowie-1	Sealed 1982	Sealed 1982
DH-67	15	13S	92W	1982	925	Bowie-1	Sealed 1982	Sealed 1982
DH-68	15	13S	92W	1982	1470	Bowie-1	Monitoring Well	
DH-69	7	13S	91W	1982	1970	Bowie-2	Monitoring Well	Sealed 2015
DH-70	17	13S	91W	1982	695	Bowie-1	Monitoring Well	
DH-71	18	13S	91W	1982	1097	Bowie-2	Sealed 1982	Sealed 1982
DH-72	8	13S	91W	1982	1000	Bowie-2	Sealed 1982	Sealed 1982
DH-73	7	13S	91W	1982	1638	Bowie-2	Sealed 1982	Sealed 1982
DH-74							Not Drilled	
DH-75							Not Drilled	
DH-76	14	13S	92W	1986		Bowie-1	Open	
GR-77-7	14	13S	92W	Unknown	509	Bowie-1	Monitoring Well	
DH-78	23	13S	92W	1986	360	Bowie-1	Not Found	
DH-78-2	23	13S	92W	1986	100	Bowie-1	Not Found	
DH-79	23	13S	92W	1986	343	Bowie-1	Not Found	
DH-80	23	13S	92W	1986	401	Bowie-1	Not Found	
DH-81	23	13S	92W	1986	463	Bowie-1	?	
DH-82	23	13S	92W	1986	433	Bowie-1	Intact	
DH-83	23	13S	92W	1986	382	Bowie-1	Intact	
DH-84	23	13S	92W	1986	302	Bowie-1	Not Found	
DH-85	23	13S	92W	1986	362	Bowie-1	Not Found	
DH-86	23	13S	92W	1986	300	Bowie-1	Not Found	
DH-87	23	13S	92W	1986	360	Bowie-1	Reclaimed	
DH-88							Not Drilled	
DH-89							Not Drilled	
DH-90	23	13S	92W	1986	523	Bowie-1	Reclaimed	
DH-91	23	13S	92W	1986	360	Bowie-1	Reclaimed	
DH-92	23	13S	92W	1986	543	Bowie-1	Not Found	
DH-93	23	13S	92W	1986	381	Bowie-1	Not Found	
BRL1-GMW-01	23	13S	92W	2001	770	Bowie-1	Open	
BV-1	13	13S	92W	2008		Bowie-1	?	
BV-2	24	13S	92W	2008		Bowie-1	Reclaimed	
2011-1	11	13S	92W	2011		Bowie-1	Reclaimed	Sealed
2011-2	12	13S	92W	2011		Bowie-2	Reclaimed	Sealed
2011-3							Not Drilled	

DH-XX Found On Map

DH-XX Not Found On Map

The power line that provided power to the pump house has not been removed.

18. Black Bridge Road

The Black Bridge Road was realigned during the time the loadout facility was constructed. The road was constructed over a large multi-plate structure that was installed so the rail cars could pass under the road.

Reclamation Status: The Black Bridge Road will not be reclaimed. The large multi-plate structure will be backfilled with compacted soil that will be obtained from the tail track material from the north side of the railroad bridge next to Bowie's orchard.

19. 46 kV Powerline and Metering Station

The 46kV powerline provided power to the substation that supplied power to the train loadout facilities. The metering station is located north of the Fire Mountain Canal.

Reclamation Status: The 46kV powerline and metering station have not been reclaimed.

20. Farmers Ditch Culvert

The Farmers Ditch culvert conveys the flow of the ditch under the loadout facility.

Reclamation Status: Reclamation has not been initiated. The open ditch will be reestablished through the loadout area as shown on Map 8A.

Haul road number 3 is approximately 300 feet long and is the exit from the loadout. The maximum and average grade for this haul road section is 9.1% and 4.9% respectively.

These roads are all in service and have been used for over twenty years to service the train loadout.

Reclamation Status: The three roads entering the site are still in place. Remaining asphalt will be removed and either recycled or hauled off site to a landfill.

2. Coal Stockpile

The coal stockpile is located just to the south of State Highway 133, is sloped moderately away from the highway and is provided with a sediment pond. It occupies an area of 3.7 acres, including the sediment pond, and was permitted to store 125,000 tons of coal by the Colorado Department of Health and environment by Construction Permit 83DL062-1F. This area was also permitted for limited stoker coal screening.

This stockpile, with its haul road and sedimentation pond was used for over twenty years to provide overflow coal storage for the train loadout.

Reclamation Status: Coal from the foot print of the coal stockpile has been removed. The coal stockpile area needs to be graded and seeded. Reclamation activities occurred in 2007.

3. Railroad Spur

The railroad spur is 2.4 miles long, including the wye section used to redirect trains. This railroad spur was used to store empty train sets, store loaded train sets and was used to stage the loading of train sets at the unit train loadout. The railroad spur crosses the North