



COLORADO
**Division of Reclamation,
Mining and Safety**
Department of Natural Resources
Rm 215
1001 E 62nd Ave
Denver CO 80216

July 19, 2023

Jodi Schreiber
Fremont Paving & Redi-Mix, Inc.
839 Mckenzie Ave.
PO Box 841
Canon City, CO 81215

RE: Two Rivers, Permit No. M-1998-038, Technical Revision (TR-7), Preliminary Adequacy Review

Dear Ms. Schreiber:

The Division of Reclamation, Mining and Safety (Division) is in the process of reviewing the above referenced Technical Revision in order to ensure that it adequately satisfies the requirements of the Colorado Mined Land Reclamation Act (§ § 34-32.5-101-34-32.5-125) (Act) and the Rules and Regulations for the Extraction of Construction Materials (Rules). During review of the material submitted, the Division determined that the following issues of concern need to be adequately addressed before the Technical Revision can be considered for approval:

1. A revision to the mining plan and mining plan map is required. The mining plan must provide the following details pertaining to the proposed increase in affected acres from 99 acres to 150 acres, at minimum:
 - a. The approved mining plan and mining plan map for the Two Rivers site states that the 'average size of the area to be worked will not exceed the areas indicated by each phase'. However, according to the approved permit and subsequent revisions, there are discrepancies regarding how phasing will be conducted and discrepancies regarding the planned total affected acreage.
 - i. Attached is a copy of the originally approved mining plan map. The area highlighted in yellow is not approved to be affected by mining at this time. If the 150 acres requested to be affected via TR-7 is within this new area, the permittee must instead submit an amendment application pursuant to Rule 1.1(6).
 - ii. If the proposed increase in affected acres is instead pertaining to an increase in the maximum allowed affected acres at any one time within the area approved to be mined, please submit an update to the mining plan that indicates how the operation is to be phased, or if phasing is to be discarded.
 - iii. Additionally, please submit an updated mining plan map that illustrates the area to be affected by mining. Also, please update the current phasing plans or illustrate that the affected land is equivalent to the maximum allowed to be affected at any one time if that is your intention.
2. A revision to the mining plan and reclamation plan is required. The mining plan and reclamation



plan must provide the following details pertaining to the proposed inclusion of the presence of highwalls on-site, at minimum:

- a. Please provide a maximum height and length for the highwall for any given time period during the life of the permit.
 - i. **As a reminder, the approved plan states that the area to be mined will be from 0-30 feet deep. Additionally, the approved mining plan states that mining will stay a minimum of 18" above the groundwater table and test holes will be dug in areas before affecting them to ensure this.*
- b. Please update the reclamation plan to include a description of how the highwalls will be reclaimed.

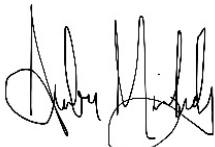
Be sure to update mining plan narrative, mining plan map, reclamation plan narrative, and any other exhibits affected by these changes pursuant to Rule 6.4.

The Division is required to issue a decision on **August 4, 2023**. Please submit your response(s) to the above listed issue(s) at least three days prior to the decision date in order to allow the Division sufficient time for review. If you cannot address the above issues by this date, please request an extension to the decision due date to ensure adequate time for the Division to review materials. If any adequacy issues remain by the decision due date the Division may deny your request.

The Division will continue to review your Technical Revision and will contact you if additional information is needed.

If you require additional information, or have questions or concerns, please contact me via email at amber.michels@state.co.us or by telephone at (720) 836-0967.

Sincerely,



Amber Michels
Environmental Protection Specialist

Enclosure: *Originally Approved Mine Plan Map*

Ec: Jared Ebert, Senior EPS, DRMS

RECEIVED

APR 22 1998

Division of Minerals & Geology

MINING PLAN

Permit Number
Class: ☒ Permit
Section/Exhibit: C
Type/Seq: M-1998-038
Class: ☐ Revision
Doc Type: ☐ Report ☐ Hydro ☐ General
Application (Coal only) ☐ Bond ☐ Enforcement ☐ Inspection

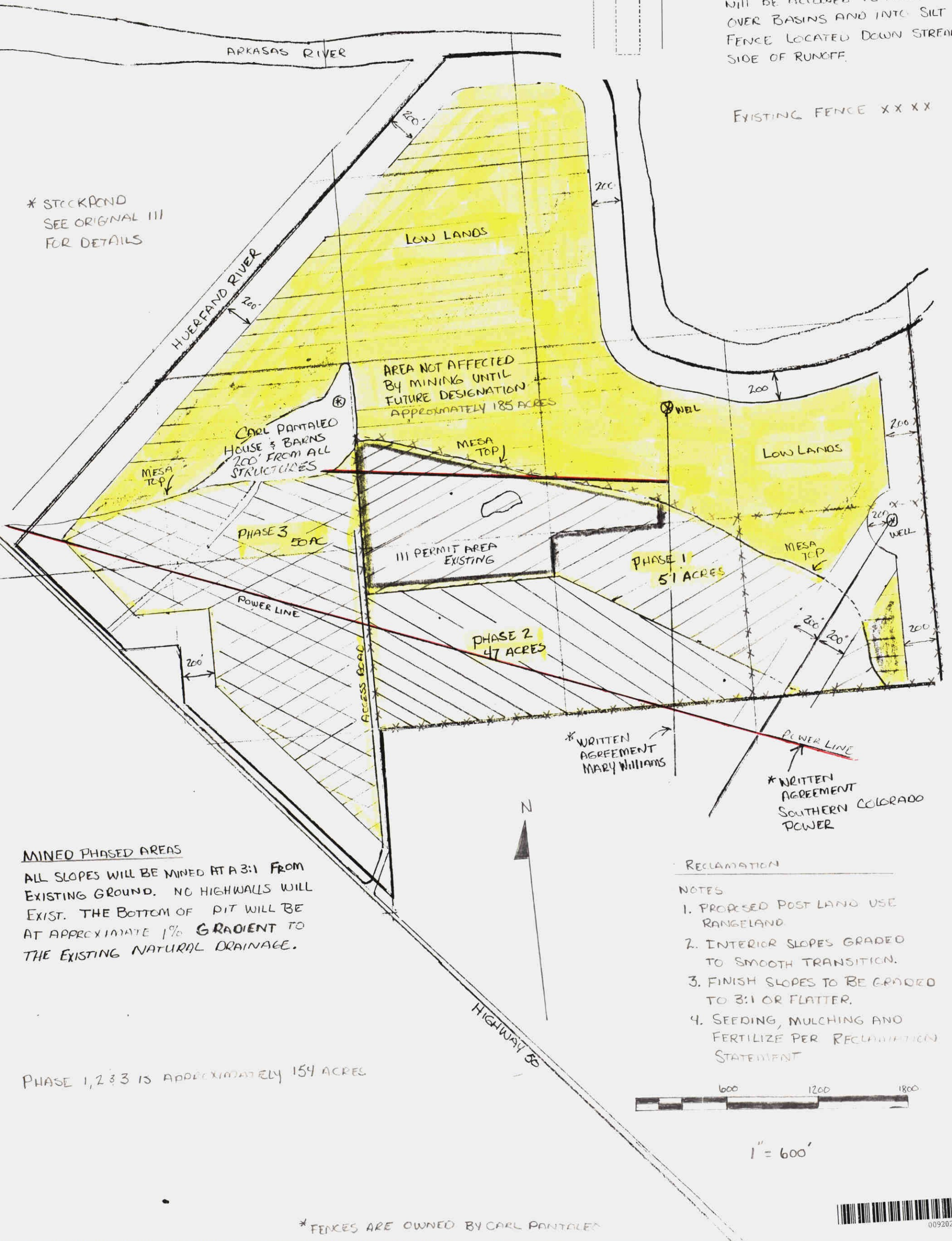
EXHIBIT C

EROSION CONTROL

SEDIMENT BASINS WILL BE CONSTRUCTED IN ALL NATURAL DRAINING LOCATIONS WATER WILL BE ALLOWED TO FLOW OVER BASINS AND INTO SILT FENCE LOCATED DOWN STREAM SIDE OF RUNOFF.

EXISTING FENCE XX XX

* STOCKPOND
SEE ORIGINAL III
FOR DETAILS



MINED PHASED AREAS

ALL SLOPES WILL BE MINED AT A 3:1 FROM EXISTING GROUND. NO HIGHWALLS WILL EXIST. THE BOTTOM OF PIT WILL BE AT APPROXIMATE 1% GRADIENT TO THE EXISTING NATURAL DRAINAGE.

PHASE 1, 2 & 3 IS APPROXIMATELY 154 ACRES

* WRITTEN AGREEMENT MARY WILLIAMS

* WRITTEN AGREEMENT SOUTHERN COLORADO POWER

RECLAMATION

NOTES

1. PROPOSED POST LAND USE RANGELAND.
2. INTERIOR SLOPES GRADED TO SMOOTH TRANSITION.
3. FINISH SLOPES TO BE GRADED TO 3:1 OR FLATTER.
4. SEEDING, MULCHING AND FERTILIZE PER RECLAMATION STATEMENT

600 1200 1800

1" = 600'

* FENCES ARE OWNED BY CARL PANTALEO



009202