



September 26, 2023

Frank Leone, Jr
Leone Sand & Gravel LLC
2400 E Main Street
Trinidad, CO 81082

Re: Leone Gravel Pit #2 - File No. M-2006-085 Leone Sand & Gravel LLC Acreage Release Request (AR-1)

Dear Frank Leone, Jr:

On September 26, 2023 the Division of Reclamation, Mining and Safety concluded its review of the Acreage Release Request application submitted to the Division on August 14, 2023, addressing the following:

The Operator requests an acreage reduction and a corresponding surety reduction to reduce their financial liability.

The decision reached by the Division is: Approve. However, the acres to be released equate to 134.21 instead of the originally requested 126.66 (see the September 6, 2023 DRMS inspection report for details). Also, due to the fact the current disturbance at the site exceeds what is approved at any one time, the reclamation liability is greater than the bond currently held. Therefore, the Operator is not eligible for a surety reduction.

In accordance with Rule 4.17.2(5), the Division is required to wait thirty (30) days from this notice to allow for appeal of the Division's decision. Once this period closes, if no appeal is submitted, the Division's decision will be final.

The permit area was reduced to 373.29 acres, through the release of -134.21 acres in this permit action. Because the permit is not totally released, you are still liable for filing annual reports and fees. Please submit a Technical Revision and update the mining and reclamation plan maps to depict the reduced permit area.

Bond Held:	\$157,399.00
Prior Liability:	\$157,399.00
Change in Liability:	\$0.00
Revised Liability:	\$157,399.00



Prior Permit Acreage:	507.50
Change in Permit Acreage:	-134.21
Revised Permit Acreage:	373.29
Prior Affected Acreage:	507.50
Change in Affected Acreage:	-134.21
Revised Affected Acreage:	373.29

If you have any questions, please contact me by telephone at (303) 866-3567 x 8137, or by email at amber.michels@state.co.us.

Sincerely,



Amber N. Michels
Environmental Protection

Cc: Steven O'Brian, Environmental Inc.
Jared Ebert, DRMS
Wayne Leone, Leone Sand & Gravel LLC