



October 24, 2023

Jodi Schreiber  
Fremont Paving & Redi-Mix, Inc.  
839 MacKenzie Avenue  
Canon City, CO 81212

**Re: Second Adequacy Review, Technical Revision 2 (TR2), Pueblo County Aggregate Project (PCAP), M-2016-009**

On October 23, 2023, the Division of Reclamation, Mining and Safety (Division) received your responses to the Division's adequacy review for the Technical Revision 2 (TR2) for the Pueblo County Aggregate Project (PCAP), File No. M-2016-009.

**DRMS Preliminary Adequacy Concern:**

- "On the technical revision form, it is indicated that the Operator intends to reduce the affected acreage from 1,530.29 acres to 1497.19 acres. However, in the narrative description of the revision request, it appears the Operator instead intended to reduce the maximum allowed disturbance acres to 48.1 acres. The 48.1 acres of maximum disturbance would include 15 acres of active mining, 15 acres that require re-seeding tasks only - until determined by the Division to have a stable vegetative cover, and 18.1 acres of haul roads that would require full reclamation."

**Operator's Response:**

- "I apologize for the confusion. I thought from the discussion we had I was to ask for reductions in both acreages. We would like to reduce the affected acres to a total of 48.1 at any given time."

**DRMS Preliminary Adequacy Concern:**

- "Additionally, the form indicates that a non-confidential, and a confidential map are were attached, however, no maps were received by the Division with the revision request."

**Operator's Response:**

- "There was a glitch in the system when I was trying to submit the TR online and it appears the map never was attached to the submission. It is attached for your review to this email."

**DRMS Second Adequacy Review Concern:**

A map was provided with the Operator's last response that indicates the layout of the internal haul roads planned for each Phase.

The Division has calculated the possible internal haul road acreages per Phase, and has attached a document with the different bonding and maximum disturbance options available to the Operator. Please, review the options in the attached document that demonstrate how the internal haul road acreages may affect the cost estimate and determine the total haul road acres at any given time.



In summary of the attached document, you may choose to be bonded for:

1. 48.1 acres of maximum disturbance, assuming that haul roads will be reclaimed prior to entering a new phase. With this option, haul road acres will need to be increased prior to entering Phase 4 via a Technical Revision.
2. 55.3 (or round up to 55.5) acres of maximum disturbance to allow for haul roads to remain between Phases and to account for the additional haul road length needed for Phase 4 without needing a subsequent Technical Revision.

Please verify the Division's understanding of the request is correct, or provide clarification, by **October 26, 2023**. The decision date for TR2 is set for October 27, 2023. If you need additional time to address this response, please request an extension from the Division.

If you have any questions regarding the Division's responses, please, send me an email at [amber.gibson@state.co.us](mailto:amber.gibson@state.co.us) or call me at 720-836-0967.

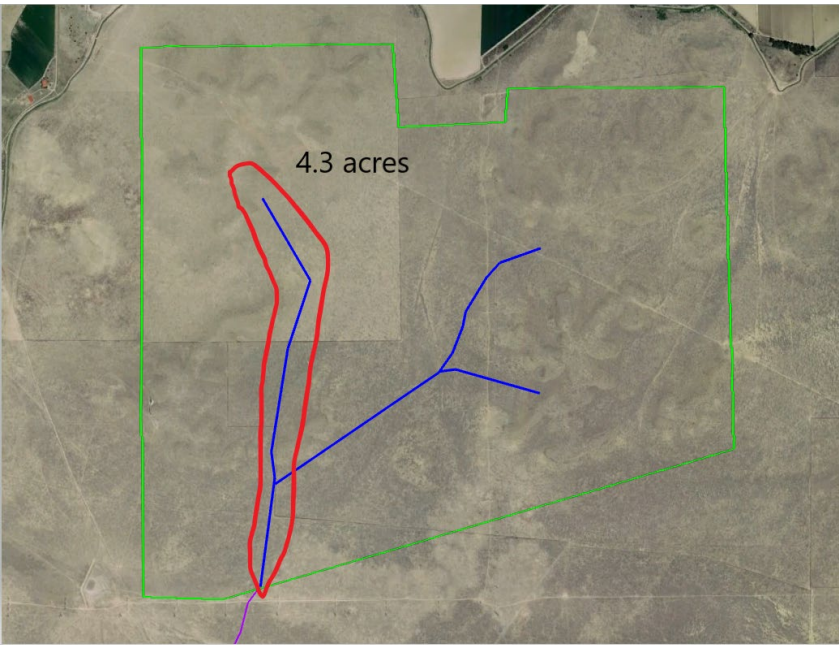
Sincerely,



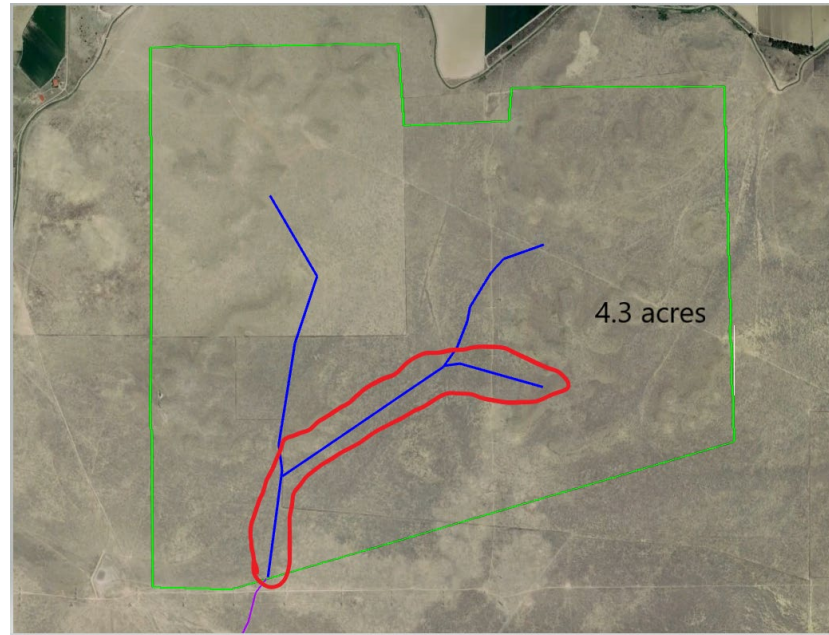
Amber M. Gibson  
Environmental Protection Specialist

Ec: Jared Ebert, DRMS  
Brock Bowles, DRMS

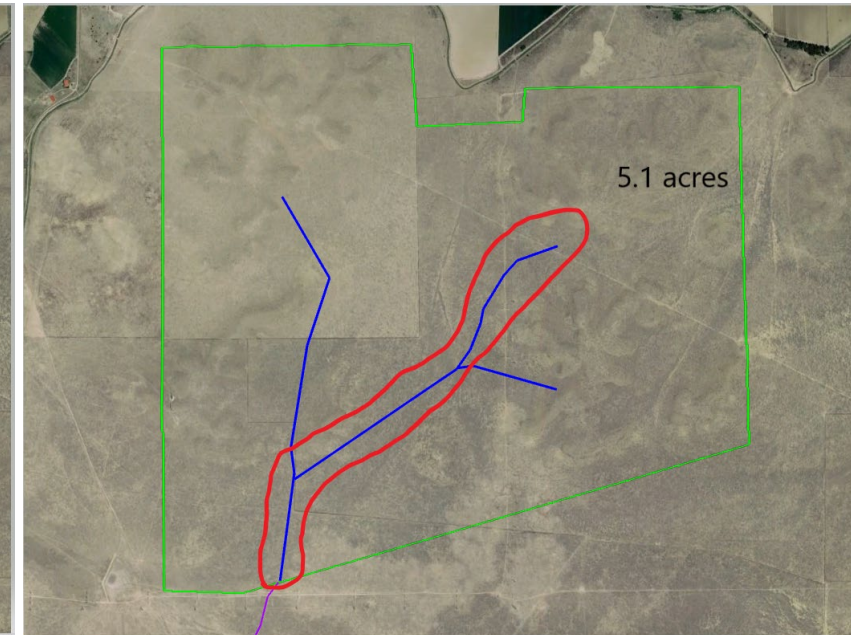
Internal Haul Road max. for Phases 1 and 2



Internal Haul Road max. for Phase 3

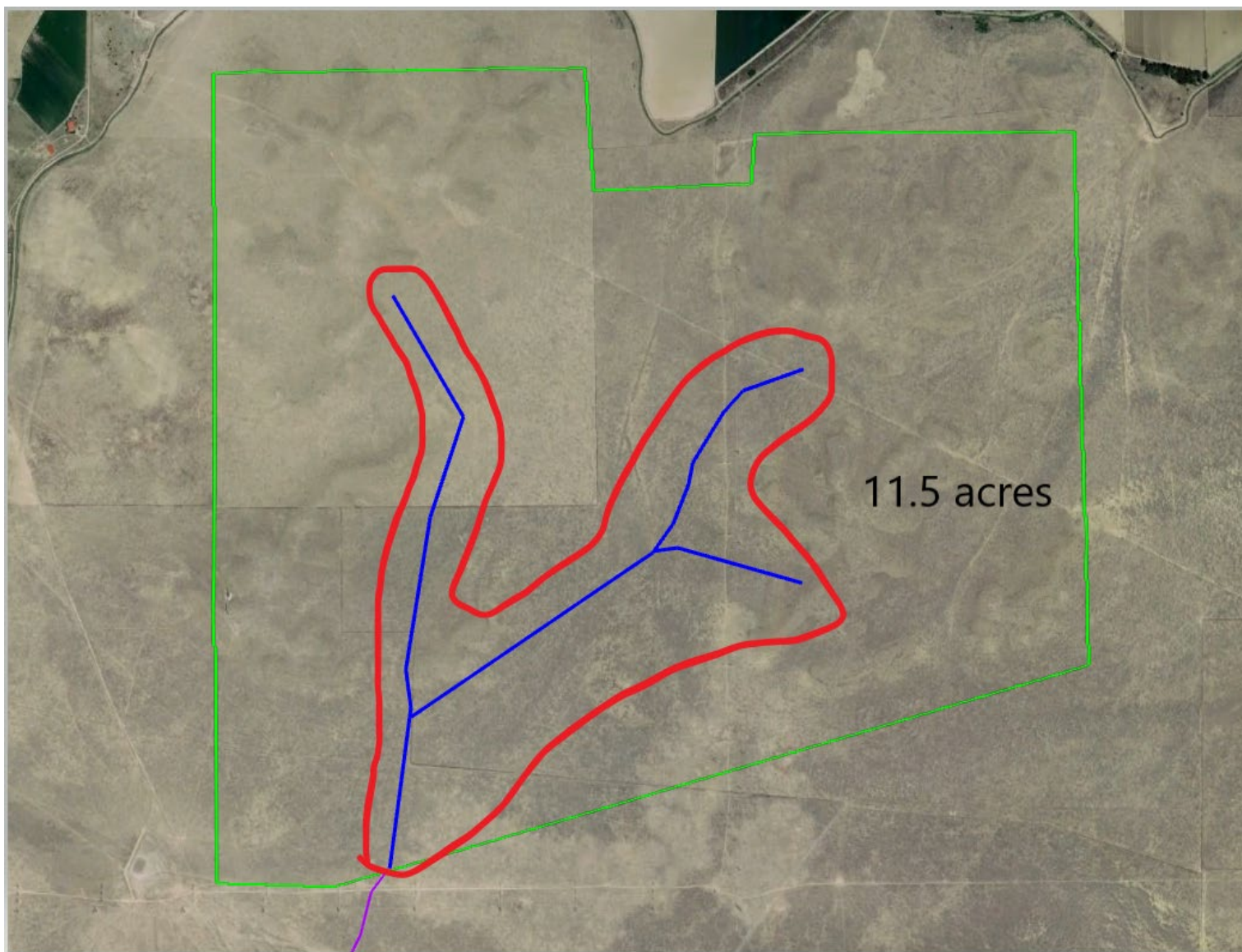


Internal Haul Road max. for Phase 4



Bonded for internal haul road acres by Phases. Internal haul roads must be reclaimed prior to beginning preparation for entering a new phase. For example, prior to mining in Phases 3 and 4, the haul road leading to Phase 1 must be reclaimed, and the acreage for the total haul roads would be adjusted to 18.9 from 18.1 estimated for Phases 1 and 2 (13.8 acres of S haul road plus 5.1 acres of internal haul road leading to Phase 4).





Internal Haul Road maximum acres at any one time. This allows for the internal haul roads to remain regardless of which Phase is being mined. This would bring the total haul road acreage for the cost estimate to 25.3 acres.