



**COLORADO**  
Division of Reclamation,  
Mining and Safety  
Department of Natural Resources

December 15, 2023

Frank Leone Jr.  
2400 E Main St  
Trinidad, CO  
81082

**Re: Adequacy Review, Technical Revision 1 (TR1), Leone Gravel Pit #2, M-2006-085**

Dear Mr. Leone,

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 issue of concern needs to be adequately addressed before the Technical Revision can be considered for approval:

1. If the operation intends to maintain a maximum disturbance of 87 acres, this must include all disturbed land in the entire permit area that has not been completely reclaimed, with adequate vegetation established, in accordance with the approved reclamation plan.

With this in mind, does the Operator intend to disturb only 87 acres at any time within the entire permit area, including both the Biber property and the remaining portions of the Howell property?

Please submit your response to the above listed issue at least three days prior to the December 21, 2023 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 have any questions, 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,



A handwritten signature in blue ink, appearing to read "Amber M. Gibson". The signature is fluid and cursive, with the first name "Amber" and last name "Gibson" clearly distinguishable.

Amber M. Gibson  
Environmental Protection Specialist I

Cc: Jared Ebert, Senior EPS, DRMS