

STATE OF  
COLORADO

Eschberger - DNR, Amy &lt;amy.eschberger@state.co.us&gt;

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## Determination on Is It Mining Form, M-2024-048 / Permit Required

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**Eschberger - DNR, Amy** <amy.eschberger@state.co.us>

Thu, Oct 3, 2024 at 12:49 PM

To: Mark Brooks &lt;mbrooks@sema.inc&gt;

Cc: "Carter - DNR, Jocelyn" &lt;jocelyn.carter@state.co.us&gt;

Hi Mark,

I'm sorry I didn't realize the site involved with this project was already permitted through our office. Our team recently inherited this county, so I'm not familiar with the existing permits in that area just yet. I do have all the active permits for this county plotted in Google Earth based on the location data (for the center of the affected lands) provided in the application. But when I initially looked up your site location, the Pueblo West Pit (Permit No. M-1977-573) is plotted to the south of the river, while your site was located north of the river. Therefore, I assumed this was a pre-law or previously released mine site.

After looking into the Pueblo West Pit, which is an active permit held by Colorado Water Protective and Development Association, it appears there were several acreage reductions approved over the years, leaving only the affected lands (122.08 acres) to the north of the river, which is why the location information we have in our system no longer matches the permitted acreage. I'm attaching the most recent map we have on file for Pueblo West Pit (from 2019) showing the currently approved 122.08 acre permit area.

Since your proposed project is located within the affected land boundary of an active permit, there is no need to submit an additional permit for the project. Bringing in material from off-site or any other deviations from the approved mining or reclamation plans would require the permittee to submit a revision to update the permit accordingly. However, in this case, excess stockpiled material is being removed from the pit floor and taken off site, and there appear to be no changes to the mining or reclamation plans for the Pueblo West Pit. So no permit revision is required.

Accordingly, no permit would be required for the project proposed in your 9/13/2024 Is it Mining questionnaire.

Feel free to reach out with any additional questions.

Best Regards,

Amy Eschberger  
Senior Environmental Protection Specialist



**COLORADO**  
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Mining and Safety  
Department of Natural Resources

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**M1977-573\_AR-7\_Site-Survey\_2019-09-10.pdf**

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