



June 6, 2025

Jodi Schreiber
John P. Ary
Fremont Paving & Redi-Mix, Inc.
P.O. Box 841
Cañon City, CO 81215

RE: Ted Franciscotti Pit #1, Permit No. M-2007-006, Technical Revision (TR2), Adequacy Review No. 3

Dear Ms. Schreiber,

The Division of Reclamation, Mining and Safety (Division/DRMS) is in the process of reviewing the above referenced Technical Revision and your adequacy responses received on June 2 and June 5, 2025 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(s) of concern need to be adequately addressed before the Technical Revision can be considered for approval. Please provide the following:

Maps and Mining Plan

1. Adequately addressed
2. The Applicant's second adequacy response states: "The applicant concurs and wants to clarify that the Phase 1 Historical area that was in the previous 111 permit will not be disturbed in any fashion throughout mining operations."

The Division understands this to mean that there will be no further disturbance in the 32-acre Phase 1 Historical area and has not included it in the area to be mined, and therefore has not calculated it in the reclamation cost estimate. Please verify if this is accurate, or if the Division misunderstood, please provide the Division with the total acreage to be disturbed in this area and what reclamation would be needed.

Once the plan is agreed upon provide an updated Mining Plan exhibit.

3. Adequately addressed



4. Previously adequately addressed.

Reclamation Plan and Reclamation Map

5. The current disturbance at the site exceeds the proposed 200' highwall estimate provided in the Mining Plan and Reclamation Cost Estimate exhibits. The current length of slopes that will need to be backfilled and graded in the Operator's disturbance is composed of 2H:1V slopes at 1559' L x 15'H and the slopes that need to be backfilled and graded in the Landowner's pit is composed of highwalls at 742.23' L x 10'H.

Because the Division must hold a bond for the current disturbance plus the proposed disturbance, this has been factored into the cost estimate enclosed with this review. The cost estimate accounts for the current highwall, the refuse pile, re-seeding in the Phase 1 Historical 111 area, and 60 acres that will require topsoiling and seeding. If this is correct, the Operator cannot create additional length of highwalls without backfilling and grading some of the existing slopes to a 3H:1V. Please review the estimate and determine if it accurately reflects the reclamation work that will be required in Phase 1.

Once the plan is agreed upon, please inform the Division. Also, please provide an updated Reclamation Plan exhibit.

6. Previously adequately addressed.
7. Previously adequately addressed.
8. Previously adequately addressed.
9. Adequately addressed
10. Adequately addressed

Please submit your responses to the above listed issues as soon as possible to allow the Division sufficient time for review. If you will require additional time to submit responses to be reviewed, please request an extension to the decision due date to ensure adequate time for the Division to review materials. A decision due date of **June 9, 2025** has been set. 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 feel free to contact me at amber.gibson@state.co.us or 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

Enclosure: TR2 Reclamation Cost Estimate

Ec: John P. Ary, Fremont Paving & Redi-Mix, Inc.
Jared Ebert, DRMS

COST SUMMARY WORK

Task description: Reclamation Cost Estimate Summary -TR2

Site: Ted Franciscotti Pit #1

Permit Action: TR2

Permit/Job#: M2007006

PROJECT IDENTIFICATION

Task #: 000

State: Colorado

Abbreviation: None

Date: 6/5/2025

County: Huerfano

Filename: M006-000

User: AMG

Agency or organization name: DRMS

TASK LIST (DIRECT COSTS)

Task	Description	Form Used	Fleet Size	Task Hours	Cost
001	Grade slopes within east disturbance to 3H:1V	DOZER	1	1.62	\$356
002	Grade highwalls within landowner's pit to 3H:1V	DOZER	1	1.53	\$337
003	Grade Out Reject Stockpile	DOZER	1	40.82	\$8,965
004	Spread topsoil over 60 acres	SCRAPER1	1	49.18	\$49,771
005	Revegetate 60 acres	REVEGE	1	60.00	\$133,197
005b	Re-seed 50% of 18 acre Phase 1 - Historical 111 area	REVEGE	1	9.00	\$6,491
006	Mobilization/Demobilization	MOBILIZE	1	6.44	\$7,501
<u>SUBTOTALS:</u>				168.59	\$206,618

INDIRECT COSTS

OVERHEAD AND PROFIT:

Liability insurance: 2.02

Total = \$4,174

Performance bond: 1.05

Total = \$2,169

Job superintendent: 84.30

Total = \$6,682

Profit: 10.00

Total = \$20,662

TOTAL O & P = \$33,687

CONTRACT AMOUNT (direct + O & P) = \$240,305

LEGAL - ENGINEERING - PROJECT MANAGEMENT:

Financial warranty processing (legal/related costs): \$500

Total = \$500

Engineering work and/or contract/bid preparation: 4.25

Total = \$10,213

Reclamation management and/or administration: 5.00

\$12,015

CONTINGENCY: 0.00

Total = \$0

TOTAL INDIRECT COST = \$56,415

TOTAL BOND AMOUNT (direct + indirect) = \$263,033

BULLDOZER WORKTask description: Grade slopes within east disturbance to 3H:1VSite: Ted Franciscotti Pit #1Permit Action: TR2Permit/Job#: M2007006**PROJECT IDENTIFICATION**Task #: 001State: ColoradoAbbreviation: NoneDate: 5/28/2025County: HuerfanoFilename: 1User: AMGAgency or organization name: DRMS**HOURLY EQUIPMENT COST**Basic Machine: Cat D7R DS XR Series IIHorsepower: 240Blade Type: Semi-UniversalAttachment: 3-shank ripperShift Basis: 1 per dayData Source: (CRG)**Cost Breakdown:**

		<u>Utilization %</u>
Ownership Cost/Hour:	<u>\$90.24</u>	<u>NA</u>
Operating Cost/Hour:	<u>\$78.95</u>	<u>100</u>
Ripper own. Cost/Hour:	<u>\$9.25</u>	<u>NA</u>
Ripper op. Cost/Hour:	<u>\$2.60</u>	<u>50</u>
Operator Cost/Hour:	<u>\$38.59</u>	<u>NA</u>

Total unit Cost/Hour: \$219.63Total Fleet Cost/Hour: \$219.63**MATERIAL QUANTITIES**Initial Volume: 902Swell factor: 1.060Loose volume: 956 LCYSource of estimated volume: 2024 Inspection length est. ~ 1559' L x 15' H slope
2H:1VSource of estimated swell factor: Cat Handbook**HOURLY PRODUCTION**Average push distance: 50 feetUnadjusted hourly production: 1,022.9 LCY/hrMaterials consistency description: Consolidated stockpile 1.0Average push gradient: -15 %Average site altitude: 6,100 feetMaterial weight: 2,900 lbs/LCYWeight description: Sand and gravel - Dry**Job Condition Correction Factor**

		<u>Source</u>
Operator Skill:	<u>0.750</u>	<u>(AVG.)</u>
Material consistency:	<u>1.000</u>	<u>(CAT HB)</u>
Dozing method:	<u>1.100</u>	<u>(50% SL)</u>
Visibility:	<u>1.000</u>	<u>(AVG.)</u>

Job efficiency:	0.830	(1 SHIFT/DAY)
Spoil pile:	0.800	(FND-RF)
Push gradient:	1.329	(CAT HB)
Altitude:	1.000	(CAT HB)
Material Weight:	0.793	(CAT HB)
Blade type:	1.000	(PAT)

Net correction: 0.5773

Adjusted unit production: 590.52 LCY/hr

Adjusted fleet production: **590.52** LCY/hr

JOB TIME AND COST

Fleet size: 1 Dozer(s)

Unit cost: \$0.372/LCY

Total job time: **1.62** Hours

Total job cost: **\$356**

BULLDOZER WORKTask description: Grade highwalls within landowner's pit to 3H:1VSite: Ted Franciscotti Pit #1Permit Action: TR2Permit/Job#: M2007006**PROJECT IDENTIFICATION**Task #: 002State: ColoradoAbbreviation: NoneDate: 5/28/2025County: HuerfanoFilename: 2User: AMGAgency or organization name: DRMS**HOURLY EQUIPMENT COST**Basic Machine: Cat D7R DS XR Series IIHorsepower: 240Blade Type: Semi-UniversalAttachment: 3-shank ripperShift Basis: 1 per dayData Source: (CRG)**Cost Breakdown:**

		<u>Utilization %</u>
Ownership Cost/Hour:	\$90.24	NA
Operating Cost/Hour:	\$78.95	100
Ripper own. Cost/Hour:	\$9.25	NA
Ripper op. Cost/Hour:	\$2.60	50
Operator Cost/Hour:	\$38.59	NA

Total unit Cost/Hour: \$219.63Total Fleet Cost/Hour: \$219.63**MATERIAL QUANTITIES**Initial Volume: 725Swell factor: 1.124Loose volume: 815 LCYSource of estimated volume: 2024 Inspection length est ~ 742.23 L x 10' H slope
.75H:1VSource of estimated swell factor: Cat Handbook**HOURLY PRODUCTION**Average push distance: 50 feetUnadjusted hourly production: 1,022.9 LCY/hrMaterials consistency description: Compacted fill or embankment 0.9Average push gradient: -15 %Average site altitude: 6,100 feetMaterial weight: 2,900 lbs/LCYWeight description: Sand and gravel - Dry**Job Condition Correction Factor**

		<u>Source</u>
Operator Skill:	0.750	(AVG.)
Material consistency:	0.900	(CAT HB))
Dozing method:	1.100	(50% SL)
Visibility:	1.000	(AVG.)

Job efficiency:	0.830	(1 SHIFT/DAY)
Spoil pile:	0.800	(FND-RF)
Push gradient:	1.329	(CAT HB)
Altitude:	1.000	(CAT HB)
Material Weight:	0.793	(CAT HB)
Blade type:	1.000	(PAT)

Net correction: 0.5196

Adjusted unit production: 531.50 LCY/hr

Adjusted fleet production: **531.5** LCY/hr

JOB TIME AND COST

Fleet size: 1 Dozer(s)

Unit cost: \$0.413/LCY

Total job time: **1.53** Hours

Total job cost: **\$337**

BULLDOZER WORKTask description: **Grade Out Reject Stockpile**Site: **Ted Franciscotti Pit #1** Permit Action: **TR2** Permit/Job#: **M2007006****PROJECT IDENTIFICATION**

Task #: **003** State: **Colorado** Abbreviation: **None**
 Date: **6/5/2025** County: **Huerfano** Filename: **M006-003**
 User: **AMG**

Agency or organization name: **DRMS****HOURLY EQUIPMENT COST**

Basic Machine: **Cat D7R DS XR Series II**
 Horsepower: **240**
 Blade Type: **Semi-Universal**
 Attachment: **3-shank ripper**
 Shift Basis: **1 per day**
 Data Source: **(CRG)**

Cost Breakdown:

		<u>Utilization %</u>
Ownership Cost/Hour:	\$90.24	NA
Operating Cost/Hour:	\$78.95	100
Ripper own. Cost/Hour:	\$9.25	NA
Ripper op. Cost/Hour:	\$2.60	50
Operator Cost/Hour:	\$38.59	NA

Total unit Cost/Hour: **\$219.63**
 Total Fleet Cost/Hour: **\$219.63**

MATERIAL QUANTITIES

Initial Volume: **5,875**
 Swell factor: **1.060**
 Loose volume: **6,228 LCY**

Source of estimated volume: **Inspection Estimate using GE imagery and est 5' H avg.**
 Source of estimated swell factor: **Cat Handbook**

HOURLY PRODUCTION

Average push distance: **300 feet**
 Unadjusted hourly production: **311.1 LCY/hr**

Materials consistency description: **Compacted fill or embankment 0.9**

Average push gradient: **-5 %**
 Average site altitude: **6,100 feet**

Material weight: **2,900 lbs/LCY**Weight description: **Sand and gravel - Dry**

<u>Job Condition Correction Factor</u>	<u>Source</u>
Operator Skill: 0.750	(AVG.)
Material consistency: 0.900	(CAT HB))
Dozing method: 1.100	(50% SL)
Visibility: 1.000	(AVG.)
Job efficiency: 0.830	(1 SHIFT/DAY)

Spoil pile:	0.900	(SSD-FC)
Push gradient:	1.115	(CAT HB)
Altitude:	1.000	(CAT HB)
Material Weight:	0.793	(CAT HB)
Blade type:	1.000	(PAT)

Net correction: 0.4904

Adjusted unit production: 152.56 LCY/hr

Adjusted fleet production: **152.56** LCY/hr

JOB TIME AND COST

Fleet size: 1 Dozer(s)

Unit cost: \$1.440/LCY

Total job time: **40.82** Hours

Total job cost: **\$8,965**

SCRAPER TEAM WORKTask description: Spread topsoil over 60 acresSite: Ted Franciscotti Pit #1Permit Action: TR2Permit/Job#: M2007006**PROJECT IDENTIFICATION**Task #: 004State: ColoradoAbbreviation: NoneDate: 6/6/2025County: HuerfanoFilename: M006-004User: AMGAgency or organization name: DRMS**HOURLY EQUIPMENT**COSTShift basis: 1 per day

Equipment Description	
-Scraper:	Cat 627G
-Dozer:	NA
Support Equipment -Load Area:	NA
-Dump Area:	NA
Road Maintenance -Motor Grader:	NA
-Water Truck:	NA

Cost Breakdown:**Scraper Work Team****Support Equipment****Maintenance Equipment**

	Scraper	Dozer	Load Area	Dump Area	Motor Grader	Water Truck
%Utilization-machine:	100	NA	NA	NA	NA	NA
Ownership cost/hour:	\$217.39	NA	NA	NA	NA	NA
Operating cost/hour:	\$257.76	NA	NA	NA	NA	NA
%Utilization-ripper:	NA	NA	NA	NA	NA	NA
Ripper own. cost/hour:	NA	NA	NA	NA	NA	NA
Ripper op. cost/hour:	NA	NA	NA	NA	NA	NA
Operator cost/hour:	\$30.90	NA	NA	NA	NA	NA
Unit Subtotals:	\$506.05	NA	NA	NA	NA	NA
Number of Units:	2	0	0	0	0	0
Group Subtotals:	Work: \$1,012.10		Support:	\$0.00	Maint:	\$0.00

Total work team cost/hour: \$1,012.10**MATERIAL QUANTITIES**Initial volume: 48,400

CCY

Swell factor: 1.215Loose volume: 58,806

LCY

Source of estimated volume: 6" over 60 acres of Ph. 1 - exludes 32 acre historical areaSource of estimated swell factor: Cat Handbook**HOURLY PRODUCTION****Scraper Bowl (volume) Basis:**

Material weight: 1,600 lbs/LCY
 Material description: Top Soil
 Rated Payload: 52,800 pounds
 Payload Capacity: 33.00 LCY

Struck Volume: 15.70 LCY
 Heaped Volume: 22.00 LCY
 Average Volume: 18.85 LCY
 Adjusted Capacity: 18.85 LCY

Cycle Time:Scraper Loading Time: 0.50 MinutesManeuver and Spread Time: 0.60 MinutesJob Condition Correction:

Site Altitude: 6100 feet

	Scraper	Push Dozer	Source
Altitude Adj:	1.000	1.000	(CAT HB)
Job Efficiency:	0.830	0.830	(CAT HB)
Net Correction:	0.830	0.830	

Travel Time:Road Condition: Hard, smooth, stabilized, surfaced, watered, maintained 2.0Haul Route:

Seg #	Haul Distance (Ft)	Grade (%)	Roll. Res (%)	Total Res (%)	Velocity (fpm)	Travel Time (min)
1	300.00	2.00	2.00	4.00	2665	0.28

Haul Time: 0.28 minutesReturn Route:

Seg #	Haul Distance (Ft)	Grade (%)	Roll. Res (%)	Total Res (%)	Velocity (fpm)	Travel Time (min)
1	300.00	-2.00	2.00	0.00	2921	0.19

Return Time: 0.19 minutesTotal Scraper team cycle time: 1.57 minutesAdjusted for job conditions: 597.92 LCY/HourSelected Number of Scrapers: 2 Scraper(s)Adjusted single scraper team (unit) hourly production: 1,195.83 LCY/HourAdjusted multiple scraper team (fleet) hourly production: 1,195.83 LCY/HourUnadjusted unit production/hour: 720.38 LCY/Hour

Optimal Number of Scrapers per push dozer: _____

JOB TIME AND COSTFleet size: 1 Team(s)Total job time: 49.18 HoursUnit cost: \$0.846 /LCYTotal job cost: \$49,771

REVEGETATION WORKTask description: Revegetate 60 acresSite: Ted Franciscotti Pit #1Permit Action: TR2Permit/Job#: M2007006**PROJECT IDENTIFICATION**Task #: 005State: ColoradoAbbreviation: NoneDate: 6/5/2025County: HuerfanoFilename: M006-005User: AMGAgency or organization name: DRMS**TILLING**

Description	Cost /Acre
Disc harrowing, 6" deep (MEANS 32 91 13.23 6100)	\$117.61
Weed control spraying (MEANS 31 31 16.13 3100)	\$338.80
Total Tilling Cost/Acre	\$456.41

SEEDING

Seed Mix	Rate – PLS LBS / Acre	Seeds per SQ. FT	Cost /Acre
Blue Grama - Hachita	0.90	14.69	\$25.78
Indiangrass - Cheyenne	0.60	1.83	\$7.38
Little Bluestem - Native	0.40	2.39	\$6.16
Sideoats Grama - El Reno	1.00	3.28	\$24.42
Galleta	0.20	0.73	\$11.09
Western Wheatgrass - Native	4.80	12.12	\$43.23
Needlegrass, Green - Lodorm	0.50	2.08	\$4.32
Winter Fat	0.50	1.27	\$23.36
Totals Seed Mix	8.90	38.39	\$145.75

Application

Description	Cost /Acre
Drill Seeding (DRMS Survey Cost)	\$236.64
Total Seed Application Cost/Acre	\$236.64

MULCHING and MISCELLANEOUS**Materials**

Description	Units / Acre	Unit	Cost / Unit	Cost /Acre
Hay, delivered {MEANS 31 25 14.16 1200}	2.00	TON	\$492.78	\$985.56
Total Mulch Materials Cost/Acre				\$985.56

Application

Description	Cost /Acre
Crimping, with tractor {DMG survey data}	\$85.37
Power mulcher (MEANS 32 91 13.16 0350)	\$157.25
Total Mulch Application Cost/Acre	\$242.63

JOB TIME AND COST

No. of Acres:	<u>60</u>	Cost /Acre:	<u>\$2,066.99</u>
Estimated Failure Rate:	<u>40%</u>	Cost /Acre*:	<u>\$382.39</u>
*Selected Replanting Work Items:	<u>SEEDING</u>		
Initial Job Cost:	<u>\$124,019.40</u>		
Reseeding Job Cost:	<u>\$9,177.36</u>		
Total Job Cost:	<u>\$133,197</u>		
Job Hours:	<u>60.00</u>		

REVEGETATION WORKTask description: Re-seed 50% of 18 acre Phase 1 - Historical 111 areaSite: Ted Franciscotti Pit #1Permit Action: TR2Permit/Job#: M2007006**PROJECT IDENTIFICATION**Task #: 005BState: ColoradoAbbreviation: NoneDate: 6/6/2025County: HuerfanoFilename: M006-005bUser: AMGAgency or organization name: DRMS**TILLING**

Description	Cost /Acre
Weed control spraying (MEANS 31 31 16.13 3100)	\$338.80
Total Tilling Cost/Acre	\$338.80

SEEDING

Seed Mix	Rate – PLS LBS / Acre	Seeds per SQ. FT	Cost /Acre
Blue Grama - Hachita	0.90	14.69	\$25.78
Indiangrass - Cheyenne	0.60	1.83	\$7.38
Little Bluestem - Native	0.40	2.39	\$6.16
Sideoats Grama - El Reno	1.00	3.28	\$24.42
Galleta	0.20	0.73	\$11.09
Western Wheatgrass - Native	4.80	12.12	\$43.23
Needlegrass, Green - Lodorm	0.50	2.08	\$4.32
Winter Fat	0.50	1.27	\$23.36
Totals Seed Mix	8.90	38.39	\$145.75

Application

Description	Cost /Acre
Drill Seeding (DRMS Survey Cost)	\$236.64
Total Seed Application Cost/Acre	\$236.64

JOB TIME AND COSTNo. of Acres: 9Cost /Acre: \$721.19Estimated Failure Rate: 20%Cost /Acre*: \$0.00*Selected Replanting Work Items: NONEInitial Job Cost: \$6,490.71Reseeding Job Cost: \$0.00Total Job Cost: \$6,491Job Hours: 9.00

EQUIPMENT MOBILIZATION/DEMOBILIZATIONTask description: **Mobilization/Demobilization**Site: **Ted Franciscotti Pit #1**Permit Action: **TR2**Permit/Job#: **M2007006****PROJECT IDENTIFICATION**Task #: **006**State: **Colorado**Abbreviation: **None**Date: **6/5/2025**County: **Huerfano**Filename: **6**User: **AMG**Agency or organization name: **DRMS****EQUIPMENT TRANSPORT RIG COST**Shift basis: **1 per day**Cost Data Source: **CRG Data**Truck Tractor Description: **GENERIC ON-HIGHWAY TRUCK TRACTOR, 6X4, DIESEL POWERED,
400 HP (2ND HALF, 2006)**Truck Trailer Description: **GENERIC FOLDING GOOSENECK, DROP DECK EQUIPMENT
TRAILER (25T, 50T, AND 100T)****Cost Breakdown:**

Available Rig Capacities	0-25 Tons	26-50 Tons	51+ Tons
Ownership Cost/Hour:	\$10.44	\$22.18	\$23.94
Operating Cost/Hour:	\$26.48	\$54.55	\$55.65
Operator Cost/Hour:	\$22.52	\$22.52	\$22.52
Helper Cost/Hour:	\$0.00	\$23.53	\$23.53
Total Unit Cost/Hour:	\$59.44	\$122.78	\$125.64

NON ROADABLE EQUIPMENT:

Machine Description	Weight/ Unit (TONS)	Owner ship Cost/hr/ unit	Haul Rig Cost/hr/unit	Fleet Size	Haul Trip Cost/hr/ fleet	Return Trip Cost/hr/ fleet	DOT Permit Cost/ fleet
Cat D7R DS XR Series II	35.93	\$99.49	\$122.78	1	\$222.27	\$122.78	\$250.00
Drill/Broadcast Seeder with Tractor	25.00	\$41.02	\$59.44	2	\$200.92	\$118.88	\$250.00
Power Mulcher (Bowie LD-90)	6.00	\$27.21	\$59.44	1	\$86.65	\$59.44	\$250.00
Cat 627G	41.80	\$217.39	\$122.78	1	\$340.17	\$122.78	\$500.00

Subtotals: **\$850.01** **\$423.88** **\$1,250.00****ROADABLE EQUIPMENT:**

Machine Description	Total Cost/hr/ unit	Fleet Size	Haul Trip Cost/hr/ fleet	Return Trip Cost/hr/ fleet
Light Duty Pickup, 4x4, 3/4 T.	\$119.71	1	\$119.71	\$119.71

Subtotals: **\$119.71** **\$119.71**

EQUIPMENT HAUL DISTANCE and Time

Nearest Major City or Town within project area region: PUEBLO
 Total one-way travel distance: 43.00 miles
 Average Travel Speed: 55.00 mph

Total Non-Roadable Mob/Demob Cost * \$7,313.93
 ** two round trips with haul rig:
 Total Roadable Mob/Demob Cost ** \$187.18
 ** one round trip, no haul rig:

Transportation Cycle Time:

	Non-Roadable Equipment	Roadable Equipment
Haul Time (Hours):	0.78	0.78
Return Time (Hours):	0.78	0.78
Loading Time (Hours):	0.83	NA
Unloading Time (Hours):	0.83	NA
Subtotals:	3.22	1.56

JOB TIME AND COST

Total job time: 6.45 Hours

Total job cost: \$7,501