



Robert Congdon  
Defiance Stone Company LLC.  
1929 Dolores Way  
Carbondale, CO, 81623

August 11, 2025

**Re: Brown Quarry Application (M-2024-023)  
Fifth Adequacy Review**

Dear Mr. Congdon,

All technical adequacy issues have been satisfactorily addressed. More detail is given below:

Rule 6.3.1 Exhibit A - Legal Description and Location Map

1. Exhibit A was revised to describe a single contiguous permit area, including all lands to be affected by the operation. A table of coordinates with vertices of the permit area and corresponding acreages, is given in the text. The permit boundary was digitized from the location map. The area described by the permit boundary is approximately 4.44 acres, which matches the area given on the application form.

**The response is sufficient.**

Rule 6.3.2 Exhibit B - Site Description

2. [Response is sufficient]
3. [Response is sufficient]
4. [Response is sufficient]

Rule 6.3.3 Exhibit C - Mining Plan

5. [Response is sufficient]
6. [Response is sufficient]
7. [Response is sufficient]
8. [Response is sufficient]
9. [Response is sufficient]
10. [Response is sufficient]
11. [Response is sufficient]
12. [Response is sufficient]
13. [Response is sufficient]
14. [Response is sufficient]
15. [Response is sufficient]
16. [Response is sufficient]



- 17. [Response is sufficient]
- 18. [Response is sufficient]
- 19. [Response is sufficient]
- 20. [Response is sufficient]
- 21. [Response is sufficient]

- 22. The Geotechnical Stability Exhibit was revised to refer to Colorado Geologic Survey (CGS) mapping and reports, and to provide reports of physical property tests on four samples provided by Defiance Stone, conducted by the Natural Stone Institute in 2019.

The CGS reference provided (OF-97-02) has been superseded (OF-08-14), but there are no substantial differences between the two reports in the area of interest. The rock to be mined is Pennsylvanian bedrock (the GSE states that it is the Maroon Formation, however based on overlaying the permit area on the Dotsero Quadrangle, it may in fact be the Eagle Valley Formation; given that the CGS states of the Eagle Valley Formation that "Contact with overlying Maroon Formation is gradational, occasionally intertonguing, and conformable..." and that "It is transitional between predominantly evaporitic rocks of the underlying Eagle Valley Evaporite and overlying red beds of the Maroon Formation, possessing characteristics of both", the distinction between formations is not necessarily straightforward, or critical for permitting purposes). The Dotsero quadrangle shows no significant faults or discontinuities in the area of interest. A strike and dip symbol is shown just to the south of the location of the quarry area; it shows a dip of 8° to the NE (i.e. into the hillside), which supports the conclusion that the risk of the proposed activity destabilizing the hillside is not significant, and that the terraces proposed to be left behind following the completion of mining may reasonably be expected to be structurally stable.

Importantly, the GSE notes that "Based on the hazard note from the CGS, mining in the area should be conducted in a manner that maintains sufficient bench width to contain rockfall from steep excavated surfaces."

**The response is sufficient.**

Rule 6.3.4      Exhibit D – Reclamation Plan

- 23. [Response is sufficient]
- 24. [Response is sufficient]
- 25. [Response is sufficient]
- 26. [Response is sufficient]
- 27. The Division's Reclamation Cost Estimate (RCE), based on information given in the permit application packet, and agreed with the BLM, will be forwarded to you with the approval letter.

**No response is necessary.**

Rule 6.3(5) Exhibit E – Maps

28. Revised copies of maps E-1, E-2, E-3, G-1 and G-2 were submitted.

**The response is sufficient.**

Rule 6.3(6) Exhibit F - Other permits

29. [Response is sufficient]

Rule 6.3(7) Exhibit G – Source of Legal Right to Enter

30. [Response is sufficient]

Rule 6.3(9) Exhibit I – Proof of Filing with County Clerk

31. [Response is sufficient]

Rule 6.3(12) Exhibit L – Permanent Man-Made Structures

32. [Response is sufficient]

The decision due date for the Brown Quarry application is August 12, 2025. An approval letter will follow shortly.

Sincerely,

A handwritten signature in blue ink, appearing to read "L. Simmons", is positioned above the typed name.

Leigh Simmons  
Environmental Protection Specialist

cc: Ben Langenfeld; benl@lewicki.biz  
Jessica King; jess@lewicki.biz  
Brittany Cocina; bcocina@blm.gov