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COLORADO DIVISION OF RECLAMATION, MINING AND SAFETY

1313 Sherman Street, Room 215, Denver, Colorado 80203 ph(303) 866-3567

REQUEST FOR TECHNICAL REVISION (TR) COVER SHEET

✓ File No.: M- M-1998-038 Site Name: Two Rivers Pit
County Pueblo TR# 06 (DRMS Use only)

✓ Permittee: Kirkland Construction, R.L.L.P.

Operator (If Other than Permittee): _____

RECEIVED

Permittee Representative: Leonard Read

✓ OCT 26 2016

Please provide a brief description of the proposed revision: _____

**DIVISION OF RECLAMATION
MINING AND SAFETY**

Submittal of a Weed Control Plan.

As defined by the Minerals Rules, a Technical Revision (TR) is: "a change in the permit or application which does not have more than a minor effect upon the approved or proposed Reclamation or Environmental Protection Plan." The Division is charged with determining if the revision as submitted meets this definition. If the Division determines that the proposed revision is beyond the scope of a TR, the Division may require the submittal of a permit amendment to make the required or desired changes to the permit.

The request for a TR is not considered "filed for review" until the appropriate fee is received by the Division (as listed below by permit type). Please submit the appropriate fee with your request to expedite the review process. After the TR is submitted with the appropriate fee, the Division will determine if it is approvable within 30 days. If the Division requires additional information to approve a TR, you will be notified of specific deficiencies that will need to be addressed. If at the end of the 30 day review period there are still outstanding deficiencies, the Division must deny the TR unless the permittee requests additional time, in writing, to provide the required information.

There is no pre-defined format for the submittal of a TR; however, it is up to the permittee to provide sufficient information to the Division to approve the TR request, including updated mining and reclamation plan maps that accurately depict the changes proposed in the requested TR.

Required Fees for Technical Revision by Permit Type - Please mark the correct fee and submit it with your request for a Technical Revision.

<u>Permit Type</u>	<u>Required TR Fee</u>	<u>Submitted</u> (mark only one)
110c, 111, 112 construction materials, and 112 quarries	\$216	<input checked="" type="checkbox"/>
112 hard rock (not DMO)	\$175	<input type="checkbox"/>
110d, 112d(1, 2 or 3)	\$1006	<input type="checkbox"/>

✓ **Annual Fee and Report - CW**

✓ **No Violations**



Main Office: 2101 Main Street POB 580, Rye, Colorado 81069 PH: 719-489-3385 FX: 719-489-2268

Shop: 4595 Graneros Road, Colorado City, CO 81019 PH: 719-676-3011 FX: 719-676-3010

EQUAL OPPORTUNITY EMPLOYER AND CONTRACTOR

Colorado Division of Reclamation, Mining & Safety
Department of Natural Resources
1313 Sherman St., Room 215
Denver, CO 80203

October 25, 2016

Attn. Elliot Russell

Re: Request for Technical Revision – Weed Control Plan
Two Rivers Pit – Permit # M-1998-038

Mr. Russell,

Attached is a Request for a Technical Revision to approve the Weed Control Plan submitted. This should complete the corrective action required to correct the Problem identified in the inspection report from the January 14, 2016 at the Two Rivers Pit. A check for \$216.00 is also attached Fees for the Technical Revision.

As noted in a letter dated September 20, 2016 Kirkland Construction, LLLP sprayed the Tamarisk plants with Garlon at the Two Rivers Pit on Thursday September 15, 2016. Garlon is a 3A herbicide that was approved for use by the Colorado State Department of Wildlife. I have attached pictures showing the dead Tamarisk a few weeks after we sprayed.

Please contact me at 719-489-3385 with any questions or concerns.
Respectfully,

Kirkland Construction, L.L.L.P.

Leonard Read
O 719-489-3385
C 480-406-7725
leonard@kirklandconstruction.us



WEED CONTROL PLAN

for the

TWO RIVERS PIT

OCTOBER 2016

1. Overview

The Colorado Department of Agriculture (CDA), Colorado Division of Reclamation Mining and Safety (DRMS), and Pueblo County require all landowners to prevent the spread of State Listed Noxious Weeds. Kirkland Construction, as the Permittee and operator of the gravel pit on the land which this plan covers, submit this Weed Control Plan. This plan was developed in accordance with Section 3.1.10 (6) of the Mineral Rule and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials, which states:

(6) Methods of weed control shall be employed for all prohibited noxious weed species, and whenever invasion of a reclaimed area by other weed species seriously threatens the continued development of the desired vegetation. Weed control methods shall also be used whenever the inhabitation of the reclaimed area by weeds threaten to further spread of serious weed pests to nearby areas.

This Plan will be implemented for the control of noxious weed species on the Two Rivers Pit. Appropriate weed control actions will be implemented whenever noxious weed species are observed on the property. Weed control must be applied and evaluated over an extended period of time to be successful. The basic steps of Weed Control, include identification of weed species, locating the weed problem, development of control and prevention strategies, implementation of those strategies, and ongoing monitoring to assess the effectiveness of the efforts.

To prevent or minimize the infestation and spread of noxious weeds, periodic inspections of the pit area will evaluate presence or absence, degree of invasion, and the response to previous treatments. Specific treatment methods and time tables will be developed based on the species of concern, location and extent of the infestation, and other pertinent factors.

This Weed Control Plan was developed to prevent further spread of noxious weeds. Kirkland Construction will comply with CDA, DRMS, and Pueblo County regulations through implementation of this plan.

2. Site Description

The Two Rivers Pit is located in Pueblo County approximately 5.75 miles east of Avondale, and just east of Highway 50. The Two Rivers Pit is just south of the confluence of the Huerfano and Arkansas rivers. The Two Rivers Pit is permitted with DRMS as Permit M-1998-038 for 154 Acres. This pit is only mined when Kirkland Construction has a project in close proximity to the pit. Much of the disturbed part of the pit has been reclaimed and much of the permitted area has never been disturbed. The current disturbed area is approximately 40 Acres.

3. Weed Control Plan

The prevention of noxious weeds can be accomplished by preventing their introduction to the site in the first place. This will be done by a combination of the following actions.

- a. All equipment and tools, including those belonging to contractors, will be thoroughly cleaned prior to entering the pit to prevent the introduction of seed and plant propagules from other sites;
- b. Seed mixtures used for revegetation will be free of noxious weeds;
- c. Hay, straw, and/or other materials used for mulch will be certified weed free;
- d. A periodic inspection will be conducted to identify any new weed infestations that may have occurred. Any new infestations will be scheduled for treatment before they become well established.
- e. Communication and coordination with adjacent land owners whose property is infested with noxious weeds that may threaten the site should occur.
- f. Noxious and nuisance weed infestations that threaten natural and reclaimed areas will be treated with accepted weed control methods. These methods are further discussed below.

Chemical Control will be the main method of controlling weed infestations once they are identified. Chemical control of noxious and nuisance weeds can be an effective tool to disrupt plant growth and seed development. Herbicides must be applied at the appropriate time to maximize their effectiveness in preventing seed production, for disrupting plant establishment and growth, or achieving kill of noxious species. Herbicide treatments are generally initiated in the spring after plant growth has commenced, but before flower bud set and again in fall before seed set.

However, treatments will be scheduled on a site-specific basis and timed to maximize their effectiveness based on weed physiology and growth characteristics.

For large infestations, a boom sprayer attached to a tractor, truck, or ATV can be used, but in many cases a more targeted spot-application of herbicide will be preferable. Selectively treating individual weeds can minimize impacts to the surrounding vegetation in sensitive native areas or revegetated sites which are held to rigorous standards for vegetation cover and diversity. Broad-leaf selective herbicides can further protect desirable grass species.

To avoid development of resistance to a particular herbicide through repeated use over prolonged periods of time, herbicides and plant growth regulators with varying modes of action should be used. Also, herbicides will be applied according to the manufacturer's label recommendations (Le. application rate, method, and timing) to prevent development of plant resistance.

Mechanical control of noxious weeds can be an effective tool to physically disrupt noxious weed growth and seed development. A combination of mechanical methods may be used including hand-pulling, mowing, disking, and hand-held weed trimmers and saws. Mechanical weed control practices must be applied with correct timing to maximize their effectiveness in preventing vegetation development or seed production.

- **Hand pulling** should generally be used in sensitive vegetation communities where herbicide use is not appropriate or when conditions prevent its use such as high winds or high temperatures.
- **Mowing** of large-scale herbaceous infestations is most effective when implemented before seed set and can be implemented in conjunction with inter-seeding or over-seeding treatments. Mowing of weedy shrubs/trees such as Russian olive or tamarisk is most effective if completed in conjunction with herbicide application to the freshly cut stems.
- **Disking or harrowing** can be used in similar situations to mowing, but will more often be used as a part of cultural controls to alleviate soil compaction prior to seeding. Large-scale infestations may be sprayed with a glyphosate herbicide or mowed to prevent seed set, then disked to prepare a seed bed, then seeded.
- **Gas-powered weed whackers** can be used for small-scale herbaceous infestations. This technique is most effective when implemented before seed set and can be implemented in conjunction with inter-seeding or over-seeding treatments. Weed whacking of weedy shrubs such as small tamarisk sprouts on steep slopes not accessible by tractors is most effective if completed in conjunction with herbicide application to the freshly cut stems.
- **Chainsaws** can be used to cut larger noxious tree species such as Russian olive and tamarisk followed by treating stumps with herbicide.

Annual weedy species may be readily controlled with mowing or physical removal, but perennial species have extensive root systems with significant carbohydrate reserves. For perennial species, mowing may only control seed production without seriously affecting the plant's survival and mowing after seed production may increase the infestation. Disking or tilling areas containing perennial noxious species may also increase the area of infestation due to root sprouting. In most cases mechanical control methods used alone are not effective against hardy perennial weed species.

Effective weed management strategies often require several seasons to eradicate or control weed populations to an acceptable level. With well-established infestations it is likely that a seed bank has developed in the soil that is capable of producing new plants for many years. Weeds can also easily re-invade treated areas from adjacent populations in one growing season if control and treatment activities are prematurely curtailed. Weed management efforts should be carried out over an adequate number of growing seasons to realize effective weed management within the target area.

As with all weed management, this multi-season effort is best served by effective documentation of control efforts and continued vigilance in successive seasons of management. Information can be used to modify treatment priorities and weed management strategies over time. Vigilance is required against new infestations that may be moving into the site. These new sources of infestation may be worked into prevention and management plans as necessary. This weed management plan will be modified over time as site conditions change. Weed management strategies and priorities can be modified as weed infestations change in response to continued control efforts.

- ① 6' Top Soil
- 6' Rock
- 6' Sand

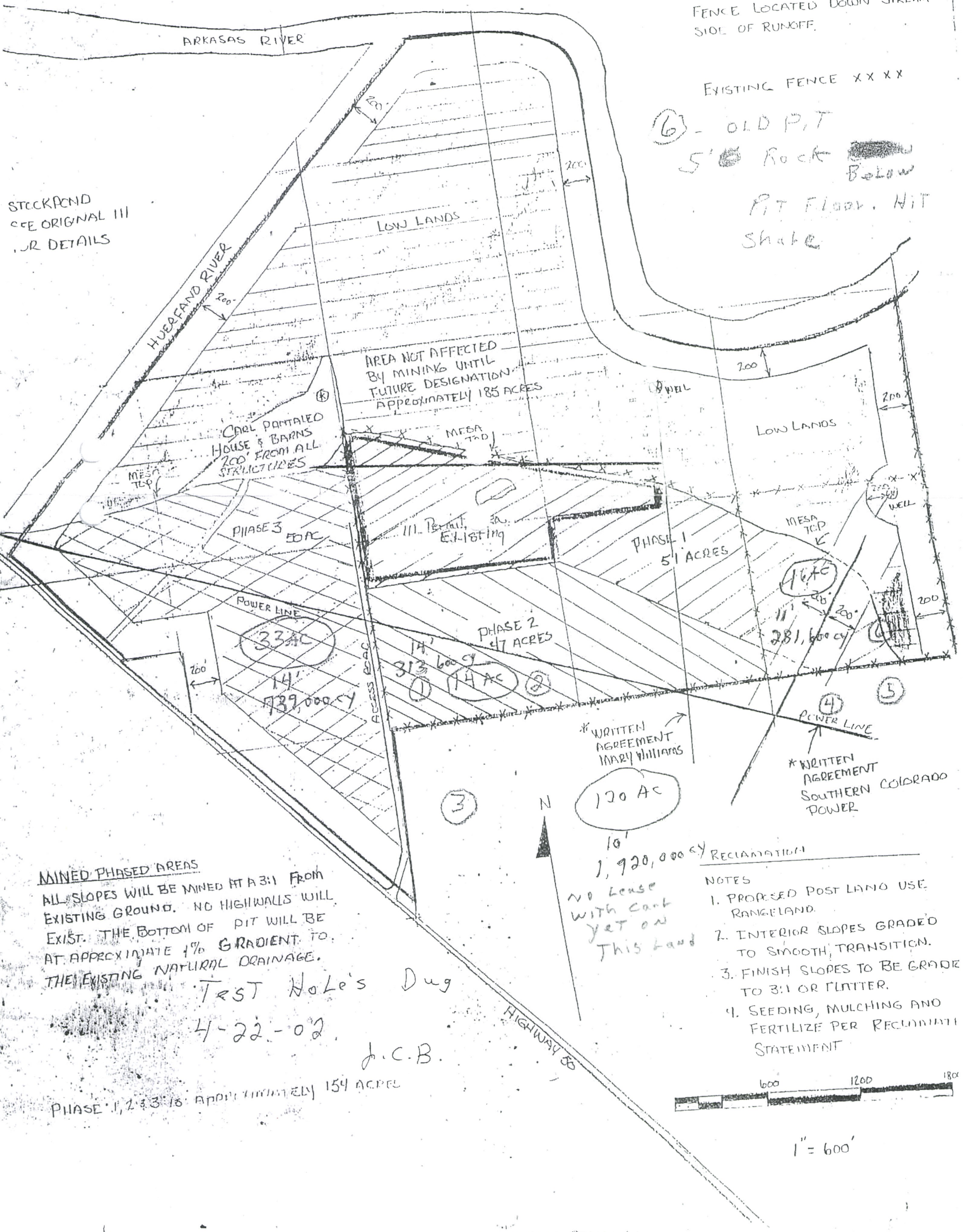
- ③ 10' Top Soil
- 11' Sand-Small Rock

- ② 4' Top Soil
- 17' Small Rock - Sand

MINING PLAN

- ④ 5' Top Soil
- 12' Sand-Small Rock
- ⑤ 12' Sand-Rock

EROSION CONTROL
SEDIMENT BASINS WILL BE
CONSTRUCTED IN ALL NATURAL
DRAINING LOCATIONS WATER
WILL BE ALLOWED TO FLOW
OVER BASINS AND INTO SILT
FENCE LOCATED DOWN STREAM
SIDE OF RUNOFF.



EXISTING FENCE x x x x

⑥ - OLD PIT
5' Rock
PIT Floor. HIT
Shale

STOCKPOND
SEE ORIGINAL III
FOR DETAILS

MINED PHASED AREAS

ALL SLOPES WILL BE MINED AT A 3:1 FROM
EXISTING GROUND. NO HIGHWALLS WILL
EXIST. THE BOTTOM OF PIT WILL BE
AT APPROXIMATE 1% GRADIENT TO
THE EXISTING NATURAL DRAINAGE.

TEST Hole's Dug

4-22-02

J.C.B.

PHASE 1, 2 & 3 IS APPROXIMATELY 154 ACRES

*WRITTEN
AGREEMENT
MARY WILLIAMS

*WRITTEN
AGREEMENT
SOUTHERN COLORADO
POWER

NOTES

1. PROPOSED POST LAND USE
RANGELAND.
2. INTERIOR SLOPES GRADED
TO SMOOTH TRANSITION.
3. FINISH SLOPES TO BE GRADE
TO 3:1 OR FLATTER.
4. SEEDING, MULCHING AND
FERTILIZE PER RECLAMATION
STATEMENT



1" = 600'





Kirkland Construction
P.O. Box 580
Rye CO 81069



7015 1520 0001 9767 6962

RECEIVED

OCT 26 2016

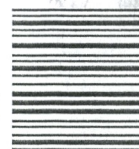
**DIVISION OF RECLAMATION
MINING AND SAFETY**

PAY
TO THE
ORDER OF

COLO DIV RECLAMATION
MINING & SAFETY
1313 SHERMAN ST. ROOM 215
DENVER CO 80203



1000



80203

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81069
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Division of Reclamation, Mining, and Safety

Fee Receipt for M1998038

Kirkland Construction, R.L.L.P.
Joe Baxter
P.O. Box 580

Rye CO 810690000

Receipt #: 22421
Date: 10/26/2016
Permit: M1998038

Payment Method	Revenue Code	Fee Description/Paid By Other Entity/Notes	Amount
Check #013929	4300-MTR0	Minerals Technical Revision Kirkland Construction LLLP TR06	\$216.00
Receipt Total:			\$216.00