



## COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources  
1313 Sherman Street, Room 215  
Denver, Colorado 80203

November 22, 2016

Leonard Read  
Kirkland Construction, R.L.L.P.  
P.O. Box 580  
Rye, CO 81069

**RE: Adequacy Review; TR-06; Two Rivers; Permit No. M-1998-038**

Dear Mr. Read,

On October 26, 2016, the Division of Reclamation, Mining and Safety (Division) received a Technical Revision (TR-06) for the site known as Two Rivers, Permit No. M-1998-038. This Technical Revision was required to be submitted in accordance with the Corrective Actions of a Compliance Problem found during the January 14, 2016 site inspection and cited April 25, 2016 inspection report. The Compliance Problem was that tamarisk (salt cedar) trees were present within the permit area and that the Operator failed to employ weed control methods for a state listed noxious weed species within the permitted area, and to reduce the spread of weeds to nearby areas as required by Rule 3.1.10(6). The Operator was required to submit a Weed Control Plan as a Technical Revision.

The Division is required to make an approval or denial decision no later than November 25, 2016; therefore, a response to the following adequacy review items or an extension request to this deadline, should be submitted to the Division as soon as possible.

The review consisted of comparing the Technical Revision content with specific requirements of Rules 1, 3, 6.1, 6.2, and 6.4 of the Minerals Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials. Any inadequacies are identified below.

1. The Technical Revision included a cover letter which stated that the tamarisk the Division observed during the January 14, 2016 inspection were sprayed with Garlon 3A on September 15, 2016. This letter did not contain information regarding if treatment was a foliar spray or a cut-stump spray. Please note, Garlon 3A is most appropriate and designed for stump treatments, while Garlon 4 is for foliar application. Please commit to monitoring the effectiveness of the treatment this coming spring and retreat with appropriate herbicides, if necessary.
2. The Weed Control Plan provided within the Technical Revision does not identify the specific plan for tamarisk. Please provide the specific management plan for tamarisk in accordance with the principles outlined in the Weed Control Plan. Specifically, please provide the control methods, a schedule for when control measures will be applied, and a post-treatment monitoring plan. The Division recommends you contact the Pueblo County Weed Manager for assistance with this plan. The 12<sup>th</sup> edition of the Noxious Weeds of Colorado handbook by the Colorado



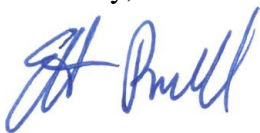
Weed Management Association lists Bill Alt at 719-586-9768 and [balt7302@gmail.com](mailto:balt7302@gmail.com) as the Pueblo County Weed Manager.

3. Please specify the frequency and timing of the periodic inspections of the pit area as discussed within Section 1 of the Weed Control Plan.
4. Section 1 of the Weed Control Plan states that 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. Please note, a Technical Revision to the Weed Control Plan will be required if the Operator intends to modify this plan to include new treatment methods and time tables for other noxious weed species. The Division recommends the Operator develop specific management plans for several common noxious weed species that occur in the area of the Two Rivers site and submit those with this Weed Control Plan, as this will avoid having to submit future Technical Revision(s) for any new species. The Pueblo County Weed Manager should be able to assist you in determining which noxious weed species are likely to occur within the area of the Two Rivers site and provide you with the management plans for those species.

This concludes the Division's adequacy review of this Technical Revision. This letter shall not be interpreted to mean that there are no other technical deficiencies in your request. Other issues may arise as additional information is supplied. Please be advised the Two Rivers Technical Revision TR-06 may be deemed inadequate, and the request may be denied on November 25, 2016, unless the above mentioned adequacy review items are addressed to the satisfaction of the Division. **If more time is needed to complete the reply, the Division can grant an extension to the decision date. This will be done upon receipt of a written waiver of the Applicant's right to a decision by November 25, 2016 and the request for additional time. This must be received no later than the deadline date.**

If you need additional information or have any questions, please contact me at the Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203, by telephone at **303-866-3567 x8132**, or by email at [elliott.russell@state.co.us](mailto:elliott.russell@state.co.us).

Sincerely,



Elliott R. Russell  
Environmental Protection Specialist

CC: Wally Erickson; Division of Reclamation, Mining & Safety