TELESTO
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February 3, 2022

Via Electronic Mail

Patrick Lennberg
Division of Reclamation, Mining and Safety
1313 Sherman Street, Suite 215
Denver, Colorado 80203
Patrick.Lennberg@state.co.us

Subject: RBK Pit No. 30, RBK Construction Inc.
October 26, 2021 Inspection

Dear Patrick:

This letter is RBK Construction Inc, aka Kirkland Construction, response to your inspection dated October 26, 2021 for RBK Pit No. 30 (M-1990-106). Attached to the Technical Revision is RBK Pit No. 30 Weed Management Plan.

RBK will remove the Russian olive and tamarisk trees as soon as possible. They will inspect the site throughout the growing season for recalcitrant Russian olive and tamarisk trees and remove them at that time. RBK will submit before and after photos and removal report to DRMS if requested.

Please contact me if you have any questions regarding these actions.

Sincerely,
Telesto Solutions, Inc.

Tim Gerken

Tim Gerken
Project Geologist

TG:tt
Enclosure
cc: Brooke Boisvert , RBK Construction, Inc.

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- 1990-106 Site Name: RBK Pit No. 30

County Pueblo TR# *(DRMS Use only)*

Permittee: RBK Construction, Inc.

Operator (If Other than Permittee):

Permittee Representative: Baxter Kirkland

Please provide a brief description of the proposed revision:

Noxious Weed Management Plan for RBK Pit No. 30

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.

Permit Type	**Required TR Fee**	**Submitted** (mark only one)
110c, 111, 112 construction materials, and 112 quarries	$216	☑
112 hard rock (not DMO)	$175	☐
110d, 112d(1, 2 or 3)	$1006	☐

Weed Management Plan

RBK Pit No. 30

DRMS Mine ID: M-1990-106

Pueblo County, Colorado

Prepared for

Kirkland Construction

2101 Main Street

Rye, Colorado 81609

Prepared by

Telesto Solutions Inc.

750 14th Street SW

Loveland, Colorado 80537

January 2022

KIRKLAND
CONSTRUCTION

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1.0 INTRODUCTION

The Colorado Noxious Weed Act (C.R.S. Title 35, Article 5.5) declares that certain undesirable plants constitute a threat to the "continuous economic and environmental value of lands of the state" and requires that these "noxious weeds" be managed on private and public lands. The Act further declares that control of noxious weeds should use methods that are least damaging to the environment but also practicable and economically reasonable. Kirkland Construction (Kirkland) will be responsible for management of weeds identified on the RBK Pit No. 30 (RBK Pit) sand and gravel pit, located in Pueblo County (**Figure 1, Appendix A**).

Implementing a Weed Management Plan minimizes potential economic and environmental impacts for Kirkland and surrounding stakeholders. Management and control of weed populations within RBK Pit is important to keep the cost of weed abatement, stormwater, and revegetation to a minimum. The three elements are intertwined, so improvement in one area will facilitate improvements in the other areas of concern.

This plan provides Kirkland with a weed management guideline for RBK Pit shown below:

Pit Name: RBK Pit No. 30

DRMS Operator: RBK Construction, Inc.

Location: SE4, SE4, S36, T20S, R64W, 6th PM, Pueblo County, Colorado

Approximate GIS: 38.261973, -104.499724

DRMS Permit #: M-1990-106 (110c- Permit)

2.0 WEEDS OF CONCERN

Kirkland will conduct prescribed management techniques for noxious weed control and prevention. Species warranting prescribed management control and prevention are included within the Colorado Noxious Weed Lists:

- List A – designated for statewide eradication
- List B (Pueblo County) – managed to prevent further spread and, for selected species, designated for eradication in large areas
- List C – designated for more localized concern, but for which the State will provide education, research, and biological control assistance to jurisdictions that choose to manage the species

The complete Colorado Noxious Weed List A and C is in **Appendix B**. In addition to the statewide weed list, Pueblo County has its own noxious weed B List. Pueblo County B List is comprised of noxious weeds from the state list that are more specific to the RBK Pit. Links to the state websites with the most current Pueblo County noxious weed plan is in **Section 5.0**

3.0 WEED MANAGEMENT

Weed management decisions vary according to plant life cycles, infestation size, and environmental conditions. Kirkland will implement weed mitigation methods, including any application of herbicides used to control weeds at RBK Pit. Mitigation methods/techniques include preventative, cultural, physical/mechanical methods, and biological and chemical approaches. Optimal noxious weed management methods will vary with the environmental variables of the area of interest. Consider soil type and stability, grade, moisture regimes, growing season, pre-existing noxious weed populations, land use, water availability, weed type

and stage of growth as well as the intensity of the infestations when preparing a noxious weed management plan.

The management methods should have minimal impact on the environment and be economically fitting for the Operator in charge of implementing the noxious weed management program. When assessing weed management on the property, it is important to evaluate possible modes of transportation for the noxious species. Areas to consider include waterways, roads, game trails, areas with livestock, and equipment storage sites. Weed management plans utilize a combination of the treatments outlined below.

3.1 Preventative Methods

Preventative methods include practices involving good land stewardship. These practices include but are not limited to using weed free certified products, erosion control measures, and regularly cleaning equipment.

3.2 Cultural Methods

Cultural methods facilitate competition from desirable plants through actions such as dense seeding, irrigation, carefully monitored grazing practices, and fertilization.

3.3 Physical and Mechanical Methods

Physical and mechanical methods include mowing, disking, hand removal, plowing, burning and solarization. The goal of these methods is to prevent seed production. Sever roots at least two inches below the soils surface for optimal control.

3.4 Biological Control Methods

Biological control methods involve the introduction of living organisms that are deleterious to the noxious weed species. This method is only applicable for infestations larger than five acres in size, and rarely provides complete control of the noxious species. Frequent monitoring must be carried out with this method.

3.5 Chemical Control

Chemical control can offer the most effective means of noxious weed control when applied at the appropriate time. Not all herbicides are equally effective against all weeds, nor can every herbicide be used in all settings. The respective herbicide applicator should consult with a weed manual before applying any herbicide to the land.

4.0 WEED PREVENTION/REHABILITATION

Taking preventative measures to abate the spread of noxious weeds is critical for proper land management. Noxious weeds can become established on or near disturbed land very rapidly and have the capacity, capability, and potential to spread quickly to other areas. Noxious weed seeds and vegetative matter can be transported by means of animals, vehicles, shoes, and hay to name a few examples of transportation. Personnel should be aware of established noxious weed populations and the possible transport mechanisms on their property and surrounding properties.

After an area has been successfully eradicated of noxious species or before establishment has taken place, either revegetate the disturbed area to minimize the chance of noxious weed establishment or promote a more active inspection program to maintain the bare ground conditions. If the disturbed land has desired species growing as a result of revegetation efforts, competition with noxious species will increase. Therefore, the potential and capability of the noxious weed to establish in the disturbed area is limited.

A monitoring and inspection program based on site-specific conditions for the RBK Pit will assist in complying with the Colorado Noxious Weed Act. Currently, Tamarisk (salt cedar) and a Russian Olive tree are observed on site. Tamarisk and Russian olive trees are List B Noxious Weeds in Colorado. Kirkland will remove/suppress the Tamarisk currently onsite.

5.0 SUMMARY AND ADDITIONAL REFERENCES

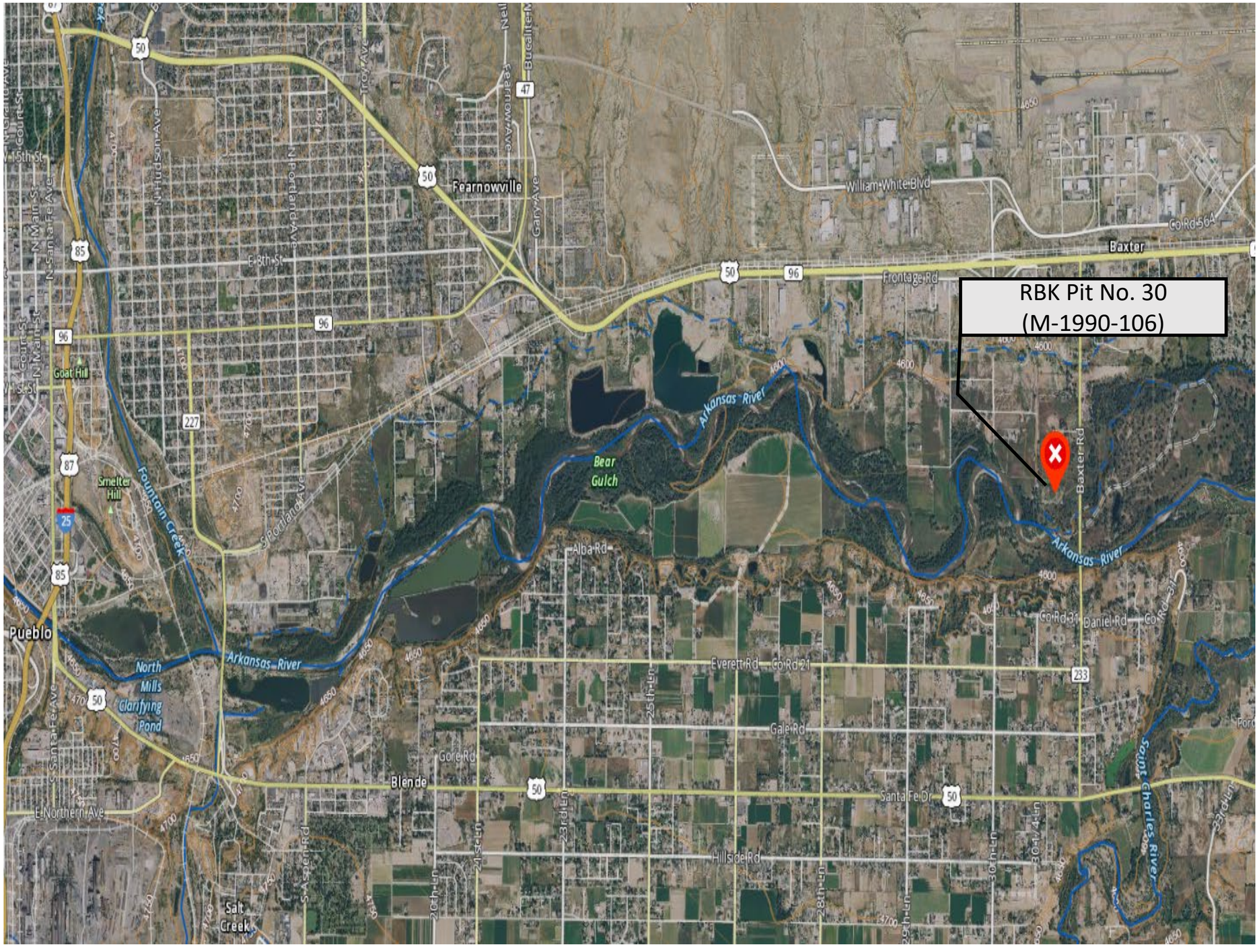
Weed management decisions vary according to plant life cycles, infestation size, and environmental conditions. A licensed applicator with experience in weed control management in Colorado will be used to prepare a plan for any application of herbicides used to control weeds on site. Other resources that may also be consulted are CSU Extension's "Weed Management for Small Rural Acreages-3.106" and the Pueblo County "Chapter 8.20 Management of Noxious Weed". All herbicide application plans will include the specific herbicide(s) to be used, the application rate, and the appropriate timing. Care will always be taken to prevent any overspray onto neighboring properties. Additional state resources for weed management include:

https://county.pueblo.org/county-attorney/chapter-820-management-noxious-weeds
https://www.colorado.gov/pacific/agconservation/noxiousweeds
https://cwma.org/

Appendix A

Figure 1

RBK Pit No. 30 Pit Location



Location: SE4, SE4, S36, T20S, R64W, 6th PM, Pueblo County, Colorado

Approximate GIS: 38.261973, -104.499724

FIGURE 1
RBK Pit No. 30 Location

PREPARED BY:

TELESTO SOLUTIONS • INCORPORATED

PREPARED FOR:

KIRKLAND CONSTRUCTION

Appendix B

Pueblo County/Colorado Noxious Weed Lists

A List

List A species are invasive weeds that are either not known to occur in Colorado or are of very limited distribution and are required to be eradicated (completely eliminated).

African rue (Peganum harmala)
Camelthorn (Alhagi pseudalhagi)
Common crupina(Crupina vulgaris)
Cypress spurge (Euphorbia cyparissias)
Dyer's woad (Isatis tinctoria)
Elongated mustard (Brassica elongata)
Flowering rush (Butomus umbellatus)
Giant reed (Arundo donax)
Giant salvinia (Salvinia molesta)
Hairy willow-herb (Epilobium hirsutum)
Hydrilla (Hydrilla verticillata)
Japaneese, Giant and Bohemian knotweed (Polygonum cuspidatum, P. sachalinense and P.x bohemicum)
Meadow knapweed (Centaurea pratensis)
Mediterranean sage (Salvia aethiopis)
Medusahead (Taeniatherum caput-medusae)
Myrtle spurge (Euphorbia myrsinites)
Orange hawkweed (Hieracium aurantiacum)
Parrotfeather Myriophyllum aquaticum)
Purple loosestrife (Lythrum salicaria)
Rush skeletonweed (Chondrilla juncea)
Squarrose knapweed (Centaurea virgata)
Tansy ragwort (Senecio jacobaea)
Yellow starthistle (Centaurea solstitialis)

B List – Pueblo County

List B species are invasive weeds with populations of varying distribution and densities within the Pueblo County. These weeds may require eradication within certain areas of the state.

Absinth wormwood (Artemisia absinthium)
Black henbane (Hyoscyamus niger)
Bouncingbet (Saponaria officinalis)
Bull thistle (Cirsium vulgare)
Canada thistle (Cirsium arvense)
Chinese clematis (Clematis orientalis)
Common tansy (Tanacetum vulgare)
Commonteasel (Dipsacus fullonum)
Corn chamomile (Anthemis arvensis)
Cutleaf teasel (Dipsacus laciniatus)
Dalmatian toadflax, broad-leaved (Linaria dalmatica)
Dalmatian toadflax, narrow-leaved (Linaria genistifolia)
Dame's rocket (Hesperis matronalis)
Diffuse knapweed (Centaurea diffusa)
Eurasian watermilfoil (Myriophyllum spicatum)
Hoary cress (Cardaria draba)
Houndstongue (Cynoglossum officinale)
Jointed goatgrass (Aegilops cylindrica)
Leafy spurge (Euphorbia esula)
Moth mullein (Verbascum blattaria)
Musk thistle (Carduus nutans)
Oxeye daisy (Leucanthemum vulgare)
Perennial pepperweed (Lepidium latifolium)
Plumeless thistle (Carduus acanthoides)
Russian knapweed (Acroptilon repens)
Russian-olive (Elaeagnus angustifolia)
Salt cedar (Tamarix chinensis, T.parviflora, and T. ramosissima)
Scotch thistle (Onopordum acanthium)
Scotch thistle (Onopordum tauricum)
Spotted knapweed (Centaurea maculosa)
Sulfur cinquefoil (Potentilla recta)
Wild caraway (Carum carvi)
Yellow nutsedge (Cyperus esculentus)
Yellow toadflax (Linaria vulgaris)

C List

List C species are widespread and common within the state. They may pose a risk to agricultural lands and may be required to be controlled.

Bulbous bluegrass (Poa bulbosa)
Chicory (Cichorium intybus)
Common burdock (Arctium minus)
Common mullein (Verbascum thapsus)
Common St. Johnswort (Hypericum perforatum)
Downy brome (Bromus tectorum)
Field bindweed (Convolvulus arvensis)
Halogeton (Halogeton glomeratus)
Johnsongrass (Sorghum halepense)
Perennial sowthistle (Sonchus arvensis)
Poison hemlock (Conium maculatum)
PunctureVine (Tribulus terrestris)
Quackgrass (Elymus repens)
Redstem filaree (Erodium cicutarium)
Velvetleaf (Abutilon theophrasti)
Wild proso millet (Panicum miliaceum)