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**File Code:** 2800  
**Date:** March 31, 2022

Dustin Czapla  
Environmental Protection Specialist  
Division of Reclamation, Mining and Safety  
1313 Sherman Street, Room 215  
Denver, Colorado 80203

Dear Mr. Czapla:

This letter addresses the stockpiles of material that remain from the material production site associated with the Federal Highway Administration (FHWA) Cottonwood Pass improvement project (Colorado 209; HFBM-16) located at the Southwest ¼ of Section 10, Township 14 South, Range 82 West, Sixth Principal Meridian on the Gunnison Ranger District of the Grand Mesa, Uncompahgre, and Gunnison National Forests (GMUG NF).

The estimated amount of material that remains at the site is: 190 cubic yards of rip rap; 1690 cubic yards of ¾" naturals; 180 cubic yards of waste gravel & ground asphalt pile; 500 cubic yards of ground asphalt pile; 260 cubic yards of ¾" road base; 2610 cubic yards of 1/8" sanding sand; 1680 cubic yards of ½" washed chips; 2500 cubic yards of 3/8" washed chips; and 11 cubic yards of topsoil. The total material on site is approximately 9621 cubic yards as per survey completed by Alpine Surveying, Inc. dated August 18, 2020.

Per the terms of the LETTER OF CONSENT executed by the Regional Forester for Region 2 of the United States Forest Service (USFS) on August 5, 2016, *the Forest Service consents to the appropriation and transfer of these lands under the provision of sections (107(d) and 317 of the Act of August 27, 1958, (72 Stat.[893] 3/916; 23 U.S.C. 317)), subject to the construction and maintenance stipulations contained herein as exhibit 01 ...this does not include fee title, the mineral estate, or interest in any Forest facilities or resources.*

At this time the United States Forest Service recognizes the remaining material and takes ownership of the Cottonwood Pass Gravel Pit and associated material as a material stockpile site with intent to issue a Permit to Gunnison County to use the remaining material on National Forest System Roads and County Roads providing National Forest access; to remove any excess material from the site that is unusable for road maintenance purposes; and to reclaim the site and access road to USFS specifications once the usable material at the site has been exhausted.

Gunnison County has documented their desire and willingness for a permit at the site, as well as commitment to reclaim the site under the terms of a permit with the USFS under the regulations listed at 36 CFR 228 Minerals.



The USFS has performed site inspections at the Cottonwood Pass Pit since 2020 and accepts the site as is from the FHWA project. Any permits or bonds associated with the Cottonwood Pass Pit can be relinquished or terminated and the Gunnison Ranger District assumes responsibility to administer the material and site reclamation from this day forward.

This action is completed under the delegation of authority from the GMUG NF Forest Supervisor to the District Ranger on the Gunnison Ranger District under FSM 2800-2020-03 effective June 8, 2020, whereby the District Ranger is delegated authority to carry out responsibilities set forth in 36 CFR 228, Subpart C as “authorized officer” for disposals up to 100,000 cubic yards of mineral material.

Sincerely,

DAYLE FUNKA  
Acting District Ranger

Enclosure

cc: Marlene Crosby, Ben Langenfeld