



COLORADO

Division of Reclamation, Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

July 20, 2023

Mark Gardner
Whitewater Building Materials Cooperation
940 South 10th Street
Grand Junction, CO 81501

RE: Whitewater Pit 500, File No. M-1977-129, Technical Revision (TR-6) Adequacy Review

Dear Mr. Gardner:

On July 20, 2023, the Division of Reclamation, Mining and Safety (Division) filled your Technical Revision request TR-6 for the Whitewater Pit 500, Permit No. **M-1977-129**. During review of the material submitted, the Division determined that the following issue(s) of concern need to be adequately addressed before the Technical Revision can be considered for approval. Please provide the following:

Maximum Sloping:

1. Based on the Division's May 10, 2023 Draft estimate, the site currently has 2,700 LF of 1H: 1V slopes and 3,700 LF of 3H: 1V slopes. This is more than the currently proposed maximum of 2,000 LF of 1H: 1V. Slopes will either need to be reclaimed or the maximum 1H: 1V slopes increased to match site conditions.

Permit Acreage

2. A difference between the Division's permit acreage (491.70 ac) and the Operators (430.68 ac) has been identified. The Division cannot release acreage, even administratively, under the Technical Revision process. Please submit a separate request with all supporting documentation which tracks the changes in permit acreage.
3. The acreages in Option 2 do not add up. Water, Road, reveg, RV parking, and undisturbed is more than 430.68 ac. Specifically Phase S – Option 2.
4. The total affected lands has been revised from 50 acres to 250 acres. Based on the acreage table more than 250 acres will be affected, approximately 415 acres over life of mine. Clarify the total affected lands.



Noxious Weeds

5. A single survey in April for noxious weeds is inadequate. Species germinate throughout the growing season. The site should be surveyed and treated for weeds on an as needed basis.
 - a. Please commit to a minimum of two surveys during the growing season.
 - b. Please clarify if Mesa County or someone will else doing the survey.
6. The Noxious Weed Management Plan submitted is too general. Please provide a list of the weeds currently on site and other species anticipated/likely to also need treatment in the future. By species explain management efforts, which include timing and methods used.
 - a. Note that management efforts should be based on the Counties Management Plan (Suppress, Contain, Eliminate).
7. Leafy spurge is specifically mentioned in your plan however a very limited amount is located in Mesa County. Has Leafy Spurge been found onsite?

Revised Reclamation Plan and Map

8. The plan states that area S is 71.62 acres. However there are two lakes contained within this phase that have not yet been released and must be accounted for. Based on the acreages identified in the annual report this area should be 90.04 ac
9. Please explicitly state within the Reclamation Plan narrative the number of acres within Stage S (Old Stage W and Phase 2E) that will remain for use as recreation (RV) parking and not revegetated.
10. Clarify for Option 1, what is the width of the slope area anticipated to be revegetated? Will all other reclamation treatments remain the same for this area with regards to revegetation?
11. Within Phase 3, during the inspection it was stated that a road or other means of access to the electrical line that bisects Phase 3 would remain. However the revised Reclamation Plan map depicts all of Phase 3 as a lake. This may result in a need to update the map post reclamation prior to release.
12. The revised Reclamation Plan states up to 250 ac for the maximum disturbance, which includes areas to become lakes. Clarify the maximum number of acres to be topsoil and seeded (maximum liability). This is specifically to address the inspection problem.

Please submit your response(s) to the above listed issue(s) by **Friday, August 11, 2023** in order to allow the Division sufficient time for review. If you cannot address the above issues by August 11, 2023 please request an extension to the decision due date to ensure adequate time for the Division to review materials. A decision due date of **August 21, 2023** has been set. If any adequacy issues remain by the decision due date the Division may deny your request.

The Division will continue to review your Technical Revision and will contact you if additional information is needed.

If you require additional information, or have questions or concerns, please feel free to contact me. Amy Yeldell at the Division of Reclamation, Mining and Safety, Room 215, 1001 E 62nd Ave Denver, CO 80216. Direct contact can be made by phone at 970-210-1272 or via email at amy.yeldell@ state.co.us

Sincerely,

A handwritten signature in blue ink that reads "Amy Yeldell". The signature is written in a cursive, flowing style.

Amy Yeldell

Environmental Protection Specialist

Ec: Travis Marshall, Senior EPS, Grand Junction DRMS