

SUPPLEMENTAL INFORMATION

1. The landowner and operator is now Smith's Materials, LLC.
2. The operator is presently working on an application for an amendment to the Reclamation Permit to increase the size of the operation by an additional 20.2 acres more or less, for a total of 42.8 acres in the permit area and an estimated 41.0 acres to be affected. The submission of this application has been delayed by various factors (as has the submittal of this report): a plan to submit both the annual report and amendment application at the same time, ensuring that any and all issues with adjacent neighbors were properly addressed, and a very busy schedule for both the operator and the environmental engineer.
3. As referenced in last year's report, there are numerous issues that need to be addressed. And with the new guidelines, the status of the existing operations and the armoring protecting the pit from being captured by high water on the Dolores River must also be addressed. The proposed expansion does not include any affected lands within 350 feet of the ordinary high water mark of the Dolores River but the existing, permitted area is much closer, as approved both in 2001 and in the conversion application from 110c to 112c status. The existing berm and area between the existing ponds and excavation and the river are stable and able to resist (and indeed have for the last decade) damage from high water on the river.
4. This year, the operator (who is also the landowner) established stockpiles of processed construction materials on an area immediately north of the access road (from Hwy 145). This was done to meet the requirements of customers to be able to quickly provide material for scheduled products when notice to proceed was given. The area of approximately 1.5 acres included 0.4 acres in the original and current permit area and 1.1 acres outside the permit area but part of the Line Camp Ranch parcel, which was irrigated pasture. The operator/owner believed that it was legal to do so, just as he does not need to have a DRMS permit to store processed construction materials on his own property at other locations or on the property of customers. It had soil stripped from it to protect the topsoil and other grading to ensure control of runoff and sediment, and then material was transported from the plant area (on permit area) where it was stored until haul trucks were loaded and the material taken to customers' work sites. Montezuma County was notified and approves of the work and the expansion application.
5. The area affected outside the current permit area is on the owner/operator's land and is part of the expansion area included in the application being prepared. The owner/operator has been trained on the interpretation of the State law and regulations on mining and permitting.
6. Please contact Nathan Barton or Randy Smith for additional information.

Prepared 22 July 2024, Revised 23 July 2024.