

STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY

Department of Natural Resources

1313 Sherman St., Room 215

Denver, Colorado 80203

Phone: (303) 866-3567

FAX: (303) 832-8106



October 23, 2012

Emery Lynn Olin
Bridal Veil Construction
P.O. Box 1821
1796 N. Main Street
Ouray, CO 81427

John W. Hickenlooper
Governor

Mike King
Executive Director

Loretta E. Pifeda
Director

RE: Clarification on Reclamation Plan, Bridalveil Pit, Permit No. M-2001-054.

Dear Mr. Olin:

On October 12, 2012, the Office received an email communication from Connie Wurst, manager of Bridal Veil Construction, in which the Operator requested clarification on the approved reclamation plan. Copy of the email, and two attachments for the email, is enclosed.

Please note the reclamation plan proposed in the original application package was revised during the permit review process and through Technical Revision No. 1 (TR-01). TR-01 was approved September 29, 2004. Therefore, the reclamation plan provided in the email communication dated October 12, 2012, does not appear accurate or current. The conditions of the reclamation plan may be determined through reviewing all documents exchanged during the adequacy review process of the original application and TR-01. However, there appears no single document in the record which clarifies all conditions of the approved reclamation plan.

The entire record may be reviewed through the Division's web site. To access the public record please follow the directions below:

1. Access the Division's web site at www.mining.state.co.us.
2. Scroll to the bottom of the home page. Select (left click) "Permit Documents." The link is located in the lower right screen of the home page.
3. The new page should state "Mining Data" in the upper left screen. Select "Click here to use the DRMS document management system." The link is also provided, <http://drmsweblink.state.co.us>, if you so choose to save the link and later avoid steps 1, 2 and 3.
4. The new page states "Laserfiche Weblink" in the upper left screen and has an extensive menu on screen left. From this page you can access documents for any/all permitted operation for Colorado, if you know the permit number. The permit number for Bridalveil Pit is M-2001-054, but this program does not recognize the dashes so input the permit number without the dashes, "m2001054" in the appropriate window on

screen left. Immediately under the window for the permit number is a window with a drop down menu. The window is titled, "IBM Index Class Name." Open the drop down menu and select "Permit File." You want to access Permit File documents because you are interested in the original permit documents and the resolution of adequacy issues which may have revised the conditions of the reclamation plan. After selecting "Permit File" proceed to the bottom left screen and select "Search." Wait while the computer gathers all permit file document for m2001054. The documents are initially arranged alphabetically by "Name." If you desire to re-order the documents chronologically by date select "Doc Date." If, after the re-order is complete you select "Doc Date" again the documents will be ordered in reverse chronological order.

5. To open a document you must select the document by Name, located in the far left of screen.
6. Subsequently, you may also select "Revision" (one of the menu picks under IBM Index Class Name) to review all documents associated with the TR-01 process whereby the conditions of the approved reclamation plan may have been revised.

Please contact me at the Division's office in Durango at 691 County Road 233, Suite A-2, Durango, CO 81301, phone (970) 247-5469, if you have any questions.

Sincerely,



Wallace H. Erickson
Environmental Protection Specialist

Enclosure: Email communication from Operator with two attachments

Enc w/enclosure: Connie Wurst, manager of Bridal Veil Construction
Russ Means, DRMS GJFO



Connie Wurst <conniewurst@yahoo.com>
To: WallyErickson <wally.erickson@state.co.us>

Attached please find notarized affidavit, and a copy of my reclamation plan. If this differs from your copy, please let me know, so we are both working off the same copy. I will assume that you are working from this one, unless you send me something different.

Connie

— On Thu, 10/11/12, Erickson, Wally <wally.erickson@state.co.us> wrote:

From: Erickson, Wally <wally.erickson@state.co.us>
Subject: Response to request for extension and request for information
To: conniewurst@yahoo.com
Date: Thursday, October 11, 2012, 6:36 PM

Dear Bridal Veil Construction:

The attached two files contain the Division's response to your two recent requests, one regarding release and/or modification to permit status, and the second regarding extension to the Division's corrective action deadline for maintenance to the stormwater control structures. Hard copy of the two response letters are being mailed by US Mail.

Wally Erickson

2 attachments

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816K

CCF10122012_00000.jpg

Bridal Veil Construction LLC
PO Box 1821
Ouray, CO 81427
970-729-1823 – Lynn's phone

October 11, 2012

Mr. Wallace H. Erickson
Environmental Protection Specialist
Division of Reclamation, Mining and Safety
Durango Field Office
691 County Road 233, Suite A-2
Durango, CO 81301

RE: Notarized Affidavit

Dear Mr. Erickson,

The unauthorized fill materials, imported by the Operator without prior approval by the Division, is inert and addresses all requirements of Rule 3.1.5(9).

The material which you have observed was actually brought in from the City of Ouray, by agreement with the City of Ouray, to be screened and processed and sold, and will not be used as fill. Most of it has already been processed and sold, but there remains some which has not sold because the City of Ouray is now giving material away to our former customers. We are gradually selling it to our own customers, and we expect it to be all sold and gone within a few months, as we have a job requiring material.

Sincerely,



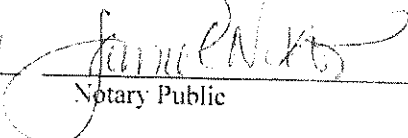
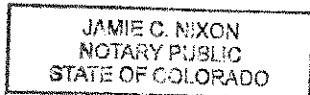
Connie L. Wurst
Bridal Veil Construction

State of Colorado
County of Ouray

Sworn before me and subscribed in my presence this 12th day of October, 2012.

My commission Expires

4/29/2014


Notary Public

My Commission Expires 04/29/2014

RECLAMATION PLAN:

As described in the Mine Plan section of this permit submittal, the operation is designed to create three flat benches on property located within the city limits of Ouray. The final land use proposed for this property is commercial or light industrial. Some common types of use proposed for the property following mining include a car wash facility and/or storage lockers. With this in mind, the operator is will reclaim the regraded north highwall only. The west and south facing highwalls will be left intact to maximize building area. All slopes will be regraded to 3:1 or less and then covered with approximately 6 inches of suitable plant growth medium. Following placement of suitable material, the areas will be hand broadcast with the seed mix in Table RP-1.

No overburden will be replaced under this proposed operation. Riprap not sold commercially will be used to armor the proposed channel. Where available, the operator may transplant trees from in front of the mining operation to the north regraded slopes.

All access roads created during mining will remain intact following mining to facilitate commercial use of the property.

Table RP-1. Proposed Seed Mix

<u>Vegetation Type</u>	<u>Common Name</u>	<u>Broadcast Rate</u> <u>PLS lbs/acre</u>
Agrostis Alba	Red Top	0.25
Alopecurus Arundinaceus	Creeping Foxtail	4.5
Deschampsia Caespitosa	Tufted Hairgrass	2.5
Festuca Ovina	Sheep Fescue	1.3
Poa Alpinum	Alpine Bluegrass	1.1
Trifolium Repens	White Bunch Clover	2.2