



COLORADO DIVISION OF RECLAMATION, MINING AND SAFETY

1313 Sherman Street, Room 215, Denver, Colorado 80203 ph(303) 866-3567

TR#4

REQUEST FOR TECHNICAL REVISION (TR) COVER SHEET

File No.: M- 1976-056 Site Name: Riverside Pit

County Logan TR# _____ (DRMS Use only)

Permittee: McAtee Construction Company

RECEIVED

Operator (If Other than Permittee): JUL 24 2015

Permittee Representative: Darren Gebhart

DIVISION OF RECLAMATION
MINING AND SAFETY

Please provide a brief description of the proposed revision: _____

Minor change to Reclamation Plan due to flooding damage to lake area in mine. See attached packet.

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	<input checked="" type="checkbox"/>
112 hard rock (not DMO)	\$175	<input type="checkbox"/>
110d, 112d(1, 2 or 3)	\$1006	<input type="checkbox"/>

✓ AF & Report

✓ Violations

MV-1998-020 6/26/1998

McATEE CONSTRUCTION COMPANY

dba McAtee Paving Company • Sterling Redi Mix Company • Green Bros. Ready Mix
P.O. Box 1908 • Sterling, Colorado 80751
Phone: 970-522-3647 • Fax: 970-522-9725

July 22, 2015

Mr. Elliot Russell
Minerals Section
Division of Reclamation, Mining & Safety
1313 Sherman St, #215
Denver, CO 20203

Dear Mr. Russell;

RE: Riverside Pit - M-1976-056
Technical Revision - Flood damage

Attached to this letter is a Technical Revision to make a change to the final reclamation plan on a section of the pit that was damaged in the September 17, 2013 that affected the South Platte River. This change is based on documentation we filed with the Division in correspondence dated October 24, 2013, March 3, 2014 and in the 2015 annual report submitted in February. The information presented will explain the cause for the requested change, it includes a revised **Reclamation Plan Map - Technical Revision Map 5-15A**. I have resubmitted the photo documentation of the river's status since the September 2013 flood event and added photos from June 2014 and May 20, 2015 showing that the river has added a permanent flow channel running thru the area of concern.

Attached is a check for \$216.00 for the Technical Revision fee and the Technical Revision form. If you have any questions or need more information please call me or Steve O'Brian of Environment, Inc. (303) 423-7297.

Sincerely,



Darren Gebhart
Construction Manager

cc Environment, Inc.
File.

enclosure

Operation: Riverside Pit
Permit #: M-1979-056
Date: July 22, 2015

Technical Revision - TO INCLUDE THE MINOR USE OF EXPLOSIVES AT THE RIVERSIDE PIT

McAtee Construction Company is submitting this Technical Revision to make a minor change to the Reclamation Plan. The reason for this change is the result of damage done by the September 2013 flood that affect the South Platte River in the Sterling area. Attached is a revised **Reclamation Plan Map** for the Lake Robert area showing how the area will be reclaimed if this Technical Revision is approved. It changes the approved Reclamation Plan on the area east of the west bank of the new active river channel in the Lake Robert area only. No further reclamation is proposed on that area.

Lake Robert was nearly completely reclaimed prior to the flood but, there was some work left along the west side that was being used to store sand and equipment. Much of this was damaged during the flood. Since A nature event (Flood) reshaped and reclaimed the 2.50 acre \pm east of the river channel and the area is inaccessible unless we cross the river this area will not be changed again (dark green on map). McAtee Construction Co. will not do any work in the 11.34 acres \pm of the new river channel (blue on map) with the exception, that the Company that owns the power lines may place armoring along areas of the west bank to protect the power poles. If this is done it will be done but the power company under a Corps of Engineers permit if needed. The location of this armoring is unknown at this time as the power company has not advised us what their protection plans are.

The west area contains 6.45 acres \pm that will be reclaimed as approved in the current Reclamation Plan. Vegetation will be restored on the areas damaged by flooding, property access roads, 0.68 acres \pm , will be kept to provides access around the west side of the river channel and to the power poles on the west. We also intend to leave a graveled parking area, 1.75 acres \pm , the access bridge over the Lowline Ditch and the access road to the parking area.

Supporting information.

The current conditions of the Lake Robert Area can be broken into 2 areas separated by the new river channel. The eastern side, for which there is no access without crossing the river, and the western side still accessible via the original access road. Review of the attached **Reclamation Plan Map - Technical Revision Exhibit 5-15A** shows the areas as discussed below.

As noted on the October 2014 letter, underwater sloping was complete on Lake Robert. The northern, eastern and southern sides were resoiled and revegetated except for the access road around the pre-flood lake area. Most of the western area was reclaimed, except for the sand stockpile and equipment storage area noted in the inspection.

As explained in an advisory letter dated October 24, 2013 from McAtee Construction to the Division of Reclamation, Mining &

Safety the South Platte River overtopped its banks and entered the eastern part of the mine on the south side of Lake Robert. It filled the lake and then exited out the north end at an armored outlet that was constructed as part of the reclamation completed in that area. This armored outlet was not designed as a hard outlet since its original design was to prevent bank erosion of the north bank during normal fluctuations of groundwater that caused the road on this side to be flooded during normal times of high groundwater. This light armoring was destroyed when the flood water left the lake area and cut deeper into the gravel leaving a natural outlet from the mined area.

By the time the October 2013 letter was prepared, the river level had receded to near normal levels but the newly created river channel continued to carry water. Investigation found the river had created a new flow channel across the property to the south from an old return flow cutout on the Lowline Ditch to Lake Robert. This cutout has run continuously since the flood and the amount of water entering and leaving the mine are fairly consistent with the amount of flow in the river's main channel. In addition, during the June 2014 highwater event (Photos attached) river water was actually entering the ditch thru the return flow cutout. During the 2 highwater times we have had so far in 2015 the water has again entered the ditch thru the cutout.

In March 2014, the Division rejected a request for release of the damaged sections of the Lake Robert area. We understand, that from an Inspection Report it was in part because the existing Reclamation Plan did not match the conditions at the mine. There was mention that the Division felt we needed to do in-stream armoring along where the river entered and left the mine to prevent further head cutting. To do this McAtee Construction would have had to obtain a US Army Corps of Engineers 404 Permit to fix something that was not our fault. We had no need to, nor do we wish to, make changes to the river bottom. We decided to continue to monitor the river to see if the flow continued thru the winter and from the photographs supplied in the February 2015 annual report you can see that while the volume flow changes there is still sufficient volumes to say this is a permanent channel.

Conclusion










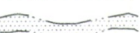

Post flood, the eastern area was disturbed/destroyed by the flood, the underwater slopes around the entire lake were destroyed or the lake was filled in with material carried down the river creating a sand bar that now covers nearly 70% of the old lake area and probably filled in the northern end of lake area to some extent. Any area the flood water covered contains little or no topsoil and the vegetation was damaged. The river continues to meander between the old lake banks and cause damage to the river banks depending on the amount of water entering the property. Attached are photographs we submitted in previous correspondence and new photos that show the site at various water flow amounts from the flood to May 20, 2014. The river channel has continuously carried water since the September flood and in June 2014 and July 2015 the amount of water flowing thru the channel is significant enough to fill the new channel (old Lake Robert) from bank to bank. For these reasons we believe the Division should approve the Technical Revision.

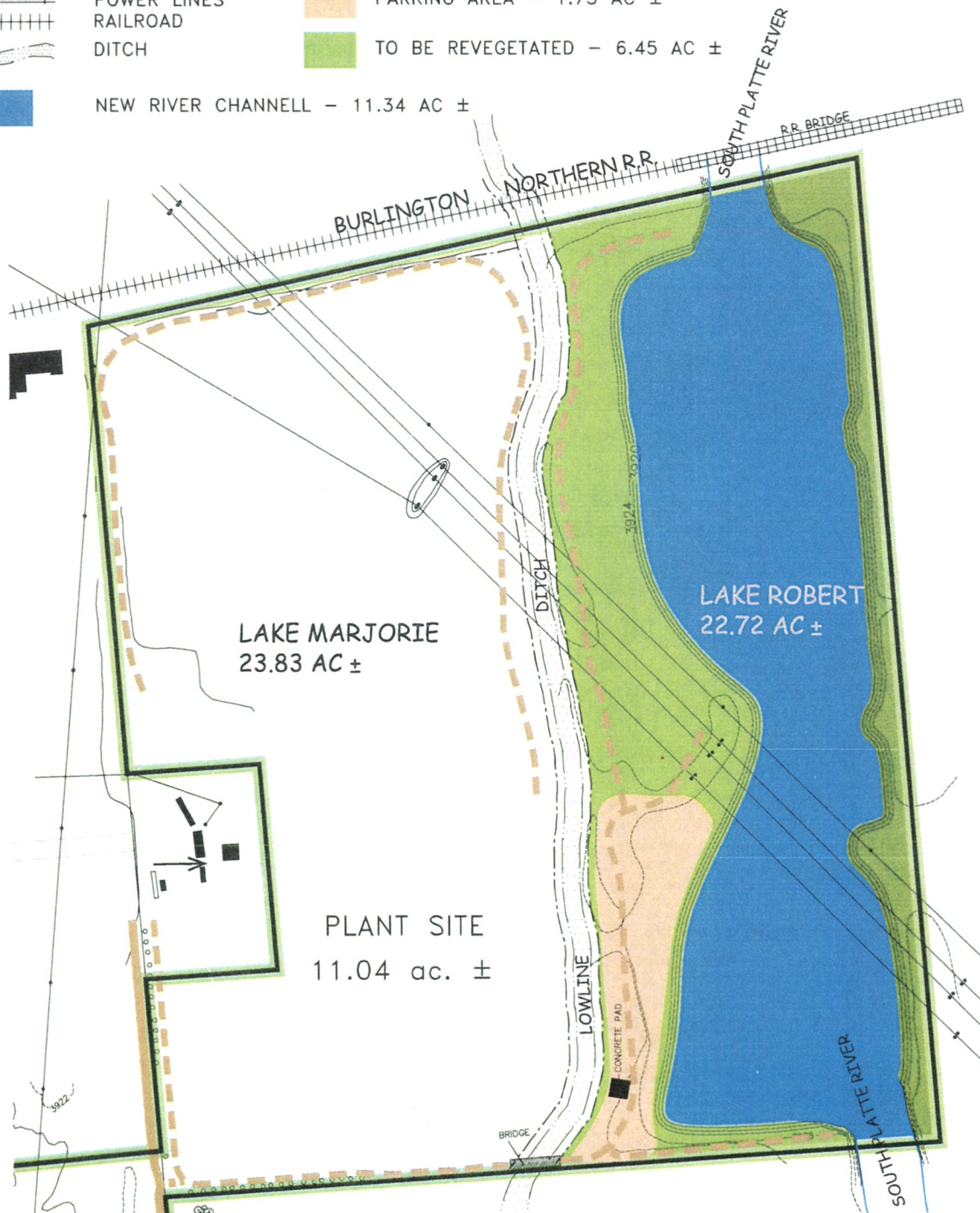
McATEE CONSTRUCTION COMPANY

RIVERSIDE PIT

RECLAMATION PLAN MAP - TECHNICAL REVISION MAP 5-15A

LEGEND

	AFFECTED LANDS / PERMIT LINE		AREA DAMAGED BY SEPTEMBER 2013 FLOOD - 2.50 AC. ±
	DIKE		PARKING AREA - 1.75 AC ±
	ROADS		TO BE REVEGETATED - 6.45 AC ±
	FENCE		
	POWER LINES		
	RAILROAD		
	DITCH		
	NEW RIVER CHANNELL - 11.34 AC ±		



McAtee Construction CO. - Riverside Pit
Partial release 2/26/2014



Source: Colorado Civil Air Patrol - Photo date 9/17/2013





6-6-2014.jpg



7-31-2014.jpg



9-8-2014.jpg



2-9-15.JPG

RIVER ENTERING DITCH
AT THIS POINT



PHOTO #1 DATE: FRIDAY JUNE 6, 2014

LOWLINE DITCH LOOKING SOUTH FROM BRIDGE
ACROSS DITCH FLOW IS TOWARDS CAMERA

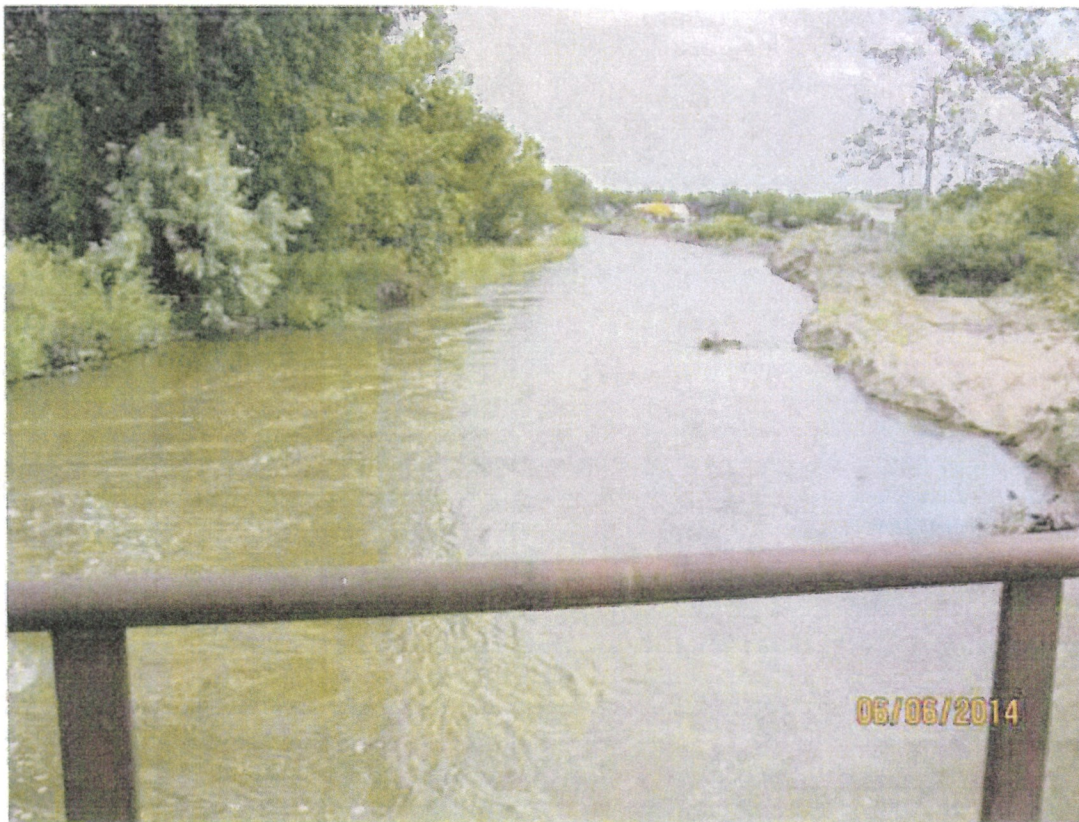


PHOTO #2 DATE: FRIDAY JUNE 6, 2014

LOWLINE DITCH LOOKING NORTH FROM BRIDGE
ACROSS DITCH. FLOW IS AWAY FROM CAMERA



RIVER ENTERING
SOUTH SIDE OF
LAKE ROBERT

PHOTO #3 DATE: FRIDAY JUNE 6, 2014

LAKE ROBERT LOOKING AT 9/13 BREACH POINT
ALONG SOUTH LAKE BANK



RIVER FLOW FROM
RIGHT TO LEFT

06/06/2014

PHOTO #4 DATE: FRIDAY JUNE 6, 2014

LAKE ROBERT LOOKING AT POINT WHERE RIVER
BREACHED SOUTH BANK IN 9/2013

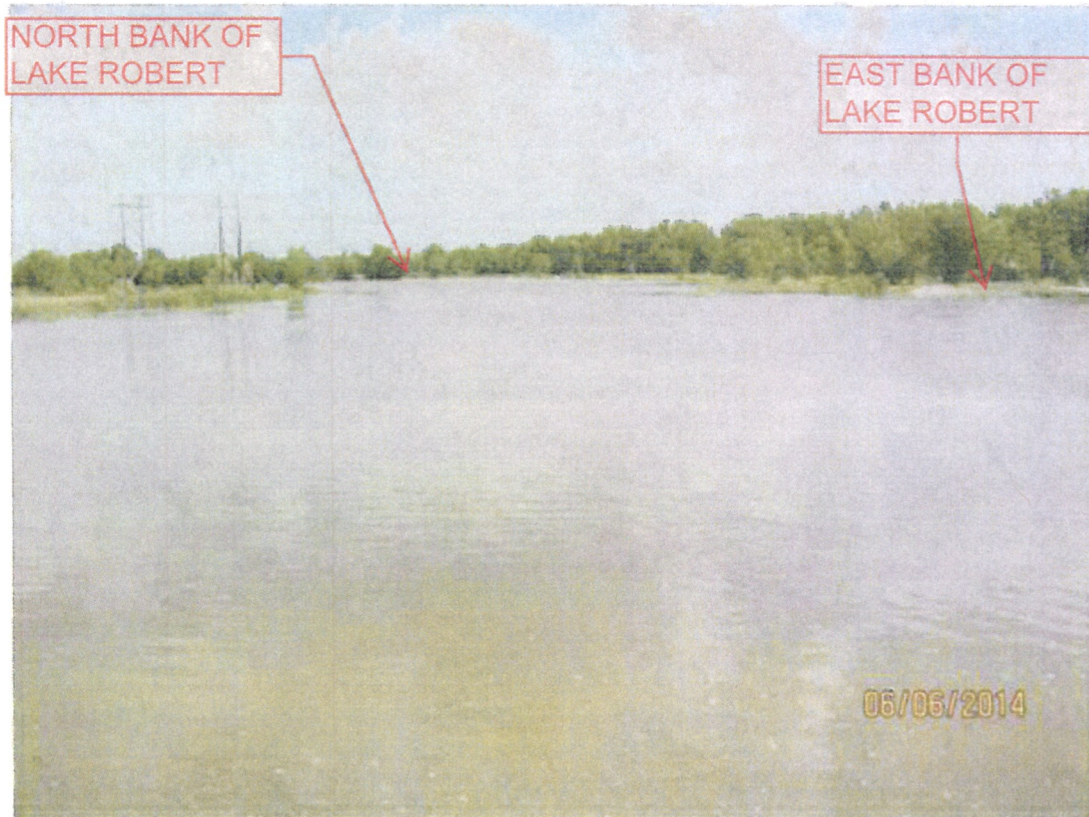


PHOTO #5 DATE: FRIDAY JUNE 6, 2014

LAKE ROBERT LOOKING NORTH FROM
SOUTHWEST CORNER OF LAKE

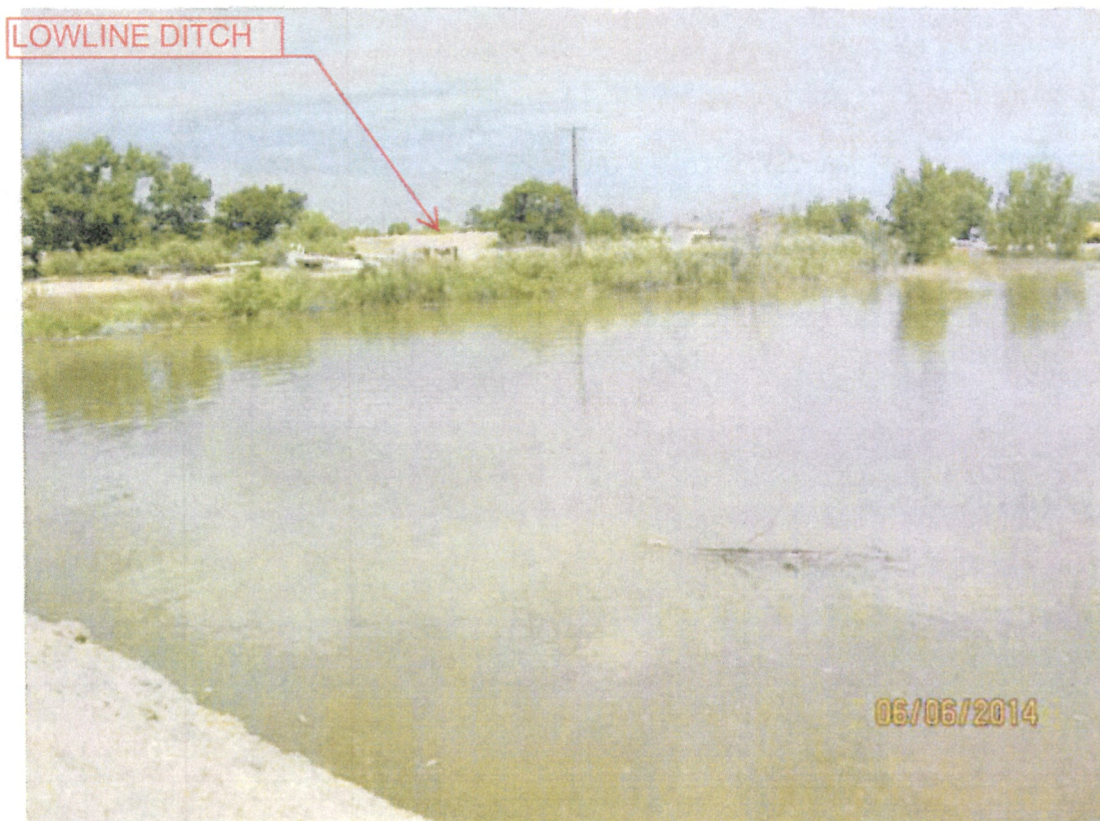


PHOTO #6 DATE: FRIDAY JUNE 6, 2014

LAKE ROBERT LOOKING AT WEST SHORE OF LAKE
FROM SOUTH BANK

McAtee Construction Company
Riverside Pit - M-1976-056
Flooding photos June 2014



PHOTO #7 DATE: MONDAY JUNE 9, 2014 @ 640am

LAKE ROBERT LOOKING AT 9/13 BREACH POINT
ALONG SOUTH LAKE BANK

McAtee Construction Company
Riverside Pit - M-1976-056
Flooding photo May 2015



PHOTO DATE: FRIDAY MAY 20, 2015

LOOKING SOUTHEAST FROM NEAR POWER POLES. PILEAS
ARE ALONG SOUTH PERMIT LINE OF LAKE ROBERT.

McAtee Construction
P.O. Box 1908
Sterling, CO 80751



7014 0150 0002 3527 0380



1000



80203

Colorado Div of Minerals & Ge
1313 Sherman St. Room 2.
Denver, CO 80203

RECEIVED

JUL 24

Division of Reclamation, Mining, and Safety

Fee Receipt for M1976056

McAtee Construction Company

000000000

Receipt #: 19957

Date: 07/24/2015

Permit: M1976056

Payment Method	Revenue Code	Fee Description/Notes	Amount
00108918 msr	4300-MTR0	Minerals Technical Revision M1976-056	\$216.00
Receipt Total:			\$216.00