


**TRI-STATE GENERATION AND TRANSMISSION ASSOCIATION, INC.**
**HEADQUARTERS:** P.O. BOX 33695 DENVER, COLORADO 80233-0695 303-452-6111

September 22, 2020

Mr. Zach Trujillo  
 Environmental Protection Specialist  
 Colorado Division of Reclamation, Mining & Safety  
 Department of Natural Resources  
 1313 Sherman Street, Room 215  
 Denver, CO 80203

**RE: Colowyo Coal Company L.P.**  
**Permit No. C-1981-019**  
**June 19, 2020 Letter Response**

Dear Mr. Trujillo,

Tri-State Generation and Transmission Association Inc. (Tri-State), is the parent company to Axial Basin Coal Company, which is the general partner to Colowyo Coal Company L.P. (Colowyo). Therefore, Tri-State on behalf of Colowyo is providing this response to the Division's June 19, 2020 letter. Only the items that were noted in bold in the Division's letter are included below, and some of the Division's items have been summarize or shorted for simplicity in this response.

*1. Please provide documentation of water rights ownership for irrigation ditches along Good Spring and Taylor Creeks below the Colowyo Mine, per Rule 2.04.7(2)(a).*

**Response:** Rule 2.04.7(a) states, "...The application shall also contain information *pertaining to* [emphasis added] ownership and use of surface water bodies." Colowyo's permit already contains information *pertaining to* [emphasis added] Colowyo's water rights on Good Springs Creek in Volume 12, Section 2.04.7(2). Information on the water rights that Colowyo holds on Taylor Creek will be added to permit through the technical revision process when the salinity study is completed.

*2. The Division noted that discussion between conductivity (mmhos/cm) and TDS (mg/L) in the Letter is often interchanged. The Division is unaware that there has been an accepted and agreed upon conversion for the two measurements at Colowyo. Please provide information to the Division that supports Tri-State's appropriate conversion for these measurements.*

**Response:** Tri-State was not proposing any conversion between electrical conductivity (mmhos/com) and TDS (mg/l) in our June 8, 2020 letter to the Division. The letter was a "summary" of the May 28, 2020 meeting, and an outline of actions Tri-State is committed to moving forward (i.e. salinity study).

*3. ...For these reasons the 2-4 mmhos/cm range cited by Tri-State does not appear appropriate without further justification. Please provide Tri-State's additional rational for the use of 2-4 mmhos/cm range for moderately salt tolerant species.*



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**Response:** Tri-State has not proposed any rationale for the use of 2-4 mmhos/cm for moderately salt tolerant species. As was stated in our June 8<sup>th</sup> letter, Tri-State believes the Division use as alfalfa as a salt sensitive species is not necessarily correct, and Tri-State believes the salt tolerance of the species down gradient of Colowyo are a moderately salt tolerant species. The salinity study that Tri-State committed to conducting and submitting to the Division through the technical revision process will determine if this assumption is appropriate.

*4. During the discussions between Colowyo and the Division, Tri-State committed to performing a salinity study to address the salt tolerance of vegetation species present at and adjacent to Colowyo. Based on correspondence from Tony Tennyson of Tri-State, due to unusually dry conditions and other uncontrolled outside factors, the field portion of this study would need to be postponed. Understanding this, the Division respectfully requests Tri-State to provide other available documentation of the crops grown with irrigation water from Wilson Creek, Milk Creek, Good Spring Creek and Taylor Creek until the salinity study can be completed.*

**Response:** There is currently not any available information to provide to the Division on the species being grown down gradient of Colowyo. One of the first steps in the salinity study will be species identification, and that information will be submitted to the Division through a technical revision when the salinity study is completed.

*5. Referring to the Letter, it states that “[t]he fields being irrigated with water from Good Spring Creek are comprised of grass hay, which Tri-State believes could be more tolerant to higher TDS than an alfalfa, as production yields obtain from annual harvests are indicating.” Although this statement may be accurate for the irrigated fields, the Division must ensure that these statements are defensible. As such, please provide any literature or production yield data and additional discussion which would support the above referenced statement.*

**Response:** Tri-State has committed to conducting a salinity study, and has kept the Division apprised of the status of the progress of it via email since our May 28<sup>th</sup> meeting. The salinity study when completed will contain this requested information and other rationale as appropriate.

*9. ....Please provide the Division with a summary of the discussions between Tri-State and WQCD, including details of the proposed treatment plan and justification for the proposed timescale (greater than three 3 years before implementation).*

**Response:** Recent documents provided to WQCD are enclosed.

*10. Tri-State notes on page 1 of the Letter that an increase in TDS “is being minimized.” Please provide additional information, data, or discussion concerning the accomplishment of minimizing the increases in TDS in the past and any procedures that minimize TDS concentrations currently.*





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**Response:** Colowyo's sediment control plan and reclamation practices approved by the Division are designed to minimize hydrologic impacts as much as possible, but as stated in Volume 1, Section 2.04.7 of Colowyo's permit, TDS and associated major ions were predicted to increase over time followed by a gradual decrease in concentration back to ranges seen in the pre-mine condition. Tri-State is evaluating down gradient impacts through the agreed upon salinity study and the enclosed documentation containing correspondence with The Water Quality Control Division.

Tri-State has been communicating with the Division regarding the status of actions taken since our May 28<sup>th</sup> meeting. Tri-State will continue to confer with the Division on the status of the salinity study, point of compliance wells, and discharges related to the East Taylor Pond. If you have any additional questions in regards to these actions, please feel free to contact Tony Tennyson at (970) 824-1232 at your convenience.

Sincerely,

DocuSigned by:

*Daniel Casiraro*

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Daniel J. Casiraro  
Senior Manager  
Environmental Services

DJC:TT:der

Enclosure

cc: Chris Gilbreath (via email)  
Tony Tennyson (via email)  
Angela Aalbers (via email)  
File: C. F. 17.20  
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