



October 28, 2022

Jim Doody
Grand Junction Pipe & Supply Co.
556 Struthers Avenue
Grand Junction, CO 81501

**Re: Delta Paving Gravel Pit, File No. M-1998-105,
Amendment Application (AM-01) – Second Adequacy Review**

Mr. Doody:

The Division of Reclamation, Mining and Safety (Division/DRMS/Office) reviewed the adequacy responses (letter dated 24 September 2022 from Lewicki & Associates) related to the AM-01 application for the Delta Paving Gravel Pit. We have the following additional comments. As noted for item number 14 and the Geotechnical Stability Exhibit, the Division requires more time to complete those portions of our review. I apologize for any inconvenience.

The Division is required to issue an approval or denial decision no later than November 4, 2022, therefore a response to the following adequacy review concerns should be submitted to the Division as soon as possible. Because of the delay on the part of the Division, we recommend that you request an extension.

Comments

- 1) The Division received state agency comments from History Colorado. The letter from this agency is included as an enclosure with this adequacy review letter. Please review the letter and provide comments accordingly.
 - *No additional response required.*
- 2) The name of the permittee is not consistent and should be the full name: "Grand Junction Pipe & Supply Co." Examples include page i-1 and Exhibit O. Please update as appropriate.
 - ***It appears that the revised application form was not submitted. Please submit that form with the correct company name. In the copy of Exhibit O in the September 24th submittal, the name "Grand Junction Pipe Co." is listed. Please change to "Grand Junction Pipe & Supply Co" or explain why that is not necessary.***



1.6 Public Notice

- 3) Pursuant to Rule 1.6.2(e), please submit proof of the notice to all owners of record of surface and mineral rights of the affected land and the owners of record of all land surface within 200 feet of the boundary of the affected land, including all easement holders located on the affected land and within 200 feet of the boundary of the affected land. Proof of notice may be return receipts of a Certified Mailing or by proof of personal service.
- *No additional response required.*

6.4.3 Exhibit C - Pre-Mining and Mining Plan Maps of Affected Land

- 4) On the Current Conditions map (C-1), please add and label the ditch on the west side of the proposed area, which runs parallel to Highway 65. Indicate if this ditch carries irrigation return flows or has another function.
- *No additional response required.*
- 5) On the Current Conditions map (C-1), please add Mel Frazier as the owner of the Broad Ax Ditch, per correspondence with the Division of Water Resources.
- *No additional response required.*
- 6) On the Current Conditions map and Mining Plan map (C-2), please add and label the berm at the south end of the site, as appropriate.
- *No additional response required.*
- 7) The Regarding the Mining Plan map, explain if the large “settling pond” (reclaimed lake) is the same as the “sediment pond” mentioned in Detail 3. The Division suggests more consistent terminology.
- *No additional response required.*

6.4.4 Exhibit D - Mining Plan

- 8) The text states that water from pits will be pumped to a drainage ditch and then it will flow to the river. However, the Mining Plan map (C-2) indicates that the water will be pumped to a sediment pond. Please explain this apparent contradiction.
- *No additional response required.*

6.4.5 Exhibit E - Reclamation Plan

- 9) This exhibit should clearly state the plan for existing reclamation as it relates to the new, proposed activities at the site. In particular, will current reclamation be completed prior to additional disturbance?
- *No additional response required.*
- 10) Clarification is needed regarding Table E-1. The value for groundwater lakes does not match the value on the Reclamation Plan map (F-1) for total groundwater exposure. Also, is the rangeland value (34.7 acres) accurate? It appears to be large based on a calculation by the Division.
- *No additional response required.*

11) The discussion of weeds on page E-4 should state that, in addition to the general plan for the control of all noxious weeds, any List A species (per the State of Colorado noxious weeds list) will be eradicated.

- *No additional response required.*

6.4.7 Exhibit G - Water Information

12) In the Water Quality Protection section, text should be added to explain if water will be sampled prior to discharge to the Relief Ditch.

- *No additional response required.*

13) In the Floodplain section, text should be added to explain how the northern banks of the Phase 3 area will be protected during flooding.

- ***On the F-1 Reclamation Plan, please address the following related to the details.***
 - i) ***The detail states that the inflow/outflow structure will be built during final reclamation. However, the river bank should be protected during mining if the pit is within 400 feet of the river. Please edit the detail on the map accordingly.***
 - ii) ***Within the detail on F-1, the term "highwater thalweg" is used. The Division understands that a thalweg is the lowest point of the bed of a river or stream, and finds this terminology confusing. Please explain or improve the terminology on the detail of F-1.***
 - iii) ***Regarding the reference to the Mile High Drainage District document, is the referenced document a Wright Water Engineers report from January 2013 or an alternate version?***
- ***Please give more details on the design process for the inflow/outflow structure in Exhibit G. Refer to particular figures, text, and equations in the Mile High Drainage District document.***
- ***In Exhibit G, as applicable, please describe how water elevations during flooding of the Gunnison River were used in the analysis and list any sources of information.***

14) To ensure that the Delta Paving Gravel Pit does not impact the hydrologic balance of the Gunnison River, the application needs to include a water quality monitoring plan, specifically for the alluvium. The groundwater monitoring plan should be developed in accordance with Rule 3.1.7(7)(b) and should include a Quality Assurance Project Plan (QAPP) for the collection of groundwater samples. The plan should provide mitigation steps if there is an exceedance at a groundwater or surface water monitoring location. Potential impacts to quality and/or quantity the nearby domestic wells should also be addressed. A copy of the Division's Groundwater Monitoring and Protection Technical Bulletin has been included as an enclosure to this letter for your reference.

- ***DRMS is reviewing the monitoring plan, and our comments will be forthcoming***

15) In the Surface Water section, provide calculations for the lake storage capacity values in Table G-2. Also, in Table G-2 explain the values 1000-3000 gpm during mining; explain if those are anticipated pumping rates or refer to something else.

- *No additional response required.*

16) The Water Consumption and Source section should include a discussion on water rights, including any existing Substitute Water Supply Plans or Augmentation Plans associated with water use at the Delta Paving Gravel Pit. The section should also include the applicant's future intentions related to such plans.

- *No additional response required.*

6.4.8 Exhibit H – Wildlife Information

17) Please explain an apparent contradiction on page H-1. In the second subsection (Seasonal Use of the Area), it is noted that bald eagles use the site for winter range. However, text in the fifth subsection suggests that there is no winter range in the affected area.

- *No additional response required.*

6.4.11 Exhibit K – Climate

18) The text states that the client is "tropical." Explain if that is accurate, or if "arid" is a better classification.

- *No additional response required.*

6.4.12 Exhibit L - Reclamation Costs

19) The Applicant should provide more detail on structures, including details on dimensions and types of construction.

- *No additional response required.*

6.4.13 Exhibit M - Other Permit and Licenses

20) Please commit to providing copies of all required and approved permits and licenses to the Division when available. This should include well permits and documents related to water rights, such as a Substitute Water Supply Plan.

- *No additional response required.*

6.4.19 Exhibit S –Permanent Man-made Structures

21) A structural agreement should be sought for the Broad Ax Ditch.

- *No additional response required.*

6.5 Geotechnical Stability Exhibit

DRMS is reviewing the responses related to the geotechnical analysis and our comments will be forthcoming.

Please be advised that the AM-01 application may be deemed inadequate, and the application may be denied unless the above-mentioned adequacy review items are addressed to the satisfaction of the Division.

If you have any questions, please contact me at rob.zuber@state.co.us or (720) 601-2276.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert D. Zuber".

Robert D. Zuber
Environmental Protection Specialist

Copied via e-mail: Michael Cunningham, DRMS
 Ben Langenfeld, Lewicki & Associates