



STATE OF
COLORADO

Simmons - DNR, Leigh <leigh.simmons@state.co.us>

M-1980-136, Chambers Pit, TR-5, Adequacy Review

Simmons - DNR, Leigh <leigh.simmons@state.co.us>

Fri, Jun 16, 2023 at 4:02 PM

To: "Burkey, Jason K (CRH Americas Materials)" <jason.burkey@na.crh.com>, Ben Langenfeld <benl@lewicki.biz>

Jason, Ben,

The Division's adequacy review letter for TR-5 is attached. Since we are close to the decision due date (June 19th) please request an extension when you have had a chance to read the letter, to allow time for your response and my review.

Let me know if you have any questions.

Leigh Simmons
Environmental Protection Specialist



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

P 303.866.3567 x 8121 | C 720.220.1180 | F 303.832.8106

1313 Sherman Street, Room 215, Denver, CO 80203

leigh.simmons@state.co.us | <https://drms.colorado.gov>



M1980136_TR5_AdequacyReview_1.pdf
255K



Jason Burkey
Oldcastle SW Group, Inc. dba United
Companies of Mesa County
2273 River Road
Grand Junction, CO 81502

June 16, 2023

Re: Chambers Pit (M-1980-136)
TR-5, Initial Adequacy Review

Dear Mr. Burkey,

The Division has completed an initial review of the materials submitted with the Technical Revision No. 5 (TR-5) application. Please review the following comments and address the items in bold.

TR-5 was submitted in response to the Division's inspection report of April 26, 2023, which requested that a revision be submitted to update and clarify the mining plan and the reclamation plan. A deadline on June 26, 2023 was set; the TR-5 application was submitted in good time.

1. The Division notes that mining is complete at the Chambers Pit (also called the Fairgrounds Pit). Exhibit D has been updated accordingly.

No further action is necessary.

2. Exhibit E has been updated to clarify the reclamation plan. The proposed text of Exhibit E states that the total disturbed area to be reclaimed is 78.3 acres. This is inconsistent with the most recent Annual Report for the site, which states that a total of 90 acres is currently affected (mining + incomplete and or unreleased reclamation).

Please clarify the total number of affected acres.

3. The proposed text of Exhibit E states that backfilling and grading is complete at the site. Again, this seems to be inconsistent with the most recent Annual Report, which states that 35 acres have been backfilled and graded.

Please clarify the status of backfilling and grading at the site.



4. The Division notes that topsoil will be spread from stockpiles on site to a depth of 4-6 inches, using dozers and haul trucks. Topsoiled areas will be ripped with a disc harrow to a depth of 12 inches prior to seeding.

No further action is necessary.

5. A seed mix is proposed in Table 5.1. The proposed seed mix comprises 4 grass species:

- Luna Pubescent Wheatgrass
- Barton Western Wheatgrass
- Vinall Russian Wildrye
- Fairway Wheatgrass (presumably this is a crested wheatgrass)

The stated goal of reseeding is for erosion control to stabilize the area while the landowner, Eagle County, finalizes plans for the site following release. In addition to permit commitments, the vegetation will also need satisfy the requirements of Rule 3.1.10(1) which calls for the establishment of “...a diverse, effective, and long-lasting vegetative cover that is capable of self-regeneration without continued dependence on irrigation, soil amendments or fertilizer...”

Although the diversity standard in the rule is not explicitly defined, three wheatgrasses and a rye grass would not satisfy the Division’s typical understanding of “diverse”, which would normally include several forbs at least.

The proposed species should be well suited to the environment and will likely establish cover fairly quickly under favorable conditions. The proposed seeding rate is typically around half the recommended rate for a monoculture of each species, which is reasonable.

‘Vinall’ Russian wildrye is no longer recommended and has been replaced by ‘Mankota’. (Reference: <https://www.nrcs.usda.gov/plantmaterials/idpmspg5773.pdf>)

Please review the proposed seed mix. Please update Table 5.1 to replace Vinall Russian Wildrye, and to clarify the total pounds of live seed per acre.

6. Landowner approval will expedite final bond release.

Has Eagle County been consulted on the proposed seed mix?

7. The proposed revegetation success criteria (“control erosion, match neighboring areas, and satisfactory to the Division”) are rather vague and subjective. Although the rules

don't discuss revegetation success criteria explicitly, it is often helpful at bond release if objective criteria have been established ahead of time.

Please consider establishing objective revegetation success criteria, such as a numerical cover standard, based on some defensible method such as sampling of a reference area or the application of the Revised Universal Soil Loss Equation.

The decision due date for TR-5 is June 19, 2023. Please request an extension to the deadline that will allow time for you to respond to this letter and for the Division to review your response.

Sincerely,

A handwritten signature in blue ink, appearing to read "L. Simmons", is positioned above the typed name.

Leigh Simmons
Environmental Protection Specialist

cc: Ben Langenfeld; benl@lewicki.biz