

**STATE OF
COLORADO****Carter - DNR, Jocelyn <jocelyn.carter@state.co.us>**

St. Barbara Sand and Gravel Mine M-2004-013 Technical Revision TR-3 Adequacy Review

Carter - DNR, Jocelyn <jocelyn.carter@state.co.us>

Tue, Jul 16, 2024 at 8:12 PM

To: Mike Golliher <mgolliher@petelien.com>

Cc: Amy Eschberger - DNR <amy.eschberger@state.co.us>, ddeboer@petelien.com

Hello Mike,

Please see the attached adequacy review for the Technical Revision (TR-3) application for this permit. The decision date for the TR-3 application is scheduled for July 19, 2024. If more time is required to address the items in the adequacy letter, please request an extension to the decision date before then.

Let me know if you have any questions or concerns.

Thanks,
Jocelyn

On Fri, May 31, 2024 at 3:21 PM Carter - DNR, Jocelyn <jocelyn.carter@state.co.us> wrote:

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July 16, 2024

Michael Golliher
Pete Lien & Sons, Inc
P.O. Box 440
Rapid City, SD 57709

RE: St. Barbara Sand and Gravel Mine, Permit No. M-2004-013; Technical Revision Request (TR-3), Adequacy Review No. 2

Dear Mr. Golliher,

On May 20, 2024, the Division of Reclamation, Mining, and Safety (Division/DRMS) received the Technical Revision application (TR-3) for the St. Barbara Sand and Gravel Mine operation, Permit No. M-2004-013. After a review of the additional information submitted to the Division on July 11, 2024, there are remaining items that require clarification.

1. The revised maximum disturbed acreage of 96 acres is sufficient to account for the currently disturbed area observed by the Division during the March 19, 2024, inspection. The updated Exhibit L – Reclamation Costs covers an estimated disturbed area of 90.3 acres. The Division calculates the estimated cost for reclamation based on the maximum disturbed area and how the area is disturbed. There is 5.7 acres not accounted for in the submitted Exhibit L – Reclamation Costs. What is the nature of the disturbance and thus reclamation requirements of the 5.7 acres?
2. It is stated in Item 2. of the cover letter that there are 13.0 acres that currently have topsoil and have been seeded. The accompanying map does not specify the area that is described here. The area identified as “N and W Topsoil Stockpile – 13 ac.” correlates in size and should have been seeded for erosion protection in accordance with Rule 3.1.9(1). However, the topsoil stockpiles would need to be disturbed in the reclamation process and are considered as lands requiring topsoiling and seeding to be completed when calculating reclamation costs. Please clarify where the 13.0 acres being referenced in the Operator’s comments regarding the reclamation cost estimate are on the map.
3. In response to the Operator’s comments submitted on Item 2(e) of the cover letter, “Task 004. Crimping and Mulching. Are both required?” In the case of the Division needing to take over reclamation operations for this permit, the Division would need to perform both tasks to optimize the revegetation outcome.
4. There is a discrepancy in information provided in Item 2. of the cover letter and the revised Exhibit L – Reclamation Costs with respect to the acreage that require topsoiling and seeding. In the cover letter, it is stated that 77.3 acres will require topsoiling and

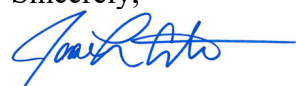


revegetation tasks while the calculations in Exhibit L – Reclamation Costs give 82 acres in calculating costs for these tasks. Please revise the bond calculation estimate to match the proposed acreage for these reclamation tasks.

5. The map submitted shows an area of 23.4 acres labeled “St. Barbara Quarry-Pond” and is within the estimated 90.7 acres of currently disturbed land. The bond calculation is for backfilling 8.75 acres, reflective of the current pond areas according to the March 19, 2024, inspection. Please clarify the discrepancy between the two values. With the “St. Barbara Quarry-Pond” within the currently disturbed area, the Division requires a financial bond to be held for reclamation activities in the worst-case scenario. As it is presented at this time, the Division’s reclamation cost estimate would account for backfilling 23.4 acres to a depth of 32 feet (1 foot of topsoil + 6 feet of overburden + 25 feet of material). The Division would also require an updated substitute water supply plan (SWSP) from Division of Water Resources (DWR) be submitted to account for the increased amount of exposed water.
6. The Exhibit L – Reclamation Costs submitted provides information about the costs associated with the slurry wall that the Operator intends to construct on this permitted site. Please be advised the Division has updated its policy on bonding for slurry walls. The current policy is for the Operator to bond for 100% of the costs for installing a slurry wall prior to its construction. After the Operator has performed the 90-day leak test required by the Office of the State Engineer (SEO) and received acceptance of the liner from the SEO, the Operator can request a surety reduction to reduce the slurry wall bonding to no less than 20% of the costs. This new policy should be considered whenever the Operator submits the Technical Revision to install the slurry wall. Please revise Exhibit L – Reclamation Costs to either remove specifics about the costs and required amounts pertaining to the future slurry wall or that reflect the updated DRMS policy amounts as well as updated amounts of the costs for installing a slurry wall. Please retain the statement of the Operator’s intent to submit a Technical Revision to the Division when an end user of impounded water features has been established.

This concludes the Division’s second adequacy review. The decision date for TR-3 is currently scheduled for **July 19, 2024**. If additional time is needed to address the adequacy items above, an extension request must be submitted to the Division prior to the decision date.

If you have any questions, please contact me via email at Jocelyn.carter@state.co.us or phone at (720) 666-1065.

Sincerely,


July 16, 2024
Pete Lien & Sons, Inc

Jocelyn Carter
Environmental Protection Specialist

Ec: Dakota DeBoer, Pete Lien & Sons, Inc.
Amy Eschberger, DRMS