



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

July 22, 2024

Mr. Phillip Courtney
Martin Marietta Materials, Inc.
1627 Cole Boulevard, Suite 200
Lakewood, CO 80401

**Re: Thunderbird Sand and Gravel, File No. M-2023-032, 112 Construction Materials
Reclamation Permit Application, Adequacy Review No. 3**

Dear Mr. Courtney:

The Division of Reclamation, Mining and Safety (Division) has completed its review of your June 25, 2024 response to our second Adequacy Review of the 112 Construction Materials Reclamation Permit Application submitted for Thunderbird Sand and Gravel in Pueblo County. The current decision date for the application is set for July 30, 2024.

The Division has identified the following adequacy items in the application which require clarification or additional information:

Rule 6.4 Specific Exhibit Requirements – 112c Reclamation Operation

- Please review and respond to the adequacy items provided by Rob Zuber, DRMS (see enclosed letter, dated July 15, 2024).
- Please update all Exhibits and maps that might be changed based on Martin Marietta's response to Rob Zuber's letter. These Exhibits may include, but are not limited to Exhibit C, D, E, F, and L. Please note that the mining plan and reclamation plans can be updated in the future to reflect mining closer to the river in the same Technical Revision submitted with the HEC-RAS analysis.

This letter shall not be construed to mean there are no other technical deficiencies in your application. Please be advised that the approved extended decision date is July 30, 2024. If you are unable to satisfactorily address the comments in this review before the decision date, it will be your responsibility to request an extension of the review period. If there are outstanding issues that have not been adequately addressed prior to the end of the review period, and no extension has been requested, the Division may deny this application.

If you require additional information, or have questions or concerns, please feel free to contact me by phone at (720) 812-2002, or by email at joel.renfro@state.co.us.



Sincerely,

A handwritten signature in blue ink that reads "Joel Renfro". The signature is written in a cursive, flowing style.

Joel Renfro
Environmental Protection Specialist

Encl(s):

Adequacy review letter from Rob Zuber, DRMS, dated July 15, 2024

Cc:

Amy Eschberger, DRMS

Rob Zuber, DRMS



Memorandum

To: Joel Renfro, DRMS
From: Rob Zuber, DRMS
Cc: Amy Eschberger
Date: July 15, 2024
Subject: 112c Application for Thunderbird Sand and Gravel (File No. M-2023-032),
Review of Surface Water Control and Protection of the Hydrologic Balance,
Third adequacy review

Regarding the new 112c permit application for Thunderbird Sand and Gravel, I reviewed the adequacy response from Martin Marietta (letter dated June 25, 2024). I have the following adequacy items.

Item #17

- There appears to be a contradiction in the response for this item and Item #41. In Item #17, the applicant states that the analysis using the HEC-RAS model may be performed. However, in Item #41, the applicant states that the analysis will be performed. The applicant needs to clarify this apparent contradiction.
- The applicant states that “backfill is the flood control structure.” This is inconsistent with the position of the Division. The applicant must commit to one of the following:
 - Mine at least 400 feet from the river throughout the life of mine
 - Provide detailed designs of inlet/outlet structures for the reservoirs
 - Conduct a detailed hydrologic analysis to illustrate that the proposed pit banks, during mining and after reclamation, will not be significantly eroded by a 100-year flood event
- If the applicant chooses the option of detailed designs of inlet/outlet structures for the reservoirs, the design must be based on guidelines from a recognized authority (e.g., a county drainage manual) and/or detailed hydrology and hydraulics analyses.

Item #41

- The applicant needs to commit to submitting a TR to the Division that includes the HEC-RAS analysis (or similar) prior to mining within 400 feet of the river.

Please do not hesitate to ask me questions about my review.

