

STATE OF  
COLORADO

Gagnon - DNR, Nikie &lt;nikie.gagnon@state.co.us&gt;

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**RE: [EXTERNAL]:Hnderson/Sandy Acres Updated monitoring data and SWSP**

1 message

**Derek Slack** <dslack@e-470.com>

Tue, Aug 13, 2024 at 8:33 AM

To: "Gagnon - DNR, Nikie" &lt;nikie.gagnon@state.co.us&gt;

Cc: Tim Crawford &lt;tcrawford@bbawater.com&gt;, Austin Malotte &lt;amalotte@bbawater.com&gt;, Neil Thomson &lt;NThomson@e-470.com&gt;

Nikie,

I apologize that I failed to include the updated well monitoring data. Attached is the data through the 2<sup>nd</sup> quarter of 2024.

We responded to loana within the 60 day deadline regarding the source of the water. I am attaching the email chain with loana and BBA. We are working through the process to get a substitute water supply plan. This takes some effort in finding a source and getting an agreement. The agreement will likely need to go to our Board for approval which takes time.

Let me know if there is anything else I failed to submit or if you need additional information.

*Derek Slack*, P.E.

Roadway Maintenance Manager

E-470 Public Highway Authority

[22470 E. Stephen D. Hogan Parkway, Suite 100](#)[Aurora, CO 80018](#)

O 303-537-3710

C 303-828-8311

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**From:** Gagnon - DNR, Nikie <[nikie.gagnon@state.co.us](mailto:nikie.gagnon@state.co.us)>**Sent:** Monday, August 12, 2024 12:12 PM**To:** Derek Slack <[dslack@e-470.com](mailto:dslack@e-470.com)>**Subject:** [EXTERNAL]:Hnderson/Sandy Acres Updated monitoring data and SWSP

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Hi Derek.

I received the annual report for the Henderson/Sandy Acres site. Based on the approved Ground Water Monitoring Plan in TR6, you should be submitting quarterly groundwater data along with a summary that presents details regarding the measurement events, data trends and any identified anomalies in the data. The last data reported was 4/24/2024. The Monitoring Plan indicates you will be measuring the wells on a quarterly basis and submitting the data to the Division. When was the last measurement? I set the compliance date for October 1 for the due date for the 3rd quarter 2024 data and January 1 for the 4th quarter. If you already have the 3rd quarter report ready, please go ahead and email it to me.

Also, where are you on the application to DWR for the Substitute Water Supply Plan and well permit? The email from Ioana stated that you are required to submit an application to DWR within 60 days of her May 6 email. This site has an approved SWSP that expires in September 2024 for the lagged depletions prior to 2016. However, Ioana indicated you will either need to amend that permit or submit a new application. Please update me on where you are in this process and send me a copy of the application that has been submitted to DWR.

Give me a call if you want to discuss any of the requirements.

Best regards,

--

**Nikie Gagnon**

**Environmental Protection Specialist**



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

Cell: 720.527.1640

Physical: [1313 Sherman Street, Room 215, Denver, CO 80203](#)

**Address for FedEx, UPS, or hand delivery:**

DRMS Room 215, [1001 E 62nd Ave, Denver, CO 80216](#)

[nikie.gagnon@state.co.us](mailto:nikie.gagnon@state.co.us) | <https://www.drms.colorado.gov>

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**2 attachments**



**2nd quarter 2024.pdf**  
837K



**DWR 7.9.24 email.pdf**  
895K

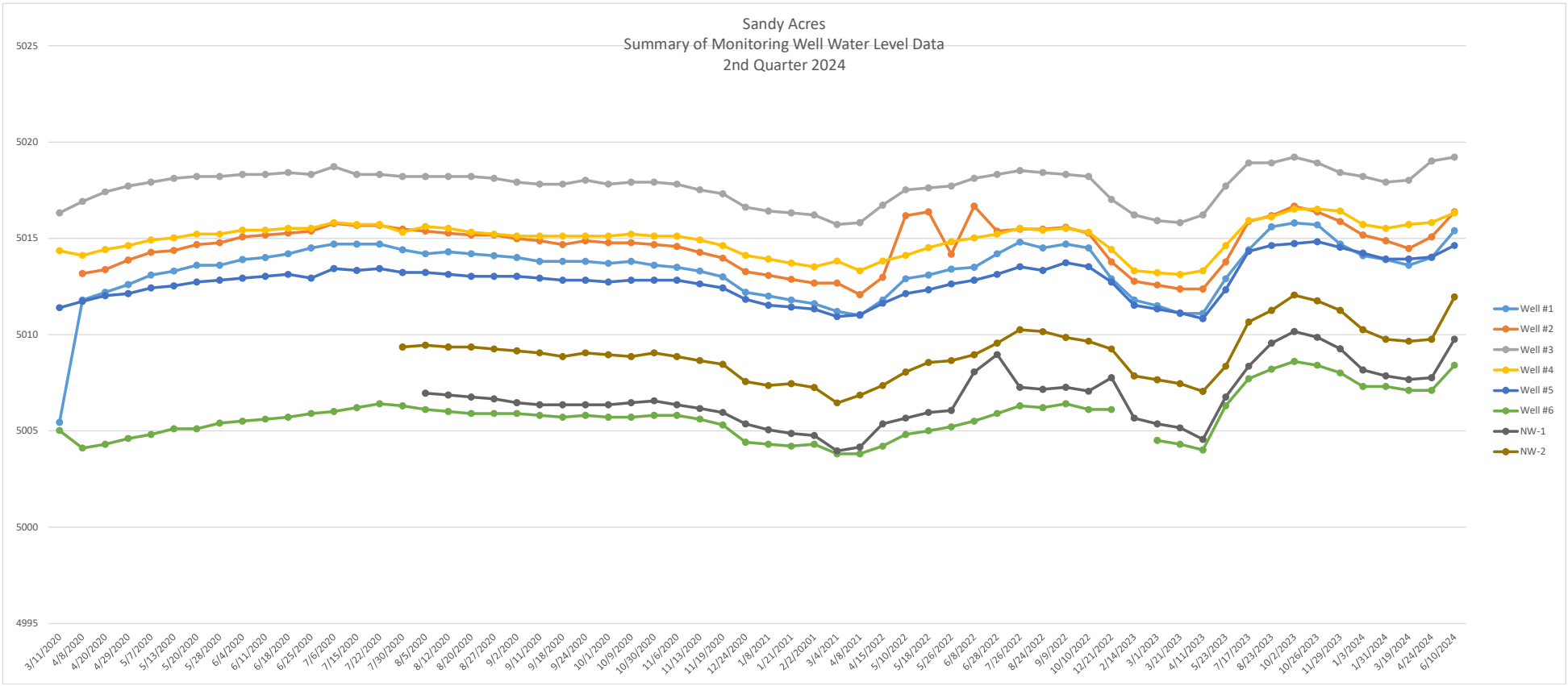


## Sandy Acres well monitoring

2nd Quarter 2024

	Well #1		Well #2		Well #3		Well #4		Well #5		Well #6		NW-1		NW-2	
Elevation at top of tube	5024.901		5033.775		5038.318		5033.32		5029.13		5014.509		5025.162		5022.655	
Date	Reading	Elevation	Reading	Elevation	Reading	Elevation	Reading	Elevation	Reading	Elevation	Reading	Elevation	Reading	Elevation	Reading	Elevation
3/11/2020	16	5005.445			19	5016.32	16	5014.357	15	5011.402	5.5	5005.026				
4/8/2020	13.1	5011.80	20.6	5013.18	21.4	5016.92	19.2	5014.12	17.4	5011.73	10.4	5004.11				
4/20/2020	12.7	5012.20	20.4	5013.38	20.9	5017.42	18.9	5014.42	17.1	5012.03	10.2	5004.31				
4/29/2020	12.3	5012.60	19.9	5013.88	20.6	5017.72	18.7	5014.62	17	5012.13	9.9	5004.61				
5/7/2020	11.8	5013.10	19.5	5014.28	20.4	5017.92	18.4	5014.92	16.7	5012.43	9.7	5004.81				
5/13/2020	11.6	5013.30	19.4	5014.38	20.2	5018.12	18.3	5015.02	16.6	5012.53	9.4	5005.11				
5/20/2020	11.3	5013.60	19.1	5014.68	20.1	5018.22	18.1	5015.22	16.4	5012.73	9.4	5005.11				
5/28/2020	11.3	5013.60	19	5014.78	20.1	5018.22	18.1	5015.22	16.3	5012.83	9.1	5005.41				
6/4/2020	11	5013.90	18.7	5015.08	20	5018.32	17.9	5015.42	16.2	5012.93	9	5005.51				
6/11/2020	10.9	5014.00	18.6	5015.18	20	5018.32	17.9	5015.42	16.1	5013.03	8.9	5005.61				
6/18/2020	10.7	5014.20	18.5	5015.28	19.9	5018.42	17.8	5015.52	16	5013.13	8.8	5005.71				
6/25/2020	10.4	5014.50	18.4	5015.38	20	5018.32	17.8	5015.52	16.2	5012.93	8.6	5005.91				
7/6/2020	10.2	5014.70	18	5015.78	19.6	5018.72	17.5	5015.82	15.7	5013.43	8.5	5006.01				
7/15/2020	10.2	5014.70	18.1	5015.68	20	5018.32	17.6	5015.72	15.8	5013.33	8.3	5006.21				
7/22/2020	10.2	5014.70	18.1	5015.68	20	5018.32	17.6	5015.72	15.7	5013.43	8.1	5006.41				
7/30/2020	10.5	5014.40	18.3	5015.48	20.1	5018.22	18	5015.32	15.9	5013.23	8.2	5006.31			13.30	5009.36
8/5/2020	10.7	5014.20	18.4	5015.38	20.1	5018.22	17.7	5015.62	15.9	5013.23	8.4	5006.11	18.20	5006.96	13.20	5009.46
8/12/2020	10.6	5014.30	18.5	5015.28	20.1	5018.22	17.8	5015.52	16	5013.13	8.5	5006.01	18.30	5006.86	13.30	5009.36
8/20/2020	10.7	5014.20	18.6	5015.18	20.1	5018.22	18	5015.32	16.1	5013.03	8.6	5005.91	18.40	5006.76	13.30	5009.36
8/27/2020	10.8	5014.10	18.6	5015.18	20.2	5018.12	18.1	5015.22	16.1	5013.03	8.6	5005.91	18.50	5006.66	13.40	5009.26
9/2/2020	10.9	5014.00	18.8	5014.98	20.4	5017.92	18.2	5015.12	16.1	5013.03	8.6	5005.91	18.70	5006.46	13.50	5009.16
9/11/2020	11.1	5013.80	18.9	5014.88	20.5	5017.82	18.2	5015.12	16.2	5012.93	8.7	5005.81	18.80	5006.36	13.60	5009.06
9/18/2020	11.1	5013.80	19.1	5014.68	20.5	5017.82	18.2	5015.12	16.3	5012.83	8.8	5005.71	18.80	5006.36	13.80	5008.86
9/24/2020	11.1	5013.80	18.9	5014.88	20.3	5018.02	18.2	5015.12	16.3	5012.83	8.7	5005.81	18.80	5006.36	13.60	5009.06
10/1/2020	11.2	5013.70	19	5014.78	20.5	5017.82	18.2	5015.12	16.4	5012.73	8.8	5005.71	18.80	5006.36	13.70	5008.96
10/9/2020	11.1	5013.80	19	5014.78	20.4	5017.92	18.1	5015.22	16.3	5012.83	8.8	5005.71	18.70	5006.46	13.80	5008.86
10/30/2020	11.3	5013.60	19.1	5014.68	20.4	5017.92	18.2	5015.12	16.3	5012.83	8.7	5005.81	18.60	5006.56	13.60	5009.06
11/6/2020	11.4	5013.50	19.2	5014.58	20.5	5017.82	18.2	5015.12	16.3	5012.83	8.7	5005.81	18.80	5006.36	13.80	5008.86
11/13/2020	11.6	5013.30	19.5	5014.28	20.8	5017.52	18.4	5014.92	16.5	5012.63	8.9	5005.61	19.00	5006.16	14.00	5008.66
11/19/2020	11.9	5013.00	19.8	5013.98	21	5017.32	18.7	5014.62	16.7	5012.43	9.2	5005.31	19.20	5005.96	14.20	5008.46
12/24/2020	12.7	5012.20	20.5	5013.28	21.7	5016.62	19.2	5014.12	17.3	5011.83	10.1	5004.41	19.80	5005.36	15.10	5007.56
1/8/2021	12.9	5012.00	20.7	5013.08	21.9	5016.42	19.4	5013.92	17.6	5011.53	10.2	5004.31	20.10	5005.06	15.30	5007.36
1/21/2021	13.1	5011.80	20.9	5012.88	22	5016.32	19.6	5013.72	17.7	5011.43	10.3	5004.21	20.30	5004.86	15.20	5007.46
2/2/20201	13.3	5011.60	21.1	5012.68	22.1	5016.22	19.8	5013.52	17.8	5011.33	10.2	5004.31	20.40	5004.76	15.40	5007.26
3/4/2021	13.7	5011.20	21.1	5012.68	22.6	5015.72	19.5	5013.82	18.2	5010.93	10.7	5003.81	21.20	5003.96	16.20	5006.46
4/8/2021	13.9	5011.00	21.7	5012.08	22.5	5015.82	20	5013.32	18.1	5011.03	10.7	5003.81	21.00	5004.16	15.80	5006.86
4/15/2022	13.1	5011.80	20.8	5012.98	21.6	5016.72	19.5	5013.82	17.5	5011.63	10.3	5004.21	19.80	5005.36	15.30	5007.36
4/27/2022	12.9	5012.00	20.5	5013.28	21	5017.32	19.6	5013.72	17.7	5011.43	10.1	5004.41	19.90	5005.26	15.00	5007.66
5/10/2022	12	5012.90	17.6	5016.18	20.8	5017.52	19.2	5014.12	17	5012.13	9.7	5004.81	19.50	5005.66	14.60	5008.06
5/18/2022	11.8	5013.10	17.4	5016.38	20.7	5017.62	18.8	5014.52	16.8	5012.33	9.5	5005.01	19.20	5005.96	14.10	5008.56
5/26/2022	11.5	5013.40	19.6	5014.18	20.6	5017.72	18.5	5014.82	16.5	5012.63	9.3	5005.21	19.10	5006.06	14.00	5008.66
6/8/2022	11.4	5013.50	17.1	5016.68	20.2	5018.12	18.3	5015.02	16.3	5012.83	9	5005.51	17.10	5008.06	13.70	5008.96
6/28/2022	10.7	5014.20	18.4	5015.38	20	5018.32	18.1	5015.22	16	5013.13	8.6	5005.91	16.20	5008.96	13.10	5009.56
7/26/2022	10.1	5014.80	18.3	5015.48	19.8	5018.52	17.8	5015.52	15.6	5013.53	8.2	5006.31	17.90	5007.26	12.40	5010.26
8/24/2022	10.4	5014.50	18.3	5015.48	19.9	5018.42	17.9	5015.42	15.8	5013.33	8.3	5006.21	18.00	5007.16	12.50	5010.16
9/9/2022	10.2	5014.70	18.2	5015.58	20	5018.32	17.8	5015.52	15.4	5013.73	8.1	5006.41	17.90	5007.26	12.80	5009.86
9/30/2022	10.3	5014.60		5033.78		5038.32		5033.32		5029.13		5014.51	17.60	5007.56	12.40	5010.26
10/10/2022	10.4	5014.50	18.5	5015.28	20.1	5018.22	18	5015.32	15.6	5013.53	8.4	5006.11	18.10	5007.06	13.00	5009.66
12/21/2022	12	5012.90	20	5013.78	21.3	5017.02	18.9	5014.42	16.4	5012.73	8.4	5006.11	17.40	5007.76	13.40	5009.26
2/7/2023	12.75	5012.15	20.7	5013.08									19.00	5006.16	14.70	5007.96
2/14/2023	13.1	5011.80	21	5012.78	22.1	5016.22	20	5013.32	17.6	5011.53	0		19.50	5005.66	14.80	5007.86
3/1/2023	13.4	5011.50	21.2	5012.58	22.4	5015.92	20.1	5013.22	17.8	5011.33	10	5004.51	19.80	5005.36	15.00	5007.66
3/21/2023	13.8	5011.10	21.4	5012.38	22.5	5015.82	20.2	5013.12	18	5011.13	10.2	5004.31	20.00	5005.16	15.20	5007.46
4/11/2023	13.8	5011.10	21.4	5012.38	22.1	5016.22	20	5013.32	18.3	5010.83	10.5	5004.01	20.60	5004.56	15.60	5007.06
5/23/2023	12	5012.90	20	5013.78	20.6	5017.72	18.7	5014.62	16.8	5012.33	8.2	5006.31	18.40	5006.76	14.30	5008.36
7/17/2023	10.5	5014.40	17.9	5015.88	19.4	5018.92	17.4	5015.92	14.8	5014.33	6.8	5007.71	16.80	5008.36	12.00	5010.66
8/23/2023	9.3	5015.60	17.6	5016.18	19.4	5018.92	17.2	5016.12	14.5	5014.63	6.3	5008.21	15.60	5009.56	11.40	5011.26
10/2/2023	9.1	5015.80	17.1	5016.68	19.1	5019.22	16.8	5016.52	14.4	5014.73	5.9	5008.61	15.00	5010.16	10.60	5012.06
10/26/2023	9.2	5015.70	17.4	5016.38	19.4	5018.92	16.8	5016.52	14.3	5014.83	6.1	5008.41	15.30	5009.86	10.90	5011.76
11/29/2023	10.2	5014.70	17.9	5015.88	19.9	5018.42	16.9	5016.42	14.6	5014.53	6.5	5008.01	15.90	5009.26	11.40	5011.26
1/3/2024	10.8	5014.10	18.6	5015.18	20.1	5018.22	17.6	5015.72	14.9	5014.23	7.2	5007.31	17.00	5008.16	12.40	5010.26
1/31/2024	11	5013.90	18.9	5014.88	20.4	5017.92	17.8	5015.52	15.2	5013.93	7.2	5007.31	17.30	5007.86	12.90	5009.76
3/19/2024	11.3	5013.60	19.3	5014.48	20.3	5018.02	17.6	5015.72	15.2	5013.93	7.4	5007.11	17.50	5007.66	13.00	5009.66
4/24/2024	10.9	5014.00	18.7	5015.08	19.3	5019.02	17.5	5015.82	15.1	5014.03	7.4	5007.11	17.40	5007.76	12.90	5009.76
6/10/2024	9.5	5015.40	17.4	5016.38	19.1	5019.22	17	5016.32	14.5	5014.63	6.1	5008.41	15.40	5009.76	10.70	5011.96

Sandy Acres  
Summary of Monitoring Well Water Level Data  
2nd Quarter 2024



## Derek Slack

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**From:** Austin Malotte <amalotte@bbawater.com>  
**Sent:** Tuesday, July 9, 2024 8:22 AM  
**To:** Derek Slack  
**Cc:** Wanda DeVargas; Neil Thomson; Rachael Frei  
**Subject:** [EXTERNAL]:FW: E-470 Sandy Acres

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Derek,

Here is DWR's response to our communication indicating that we believe most of the inflow to Sandy Acres is groundwater. As expected, DWR is requiring a new/updated SWSP to cover more recent and ongoing evaporative depletions from the former pit. My colleague Rachael Frei, who has been handling accounting submittals for the existing SWSP for several years, will be taking the lead to get the new SWSP put together. Once we have some initial replacement water numbers, we'll be in touch to discuss potential supplies to make those replacements.

In the meantime, I'll reach out separately to talk with you about budgeting etc.

Thank you,  
Austin

**Austin Malotte, P.E.**

BBA Water Consultants, Inc.  
720-245-2658 (direct)  
[www.bbawater.com](http://www.bbawater.com)

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**From:** Comaniciu - DNR, Ioana <ioana.comaniciu@state.co.us>  
**Sent:** Monday, July 8, 2024 11:08 AM  
**To:** Austin Malotte <amalotte@bbawater.com>  
**Cc:** Tim Crawford <tcrawford@bbawater.com>; Rachael Frei <rfrei@bbawater.com>  
**Subject:** Re: E-470 Sandy Acres

Good Morning,

Thank you for the updated information regarding the proposed plan for the E-470 Sandy Acres Pit. According to the BBA letter provided it looks like the backfilling of the pit was not properly done and a SWSP will be submitted to DWR soon. Please note that a SWSP will need to replace all additional lagged depletions impacting the stream starting from 2023 or the day groundwater was first noticed in the pit and going forward. The current SWSP valid through September 30, 2024 only replaces lagged depletions from previous groundwater exposed at the site.

Please contact me at this office if you have any.

Sincerely,

Ioana Comaniciu, P.E.  
Water Resources Engineer



P 303-866-3581 x 8246

1313 Sherman St., Suite 818, Denver, CO 80203

[ioana.comaniciu@state.co.us](mailto:ioana.comaniciu@state.co.us) | [www.colorado.gov/water](http://www.colorado.gov/water)

On Tue, Jul 2, 2024 at 11:50 AM Austin Malotte <[amalotte@bbawater.com](mailto:amalotte@bbawater.com)> wrote:

Hi Ioana,

Thank you for your patience as we have worked through our evaluation of the Sandy Acres ponding issue. Attached please find a copy of the letter E-470 provided to DRMS last week in response to that agency's requests related to a technical revision of the permit for this site. Among other things, the letter recognizes that previous efforts have not fully mitigated the standing water conditions observed in the former Sandy Acres gravel pit. While surface water contributes to Sandy Acres inflows from direct precipitation, local runoff and adjacent stormwater conveyance structures, we believe the majority of the inflow is alluvial ground water daylighting within and around the Sandy Acres site.

As such, E-470 has directed BBA to prepare a request for an SWSP to replace stream depletions from ongoing evaporation of exposed ground water at the Sandy Acres site. We anticipate that the SWSP will need to operate until ground water is no longer exposed at Sandy Acres (see attached letter for proposed mitigation measures) and the stream depletions from prior evaporation of ground water are replaced.

In the meantime, please don't hesitate to reach out if you would like to discuss further.

Thank you,  
Austin

**Austin Malotte, P.E.**

BBA Water Consultants, Inc.

720-245-2658 (direct)

[www.bbawater.com](http://www.bbawater.com)

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**From:** Comaniciu - DNR, Ioana <[ioana.comaniciu@state.co.us](mailto:ioana.comaniciu@state.co.us)>

**Sent:** Monday, May 6, 2024 10:00 AM

**To:** Austin Malotte <[amalotte@bbawater.com](mailto:amalotte@bbawater.com)>

**Cc:** Tim Crawford <[tcrawford@bbawater.com](mailto:tcrawford@bbawater.com)>

**Subject:** Re: E-470 Sandy Acres

Good Morning,

Thank you for the email on the Sandy Acres Gravel Pit ponding issues. In the January 29, 2024 meeting I indicated that a new SWSP is not required until information is provided on the source of the ponding water in the gravel pit. Although during the meeting we did not set up a deadline to have the information provided to DWR, since more than 3 month passed from the January meeting, it is requested that the information on the source of the ponding water be provided to DWR within 60 days from the date of this email. At that time a new SWSP will be required if it is determined that the gravel pit was not properly backfilled and the source is in fact groundwater.

Please let me know if you have any other questions or concerns.

Best regards,

Ioana Comaniciu, P.E.  
Water Resources Engineer



P 303-866-3581 x 8246

1313 Sherman St., Suite 818, Denver, CO 80203

[ioana.comaniciu@state.co.us](mailto:ioana.comaniciu@state.co.us) | [www.colorado.gov/water](http://www.colorado.gov/water)

On Fri, May 3, 2024 at 1:17 PM Austin Malotte <[amalotte@bbawater.com](mailto:amalotte@bbawater.com)> wrote:

Good afternoon Ioana,

E-470 Public Highway Authority (“PHA”) and BBA are continuing to work with DRMS to mitigate the ponding issues observed at the former Sandy Acres gravel pit site near the intersection of Highways E-470 and US-85. As part of that ongoing process, DRMS requested the PHA “provide demonstration that the site is in compliance with DWR or show evidence that the operator is working with DWR to bring the site into compliance.” During our 1/29/2024 online meeting, you had directed the PHA to continue its investigation as to the source of the ponded water and to work with DRMS to identify mitigation



options. Additionally, you had said the PHA need not apply for a new SWSP until a decision is made (with DRMS approval) as to mitigation. If this all sounds correct to you, would you please respond to this email to confirm? And of course if I missed or misunderstood something, please let me know. We and the PHA want to maintain maximum transparency through this process.

Thank you,  
Austin

**Austin Malotte, P.E.**

BBA Water Consultants, Inc.

720-245-2658 (direct)

[www.bbawater.com](http://www.bbawater.com)