



January 31, 2025

Grant Smith
Smith's Materials, LLC
PO Box 271
Creede, CO 81130

RE: Line Camp Pit, File No. #M-2001-001 AM-02 Adequacy Review

Dear Mr. Smith:

The Division of Reclamation, Mining and Safety (Division) is in the process of reviewing the above referenced Conversion request in order to ensure that it adequately satisfies the requirements of the Colorado Land Reclamation Act for the Extraction of Construction Materials (Act) and the associated Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials (Rules). During review of the material submitted, the Division determined that the following issue(s) of concern shall be adequately addressed before a decision can be rendered.

Form

1. Please designate a single person to be the Applicant/Operator under Correspondence Information.

Exhibit C

2. Per Rule 6.4.7(2)(a) please provide a map that shows the locations of hydrologic features (water courses, wells, springs, ponds, reservoirs, and ditches) on affected and adjacent lands.

Exhibit D

3. Per Rule 6.2.1(2)(e) maps must include a north arrow. Please update Figure D.2 to include a north arrow.
4. Two figures are labeled Figure D.1 – please revise.
5. The text in Exhibit D must include a discussion of how the Mining Plan for the entire permit area (both the existing and proposed pits) has been developed to comply with the rule related to protection of the hydrologic balance (Rule 3.1.6 in the Division's Construction Materials rules) and with the Division's "Floodplain Protection Standards for Sand and Gravel Pits Adjacent to Rivers and Perennial Streams." Also, a reference should be made to associated analyses and designs in Exhibit G.

Exhibit E

6. Per 6.4.5(a) please state the amount of acreage accorded to each reclamation type.
7. Sections 5.a. calls for the import of off-site backfill material as a source material to complete reclamation. Please provide an estimated amount to be imported.
8. Section 6.d.i calls for 4 inches of topsoil to be spread while Exhibit I calls for 12 inches. Please clarify and justify the amount of topsoil to be spread.



Exhibit F

9. Per Rule 6.4.6(a) please provide a map that shows the proposed topography of the area with contour lines of sufficient detail to portray the direction and rate of slope on all reclaimed lands.

Exhibit G

10. Please provide an approved Substitute Water Supply Plan or Water Court Decree. The most recent Substitute Water Supply Plan the Division has on record expired in April of 2013 and only allows 10 acres of groundwater to be exposed. The Division will bond to backfill ponds two feet above groundwater level until documentation is provided.
11. For the entire permit area, the applicant must comply with the floodplain protection standards and select one of three options to protect the hydrologic balance of the affected land and surrounding area:

- 1) A 400-foot setback from the riverbank, or shorter distance as described in the standards.
- 2) Designed structures to allow floodwaters from the 100-year event to enter and exit the pits without eroding banks.
- 3) A detailed analysis that illustrates that a 100-year flood will not result in river capture by the pits or significant damage to the riverbanks.

A combination of these options will be considered by the Division if proposed by the applicant. For example, Option #1 is obviously not viable for the existing permit area but could be used for the proposed area. In that case Option #2 or Option #3 could be applied to the existing area.

If the third option above is selected, this could entail one or a combination of the following:

- A hydraulics model (e.g., the U.S. Army Corps of Engineers software HEC-RAS) that analyzes the velocities and forces during the 100-year flood.
- A detailed hydrology and/or geomorphology study that illustrates that the 100-year storm will not cause significant damage to the riverbanks.
- A detailed soil study that illustrates that the banks consist of material that is similar to soil riprap, as suggested in the AM-02 application. This option should also include a detailed discussion as to why the banks and area between the banks and pits will not be eroded during a 100-year flood event.

The Division is available to discuss these options (or similar options) with the applicant, prior to completion of an adequacy response.

Exhibit M

12. Surface water section states a stormwater permit may be required but does not list a permit for the outfall. Is a CPDHE Discharge permit required for Outfall 001?

Public Notice

13. Per 1.6.5(2) please provide proof of Public Notice publication. Proof may consist of either a copy of the last newspaper publication, to include the date published, or a notarized statement from the paper.

Please submit your response(s) to the above listed issue(s) by Monday, February 17, 2025 in order to allow the Division sufficient time for review prior to the Decision Date of March 17, 2025.

The Division will continue to review your application and will contact you if additional information is needed.

If you require additional information, or have questions or concerns, please contact me at the Division's Grand Junction Field Office.

Sincerely,



Todd Jesse

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Cc: Travis Marshall, DRMS
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