

#### **ADDENDUM TO Exhibit D. MINING PLAN FOR LINE CAMP PIT (6.3.3.)**

##### **25. Hydrology and Water Quality (Additional Details):**

- a. This Mining Plan for both the existing permitted and affected area and the proposed permitted and affected area has been developed to comply with Rule 3.1.6 and good engineering and best management practices to protect the hydrologic balance of the permitted area, the parcel on which it is located, and the river and adjacent and nearby areas:
  - i. It complies with applicable Colorado water laws and regulations governing injury to existing water rights.
  - ii. It complies with applicable federal and Colorado water quality laws and regulations.
  - iii. It complies with applicable federal and Colorado dredge and fill requirements because there is no dredging or fill (including incidental fill) of waters of the United States and of the State of Colorado.
  - iv. It and the Reclamation Plan (Exhibit E) do not propose or involve removing temporary or large siltation structures from drainage ways after disturbed (affected) areas are revegetated and stabilized.
  - v. There are no earth or other dams: the ponds are all incised. The ponds do not damage adjoining property or conflict with water pollution laws, rules or regulations of the federal government, the State of Colorado, or with any tribal or local government pollution ordinances.
  - vi. All surface areas of the affected land, including piles of all materials, are and will continue to be stabilized and protected so as to effectively control erosion and prevent sedimentation either to the river or adjoining property, including the State highway right-of-way.
  - vii. It minimizes disturbances to the prevailing hydrologic balance of the affected land and of the surrounding area and to the quantity or quality of water in surface and groundwater systems both during and after the mining operation and during reclamation.
- b. This Mining Plan and the Reclamation Plan (Exhibit D) specifically request a waiver from the DRMS' "Floodplain Protection Standards for Sand and Gravel Pits Adjacent to Rivers and Perennial Streams" for the existing affected areas (in the southern portion of the permit area).

The rationale for this requested waiver is

  - i. the previously approved and executed mining and reclamation plans for this operation (2001 and 2011) have in essence been completed and would be significantly disturbed at great cost.
  - ii. The operations from 2002 to 2025 have resulted in no significant potential for damage to the floodplain, including pit capture of the Dolores River,
  - iii. the standards are based on conditions of the South Platte River downstream from Denver and are therefore ill-suited for the hydrology, terrain, and geology of the Dolores River above McPhee Reservoir, and
  - iv. activities to comply with the Standards would require massive earthwork (including fill) that would potentially create significant environmental degradation as well as being economically unfeasible.
- c. See Exhibit G for additional data, associated analyses, and designs.