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Sent: Monday, August 15, 2022 7:20 PM
To: "Brinton, Sara -FS" <sara.brinton@usda.gov>; "Jones, Cody -FS" <cody.j.jones@usda.gov>
Subject: FW: 738 Gravel Pit Teams Meeting - follow-up Info
Attachments: ATT#1_36CFR228_SubpartC_MineralMaterials.pdf, ATT#2_wo_2850_Amend-90-1.doc, ATT#3_R2_2150_Supplement_2800-2000-1.pdf, ATT#4_MinMatPoO_R9-Superior2800-2003-1.pdf, ATT#5_SamplePitMgmtPlan.pdf, ATT#6_FS-2800-5-MiningPoO_form.pdf, ATT#7_Owl Creek Pit Operations_Maintenance Plan.docx

Pam had lots of interesting things to say at our meeting this morning. She provided a bunch of examples and policy related to pits. More than we could ever want.



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From: Leschak, Pamela - FS <Pamela.Leschak@usda.gov>
Sent: Monday, August 15, 2022 1:15 PM
To: Peck, Joshua -FS <joshua.p.peck@usda.gov>
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Subject: 738 Gravel Pit Teams Meeting - follow-up Info

Regarding Requirements for Plans of Operations for Mineral Materials Permits:

- **36CFR228.56 (Att. #1 above)** – The operating plan must include, as a minimum, a map and explanation of the nature of access, anticipated activity, surface disturbance, and intended reclamation including removal or retention of structures and facilities. Operating plans must be submitted by thepermittee.
- **Washington Office Amendment-90-1, 2855 (Pg 6, ATT#2 above):** OPERATING PLANS. All surface-disturbing operations under mineral materials contracts or permits require an operating plan. A plan has no special format; its complexity and length may vary with the scope of the proposed operation and with the anticipated environmental impacts. The only requirement is that the plan must include the information specified at 36 CFR 228.56. Any revisions to the original operating plan require approval of an authorized officer. Prepare operating plans for in-

Service pits, community sites, and common-use areas 36 CFR 228.64(b). Purchasers and permittees submit their own operating plans in all other cases.

- **R2 Supplement (2800-2000-1 – 2855, Pg 8 in ATT#3 above):** In addition to minimum requirements in the regulations (36 CFR 228.56), operating plans for proposed disposals greater than 1,000 CY in volume (or weight equivalent) should include (SEE PG 8): 1. A map showing the general location of the proposed site, including access routes. 2. A map or sketch at a scale of at least 1 in. = 1000 ft., showing the area applied for, the area to be disturbed, the existing and any proposed access routes and staging areas, any structures or facilities planned, and any known historic resources present. 3. A description of the proposed operations, including the methods of extraction, all planned development and surface disturbance, type and size of equipment to be used, identifying an on-site contact or permittee's representative responsible for the operation (if applicable). 4. A description of all measures to be taken to protect and minimize damage to the environment, and prevent hazards to the public health and safety, and including reclamation plans that address structure and equipment removal.
- **Sample Operating/Pit Management Plans (ATT#4, ATT#5)** - an Exhibit from R9-Superior 2800-2003-1 Supplement (attached). It doesn't strictly apply to Region 2, but may be helpful.
- **FS-2800-5 (Mining Plan of Operations Form, ATT#6)** – this is an optional form. Not sure if it's still in use, but it might be helpful to you in deciding what you might want to ask from the county.
- **Owl Creek PoO (ATT#7)** - This is what the GMUG Mineral shop put together for a gravel pit FUP with Ouray County Road & Bridges. You might also consider adding a Dust Mitigation Plan.

OTHER INFO:

- R2 Conversion Factor for Sand & Gravel is 3,200 lbs/Cubic Yard. Thus, 100,000 cubic yards (or 160,000 tons weight equivalent) is the upper limit of Forest Supervisory authority for mineral material permits in Region 2. (See Pg 2 of ATT#3 – first paragraph of 2850.43).
- The permit cannot be issued until the NEPA has been signed (36CFR228.61(c)). The term of a Free Use Permit cannot exceed 10-years (36CFR228.62(b)). There is no limit on the quantity of the permit to governmental organizations. A small, minimum administrative fee based on a sliding scale must be charged (even to counties) for mineral permits in Region 2. (Table on Pg 3 of ATT#3). It is usually paid when we issue the permit.
- The District will need to decide if they would like to administer the site as an In Service/Force Account Forest Service Pit (i.e. Forest Service pit) or as a Free Use County Pit. There are differences in permitting, reclamation, and bonding requirements associated with these two types.
- A Free Use Permit (with associated, approved operating plan) can include stipulations. An attachment (see ATT#7 as an example) a LIST OF STIPULATIONS can be added to a FS-2800-9 Permit.

LASTLY: Since our Teams discussion, I started wondering if the 8% vs. 10% vs. 12% of crushed material to be supplied to the Forest should be discussed with the RO. The GMUG Forest Supervisor has mentioned to me that it was done routinely in another forest that he worked on, but I'm not sure about the percentage. It would be a good idea for us to check in with Tom Williams before moving too far ahead with the project for concurrence with the practice and the amount.

Best,
Pam



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