

Deficiency No. 47
August 25, 2014
Permit NACC-1302
Second Technical Review
Letter

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and the Commission makes the findings required by NDAC 69-05.2-16-20. Also, please revise Section 3.2.5 to add plans for complying with NDAC 69-05.2-16-07(4) that has specific requirements for restoring of stream channels and natural riparian vegetation. (GAW)

45. Please revise Section 3.2.4 to provide information regarding the Coyote Creek crossing at station No. 40+00 that complies with NDAC 69-05.2-16-07. It is not clear how much disturbance to the creek channel is planned if four ten-foot wide box culverts are going to be placed in a 35 foot channel and it is not clear if one of these box culverts is going to be at a lower elevation to concentrate the flow during normal flow rates. Likewise there is no discussion about armoring the inlet and outlet ends of the culverts or BMP's that will be needed during the construction period. Please provide details as required by NDAC 69-05.2-09-09 for complying with NDAC 69-05.2-16. We noted that the required information was provided for the Shop Access Road Box Culvert in Section 3.2.5, but similar plans and information is not provided for the haul road crossing further north. (GAW)
46. Please revise Section 3.2.5, Shop Access Road Box Culvert – Diversion Channel, to provide details regarding the fill material that will be placed over the culverts that will be placed in the channel of Coyote Creek. Section 3.2.3, Shop Access Road, states that the shop access road will be constructed of overburden from pond P31-01 but this culvert will need to be in-place to allow vehicular access to pond P31-01. Please further discuss measures to prevent adverse effects to the creek's water quality during the construction of both crossings for compliance with NDAC 69-05.2-16-20(1)(a). (GAW)
47. Section 3.2.5.1 shows water that outlets from the four ten-foot box culverts will be directed to a high spot located on the inside of a stream oxbow. Please consider moving the location of the box culverts slightly to the west so the flows from the box culverts will flow directly into the straight stretch of stream channel. Otherwise, please provide measures that will be taken to stabilize and protect this area so the high spot does not scour away. NDAC 69-05.2-09-09 and NDAC 69-05.2-16. (GAW)
48. Please provide more details on how drainage area and peak discharges are calculated for the water flows into the haulroad and access road box culverts that are proposed for the Coyote Creek crossings. In particular, please provide a map that shows the hydrologic elements that are listed in the routing simulation reports for the box culverts. NDAC 69-05.2-24-03(5)(a) and NDAC 69-05.2-16-07 and 69-05-2-09-09(2)(n). (BAJ)

Section 3.3.1 – Surface Water Management Plan

49. Follow-up to Item No. 161: Please revise the Surface Water Management Plan, Section 3.3.1, to discuss how surface water runoff will be directed to a sediment pond in each instance where steep slopes and woodlands are located upstream of sediment ponds outside of the mineral removal boundary as required by NDAC 69-05.2-09-02(3). The permit should clarify if trees and SPGM will be removed in the drainage bottoms above each sediment pond and/or if other sediment control methods will be used to retain sediment in disturbed areas as required by NDAC 69-05.2-16-08(2) while minimizing disturbance as required by NDAC 69-05.2-13-05. (GAW)

Section 3.3.2 – Surface Water Management Plan Map

50. Follow-up to Item No. 173: Please revise the Surface Water Management Plan Map, Section 3.3.2, to show the boundaries of the areas to be affected during the permit term as required by NDAC 69-05.2-09-02(2) & (3). It is not clear how much disturbance is planned above sediment ponds, around stockpiles, and along haul roads located beyond the mineral removal areas. Please clarify how runoff is going to be routed along the northwest side of the subsoil pile located in the N½SW¼ of Section 31. It appears a diversion is needed at this location. Also, please show the erosion control measures