



DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO
CORPS OF ENGINEERS
1325 J STREET
SACRAMENTO CA 95814-2922

REPLY TO
ATTENTION OF

September 16, 2013

Regulatory Division (SPK-2010-00673)

Mr. Phil Hofer
Frisco Bay Marina
902 Marina Road
Frisco, Colorado 80443

Dear Mr. Hofer:

We are enclosing your copy of Department of the Army (DA) Permit SPK-2010-00673 for the Phase II Frisco Bay Marina Facilities Improvement project. Please note you are only authorized to complete the work described in the permit.

If you sell the property associated with this permit, the terms and conditions of this permit will continue to be binding on the new owner. To validate the transfer of this permit, have the succeeding party sign the permit transfer section at the end of the permit and forward a copy to this office, along with their printed name, address, telephone number, and other contact information.

The time limit for completing the work is specified in General Condition 1. If the work will not be completed prior to that date, you may request a time extension. Your request for an extension must be received by this office for consideration at least 30 days before the time limit date.

Please refer to identification number SPK-2010-00673 in any correspondence concerning this project. If you have any questions, please contact me at our Colorado West Regulatory Branch, 400 Rood Avenue, Room 224, Grand Junction, Colorado 81501, email Lesley.A.McWhirter@usace.army.mil, or telephone 970-243-1199, extension 17. For more information regarding our program, please visit our website at www.spk.usace.army.mil/Missions/Regulatory.aspx. We appreciate your feedback. At your earliest convenience, please tell us how we are doing by completing the customer survey on our website under *Customer Service Survey*.

Sincerely,

A handwritten signature in cursive script that reads "Lesley McWhirter".

Lesley McWhirter
Senior Project Manager

Enclosure:

1. DA Permit SPK-2010-00673

cc (w/o encl):

Mr. John C. Hranac, Water Quality Assessor, Water Quality Control Division, Colorado Department of Public Health and Environment, 4300 Cherry Creek Dr. S., Denver, Colorado 80246-1530

Mr. Robert L. Jacobs, Summit County Engineer, Community Development Department, Post Office Box 5660, Frisco, Colorado 80443

Mr. Neil Sperandeo, Manager of Recreation, Denver Water, 1600 West 12th Avenue, Denver, Colorado 80204-3412

Mr. Jason A. Deem, Gore Range Engineering, Post Office Box 24122, Silverthorne, Colorado 80497



DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO
CORPS OF ENGINEERS
1325 J STREET
SACRAMENTO CA 95814-2922

REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY PERMIT

Permittee: Town of Frisco
Attn: Phil Hofer
Post Office Box 4100
Frisco, Colorado 80443

Permit Number: SPK-2010-00673

Issuing Office: U.S. Army Engineer District, Sacramento
Corps of Engineers
1325 "J" Street
Sacramento, California 95814-2922

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: Excavate approximately 75,400 cubic yards (CY) of soil in 10.93 acres of unvegetated lakebed, and discharge approximately 60,300 CY of the dredged soil material and 3,600 CY (1,720 linear feet) of concrete retaining wall blocks into 5.35 acres of unvegetated lakebed below the ordinary high water mark of Dillon Reservoir to improve navigation and expand recreational facilities at the Frisco Bay Marina.

All work is to be completed in accordance with the attached plans.

Project Location: The project is located at the Frisco Bay Marina, Dillon Reservoir, in Section 35, Township 5 South, Range 78 West, Sixth Principal Meridian, Latitude 39.578662°, Longitude -106.086536°, Town of Frisco, Summit County, Colorado.

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on **June 30, 2019**. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.

2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

1. Excavation and fill activities below the high water elevation of 9,017 feet shall only occur when the water levels are below the proposed final excavation elevation of 9,001 feet to avoid siltation into the Reservoir. No comingling of excavation or fill activities is allowed within the Reservoir, Tenmile Creek, or Miner's Creek water edge. No excavation or fill activities in wetlands are authorized by this permit.
2. You shall clearly identify the limits of disturbance in the field with highly visible markers (e.g. construction fencing, flagging, silt barriers, etc.) prior to commencement of construction activities within waters of the U.S. You shall maintain such identification properly until construction is completed and the soils have been stabilized. You are prohibited from any activity (e.g., fill or excavation activities, equipment usage or materials storage) that impacts waters of the U.S. outside of the permit limits (identified as "Limits of Work" on the attached plans).
3. Prior to initiation of any construction activities within waters of the U.S., you shall employ construction best management practices (BMPs) onsite to prevent degradation to on-site and off-site waters of the U.S. Methods shall include the use of appropriate measures to intercept and capture sediment prior to entering waters of the U.S., as well as erosion control measures along the perimeter of all work areas to prevent the displacement of fill material. You shall maintain erosion control measures until construction activities are completed and all on-site soils are stabilized. You

shall submit a description of and photo-documentation of your BMPs to our office within 5 days of commencement of construction.

4. All dredge and fill material placed below the ordinary high water elevation of 9,017 feet shall be stabilized prior to any interface with water in the Reservoir, Tenmile Creek, or Miner's Creek, to avoid erosion and potential impacts to water quality and aquatic organisms.
5. You shall notify the Corps of the start and completion dates for each phase of the authorized work within 10 calendar days prior to initiation of construction activities within waters of the U.S. and 10 calendar days following completion of construction activities.
6. To limit the potential for excavated soils that are potentially hazardous to be discharged into waters of the United States, you shall implement the monitoring program described in Gore Range Engineering's letter dated July 3, 2013 to the Corps of Engineers (attached).
7. Within 60 days following completion of the authorized work or at the expiration of the construction window of this permit, whichever occurs first, you shall submit as-built drawings and a description of the work conducted on the project site to the Corps. The drawings shall be signed and sealed by a registered professional engineer and include the following:
 - a. The Department of the Army Permit number.
 - b. A plan view drawing of the location of the authorized work footprint (as shown on the permit drawings) with an overlay of the work as constructed in the same scale as the attached permit drawings. The drawing should show all excavation and fill areas, bank stabilization and structures.
 - c. Ground photographs of the completed work. The camera positions and view-angles of the ground photographs shall be identified on a map, aerial photograph, or project drawing.
 - d. A description and list of all deviations between the work as authorized by this permit and the work as constructed. Clearly indicate on the as-built drawings the location of any deviations that have been listed.
8. You are responsible for all work authorized herein and ensuring that all contractors and workers are made aware and adhere to the terms and conditions of this permit authorization. You shall ensure that a copy of the permit authorization and associated drawings are available for quick reference at the project site until all construction activities are completed.

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:
 - () Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).
 - (X) Section 404 of the Clean Water Act (33 U.S.C. 1344).

() Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization.

- a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.
- b. This permit does not grant any property rights or exclusive privileges.
- c. This permit does not authorize any injury to the property or rights of others.
- d. This permit does not authorize interference with any existing or proposed Federal projects.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
- b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
- c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
- d. Design or construction deficiencies associated with the permitted work.
- e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data. The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant.

Circumstances that could require a reevaluation include, but are not limited to, the following:

- a. You fail to comply with the terms and conditions of this permit.
- b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).


c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

TOWN OF FRISCO


Name Bill Efting
Title Town Manager
Permittee

9-12-2013
Date

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below


Lesley McWhirter
Senior Project Manager
(For the District Engineer)

9-16-2013
Date

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

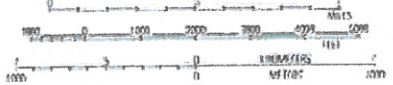
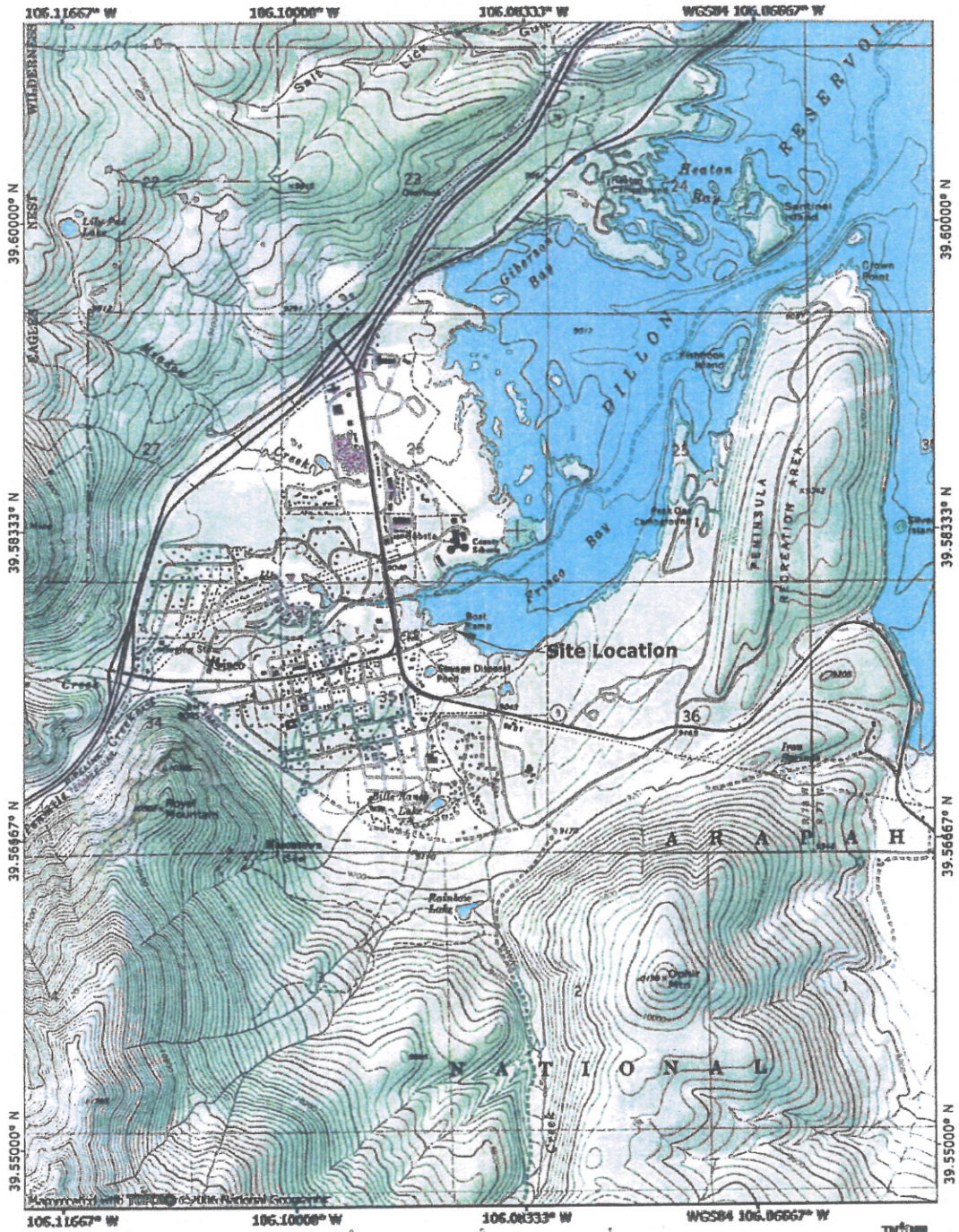
Name _____
Title _____
 Transferee

Date

USGS Topographic Map - Frisco, CO Quadrangle

Project No.: 11-114

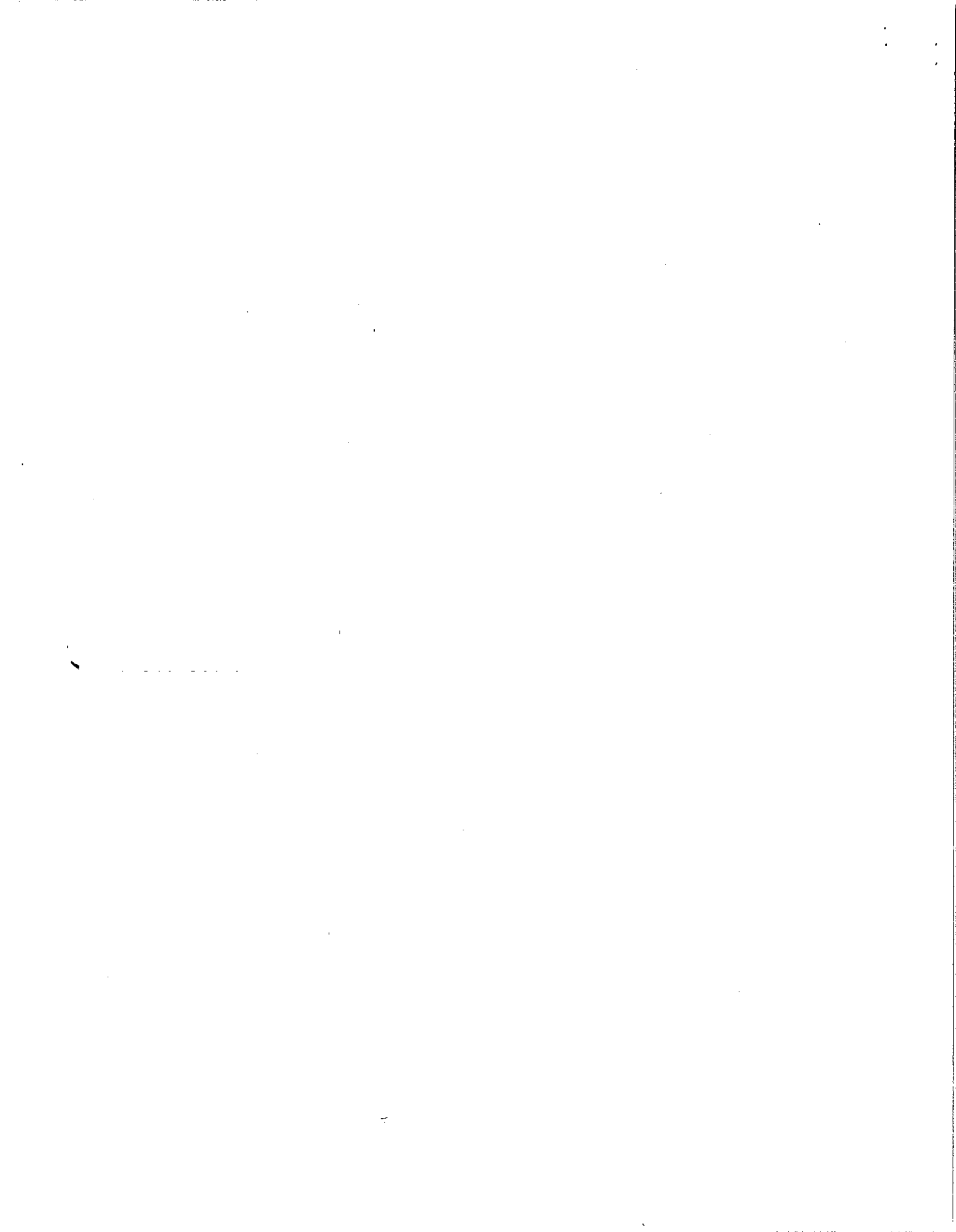
Frisco Bay Marina - Phase II Expansion



Not to Scale

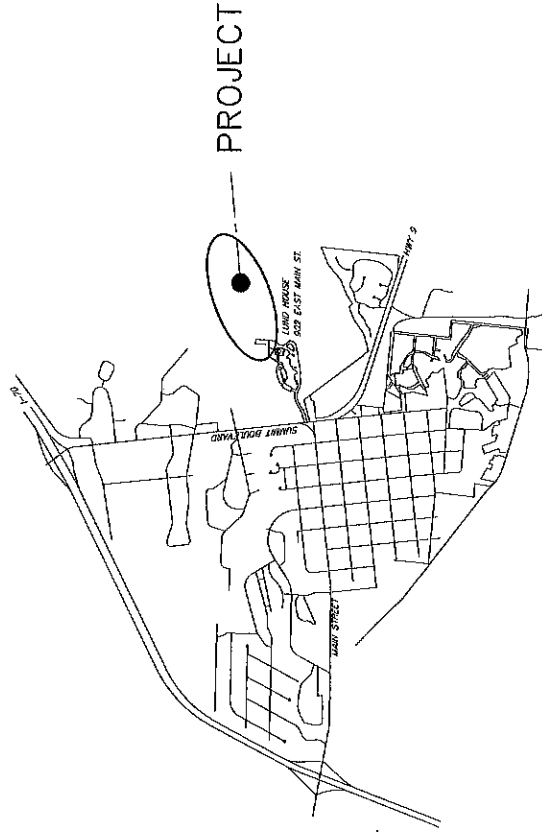


GORE RANGE ENGINEERING



FRISCO BAY MARINA - PHASE 2

SHEET	TITLE
1	COVER SHEET
2	EXISTING CONDITIONS
3	CROSS SECTION PLAN VIEW
4	CROSS SECTIONS
5	GRADING AND SITE PLAN
6	FOOTING DETAILS



TOWN OF FRISCO

DATE	02-10-2011
PROJECT	FRISCO BAY MARINA - PHASE 2
CITY	TOWN OF FRISCO
COUNTY	SUMMIT COUNTY, COLORADO
SCALE	AS SHOWN
SHEET	1 of 6
PARSONS ENGINEERING, INC. 10000 W. ALBERTA AVE., SUITE 1000, DENVER, CO 80231 TEL: 303.440.4000 FAX: 303.440.4001 WWW.PARSONS.COM	

DILLON RESERVOIR

TEN MILE CREEK

DILLON RESERVOIR

WATERS EDGE OCTOBER 2012

LIMITS OF WORK


EXIST. DHB LEASE BOUNDARY

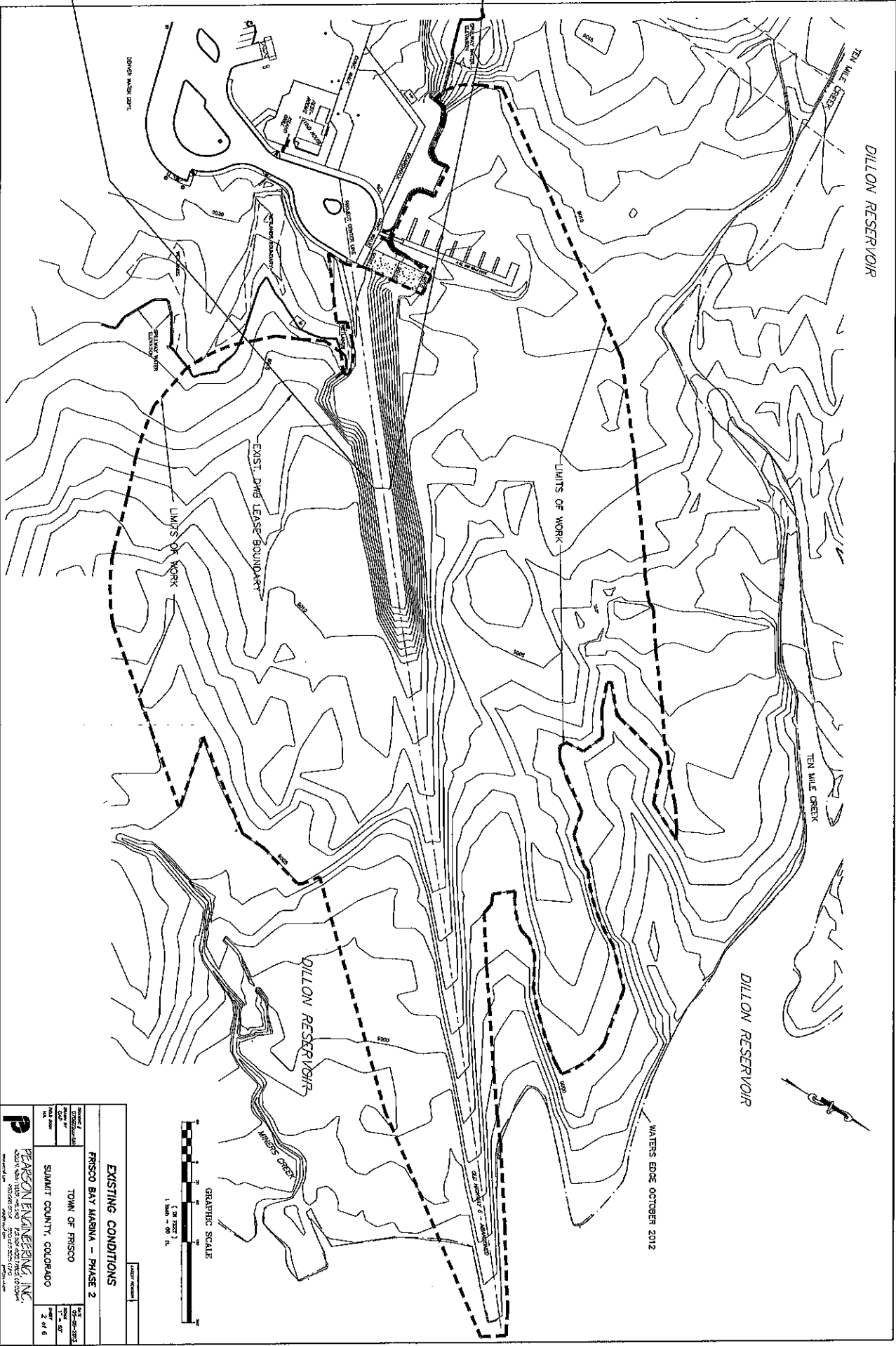
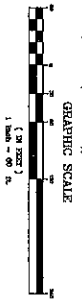
LIMITS OF WORK

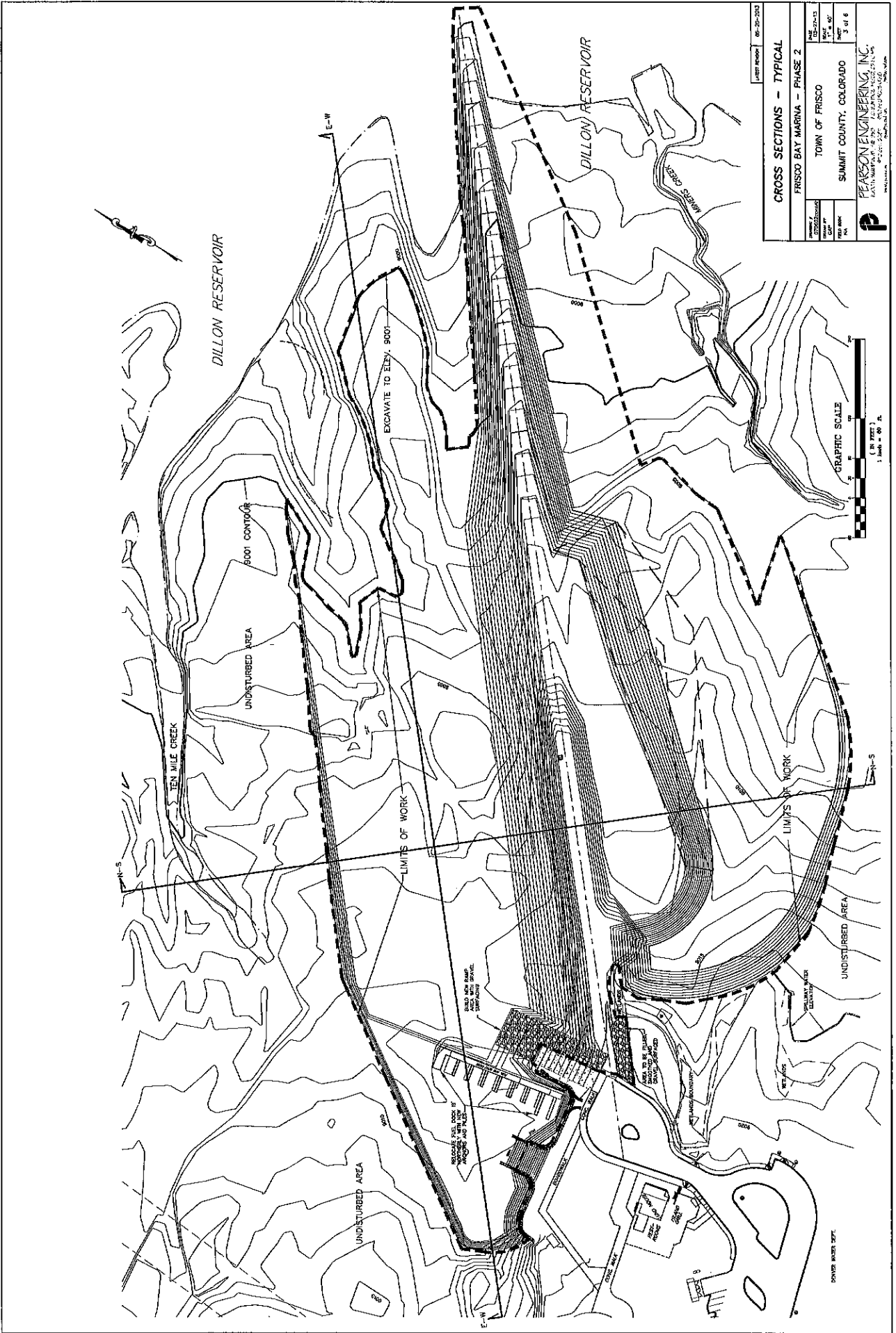
DILLON RESERVOIR

WATERS EDGE

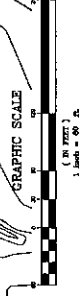
DONOR WATER RIGHT

EXISTING CONDITIONS	
FRISCO BAY MARINA - PHASE 2	
TOWN OF FRISCO	
SUMMIT COUNTY, COLORADO	
PROJECT NO.	12-00000000-0000
DATE	08-20-2012
SCALE	AS SHOWN
DATE	08-20-2012
NO.	2 of 6
 PEARSON ENGINEERING, INC. 1200 N. 120th St. Frisco, CO 80501 303.651.1234	

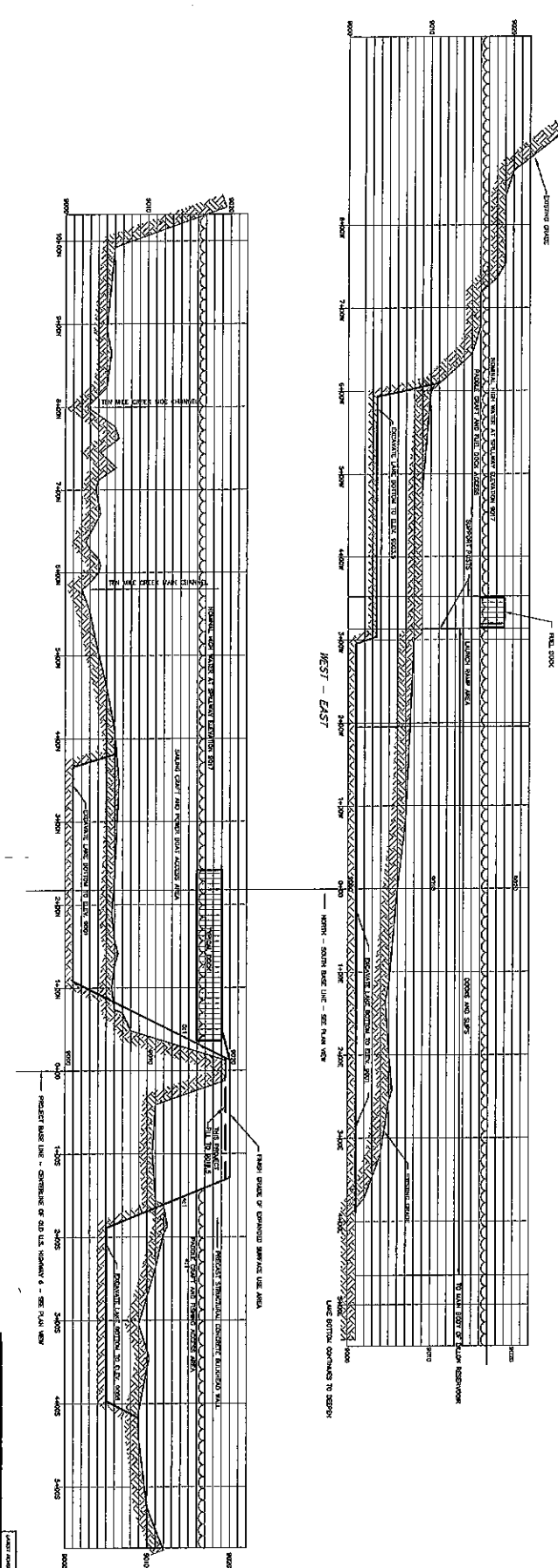




PROJECT NUMBER: 06-20-2003	
CROSS SECTIONS - TYPICAL	
FRISCO BAY MARINA - PHASE 2	
DATE: 06-20-03	SCALE: 1" = 50'
PROJECT: TOWN OF FRISCO	SHEET: 2 of 6
SUMMIT COUNTY, COLORADO	
PEARSON ENGINEERING, INC.	
EAST W. MAPLE, P.O. BOX 123456, FORT COLLINS, CO 80521	
TEL: 970-223-1234 FAX: 970-223-5678	



OWNER: WATER DIST.



NORTH - SOUTH

WEST - EAST

CROSS SECTIONS - TYPICAL

FRISCO BAY MARINA - PHASE 2

TOWN OF FRISCO

SUMMIT COUNTY, COLORADO

PEARSON ENGINEERING, INC.
 1475 W. 100th Ave., Suite 200
 Greenwood Village, Colorado 80120
 (303) 751-1000
 www.pearsoneng.com

DATE	02-27-23
PROJECT	FRISCO BAY MARINA - PHASE 2
SCALE	AS SHOWN
SHEET NO.	6 OF 6

JUL 05 2013

STATE OF COLORADO

John W. Hickenlooper, Governor
Christopher E. Urbina, MD, MPH
Executive Director and Chief Medical Officer

Dedicated to protecting and improving the health and environment of the people of Colorado

4300 Cherry Creek Dr. S. Laboratory Services Division
Denver, Colorado 80246-1530 8100 Lowry Blvd.
Phone (303) 692-2000 Denver, Colorado 80230-6928
Located in Glendale, Colorado (303) 692-3090
<http://www.cdphe.state.co.us>



Colorado Department
of Public Health
and Environment

June 28, 2013

Town of Frisco
Attn: Phil Hofer
PO Box 4100
Frisco, Colorado 80443

Re: Section 401 Water Quality Certification

Colorado 401 Certification No.: 4328

US Corps of Engineers 404 Permit No.: SPK-2010-00673

Description: Dredge sediment from the North and South side of the existing boat ramp and dock area. Dredged material will be placed along the South side of the existing slipway to create an upland area for recreational purposes

Location: Section 35, Township 5 South, Range 78 West in Summit County, Colorado

Watercourse: Dillon Reservoir, Upper Colorado River Basin, Segment COUCBL03 of Blue River Sub-basin

Designation: Reviewable

Dear Mr. Hofer:

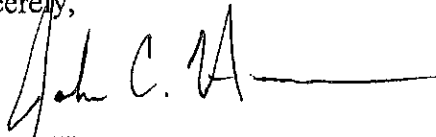
The Colorado Department of Public Health and Environment (CDPHE), Water Quality Control Division (Division) has completed its review of the subject Clean Water Act (CWA) Section 404 Permit Application, and our preliminary determination with the issuance of the State of Colorado 401 Certification Public Notice (5 CCR 1002-82.5(B)). An antidegradation review has also been completed pursuant to Regulation No. 31, Basic Standards and Methodologies for Surface Water (5 CCR 1002-31). The Division's review concluded that only temporary impacts to water quality should occur as a result of this project.

This letter shall serve as official notification that the Division is issuing "Regular Certification" in accordance with 5 CCR 1002-82.5(A)(2).

The 401 Certification issued by the Division pursuant to 5 CCR 1002-82.3(C) shall apply to both the construction and operation of the project for which a federal license or permit is required, and shall apply to the water quality impacts associated with the project. This certification does not constitute a relinquishment of the Division's authority as defined in the Colorado Water Quality Control Act, nor does it fulfill or waive any other local, state, or federal regulations.

If you have any questions or need additional information, please contact me at (303) 692-3586.

Sincerely,

A handwritten signature in black ink that reads "John C. Hranac". The signature is written in a cursive style and is followed by a horizontal line.

John C. Hranac
Water Quality Assessor
Water Quality Control Division
Colorado Department of Public Health and Environment

Attachment

cc: US Army Corps of Engineers, Western Colorado Regulatory Office
Applicant's Agent, Mr. Jason Deem, Gore Range Engineering
File

Certification Requirements:

- (A) The following requirements shall apply to all certifications:
- (1) Authorized representatives from the Division shall be permitted to enter upon the site where the construction activity or operation of the project is taking place for purposes of inspection of compliance with BMPs and certification conditions.
 - (2) In the event of any changes in control or ownership of facilities where the construction activity or operation of the project is taking place, the successor shall be notified in writing by his predecessor of the existence of the BMPs and certification conditions. A copy of such notification shall be provided to the Division.
 - (3) If the permittee discovers that certification conditions are not being implemented as designed, or if there is an exceedance of water quality standards despite compliance with the certification conditions and there is reason to believe that the exceedance is caused, in whole or in part, by the project, the permittee shall verbally notify the Division of such failure or exceedance within two (2) working days of becoming aware of the same. Within ten (10) working days of such notification, the permittee shall provide to the Division, in writing, the following:
 - (a) In the case of the failure to comply with the certification conditions, a description of (i) the nature of such failure, (ii) any reasons for such failure, (iii) the period of non-compliance, and (iv) the measures to be taken to correct such failure to comply; and
 - (b) In the case of the exceedance of a water quality standard, (i) an explanation, to the extent known after reasonable investigation, of the relationship between the project and the exceedance, (ii) the identity of any other known contributions to the exceedance, and (iii) a proposal to modify the certification conditions so as to remedy the contribution of the project to the exceedance.
 - (4) Any anticipated change in discharge location and/or quantities associated with the project which may result in water quality impacts not considered in the original certification must be reported to the Division by submission of a written notice by the permittee prior to the change. If the change is determined to be significant, the permittee will be notified within ten days, and the change will be acknowledged and approved or disapproved.
 - (5) Any diversion from or bypass of facilities necessary to maintain compliance with the terms and conditions herein is prohibited, except (i) where unavoidable to prevent loss of life or severe property damage, or (ii) where excessive storm drainage or runoff would damage any facilities necessary for compliance with limitations and prohibitions herein. The Division shall be notified immediately in writing of each such diversion or bypass.

(6) At least fifteen days prior to commencement of a project in a watercourse, which the Division has certified, or conditionally certified, the permittee shall notify the following:

- (a) Applicable local health departments;
- (b) Owners or operators of municipal and domestic water treatment intakes which are located within twenty miles downstream from the site of the project; and
- (c) Owners or operators of other intakes or diversions which are located within five miles downstream from the site of the project.

The permittee shall maintain a list of the persons and entities notified, including the date and form of notification.

(7) Immediately upon discovery of any spill or other discharge to waters of the state not authorized by the applicable license or permit, the permittee shall notify the following;

- (a) Applicable local health departments;
- (b) Owners or operators of municipal and domestic water treatment intakes which are located within twenty miles downstream from the site of the project; and
- (c) Owners or operators of other intakes or diversions which are located within five miles downstream from the site of the project.

The permittee shall maintain a list of the persons and entities notified, including the date and form of notification.

(8) Construction operations within watercourses and water bodies shall be restricted to only those project areas specified in the federal license or permit.

(9) No construction equipment shall be operated below the existing water surface unless specifically authorized by the 401 certification issued by the Division.

(10) Work should be carried out diligently and completed as soon as practicable. To the maximum extent practicable, discharges of dredged or fill material shall be restricted to those periods when impacts to designated uses are minimal.

(11) The project shall incorporate provisions for operation, maintenance, and replacement of BMPs to assure compliance with the conditions identified in this section, and any other conditions placed in the permit or certification. All such provisions shall be identified and compiled in an operation and maintenance plan which will be retained by the project owner and available for inspection within a reasonable timeframe upon request by any authorized representative of the Division.

- (12) The use of chemicals during construction and operation shall be in accordance with the manufacturers' specifications. There shall be no excess application and introduction of chemicals into state waters.
- (13) All solids, sludges, dredged or stockpiled materials and all fuels, lubricants, or other toxic materials shall be controlled in a manner so as to prevent such materials from entering state waters.
- (14) All seed, mulching material and straw used in the project shall be state-certified weed-free.
- (15) Discharges of dredged or fill material in excess of that necessary to complete the project are not permitted.
- (16) Discharges to state waters not identified in the license or permit and not certified in accordance therewith are not allowed, subject to the terms of any 401 certification.
- (17) Except as otherwise provided pursuant to subsection 82.7(C), no discharge shall be allowed which causes non-attainment of a narrative water quality standard identified in the Basic Standards and Methodologies for Surface Waters, Regulation #31 (5 CCR 1002-31), including, but not limited to discharges of substances in amounts, concentrations or combinations which:
 - (a) Can settle to form bottom deposits detrimental to beneficial uses; or
 - (b) Form floating debris, scum, or other surface materials sufficient to harm existing beneficial uses; or
 - (c) Produce color, odor, or other conditions in such a degree as to create a nuisance or harm existing beneficial uses or impart any undesirable taste to significant edible aquatic species, or to the water; or
 - (d) Are harmful to the beneficial uses or toxic to humans, animals, plants, or aquatic life; or
 - (e) Produce a predominance of undesirable aquatic life; or
 - (f) Cause a film on the surface or produce a deposit on shorelines.

(B) Best Management Practices:

- (1) Best management practices are required for all projects for which Division certification is issued except for section 402 permits. Project applicants must select BMPs to be employed in their project. A listing and description of best management practices is located in Appendix I of Regulation No. 82: 401 Certification Regulation 5 CCR 1002-82.
- (2) All requests for certifications which require BMPs shall include a map of project location, a site plan, and a listing of the selected BMPs chosen for the project. At a minimum, each project must provide for the following:

- (a) Permanent erosion and sediment control measures that shall be installed at the earliest practicable time consistent with good construction practices and that shall be maintained and replaced as necessary throughout the life of the project.
- (b) Temporary erosion and sediment control measures that shall be coordinated with permanent measures to assure economical, effective, and continuous control throughout the construction phase and during the operation of the project.



Address:
590 Brian Avenue, Unit E
P.O. Box 24122
Silverthorne, Colorado 80497
Phone: (970) 368-6249
Fax: (888) 308-4186

July 3, 2013

Colorado/Gunnison Basin
Regulatory Office

Army Corps of Engineers, Colorado West Regulatory Branch
Attn: Lesley McWhirter
400 Rood Ave., Room 224
Grand Junction, Colorado 81501

RECEIVED

JUL 03 2013

Subject: Frisco Bay Marina Phase II Improvements, Soil Testing Evaluation, SPK-2010-00673,
Frisco, Colorado.

Dear Lesley:

On behalf of the Town of Frisco, Frisco Bay Marina, Gore Range Engineering (GRE) is providing additional information in regards to our hazardous waste soil evaluation performed at the site. This letter is intended to supplement the June 17, 2013 letter from the Colorado Department of Public Health and the Environment Hazardous Materials and Waste Management Division (CDPHE), which is provided as an attachment. Our findings and recommendations are presented below.

On May 15, 2013, Gore Range Engineering collected six soil samples for laboratory analysis of the CDPHE's list of inorganic constituents listed in the Colorado Soil Evaluation (CSEV) Table 1 and the full list of polycyclic aromatic hydrocarbons (PAH's). This constituent list was tested at the request of the CDPHE in their letter dated May 20, 2013. Based on the intended use of the Marina, the CDPHE requested that the constituents be evaluated based on the "Residential" values listed in Table 1. Based on the laboratory analysis, which was performed by ACZ Laboratories, no PAH's were detected in any of the samples. Many inorganic parameters were detected as shown in the Laboratory Results Summary Table provided as an attachment. The only parameter that exceeded the Residential CSEV was Arsenic, which was detected above the 0.39 mg/Kg limit in all samples. Arsenic values ranged from 2.3 to 11.4 mg/Kg in the samples. Although these results exceed the CSEV limits, they are within the typical background range for arsenic concentrations in this area based on the 2011 CDPHE Risk Management Guidance for Arsenic Concentrations In Soil. In the July 17, 2013 CDPHE letter, they state that based on the analytical results the soils at the site meet the definition of "environmental media," which may be used for beneficial use (i.e. fill) without approval from the CDPHE. Since the testing was limited, they also state that soils removed during dredging may not meet the definition of environmental media due to previous commercial or mining operations. To limit the potential for soils that are potentially hazardous that may not meet the definition of environmental media being placed back into Lake Dillon, a monitoring program will be established. A list of recommended monitoring requirements is shown below.

1. Once an excavation contractor has been chosen for the project they will be educated on signs of potentially hazardous soils such as: discoloration, odor, etc. If any signs of

potential contamination are observed, a representative of GRE and/or the Town of Frisco will be notified immediately for evaluation.

2. A representative of GRE and/or the Town of Frisco will be onsite or available at all times during dredging to evaluate potential contaminated soils.
3. If any signs of potential contamination are observed, those soils will be separated and stockpiled in a location above the Lake Dillon high water elevation of 9,017' MSL for further evaluation. At the discretion of GRE, stockpiled soils will be tested for suspected constituents. Any constituents found to be above the CSEV's will be sent to the CDPHE for their recommendations for use and or disposal.

Please feel free to contact us if you have any questions or require additional information.

Respectfully,
 Gore Range Engineering



Jason A. Deem
Principal Geologist

Attachment: Laboratory Results Summary Table

Cc: Phil Hofer, Frisco Bay Marina
Rick Higgins, Town of Frisco Public Works

**FRISCO BAY MARINA
LABORATORY ANALYTICAL RESULTS SUMMARY TABLE**

Parameter	Units	MDL	PQL	CSEV Limit (Residential)	SP-1	SP-2	SP-3	SP-4	SP-5	SP-6
Aluminum	mg/Kg	3	20	77000	12100	9680	15000	13300	19300	14900
Antimony	mg/Kg	0.2	1	31	U	U	U	U	0.3	U
Arsenic	mg/Kg	0.1	0.5	0.39	5.1	3.4	3.5	2.3	11.4	5.9
Barium	mg/Kg	0.3	2	15000	117	156	185	149	172	154
Beryllium	mg/Kg	0.03	0.1	160	0.90	0.66	1.27	0.90	1.74	1.20
Cadmium	mg/Kg	0.05	0.3	70	3.29	1.85	1.11	0.39	8.00	2.01
Chromium	mg/Kg	1	5	120000	28	25	28	27	35	32
Chromium (hexavalent)	mg/Kg	1.4	5.6	1.2	U	U	U	U	U	U
Cobalt	mg/Kg	1	5	23	10	8	9	8	15	10
Copper	mg/Kg	0.3	1	3100	32.0	21.4	28.1	21.3	63.8	33.7
Iron	mg/Kg	2	5	55000	20700	17400	20400	19900	30300	23200
Lead	mg/Kg	0.05	0.3	400	70.80	46.50	38.80	24.10	146	70.50
Manganese	mg/Kg	1	6	9200	394	273	358	249	508	273
Mercury	mg/Kg	0.06	0.3	13	U	U	U	U	U	U
Nickel	mg/Kg	1	5	1500	18	14	18	16	25	18
Selenium	mg/Kg	0.05	0.1	390	0.33	0.24	0.26	0.20	0.81	0.43
Silver	mg/Kg	0.03	0.1	390	0.54	0.32	0.31	0.19	1.49	0.57
Thallium	mg/Kg	0.05	0.3	-	0.27	0.19	0.30	0.26	0.45	0.30
Vanadium	mg/Kg	0.05	3	390	27.0	25.0	29.8	29.8	35.4	33.8
Zinc	mg/Kg	1	5	23000	543	335	254	122	1270	363

- Notes:
1. Results in bold and yellow highlight exceed the CDPHE Colorado Soil Evaluation Values.
 2. Samples were collected by GRE on May 15, 2013.
 3. Laboratory Analysis performed by ACZ Laboratories in Steamboat Springs, Colorado.

