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5/20/2026
8:59 AM
U.S. EPA REGION 8
HEARING CLERK

May 13, 2026

SENT VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Paul R. Vahldiek Jr.
#10 Enterprises, L.L.C.
P.O. Box 88
De Beque, Colorado 81630

RE: High Lonesome Ranch Administrative Order on Consent Closure, EPA Docket No. CWA-08-2006-0046

Dear Mr. Vahldiek:

The U.S. Environmental Protection Agency (EPA) is providing you this written notification of the closure of the EPA Administrative Order on Consent Docket No. CWA-08-2006-0046 (Order), issued to #10 Enterprises, L.L.C., (Enterprises) on September 26, 2006, for discharging dredged or fill material into waters of the United States at the High Lonesome Ranch (HLR), located near the town of De Beque in Garfield County, Colorado.

Approximately 80 impoundments were constructed on the North Dry Fork (the Upper Ponds) and approximately 20 impoundments were constructed on the Dry Fork (the Lower Ponds). The Order required a plan for the restoration and stabilization of the ponds, consisting of a variety of approaches including 1) partial removal of the earth/brush dams with channel stabilization, 2) leaving some structures in place for grade control and installing culverts, and 3) plantings where dams had eroded completely and left an excessively wide stream channel. The restoration and mitigation plan and subsequent modification approvals offered approximately 2,000 linear feet of the Dry Fork stream channel to be restored and approximately 4.11 acres of wetlands to be created or restored for mitigation.

The EPA inspected the HLR restoration and mitigation sites on October 10 and 11, 2019, documenting site conditions. The ponds, road crossings, and removed dams, appeared to be restored, well-vegetated, and stable. Restoration and mitigation treatments at the Upper Ponds and the Lower Ponds were largely consistent with the approved restoration and mitigation plan and subsequent modification approvals.

In 2020, the Pine Gulch Fire impacted the restoration area. However, the fire was determined to be force majeure, and additional corrective measures were not required. EPA has determined there are no remaining requirements under the Order based on the annual monitoring reports submitted by Enterprises and the 2019 EPA inspection of HLR. Enterprises made good faith efforts to remove fill and restore and mitigate wetland impacts, demonstrating satisfactory completion of the actions required by the Order. We appreciate Enterprises cooperation in this matter.

Please be advised that Enterprises is still required to comply with the Clean Water Act (CWA), its implementing regulations, and any applicable permits, after closure of the Order.

If you have any questions regarding this letter or any other matter pertinent to compliance with the CWA, you may contact Zach Schlachter, Enforcement Officer, at (303) 312-6896 or schlachter.zachary@epa.gov. Any questions from counsel should be directed to Amy Swanson, Office of Regional Counsel Regulatory Enforcement Section Supervisor, at (303) 312-6906 or swanson.amy@epa.gov.

Sincerely,

COLLEEN RATHBONE

Digitally signed by COLLEEN RATHBONE
Date: 2026.05.13 05:51:26 -06'00'

Colleen Rathbone, Manager
Water Enforcement Branch
Enforcement and Compliance Assurance Division

electronic cc:
Regional Hearing Clerk, EPA Region 8, R8_Hearing_Clerk@epa.gov
S. Brad Crosson, US Army Corps of Engineers (steven.b.crosson@usace.army.mil)