



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

November 9, 2016

Peter Wayland
Weiland, Inc.
P.O. Box 18087
Boulder, CO 80308

RE: Goose Haven Reservoir #2; DRMS File No. M-2010-071; Adequacy Review No. 2 (AM-01)

Dear Mr. Wayland,

The Division has identified several other comments and questions that must be addressed prior to the Division's decision due date. **Please be advised that if you are unable to satisfactorily address any concerns identified in this review before the decision date, it will be your responsibility to request an extension of the review period. If there are outstanding issues that have not been adequately addressed prior to the end of the review period, and no extension has been requested, the Division will deny this application.**

6.4.6 Exhibit D – Mining Plan

1. In the Division's Preliminary Adequacy Letter dated October 27, 2015, the Division required the Operator to submit a new set of structure agreements as the result of a change to the Mining Plan. The Operator was not able to secure all of the necessary structure agreements. Therefore, the Operator must submit an engineering evaluation to demonstrate that all permanent man-made structures within 200 feet of the affected area will not be damaged by activities occurring at the mining operation.
2. Pursuant to Rule 3.1.6, 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 shall be minimized. Reservoir #4 is partially located with the 100 year floodplain of Bullhead Gulch. As a result, the Operator must show how disturbances to the prevailing hydrologic balance will be minimized during a 100 year flood event. The Operator's response should address the potential overtopping of the reservoir and the erosion and off-site damage which could occur as the result of a 100 year flood event.

6.4.7 Exhibit G – Water Information

3. Pursuant to Rule 3.1.6(1)(a), Operators are required to demonstrate how mining operations will comply with applicable Colorado Water laws and regulations governing injury to existing water rights. The Division issued a groundwater policy on April 30, 2010 which



Mr. Wayland
Page 2
November 9, 2016

provided four options for gaining compliance with applicable regulations governing injury to existing water rights. The Division asked the Operator to select one of the available options in the Adequacy Letter dated October 27, 2015. In response to the Division's request, the Operator stated that augmentation of water rights is not required. Currently, the Operator is exposing groundwater at the Goose Haven Reservoir. The exposure of groundwater will be eliminated upon final reclamation of the mine site which includes constructing clay lined reservoirs. However, until such time as the exposed groundwater is eliminated and the clay liners are approved by the Office of the State Engineer, the Operator must select one of the options provided in the Division's groundwater policy (copy attached). Please respond.

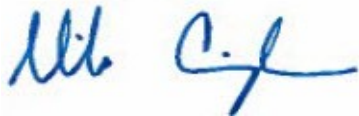
6.4.10 Exhibit J- Vegetation Information

4. The revised Weed Management Plan states that application of herbicide will occur if significant weeds are found. However, the Weed Management Plan does not define what constitutes a significant population of weeds. Pursuant to Rule 3.1.10(6), methods of weed control shall be employed for *all* prohibited noxious weed species. The Operator should be aware that noxious weeds in Colorado are categorized into three separate lists: A, B and C. Noxious weeds which occur on List A are designated for eradication from all County, State and Federal lands, regardless of the size of the population. Noxious weeds which occur on List B include plants whose continued spread should be stopped. Finally, noxious weeds which occur on List C are selected for recommended control methods. Please revise the management objectives of the Weed Management Plan to align with the Colorado Noxious Weed Act and Rule 3.1.10(6).

As previously mentioned, if you are unable to provide satisfactory responses to any inadequacies prior to January 13, 2017, **it will be your responsibility to request an extension of time to allow for continued review of this application.** If there are still unresolved issues when the decision date arrives and no extension has been requested, the application will be denied.

If you have any questions, please contact me at (303)866-3567 x8116.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mike C.", is written over a light blue rectangular background.

Michael A. Cunningham
Environmental Protection Specialist

Enclosure

CC: Wally Erickson, DRMS
Brad Dallam, City of Lafayette