



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

1313 Sherman Street, Room 215  
Denver, CO 80203

September 19, 2017

Mr. J.C. York  
J&T Consulting, Inc.  
305 Denver Avenue, Suite D  
Fort Lupton, CO 80621

**Re: Northern Colorado Constructors, Inc.; Bennett Pit; File No. M-2016-085;  
112c Permit Application Third Adequacy Review**

Mr. York:

The Division of Reclamation, Mining and Safety (Division/DRMS) reviewed the content of the floodplain study prepared by J&T Consulting, Inc. dated May 2017 and the Slurry Wall Assessment prepared by McGrane Water Engineering, LLC dated May 10, 2017 submitted with the Northern Colorado Constructors, Inc. (NCCI) 112c permit application adequacy response dated May 15, 2017 for the Bennett Pit, File No. M-2016-085.

1. The Hydrologic Balance Adequacy Review memo by Tim Cazier, P.E. dated September 15, 2017 is attached.
2. Please provided an affidavit or receipt indicating the date on which the revised application information required to address this adequacy letter was placed with the Weld County Clerk and Recorder for public review, pursuant to Subparagraph 1.6.2(1)(c).

Please be advised the Bennett Pit application may be deemed inadequate, and the application may be denied on September 28, 2017, unless the above mentioned adequacy review items are addressed to the satisfaction of the Division. If more time is needed to complete the reply, the Division can grant an extension to the decision date. This will be done upon receipt of a written waiver of the Applicant's right to a decision by September 28, 2017 and request for additional time. This must be received no later than the deadline date.



If you have any questions, please contact me at [peter.hays@state.co.us](mailto:peter.hays@state.co.us) or (303) 866-3567 Ext. 8124.

Sincerely,



Peter S. Hays  
Environmental Protection Specialist

Enclosures – Hydrologic Balance Adequacy Review Memo

Ec: Wally Erickson; Division of Reclamation, Mining & Safety  
Chris Zadel; Northern Colorado Constructors, Inc.



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### MEMORANDUM

**To:** Peter Hays

**From:** Tim Cazier, P.E. 

**Date:** September 15, 2017

**Re:** **Bennett Pit – Permit No. M-2016-085;  
Hydrologic Balance, Preliminary Adequacy Review**

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The Division of Reclamation, Mining and Safety engineering staff (Division) have reviewed the NCC Floodplain Study for the Bennett Pit, dated May, 2017 and McGrane Water Engineering Bennett Pit – Slurry Wall Assessment, dated May 10, 2017.

The review consisted of comparing the application content with specific requirements of C.R.S 34-32.5-116(4)(h) and Rule 6.4.7 of the Minerals Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials. Any inadequacies are identified below along with suggested actions to correct them.

#### Floodplain Study Comments

1. Page 1, 3<sup>rd</sup> & 4<sup>th</sup> paragraph – The text states the topography was obtained using LIDAR and that no existing model was available for this section of the South Platte River. Please provide some discussion on if the LIDAR was able to obtain topography under the water surface in the river at the time it was flown and if not, how was the model adjusted to compensate.
2. Page 1, last paragraph & Page 2 – The text indicates a model was done for existing topography and for future conditions. The Division interprets the future conditions to reflect post reclamation conditions. Please explain why a model was not done for a worst case scenario during operations. This should include maximum expected footprints for topsoil, overburden and product stockpiles, as well as proposed onsite structures such as scales, scale house, offices, etc.



September 15, 2017

### Slurry Wall Assessment Comments

3. Figure references – Beginning with the second Figure A3 reference in the first paragraph on page 5, the references to figures are off. This second Figure A3 reference should be A4 and so on as outlined below:

Reference Location	Incorrect Figure Reference	Correct Figure Reference
1 <sup>st</sup> para., p. 5, 2 <sup>nd</sup> reference	A3	A4
4 <sup>th</sup> para., p. 6	A4	A5
5 <sup>th</sup> para., p. 6, 1 <sup>st</sup> & 2 <sup>nd</sup> reference	A5	A6

Please correct the text.

If either you or the applicants have any questions regarding the comments above, please call me at (303) 866-3567, extension 8169.