



STATE OF
COLORADO

Ebert - DNR, Jared <jared.ebert@state.co.us>

Lamb Lakes, M-2018-039, Adequacy Review No. 2

William Schenderlein <bill@blueeartholutions.net>

Thu, Oct 18, 2018 at 2:17 PM

To: "Ebert - DNR, Jared" <jared.ebert@state.co.us>

Cc: Richard Raines <rraines@scwtp.org>

Jared – the responses to the public comments are attached along with the delivery receipt to Larimer County Clerk and Recorder. I am putting the hard copies of today's and yesterday's submittals in the mail and you should receive them tomorrow.

Please call me if you have any questions or need additional information.

Bill Schenderlein, P.E., CFM

Blue Earth Solutions, LLC

P.O. Box 2427

Fort Collins, CO 80522

(970) 227-2803



Lamb Lakes Objection Responses 2018.10.18.pdf

253K



October 18, 2018

Colorado Department of Natural Resources
Division of Reclamation, Mining and Safety
Attn: Mr. Jared Ebert
1313 Sherman Street; Room 215
Denver CO, 80203

**RE: Response to Public Objections for North Weld County Water District,
Lamb Lakes, File No. M-2018-039**

Dear Mr. Ebert:

The following discussion and attachments are submitted on behalf of our client, North Weld County Water District, in response to the comments and objections received during the public comment period for the Lamb Lakes permit application, M-2018-039.

Comments Received Within the Public Comment Period in Accordance with Rule 1.7.1(2)(a)

1. Susan Amador. The comment suggest that further study is warranted to determine the projects effects on providing runoff drainage for higher elevations to the south and flood water into the Poudre River. The comment also suggests that wildlife could be seriously affected by the prevention of access.

The Fort Collins Irrigation Canal Ditch separates the site from properties to the south and west and there is no physical evidence that the site currently experiences significant stormwater run-on flows from properties to the south or other properties. Additionally, future development of the site includes below-grade water storage that would not block significant stormwater or flood flows to the river. The majority of the site is located within the Cache la Poudre 100-year jurisdictional floodplain and, therefore, development of the site will require a Larimer County Floodplain Development Permit that prohibits significant impacts to river flood flows.

Wildlife at the site will be temporarily displaced during reservoir construction, but the reservoirs will provide future uninhabited space for wildlife. Site reclamation shall include native grasses that will provide wildlife habitat and trees will remain in areas that do not interfere with reservoir operations.

2. Raisin Roots. The comment suggests that the proposed project would remove the area from recreational use, effect wildlife, and negatively affect visual and noise aesthetics.

The Lamb Lakes property has always been private and part of an active Colorado Division of Reclamation, Mining and Safety mining permit for over 30 years. The applicant and their partners purchased the property in 2005 and, despite the 'open space' appearance, the property is still private and has continued to operate under the mining permit to this day. Use

of the property for recreation is not allowed under the existing mining permit and efforts have been made to prohibit access, including fencing and no trespassing signs.

Wildlife at the site will be temporarily displaced during reservoir construction, but the reservoirs will provide future uninhabited space for wildlife. Site reclamation shall include native grasses that will provide wildlife habitat and trees will remain in areas that do not interfere with reservoir operations.

Construction will create temporary noise and visual impacts typical for earthwork equipment, however, once construction is complete disturbed areas will be reclaimed and noise producing activities on the site will be minimal.

3. Hayes Seubert. The comment suggests that the proposed project would remove the area from recreational use.

The Lamb Lakes property has always been private and part of an active Colorado Division of Reclamation, Mining and Safety mining permit for over 30 years. The applicant and their partners purchased the property in 2005 and, despite the 'open space' appearance, the property is still private and has continued to operate under the mining permit to this day. Use of the property for recreation is not allowed under the existing mining permit and efforts have been made to prohibit access, including fencing and no trespassing signs.

4. Hilary White. The comment suggests that the proposed project would remove the area from recreational use, effect wildlife, and negatively affect visual and noise aesthetics.

The Lamb Lakes property has always been private and part of an active Colorado Division of Reclamation, Mining and Safety mining permit for over 30 years. The applicant and their partners purchased the property in 2005 and, despite the 'open space' appearance, the property is still private and has continued to operate under the mining permit to this day. Use of the property for recreation is not allowed under the existing mining permit and efforts have been made to prohibit access, including fencing and no trespassing signs.

Wildlife at the site will be temporarily displaced during reservoir construction, but the reservoirs will provide future uninhabited space for wildlife. Site reclamation shall include native grasses that will provide wildlife habitat and trees will remain in areas that do not interfere with reservoir operations.

Construction will create temporary noise and visual impacts typical for earthwork equipment, however, once construction is complete disturbed areas will be reclaimed and noise producing activities on the site will be minimal.

5. Cosmo Catalano. The comment suggests that the project is not compatible with surrounding land uses.

The Lamb Lakes property has been part of a 730-acre, active Colorado Division of Reclamation, Mining and Safety mining permit for over 30 years. The applicant and their

partners purchased the property in 2005 and, despite the 'open space' appearance, the property is still private and has continued to operate under the mining permit to this day. In the past, this property was surrounded by active mining operations on three sides and reclaiming mining properties is still the principle adjacent land use. Construction will create temporary noise and visual impacts typical for earthwork equipment, however, once construction is complete disturbed areas will be reclaimed and noise producing activities on the site will be minimal. The proposed reservoirs will provide future uninhabited space and undeveloped views. Site reclamation shall include native grasses that will provide wildlife habitat and trees will remain in areas that do not interfere with reservoir operations.

6. Maya Ortega. The comment suggests that the proposed project would remove the area from recreational use.

The Lamb Lakes property has always been private and part of an active Colorado Division of Reclamation, Mining and Safety mining permit for over 30 years. The applicant and their partners purchased the property in 2005 and, despite the 'open space' appearance, the property is still private and has continued to operate under the mining permit to this day. Use of the property for recreation is not allowed under the existing mining permit and efforts have been made to prohibit access, including fencing and no trespassing signs.

7. Cheryl Distaso. The comment suggests that the proposed project would remove the area from recreational use and negatively affect aesthetics.

The Lamb Lakes property has always been private and part of an active Colorado Division of Reclamation, Mining and Safety mining permit for over 30 years. The applicant and their partners purchased the property in 2005 and, despite the 'open space' appearance, the property is still private and has continued to operate under the mining permit to this day. Use of the property for recreation is not allowed under the existing mining permit and efforts have been made to prohibit access, including fencing and no trespassing signs.

Construction will create temporary noise and visual impacts typical for earthwork equipment, however, once construction is complete disturbed areas will be reclaimed and noise producing activities on the site will be minimal. The proposed reservoirs will provide future uninhabited space and undeveloped views. Site reclamation shall include native grasses that will provide wildlife habitat and trees will remain in areas that do not interfere with reservoir operations.

8. Amy Fleshman. The comment suggests that the proposed project would remove the area from recreational use and negatively affect wildlife.

The Lamb Lakes property has always been private and part of an active Colorado Division of Reclamation, Mining and Safety mining permit for over 30 years. The applicant and their partners purchased the property in 2005 and, despite the 'open space' appearance, the property is still private and has continued to operate under the mining permit to this day. Use

of the property for recreation is not allowed under the existing mining permit and efforts have been made to prohibit access, including fencing and no trespassing signs.

Wildlife at the site will be temporarily displaced during reservoir construction, but the reservoirs will provide future uninhabited space for wildlife. Site reclamation shall include native grasses that will provide wildlife habitat and trees will remain in areas that do not interfere with reservoir operations.

9. Maureen DeCoursey. The comment suggests that the project is not compatible with surrounding land uses, would negatively affect wildlife habitat and groundwater flow to the Poudre River, and would remove the area from recreational use.

The Lamb Lakes property has been part of a 730-acre, active Colorado Division of Reclamation, Mining and Safety mining permit for over 30 years. In the past, this property was surrounded by active mining operations on three sides and reclaiming mining properties is still the principle adjacent land use. Construction will create temporary noise and visual impacts typical for earthwork equipment, however, once construction is complete disturbed areas will be reclaimed and noise producing activities on the site will be minimal. The final below-grade reservoirs do not include heavy industrial use and are appropriate uses for both the current Larimer County zoning and future City of Fort Collins land uses.

Wildlife at the site will be temporarily displaced during reservoir construction, but the reservoirs will provide future uninhabited space for wildlife. Site reclamation shall include native grasses that will provide wildlife habitat and trees will remain in areas that do not interfere with reservoir operations.

Construction of slurry walls for the below-grade reservoirs will influence localized groundwater flow direction, but the slurry walls will not 'dam', block, or reduce the quantity of groundwater flow to the Cache la Poudre River. Installation of the slurry walls will actually increase groundwater flows to the river by eliminating evaporative losses from the lake surfaces.

The applicant and their partners purchased the property in 2005 and, despite the 'open space' appearance, the property is still private and has continued to operate under a mining permit to this day. Use of the property for recreation is not allowed under the existing mining permit and efforts have been made to prohibit access, including fencing and no trespassing signs.

Comments Received Within the Public Comment Period NOT in Accordance with Rule 1.7.1(2)(a)

1. Ward Sutton. The comment suggests that the proposed project would remove the area from recreational use.

The Lamb Lakes property has always been private and part of an active Colorado Division of Reclamation, Mining and Safety mining permit for over 30 years. The applicant and their partners purchased the property in 2005 and, despite the 'open space' appearance, the property is still private and has continued to operate under the mining permit to this day. Use

of the property for recreation is not allowed under the existing mining permit and efforts have been made to prohibit access, including fencing and no trespassing signs.

2. Gina Blickenstaff. The comment suggests that the project will be getting rid of water.

Installation of the slurry walls will actually save water by eliminating evaporative losses from the lake surfaces. Water will be stored in the resulting below-grade reservoirs where the lake water previously existed.

3. Daniel Covey. The comment suggests that the proposed project would remove the area from recreational use and negatively affect wildlife.

The Lamb Lakes property has always been private and part of an active Colorado Division of Reclamation, Mining and Safety mining permit for over 30 years. The applicant and their partners purchased the property in 2005 and, despite the 'open space' appearance, the property is still private and has continued to operate under the mining permit to this day. Use of the property for recreation is not allowed under the existing mining permit and efforts have been made to prohibit access, including fencing and no trespassing signs.

Wildlife at the site will be temporarily displaced during reservoir construction, but the reservoirs will provide future uninhabited space for wildlife. Site reclamation shall include native grasses that will provide wildlife habitat and trees will remain in areas that do not interfere with reservoir operations.

4. Sandy Jordan. The comment suggests that the proposed project would remove the area from recreational use.

The Lamb Lakes property has always been private and part of an active Colorado Division of Reclamation, Mining and Safety mining permit for over 30 years. The applicant and their partners purchased the property in 2005 and, despite the 'open space' appearance, the property is still private and has continued to operate under the mining permit to this day. Use of the property for recreation is not allowed under the existing mining permit and efforts have been made to prohibit access, including fencing and no trespassing signs.

5. Mark Vandever. The comment suggests that the proposed project would remove the area from recreational use and negatively affect wildlife and aesthetics.

The Lamb Lakes property has always been private and part of an active Colorado Division of Reclamation, Mining and Safety mining permit for over 30 years. The applicant and their partners purchased the property in 2005 and, despite the 'open space' appearance, the property is still private and has continued to operate under the mining permit to this day. Use of the property for recreation is not allowed under the existing mining permit and efforts have been made to prohibit access, including fencing and no trespassing signs.

ife. Site reclamation shall include native grasses that will provide wildlife habitat and trees will remain in areas that do not interfere with reservoir operations.

Mr. Jared Ebert
RE: Lamb Lakes Site M-2018-039
October 18, 2018

Construction will create temporary noise and visual impacts typical for earthwork equipment, however, once construction is complete disturbed areas will be reclaimed and noise producing activities on the site will be minimal. Additionally, wildlife at the site will be temporarily displaced during reservoir construction, but the reservoirs will provide future uninhabited space for wildlife and undeveloped views. Site reclamation shall include native grasses that will provide wildlife habitat and trees will remain in areas that do not interfere with reservoir operations.

If you have any questions regarding this application and adequacy comment responses, please call me directly at (970) 227-2803.

Sincerely,
Blue Earth Solutions, LLC

A handwritten signature in black ink, appearing to read "Will Schenderlein". The signature is fluid and cursive, with the first name "Will" and last name "Schenderlein" clearly distinguishable.

William Schenderlein, P.E.
Project Manager



Letter of Transmittal

DATE: October 18, 2018

TO: Larimer County Clerk and Recorder
200 W. Oak Street
Fort Collins, Colorado 80521

RECEIVED

OCT 18 2018

FROM: Bill Schenderlein
Blue Earth Solutions, LLC
P.O. Box 2427
Fort Collins, Colorado 80522
(970) 227-2803

Recording Department

WE TRANSMIT:

- ☒ Attached
☐ Information Below

THE FOLLOWING:

- ☐ Originals
☒ Copy of Letter
☐ Applications
☐ Specifications
☐ Other

FOR YOUR:

- ☒ Use
☐ Approval
☐ Information
☐ Review & Comment

Remarks:

Submission of this material satisfies requirements of the Mine Land Reclamation Board Regular 112 Operation Reclamation Permit Application. The enclosed application material must remain for public review at least sixty (60) days after a decision on said application has been made the Office of Mined Land Reclamation (Rule 1.6.2 (2)). Confidential materials were purposely excluded.

- One (1) copy of Adequacy Review Response Letter for DRMS application adequacy review comment letter dated October 16, 2018 – Lamb Lakes, M-2018-039 – North Weld County Water District. Specifically, applicant responses to comments received within the Public Comment Period.

Signed: _____

A handwritten signature in black ink, appearing to read "Bill Schenderlein", written over a horizontal line.