

**STATE OF
COLORADO****Ebert - DNR, Jared <jared.ebert@state.co.us>**

Dahlia North Resources, M-1994-093

2 messages

Connie Davis <connie.davis@aggregate-us.com>

Wed, Nov 14, 2018 at 2:19 PM

To: Jared Ebert <Jared.Ebert@state.co.us>

Cc: Joel Bolduc <joel.bolduc@aggregate-us.com>

Hi Jared - attached are copies of a TR request with regard to removing tree/shrub plantings from reclamation and a revised release request to exclude the 5.2 +/- acre wetland area from release. Hard copies of both of these items were placed in today's mail.

I know you can't do much, especially with the TR, until you get the hard copy with the TR fee check, but just wanted to give you a heads up.

Thanks - Connie

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Connie N. Davis
Land Manager, Land and Environment
Aggregate Industries US
Aggregate Industries - WCR, Inc.
P. O. Box 337231
Greeley, CO 80633
Phone: 970-396-5252
Email: connie.davis@aggregate-us.com
www.lafargeholcim.us

A member of the Holcim Group

This email is confidential and intended only for the use of the above named addressee. If you have received this email in error, please delete it immediately and notify us by email or telephone.

2 attachments**181113_Dahlia N_TR Req Ltr-DRMS (tree-shrub removal from reclamation).pdf**
505K**181113_N Dahlia_Revised Acre Release Req-DRMS.pdf**
677K

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

Thu, Nov 15, 2018 at 7:39 AM

To: Connie Davis <connie.davis@aggregate-us.com>

Cc: Joel Bolduc <joel.bolduc@aggregate-us.com>

Thanks for the heads up Connie, I will be looking for these documents in the mail. Have a great day.

Jared

[Quoted text hidden]

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Jared Ebert

Environmental Protection Specialist III



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

P 303.866.3567 ext. 8120 | F 303.832.8106 |

1313 Sherman St., Room 215, Denver, CO 80203

jared.ebert@state.co.us | mining.state.co.us

CERTIFIED MAIL
RETURN RECEIPT NO. 7015 1730 0000 0989 8631

November 13, 2018



Mr. Jared Ebert
Division of Reclamation Mining and Safety
1313 Sherman Street, Room 215
Denver, CO 80203

Re: Permit Number M-1994-093 – Dahlia North Resources
Technical Revision Request

Dear Jared:

This technical revision is submitted to request removal of tree and shrub planting as well as tree and shrub survival rate from reclamation requirements under Permit No. M-1994-093, Dahlia North Resources. As noted in the Division's report of its October 10, 2018 surety release inspection, some tree and shrub plantings were done several years ago, and while Aggregate is unable to demonstrate survival rate in accordance with the approved reclamation plan, additional plantings are undesirable due to potential impacts to the slurry wall encompassing the reservoir. City of Thornton is the owner of the reservoir and, during the Division's inspection, Thornton indicated their preference to not have any more trees or shrubs planted. The Division advised in its report that this TR would need to be submitted before the area can be released from reclamation liability.

Enclosed with this letter is a Request for Technical Revision (TR) Cover Sheet and Aggregate Industries' check in the amount of \$216 for the required TR fee.

AI respectfully requests Division approval of this revision request. Please contact me at (970) 396-5252 or connie.davis@aggregate-us.com or Joel Bolduc at (719) 239-0974, joel.bolduc@aggregate-us.com.

Very truly yours,

Connie N. Davis
Land Manager

Enclosures

Aggregate Industries
West Central Region, Inc.
1687 Cole Boulevard, Suite 300
Golden, CO 80401

Telephone: 303-985-1070

An Equal Opportunity Employer



COLORADO DIVISION OF RECLAMATION, MINING AND SAFETY

1313 Sherman Street, Room 215, Denver, Colorado 80203 ph(303) 866-3567

REQUEST FOR TECHNICAL REVISION (TR) COVER SHEET

File No.: M- 1994-093 Site Name: Dahlia North Resources

County Adams TR# _____ (DRMS Use only)

Permittee: Aggregate Industries-WCR, Inc.

Operator (If Other than Permittee): _____

Permittee Representative: Connie N. Davis

Please provide a brief description of the proposed revision: _____

Remove tree and shrub planting from reclamation requirements per reservoir owner City of

Thornton preference to not have any more trees or shrubs planted.

As defined by the Minerals Rules, a Technical Revision (TR) is: "a change in the permit or application which does not have more than a minor effect upon the approved or proposed Reclamation or Environmental Protection Plan." The Division is charged with determining if the revision as submitted meets this definition. If the Division determines that the proposed revision is beyond the scope of a TR, the Division may require the submittal of a permit amendment to make the required or desired changes to the permit.

The request for a TR is not considered "filed for review" until the appropriate fee is received by the Division (as listed below by permit type). Please submit the appropriate fee with your request to expedite the review process. After the TR is submitted with the appropriate fee, the Division will determine if it is approvable within 30 days. If the Division requires additional information to approve a TR, you will be notified of specific deficiencies that will need to be addressed. If at the end of the 30 day review period there are still outstanding deficiencies, the Division must deny the TR unless the permittee requests additional time, in writing, to provide the required information.

There is no pre-defined format for the submittal of a TR; however, it is up to the permittee to provide sufficient information to the Division to approve the TR request, including updated mining and reclamation plan maps that accurately depict the changes proposed in the requested TR.

Required Fees for Technical Revision by Permit Type - Please mark the correct fee and submit it with your request for a Technical Revision.

<u>Permit Type</u>	<u>Required TR Fee</u>	<u>Submitted</u> (mark only one)
110c, 111, 112 construction materials, and 112 quarries	\$216	<input checked="" type="checkbox"/>
112 hard rock (not DMO)	\$175	<input type="checkbox"/>
110d, 112d(1, 2 or 3)	\$1006	<input type="checkbox"/>



DIV OF RECLAMATION MINING & SAFETY
1313 SHERMAN ST ROOM 215
DENVER CO 80203

Vendor No.: 5015972 Payment No.: 2000517988 Payment Date 11-02-2018 Check No. 4000153163

Invoice Number	Invoice Date	PO Number	Invoice Amount	Discount	Net Amount
10242018DIVO	10/24/2018		216.00	0.00	216.00
		Check Total.....			\$ 216.00

Send All Inquiries to Attention: Accounts Payable Aggregate Industries Mgmt Inc., 24 CROSBY DRIVE, BEDFORD, MA, 01730, USA Telephone:

DETACH FROM CHECK AND KEEP FOR YOUR RECORDS

THE FRONT OF THIS CHEQUE IS PRINTED WITH A GREEN BACKGROUND - L'AVANT DE CE CHÈQUE EST IMPRIMÉ AVEC UN FOND VERT

Aggregate Industries Mgmt Inc.
24 CROSBY DRIVE
BEDFORD, MA, 01730

JPMorgan Chase Bank, N.A.
Syracuse, NY, NY, USA

CHECK # 4000153163



DATE 11-02-2018

MM DD YYYY

50-937/213

TWO HUNDRED SIXTEEN DOLLARS AND ZERO CENTS

\$ **216.00

PAY TO THE ORDER OF
DIV OF RECLAMATION MINING & SAFETY
1313 SHERMAN ST ROOM 215
DENVER CO 80203



November 13, 2018

Mr. Jared Ebert
Division of Reclamation Mining and Safety
1313 Sherman Street, Room 215
Denver, CO 80203



Re: Permit Number M-1994-093 – Dahlia North Resources
Release Request SL01 Revision

Dear Jared:

By letter dated September 10, 2018, Aggregate Industries requested full and final release of Permit M-1994-093, Dahlia North Resources, of the remaining 89.16 acres from the permit. The Division conducted a surety release inspection on October 10, 2018 and concluded that it would consider partial approval of the bond release application upon Division receipt and approval of a technical revision to remove tree and shrub planting requirements for the site and a revision to the release request to retain an approximate 5.21 acre of land within Area 2C until a permanent plan of augmentation is obtained for exposed groundwater in that area.

Under separate letter of this date, Aggregate is submitting the TR request for removal of tree and shrub planting requirements. In order to address the second item noted in the Division's inspection report, this letter and the enclosed maps are submitted to revise Aggregate's release request. The release request is for all acreage within Area 1, previously unreleased acreage in Area 2A/2B and approximately 29 acres of Area 2C, or a total of approximately 84 acres, to be fully released from further reclamation and financial warranty.

A wetland mitigation area of Area 2C will remain in Permit M-1994-093 pending further evaluation by Aggregate Industries and Division of Water Resources regarding the extent of any water augmentation liability and Aggregate's satisfaction of Division or Water Resources regarding such liability. The estimated acreage of this area is 5.2 +/- acres.

A map prepared from Adams County website shows the areas for which release is requested and a notation of the area that is to remain within the permit. A Google Earth aerial photo dated May 31, 2018 is also enclosed with the approximate boundary of the approximate 5.2 acre wetland mitigation area of Area 2C that is to remain in the permit.

Aggregate Industries
West Central Region, Inc.
1687 Cole Boulevard, Suite 300
Golden, CO 80401

Telephone: 303-985-1070

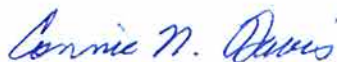
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Aggregate respectfully requests Division approval of the full and final release of 84 +/- acres from Permit No. M-1994-093 as requested above. Aggregate further requests a reduction of the financial warranty for the remaining acreage within the permit boundary.

The Division currently holds Western Surety Company Bond No. 929517700 in the amount of \$744,000.00. Aggregate proposes to reduce financial warranty to \$100,000.00 which should exceed the cost to backfill the 5.2 +/- area a minimum of two (2) feet above groundwater and re-vegetate. As we have discussed, there is little to no exposed groundwater at this time in the subject area, so by backfilling two feet and surface preparation of 5.2 acres at \$5.55 per acre and seeding at \$675/acre, the reclamation calculation is \$96,639. Ultimately, since this area was reclaimed as required wetland mitigation plus some additional wetland and accepted by the Corps of Engineers, the goal will be to determine in conjunction with DWR the actual water augmentation liability and to cover such liability under a permanent plan of augmentation; however, calculating the bond for backfill is proposed as the basis for bonding until such augmentation liability and resolution are determined.

If you have questions or need additional information, please contact me at (970) 396-5252 or connie.davis@aggregate-us.com, or, you can contact Joel Bolduc at (719) 239-0974, joel.bolduc@aggregate-us.com. You have indicated that the current decision date for Aggregate's release request is December 9, 2018. If the Division requires additional time to issue its decision beyond that date, Aggregate would request an extension of the decision date to January 9, 2019.

Very truly yours,



Connie N. Davis
Land Manager

Enclosures

Aggregate Industries M-1994-093 - Dahlia North Resources



1: 8,038

Legend

- Lake
- River
- Parks and Open Space
- Highways
- Highways (5,000 - 10,000)
- Interstate
- Highway
- Tollway
- Streets
- Streets (2,000 - 10,000)
- Streets
- Ramp
- Parcels
- Building
- County Boundary
- City
- Anvada
- Aurora
- Bennett
- Brighton
- Commerce City
- Federal Heights
- Lochbuie
- Northglenn
- Thornton
- Westminster

Notes

Permit Release and Remaining
Reclamation Parcels

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

1,339.7 0 669.87 1,339.7 Feet

NAD_1983_StatePlane_Colorado_Central_FIPS_0502_Feet

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Aggregate Industries-WCR, Inc.
 Permit No. 1994-093 – Dahlia North Resources
 Remaining Reclamation/Permit Boundary (11/13/18)
 Google Earth Photography – 5/31/18