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SEP 19 2019

WELD COUNTY  
COMMISSIONERS

September 18, 2019

Mr. Eric Scott  
Division of Reclamation, Mines, and Safety  
1313 Sherman Street, Room 215  
Denver, Colorado 80203

RE: Adequacy Review 2 for 112 Construction Materials Reclamation Amendment 1 to the Permit,  
Bernhardt Gravel Mine, Permit M-2002-120; Response

Dear Mr. Scott:

*This letter is being generated to satisfy the preliminary review dated August 21, 2019 for the Bernhardt Gravel Mine. The italicized items are the current comment and the bold text are the responses:*

*The Division of Reclamation, Mining, and Safety has completed its second adequacy review of your 112 construction materials reclamation permit amendment application. The application was called complete for review on May 3, 2019. All comment and review periods began on May 3, 2019. **The decision date for this application has been extended to September 5, 2019. 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 may deny this application. In order to allow the Division adequate time to review your responses to any adequacy issues, please submit your adequacy responses to the Division no later than one week prior to the decision date (August 30, 2019).***

*Please note that any changes or additions to the application on file in our office must also be reflected in the public review copy, which has been placed with the Weld County Clerk and Recorder. **This response has been delivered to Weld County for public review.***

*The review consisted of comparing the application content with specific requirements of Rule 6.1, 6.2, 6.4 and 6.5 of the Minerals Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials. As with most applications, there are items that will require clarification of the existing information. Any remaining inadequacies are summarized below:*

- *All maps will need to show the revised permit/amendment boundary that corresponds to the existing fence-line on the south side of the amended property, not the parcel boundary as currently shown. Please also include full size color copies of all final maps included in the application. **The maps and permit boundary have been updated. Full size maps have been include in the submittal.***
- *Please verify consistency in the mining and reclamation plans with respect to the statement that the amended parcel will not be mined. **The maps have been updated.***
- *Exhibit E - Reclamation Plan will need to include spillway design information (sizing, capacity, etc.) and construction design information will need to be provided to verify adequacy of the proposed inlet/outlet structures. Please also verify the text in the reclamation plan that refers to fertilizer and trees for consistency with the provided adequacy responses. **A spillway design memo, table and a typical spillway design drawing are attached. The text in the reclamation plan has been updated to be consistent with the plans.***