

February 7, 2022

Virginia Brannon  
Division Director  
1313 Sherman Street  
Denver, CO 80203

**Re: Notice of Board Hearing; Wattenberg Lakes; Permit M-2004-051**

Ms. Brannon:

In response to your January 25, 2002 letter, Aggregate Industries (Aggregate) would like to provide the Division a synopsis of our remedial actions at Wattenberg Lakes and provide evidence that the alleged violation has been corrected.

In response to Mr. Peter Hays' notice of the Complaint, we immediately mobilized equipment to begin moving the topsoil in question. A significant portion of the earthwork was completed when representatives from Aggregate, including Trey Poulson, Wyatt Webster and Neil Whitmer, met with Mr. Hays and Mr. Connor Drinkard onsite for the January 13, 2022 inspection. The property boundary was subsequently surveyed and we confirmed the topsoil did encroach upon the adjacent parcel. A map of said survey was also shared with Mr. Hays. All earthwork was completed by January 21, 2022 and new posts delineating the property boundary were placed on January 28, 2022. During the process, we contacted Mr. Lyle Whitney from the City of Aurora to provide updates of our activity and obtain a preferred seed mix from the City for the disturbed area. We have contracted with Northern Colorado Constructors, Inc. (NCC) to seed, fertilize, and mulch the affected lands.

Attached for your review are (1) copies of our correspondence with the City of Aurora regarding the preferred seed mix and earthwork status; (2) photos of the completed earthwork; (3) the bid from NCC for the revegetation; and (4) photos of the posts delineating the property boundary.

At this time, Aggregate has performed all actions we believe necessary to remedy the encroachment. However, please contact me at your earliest convenience should you believe more actions are necessary or need additional information.

Sincerely,



Chance Allen  
Regional General Manager

Neil Whitmer <neil.whitmer@lafargeholcim.com>

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## Clanahan Parcel

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Neil Whitmer <neil.whitmer@lafargeholcim.com>

Thu, Jan 27, 2022 at 11:27 AM

To: gwhitney@auroragov.org, jjlee@auroragov.org, rvidmar@auroragov.org

Lyle,

I received your email through Jeff McEntee . . . Please let me know if this needs to go to someone else with the City. I just wanted to give Aurora a heads up that we finished moving all of the dirt that was placed over the property at the end of last week. We'll be reseeding the land this spring. We've had a lot of turnover at Aggregate, so please feel free to reach out to me directly if you have any questions or concerns. My cell # is (214) 213-7859.

Sorry for the mishap,  
Neil Whitmer

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Whitney, Lyle <gwhitney@auroragov.org>

Thu, Jan 27, 2022 at 11:35 AM

To: Neil Whitmer <neil.whitmer@lafargeholcim.com>, "Lee, Jason" <jjlee@auroragov.org>, "Vidmar, Richard" <rvidmar@auroragov.org>

Neil,

Thanks for the email. I appreciate the heads up and no worries on the issue. The boundaries weren't entirely clear and we appreciate Al's willingness to fix the situation. I'll let our North Campus guys know the status.

Thanks,

Lyle Whitney

Preferred pronouns: he, him, his

Sr. Water Resources Project Manager | Aurora Water

mobile 303.579.2990 | office 720.859.4372

[Facebook](#) | [Twitter](#) | [Nextdoor](#) | [AuroraTV.org](#)

*One of Aurora's core values is respect. Sharing personal gender pronouns is one way to practice respect for the diversity that makes Aurora great.*

**Please consider the environment before printing this email.**

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**Neil Whitmer** <neil.whitmer@lafargeholcim.com>

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**Wattenberg**

2 messages

**Neil Whitmer** <neil.whitmer@lafargeholcim.com>  
To: "Hays - DNR, Peter" <peter.hays@state.co.us>

Thu, Jan 20, 2022 at 4:56 PM

Peter,  
I just received photos from Trey Poulson regarding the earthwork. It looks like everything has been moved. I'm waiting to hear confirmation on the bank slope.

Take care,  
Neil

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**3 attachments****IMG-1329.jpg**  
1413K**IMG-1330.jpg**  
1947K**IMG-1328.jpg**  
1928K

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**Hays - DNR, Peter** <peter.hays@state.co.us>  
To: Neil Whitmer <neil.whitmer@lafargeholcim.com>

Thu, Jan 20, 2022 at 3:57 PM

Thanks for the update.

Peter S. Hays



Environmental Protection Specialist



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

I am working remotely and can be reached at 970.703.3767.

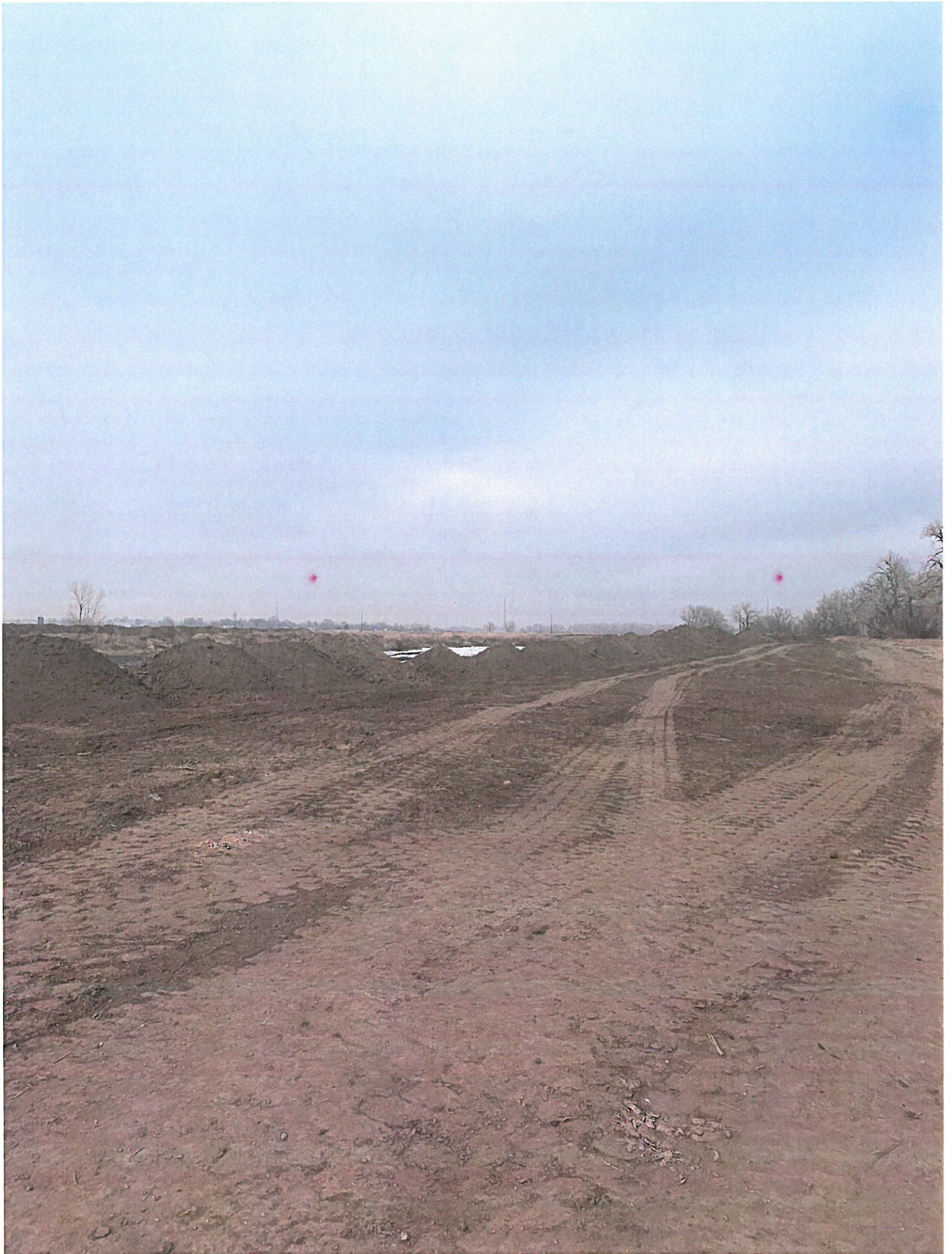
P 303.866.3567 Ext. 8124 | F 303.832.8106  
Physical - 1313 Sherman St., Room 215, Denver, CO 80203  
Mailing - 1001 E 62nd Ave., Denver, CO 80216  
[peter.hays@state.co.us](mailto:peter.hays@state.co.us) | <https://drms.colorado.gov>

[Quoted text hidden]











Neil Whitmer &lt;neil.whitmer@lafargeholcim.com&gt;

**Fwd: Calahan Property: Seed Mix Request**

1 message

**Wyatt Webster** <wyatt.webster@lafargeholcim.com>

Thu, Jan 13, 2022 at 4:33 PM

To: peter.hays@state.co.us, Neil Whitmer &lt;neil.whitmer@lafargeholcim.com&gt;, Trey Poulson &lt;trey.poulson@aggregate-us.com&gt;, Jeffrey MCENTEE &lt;jeffrey.mcentee@aggregate-us.com&gt;

Peter,

I reached out to our City of Aurora contact for the preferred seed mix after removal of the stockpile. Please reference the attached table below. If you have any questions please let me know. Thanks again!

**Wyatt Webster** | Environmental and Land Manager

LafargeHolcim | Aggregate Industries

Address: 1687 Cole Blvd., Suite 300 Golden, CO 80401

Office &amp; Mobile: (702) 379-4623

Email: [Wyatt.Webster@lafargeholcim.com](mailto:Wyatt.Webster@lafargeholcim.com)

----- Forwarded message -----

From: **Whitney, Lyle** <[gwhitney@auroragov.org](mailto:gwhitney@auroragov.org)>

Date: Thu, Jan 13, 2022 at 4:29 PM

Subject: RE: Calahan Property: Seed Mix Request

To: Wyatt Webster <[wyatt.webster@lafargeholcim.com](mailto:wyatt.webster@lafargeholcim.com)>

Wyatt,

Thanks for reaching out. Below is the mix that we typically use. Please let me know if you have questions. Please let me know when you wrap up your work. Much appreciated!

TABLE 133			
Upland Loam Seed Mix			
<i>North Campus Operations and Maintenance Manual</i>			
Common Name	Scientific Name	% of Mix	<sup>1</sup> PLS lbs/acre
Blue Grama	<i>Bouteloua gracilis</i> "Hachita"	20	1
Bottlebrush Squirreltail	<i>Elymus elymoides</i> "Sand Hollow"	5	1.1
Buffalograss	<i>Buchloe dactyloides</i> "Sharps"	15	11.5

Green Needlegrass	<i>Nassella viridula</i> "Lodorm"	5	1.5
Native Prairie Junegrass	<i>Koeleria cristata</i>	5	.1
Sand Dropseed	<i>Sporobolus cryptandrus</i>	10	.1
Sideoats Grama	<i>Bouteloua curtipendula</i> "Vaughn"	5	1.1
Western Wheatgrass	<i>Pascopyrum smithii</i> "Arriba"	25	9.9
Slender Wheatgrass	<i>Elymus trachycaulus</i> "Pryor"	10	2.5
		Total	28.8

## Lyle Whitney

Preferred pronouns: *he, him, his*

Sr. Water Resources Project Manager | Aurora Water



**THE CORE**  
Integrity • Customer Service  
Respect • Professionalism

mobile 303.579.2990 | office 720.859.4372

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*One of Aurora's core values is respect. Sharing personal gender pronouns is one way to practice respect for the diversity that makes Aurora great.*

**Please consider the environment before printing this email.**



Neil Whitmer &lt;neil.whitmer@lafargeholcim.com&gt;

## Wattenberg Lakes: City of Aurora Property Seeding Required

Wyatt Webster &lt;wyatt.webster@lafargeholcim.com&gt;

Thu, Jan 27, 2022 at 10:51 AM

To: Larry Moir &lt;Imm@ncconstructors.com&gt;

Cc: Neil Whitmer &lt;neil.whitmer@lafargeholcim.com&gt;, "Berger, Michelle" &lt;mberger@spencerfane.com&gt;

Larry,

I'm looking to get an adjacent parcel owned by the City of Aurora seeded as soon as possible. The approved seeding provided by the City of Aurora is listed below. The approximate area is 1.43 acres with a .kmz (Google Earth) attached. What would you need from me to get this going ASAP?

TABLE 133			
Upland Loam Seed Mix			
<i>North Campus Operations and Maintenance Manual</i>			
Common Name	Scientific Name	% of Mix	<sup>1</sup> PLS lbs/acre
Blue Grama	<i>Bouteloua gracilis</i> "Hachita"	20	1
Bottlebrush Squirreltail	<i>Elymus elymoides</i> "Sand Hollow"	5	1.1
Buffalograss	<i>Buchloe dactyloides</i> "Sharps"	15	11.5
Green Needlegrass	<i>Nassella viridula</i> "Lodorm"	5	1.5
Native Prairie Junegrass	<i>Koeleria cristata</i>	5	.1
Sand Dropseed	<i>Sporobolus cryptandrus</i>	10	.1
Sideoats Grama	<i>Bouteloua curtipendula</i> "Vaughn"	5	1.1
Western Wheatgrass	<i>Pascopyrum smithii</i> "Arriba"	25	9.9
Slender Wheatgrass	<i>Elymus trachycaulus</i> "Pryor"	10	2.5
Total			28.8

Thanks again for your help!

Wyatt Webster | Environmental and Land Manager

LafargeHolcim | Aggregate Industries

Address: 1687 Cole Blvd., Suite 300 Golden, CO 80401

Office &amp; Mobile: (702) 379-4623

2/3/22, 9:02 AM

Holcim - Production Mail - Wattenberg Lakes: City of Aurora Property Seeding Required

Email: [Wyatt.Webster@lafargeholcim.com](mailto:Wyatt.Webster@lafargeholcim.com)

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 **Seeding Required.kmz**  
1K

Neil Whitmer <neil.whitmer@lafargeholcim.com>

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## Wattenberg Lakes: City of Aurora Property Seeding Required

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Larry Moir <Imm@ncconstructors.com>

Thu, Jan 27, 2022 at 3:09 PM

To: Wyatt Webster <wyatt.webster@lafargeholcim.com>

Cc: Neil Whitmer <neil.whitmer@lafargeholcim.com>, "Berger, Michelle" <mberger@spencerfane.com>

Wyatt,

Are you available to meet Monday?



NORTHERN COLORADO CONSTRUCTORS, INC.

**Larry Moir – Project Manager**

9075 Weld County Road 10

Fort Lupton, CO 80621

[Imm@ncconstructors.com](mailto:Imm@ncconstructors.com)

720-490-6721 Cell

303-857-1754 Office

303-857-2933 Fax

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Neil Whitmer <neil.whitmer@lafargeholcim.com>

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## Wattenberg Lakes: City of Aurora Property Seeding Required

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**Wyatt Webster** <wyatt.webster@lafargeholcim.com>

Thu, Jan 27, 2022 at 3:12 PM

To: Larry Moir <Imm@ncconstructors.com>

Cc: Neil Whitmer <neil.whitmer@lafargeholcim.com>, "Berger, Michelle" <mberger@spencerfane.com>

Unfortunately not in person. I will be conducting groundwater monitoring in the field. You can call me anytime that day. Essentially, we're looking for a cost estimate to perform the work. What additional information would you need from me?

**Wyatt Webster** | Environmental and Land Manager

LafargeHolcim | Aggregate Industries

Address: 1687 Cole Blvd., Suite 300 Golden, CO 80401

Office & Mobile: (702) 379-4623

Email: [Wyatt.Webster@lafargeholcim.com](mailto:Wyatt.Webster@lafargeholcim.com)

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Neil Whitmer <neil.whitmer@lafargeholcim.com>

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## Wattenberg Lakes: City of Aurora Property Seeding Required

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Larry Moir <Imm@ncconstructors.com>

Mon, Jan 31, 2022 at 3:15 PM

To: Wyatt Webster <wyatt.webster@lafargeholcim.com>

Cc: Neil Whitmer <neil.whitmer@lafargeholcim.com>, "Berger, Michelle" <mberger@spencerfane.com>, Chris Zadel <chrisz@ncconstructors.com>

Wyatt,

Attached is my proposal to plant the east side of the east cell at the Wattenberg pit.

The seed mix alone is costing over \$600.00 per acre. I recommend adding 500 lbs. of Richlawn 4-6-2 organic fertilizer with Bio char, Humate, and mycorrhizae.

We can do this any time the weather allows, but we can only expect an effective planting after the ground thaws and the ground is dry enough to travel.

[Quoted text hidden]



**Proposal.pdf**

46K



Neil Whitmer <neil.whitmer@lafargeholcim.com>

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## Wattenberg Lakes: City of Aurora Property Seeding Required

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**Wyatt Webster** <wyatt.webster@lafargeholcim.com>

Mon, Jan 31, 2022 at 4:36 PM

To: Chance Allen <chance.allen@lafargeholcim.com>, Sarah Grega <sarah.grega@aggregate-us.com>, Neil Whitmer <neil.whitmer@lafargeholcim.com>

Chance,

Proposed budget for reseeding the City of Aurora property on the boundary of Wattenberg for approval.

Thanks again

**Wyatt Webster** | Environmental and Land Manager

LafargeHolcim | Aggregate Industries

Address: 1687 Cole Blvd., Suite 300 Golden, CO 80401

Office & Mobile: (702) 379-4623

Email: [Wyatt.Webster@lafargeholcim.com](mailto:Wyatt.Webster@lafargeholcim.com)

[Quoted text hidden]



**Proposal.pdf**

46K

Neil Whitmer <neil.whitmer@lafargeholcim.com>

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## Wattenberg Lakes: City of Aurora Property Seeding Required

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**Wyatt Webster** <wyatt.webster@lafargeholcim.com>  
To: Neil Whitmer <neil.whitmer@lafargeholcim.com>

Tue, Feb 1, 2022 at 8:24 AM

Approved by Chance. Do I tell NCC to get moving on seeding the Wattenberg mishap ASAP?

**Wyatt Webster** | Environmental and Land Manager  
LafargeHolcim | Aggregate Industries  
Address: 1687 Cole Blvd., Suite 300 Golden, CO 80401  
Office & Mobile: (702) 379-4623  
Email: [Wyatt.Webster@lafargeholcim.com](mailto:Wyatt.Webster@lafargeholcim.com)

----- Forwarded message -----

From: **Chance Allen** <[chance.allen@lafargeholcim.com](mailto:chance.allen@lafargeholcim.com)>  
Date: Mon, Jan 31, 2022 at 5:48 PM  
Subject: Re: Wattenberg Lakes: City of Aurora Property Seeding Required  
To: Wyatt Webster <[wyatt.webster@lafargeholcim.com](mailto:wyatt.webster@lafargeholcim.com)>

Approved.

[Quoted text hidden]

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Chance Allen  
Regional General Manager  
Aggregate Industries (US)  
Address: 1687 Cole Blvd, Suite 300, Golden, CO 80401  
Mobile: 303.648.1175  
Email: [chance.allen@lafargeholcim.com](mailto:chance.allen@lafargeholcim.com) | Web: [www.lafargeholcim.us](http://www.lafargeholcim.us)

A member of LafargeHolcim

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

Neil Whitmer <neil.whitmer@lafargeholcim.com>

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## Wattenberg Lakes: City of Aurora Property Seeding Required

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Neil Whitmer <neil.whitmer@lafargeholcim.com>

Tue, Feb 1, 2022 at 9:05 AM

To: Wyatt Webster <wyatt.webster@lafargeholcim.com>

we need to get a PO # and then get with NCC to find out the best time to do the work for highest chance of success

[Quoted text hidden]

Neil Whitmer &lt;neil.whitmer@lafargeholcim.com&gt;

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**Wattenberg Lakes: City of Aurora Property Seeding Required**

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Wyatt Webster &lt;wyatt.webster@lafargeholcim.com&gt;

Thu, Feb 3, 2022 at 8:34 AM

To: Larry Moir &lt;lm@nconconstructors.com&gt;

Cc: chrisz@nconconstructors.com, Neil Whitmer &lt;neil.whitmer@lafargeholcim.com&gt;

Larry,

PO# 4501613358. You are approved for Side Oats Gramma as well after speaking with the City of Aurora. If spring time is the best chance of success, let's hold off until then. Keep me posted.

Thanks again

**Wyatt Webster** | Environmental and Land Manager

LafargeHolcim | Aggregate Industries

Address: 1687 Cole Blvd., Suite 300 Golden, CO 80401

Office &amp; Mobile: (702) 379-4623

Email: [Wyatt.Webster@lafargeholcim.com](mailto:Wyatt.Webster@lafargeholcim.com)

----- Forwarded message -----

From: **Artina Campbell** <[artina.campbell@aggregate-us.com](mailto:artina.campbell@aggregate-us.com)>

Date: Thu, Feb 3, 2022 at 7:36 AM

Subject: Re: Wattenberg Lakes: City of Aurora Property Seeding Required

To: Wyatt Webster <[wyatt.webster@lafargeholcim.com](mailto:wyatt.webster@lafargeholcim.com)>

Hello!

Please use PO 4501613358.

Thank you!

Artina Campbell  
Administrative Assistant  
Aggregate Industries US  
6820 Broadway, Unit A  
Denver, CO 80221  
720-201-2625

On Wed, Feb 2, 2022 at 8:39 AM Wyatt Webster <[wyatt.webster@lafargeholcim.com](mailto:wyatt.webster@lafargeholcim.com)> wrote:

Cost Center: 392551508

GL: 51799002

**Wyatt Webster** | Environmental and Land Manager

LafargeHolcim | Aggregate Industries

Address: 1687 Cole Blvd., Suite 300 Golden, CO 80401

Office &amp; Mobile: (702) 379-4623

Email: [Wyatt.Webster@lafargeholcim.com](mailto:Wyatt.Webster@lafargeholcim.com)On Wed, Feb 2, 2022 at 8:29 AM Artina Campbell <[artina.campbell@aggregate-us.com](mailto:artina.campbell@aggregate-us.com)> wrote:

Hello!

Do you have the cc/gl this should be applied to so that I may create the requisition.

Thank you!

Artina Campbell  
Administrative Assistant  
Aggregate Industries US  
6820 Broadway, Unit A  
Denver, CO 80221  
720-201-2625

On Tue, Feb 1, 2022 at 2:44 PM Wyatt Webster <[wyatt.webster@lafargeholcim.com](mailto:wyatt.webster@lafargeholcim.com)> wrote:  
Artina,

Can I get a PO# for this proposal (attached)?

[Quoted text hidden]





9075 WCR 10  
Ft Lupton, Colorado 80621  
Phone: (303) 857-1754 Fax: (303) 857-2933

## PROPOSAL

**Owner:** Wyatt Webster  
Wyatt Webster <wyatt.webster@lafargeholcim.com>

**Date:**  
**Project Name:**  
**Project Number:**  
**Bid Date:**  
**Proposal Number:**

1/31/2022  
City of Aurora Wattenberg Planting  
N/A  
1/31/2022  
1

1	Mobilization / Demobilization	1.000 EA	\$630.00	\$630.00
2	Ground Prep - Disk to create a seed bed	1.430 AC	\$225.00	\$321.75
3	Plant Upland Seed Mix- seed drilled and 500 lbs. of organic fertilizer	1.430 AC	\$1,270.00	\$1,816.10
4	Straw Mulch spread and crimped at 2 tons per acre	1.430 AC	\$830.00	\$1,186.90
			<b>Bid Total:</b>	<b>\$3,954.75</b>

### TERMS AND CONDITIONS

**Mobilization: Two Tractors and associated equipment; Ground prep to develop seed bed with disk; Plant Upland Seed Mix per spec, and 500 lbs. of organic fertilizer; Straw Mulch Spread at 2 tons/acre.**

### APPROVAL OF PROPOSAL AND CONTRACT

Customer hereby approves the prices, specifications, terms and conditions set forth in the Proposal and requests that Northern Colorado Constructors Inc., perform the work specified in the proposal based upon the specifications, terms and conditions set forth above in the Proposal, all of which are incorporated herein by reference. Payment will be made as outlined in the Proposal. This proposal is the sole property of Northern Colorado Constructors, Inc. It is confidential information, and intended for use only by owner and/or general contractor set forth above in cooperation with Northern Colorado Constructors, Inc. Any disclosure, reproduction or distribution without prior written consent from Northern Colorado Constructors, Inc. is strictly prohibited.

Northern Colorado Constructors, Inc.



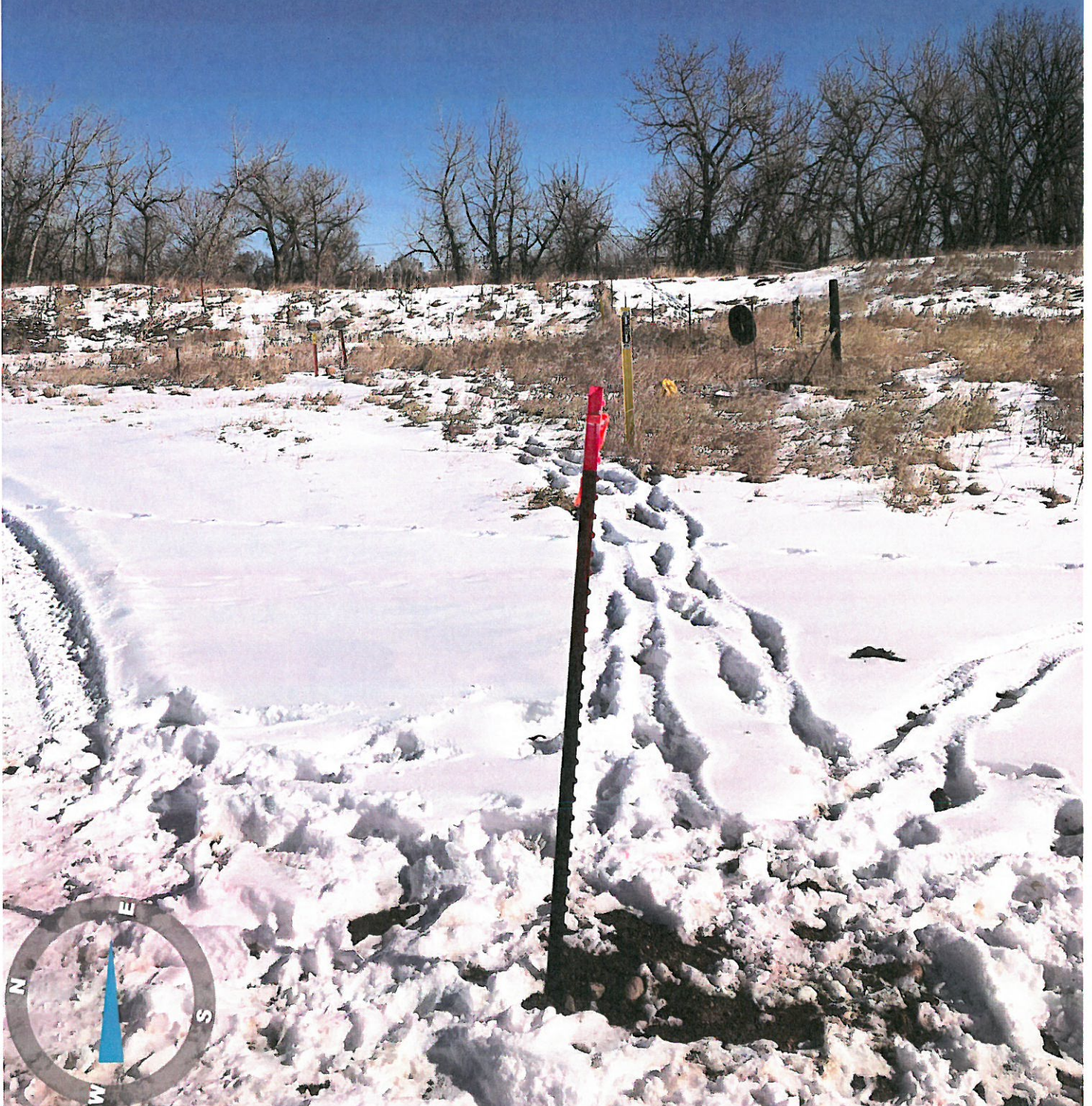
Jan 28, 2022 at 12:54:47 PM

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11650 County Road 2

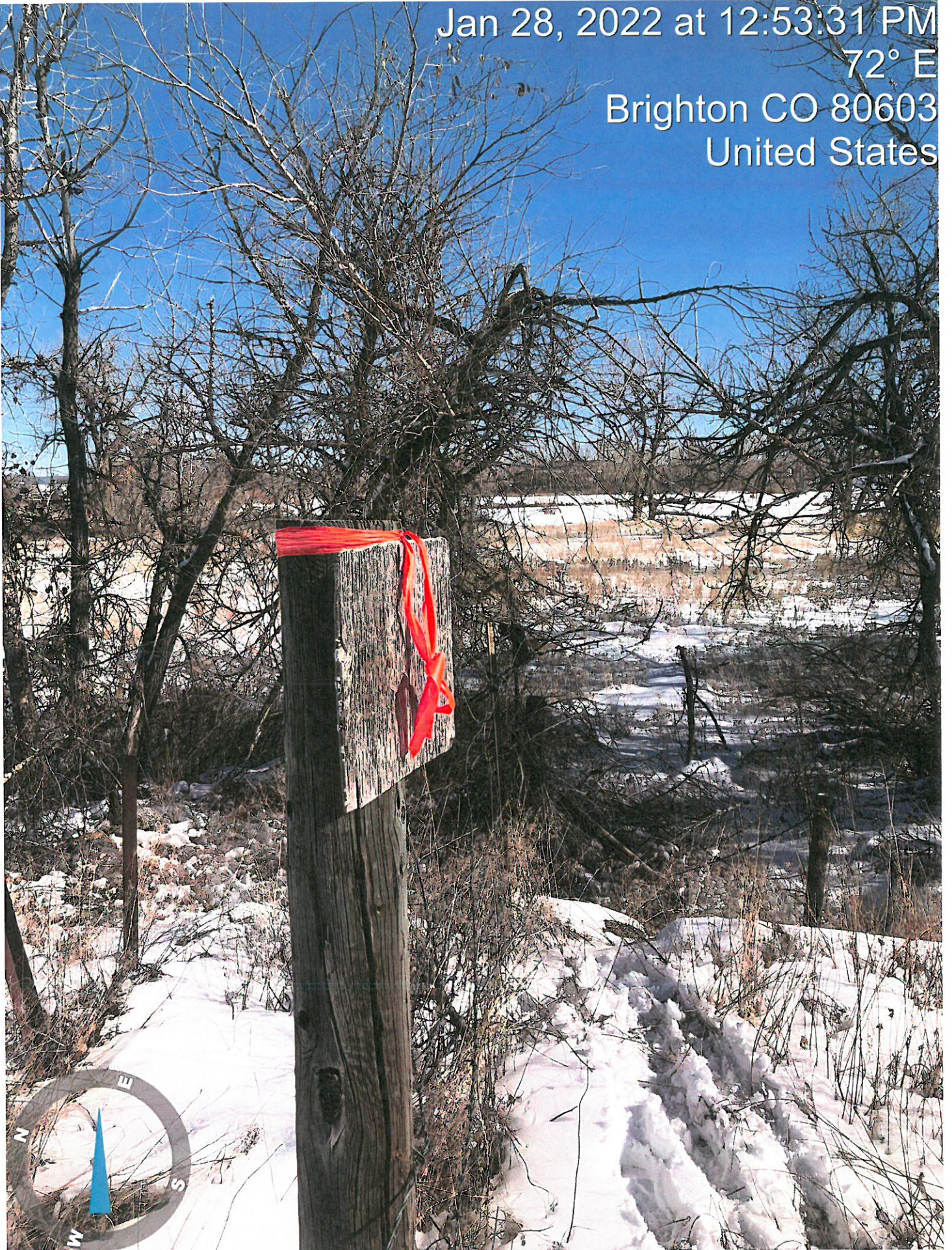
Brighton CO 80603

United States





Jan 28, 2022 at 12:53:31 PM  
72° E  
Brighton CO 80603  
United States





Jan 28, 2022 at 12:53:21 PM  
262° W  
11650 County Road 2  
Brighton CO 80603  
United States





Jan 28, 2022 at 12:51:12 PM

341° N

11650 County Road 2

Brighton CO 80603

United States





Jan 28, 2022 at 12:51:03 PM

82° E

11650 County Road 2

Brighton CO 80603

United States





Jan 28, 2022 at 12:49:46 PM  
180° S  
Brighton CO 80603  
United States



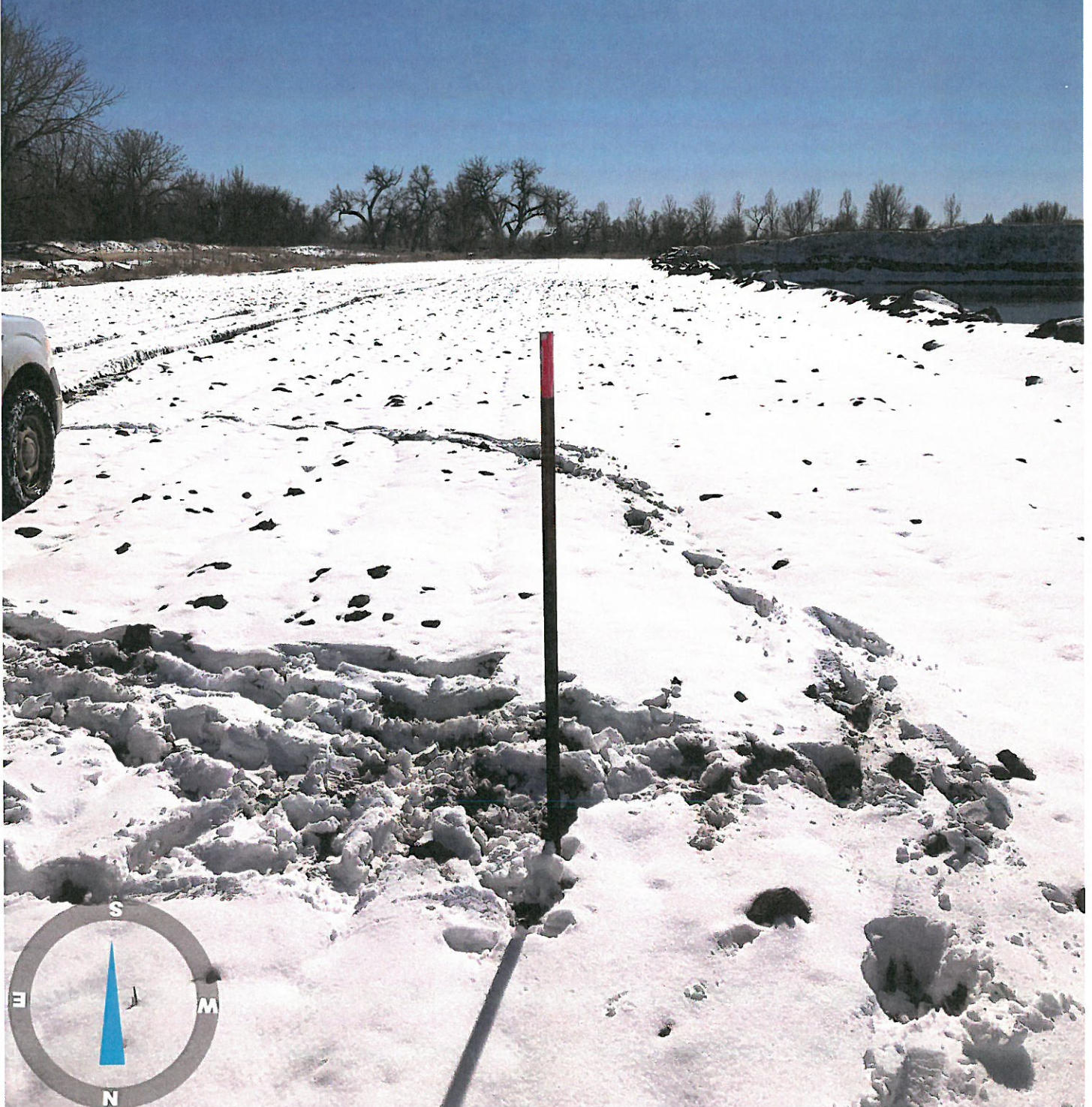


Jan 28, 2022 at 12:49:30 PM  
344° N  
Brighton CO 80603  
United States





Jan 28, 2022 at 12:48:17 PM  
178° S  
Brighton CO 80603  
United States



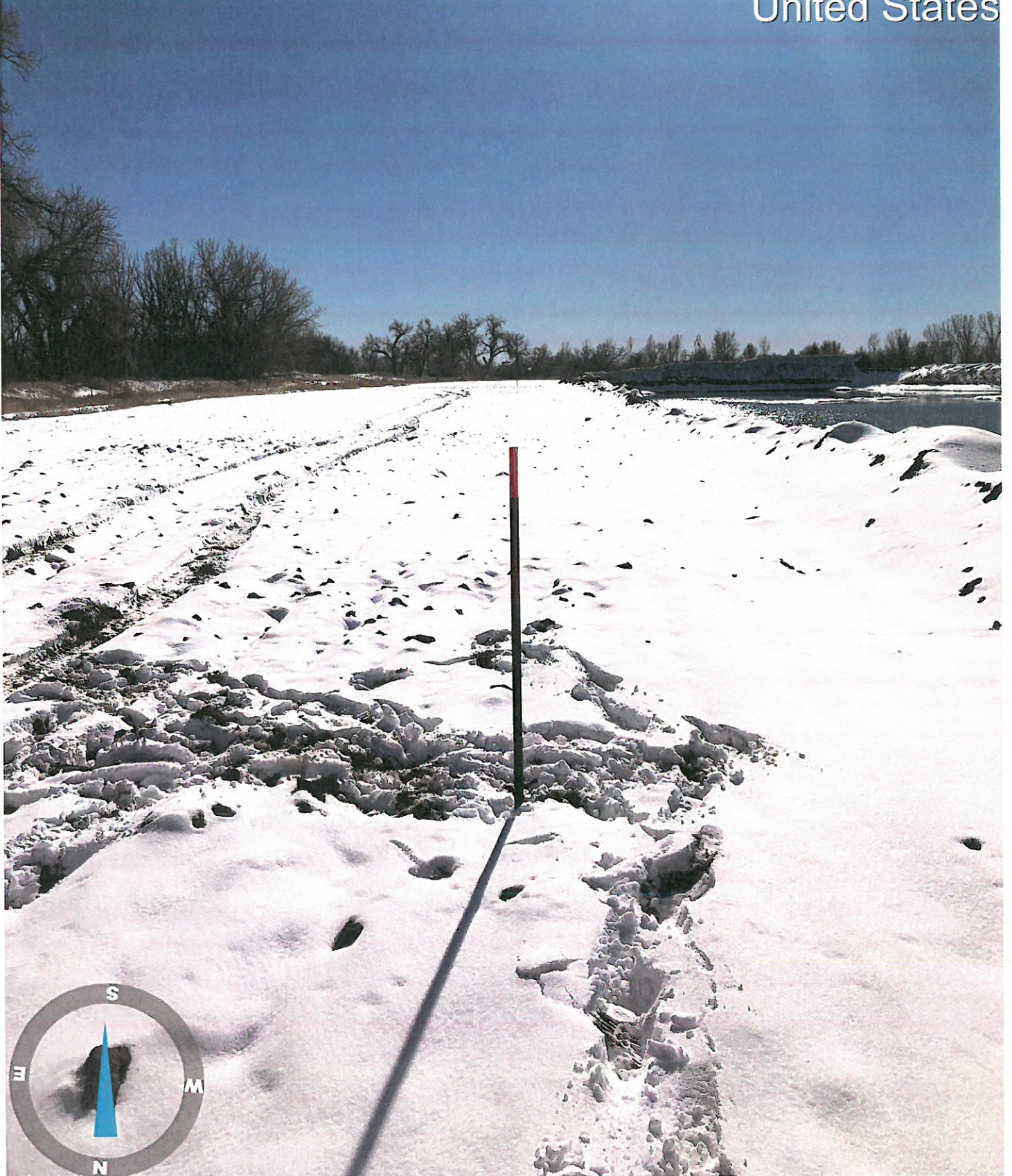


Jan 28, 2022 at 12:48:01 PM  
347° N  
Brighton CO 80603  
United States





Jan 28, 2022 at 12:46:52 PM  
176° S  
Brighton CO 80603  
United States





Jan 28, 2022 at 12:46:39 PM

343° N

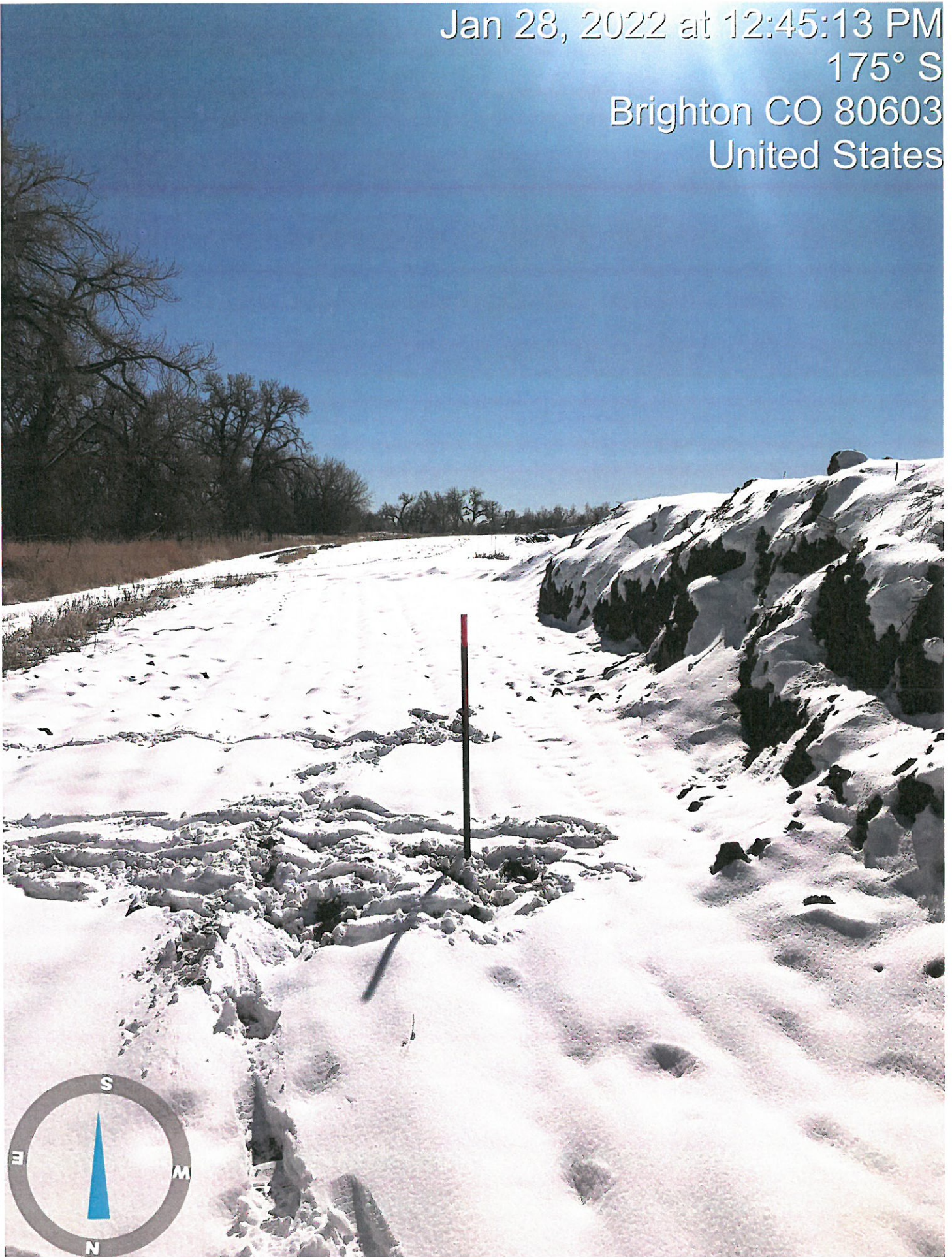
Brighton CO 80603

United States



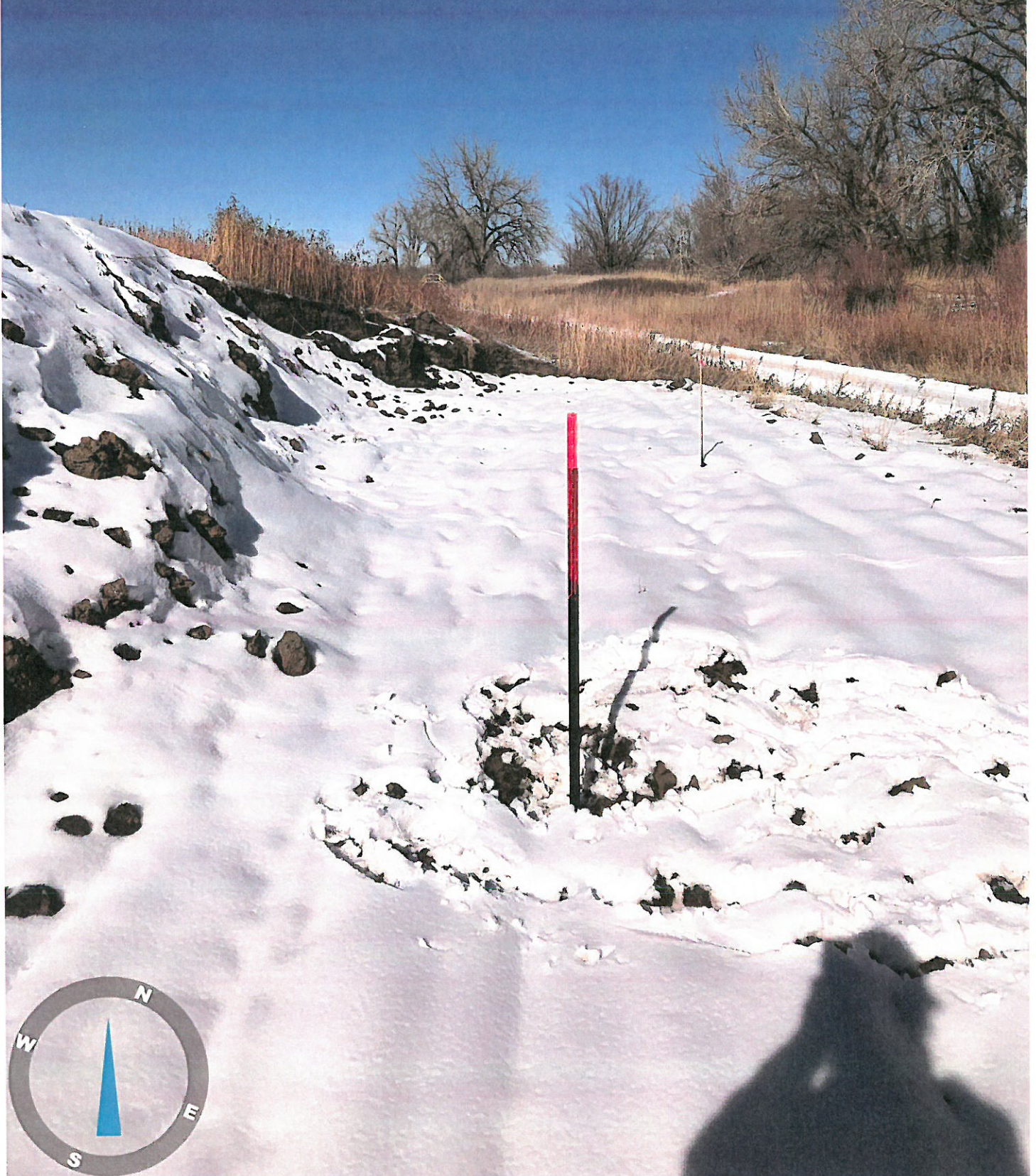


Jan 28, 2022 at 12:45:13 PM  
175° S  
Brighton CO 80603  
United States





Jan 28, 2022 at 12:44:59 PM  
337° NW  
Brighton CO 80603  
United States





Jan 28, 2022 at 12:27:52 PM  
349° N  
Brighton CO 80603  
United States





Jan 28, 2022 at 12:27:13 PM

344° N

Brighton CO 80603

United States





Jan 28, 2022 at 12:27:04 PM  
21° N  
Brighton CO 80603  
United States

