


TRI-STATE

February 10, 2022

Mrs. Janet Binns
Environmental Protection Specialist
Colorado Division of Reclamation, Mining and Safety
1313 Sherman Street, Room 215
Denver, CO 80203

**RE: New Horizon North Mine
Permit No. C-2010-089
2019 – 2021 Annual Reclamation Review Responses**

Dear Mrs. Binns,

Tri-State Generation and Transmission Association, Inc. (Tri-State), is the parent company to Elk Ridge Mining and Reclamation, LLC New Horizon North Mine. The New Horizon North Mine operates under the Colorado Division of Reclamation, Mining, and Safety Permit No. C-2010-089.

Tri-State received the Division's adequacy review letter for the 2019, 2020, and 2021 Annual Reclamation Reports dated February 4, 2022 and provides the following responses on behalf of Elk Ridge:

1. *In the 2019 ARR, Table 2 "New Horizon North Reclamation Table", the line for Area NHN-05, reports that 4.0 acres were seeded in 2019. However, on this same line in the notes column, it states that "7.3 acres were planted to Dryland Pasture". These values should be in agreement. This error was continued on both the 2020 ARR and the 2021 ARR.*

Response: This acreage discrepancy will be reviewed and addressed with the submittal of the 2022 annual reclamation report for New Horizon North Mine.

2. *The CDRMS Annual Reclamation Report form for 2019, ERMR reports total disturbed acreage equals 157.1 acre. However, this form also reports total acreage in long-term facilities is 42.9 acres, and 120.2 total acres have been topsoiled and seeded. $42.9 + 120.2 + 163.1$ acres. Please provide an explanation of how the total acres reclaimed plus acres in long-term facilities (ponds, roads, stockpile footprints, etc.) can exceed the total number of acres disturbed. This error was continued on both the 2020 ARR and the 2021 ARR as well. (In 2020 ERMR topsoiled and seeded an additional 0.6 acres, so the cumulative reclaimed acres was updated to 120.8 acres).*

Response: This acreage discrepancy will be reviewed and addressed with the submittal of the 2022 annual reclamation report for New Horizon North Mine.

3. *The CDRMS Annual Reclamation Report form submitted with the 2020 Annual Reclamation Report, on February 10, 2021, indicates that the report form is for 2019 values. Please assure that the form submitted with the 2020 ARR reflects the 2020 acreage values.*

Response: The values presented on the 2020 Annual Reclamation Report Form reflects 2020 acreage values.

**TRI-STATE**

February 8, 2022

Page 2

4. *On the CDRMS 2021 ARR form, ERMR reports that the total acres backfilled and graded equals 83.0 acres. Yet, the report also reflects that 120.8 acres have been topsoiled. Please provide an explanation of how more acreage has received topsoil than has been backfilled and graded.*

Response: The additional acreage that has been topsoil and seeded reflects two general areas. First, areas where topsoil was removed to support advancement of mining but were never mined prior to Elk Ridge discontinuing its mining operations. Second, the additional topsoil acreage includes areas that were topsoiled and seeded south of the pit footprint where the out of pit stockpile was formally located. Both of these areas described did not have any backfill or grading occur only topsoil replacement.

5. *On the CDRMS 2021 ARR form, ERMR reports that 120.2 acres received Phase I bond release in 2021. Please correct this to reflect that the 120.2 were approved for Phase I bond release prior to 2021. The Division approved SL2 that approved the Phase I release of 120.2 acres on July 3, 2019.*

Response: This acreage discrepancy will be reviewed and addressed with the submittal of the 2022 annual reclamation report for New Horizon North Mine.

If you should have any additional questions or concerns, please feel free to contact Tony Tennyson at (970) 326-3560 at your convenience.

Sincerely,

DocuSigned by:

A handwritten signature in black ink that reads "Chris Gilbreath".

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Chris Gilbreath
Senior Manager
Remediation and Reclamation

CG:TT:dbr

Enclosure

Cc: Tony Tennyson (via email)
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