

October 25, 2021

Ms. Anne Beierle
Deputy Director, Public Works, City of Golden
1445 10th Street
Golden, CO 80401

Re: Final Resolution – Reclamation of Guanella Reservoir

The Bucklands/Guanellas have retained me to approach you with a proposal to finally get the permit released. They would like to get on with their lives. After hearing some of the history, I fully expect you have the same desire. To that end, we hope you will implement the things enumerated below, all of which are included in the Court Decree. Implementing these activities will also complete the requirements of Mining/Reclamation Permit.

Contaminated soil:

We agree with your overall commitment to remove the contaminated soils on the west side of the area and replace the excavated area with good quality clean soils and topsoil.

In addition to removing the salt contaminated soils, we appreciate that you have also committed to remove the asphalt contaminated spots along the south and east side of the area.

When you (Golden) went in for this last TR you were under the impression that the Bucklands/Guanellas wanted a road along the east side of the western edge of the permit to access their building. That was incorrect. They were feeling you out about a more direct access from your property, i.e., a short two-track road through a gate in the fence leading directly to the building. They really do not want a road constructed along the fence. Forget everything about a road accessing the building. The Bucklands/Guanellas would much prefer that you implement the plan approved in TR-03. The Bucklands/Guanellas would figure out their own access road. They are sorry for the confusion.

The important thing is that, when the contaminated material is removed, the area is left so that it drains to the west to the contaminated soil on your property. We certainly don't want the area to be re-contaminated after it has been reclaimed.

Road to the Adjacent North Area:

The Bucklands/Guanellas appreciate that you have agreed to implement repairs and long-term drainage correction on the road to the adjacent area to the north. Thank you. We trust that you will do a good job.

Fence along the south side of the property:

The Bucklands/Guanellas also drop the request to replace the fence on the south side of the property.

Revegetation:

The existing stand of vegetation on the \pm 24 acres is a monoculture of Crested Wheatgrass and weeds with a cover of about 10% that has not improved in quantity or quality for many years. What you have done so far is an attempt to revegetate heavily compacted mining waste. The resulting vegetation is not "Mountain Meadow". This area was a mountain hay meadow prior to mining and, according to the law and the permit, is to be returned to something close to what might qualify as Mountain Meadow/Pasture.

This can be implemented relatively easily with the application of a minimal depth of topsoil, over seeding/reseeding with the seed mix stipulated in the permit, and weed control.

To that end, we request you import and distribute a depth of 3 inches (approximately 9,500 cubic yards) of reasonably good quality topsoil over the entire area. When you find a potential source of topsoil, please contact me. I will inspect the soil and approve or disapprove the quality.

The DRMS is concerned about retaining the existing stand of Crested Wheatgrass. We don't share that concern because that species does not contribute to the final goal of Mountain Meadow. But, in recognizing their concern, the application of this depth of soil will not significantly impact that species. The wheatgrass will easily grow through the 3 inches of soil. As Crested Wheatgrass is essentially the only species growing after all these years, we request that it not be included in the final seed mix.

Lastly, we ask that you control the weeds for the first three years. The Bucklands/Guanellas will be responsible for weed control from year four on.

Alternate Proposal:

Alternatively, the Bucklands/Guanellas would consider payment in lieu of implementing these projects. They would implement the projects themselves if you would provide sufficient money to get the jobs done reasonably.

We ask that you consider the above, approve of it, and respond to us in writing.

And we ask that you implement the plan early in the spring/summer of next year.

We want to be done with this project and we are sure you do too.

Sincerely Yours,

Larry Brown, Ph.D.

xc: Sally Buckland
Glenda Guanella