



Fwd: M1977439 Permit

1 message

Temp - DNR, DRMS <drms.temp@state.co.us>

Mon, Mar 14, 2022 at 11:04 AM

To: Brock Bowles - DNR <brock.bowles@state.co.us>, Michael Cunningham - DNR <michaela.cunningham@state.co.us>

Hello Brock and Michael - I just looked in this email account for something (it's not routinely monitored) and found this.

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

From: **William Seaworth** <seaworthsafesales@hotmail.com>

Date: Thu, Feb 24, 2022 at 6:13 PM

Subject: M1977439 Permit

To: drms.temp@state.co.us <drms.temp@state.co.us>

To whom it may concern,

Here is my response to Amendment to the Martin Marietta Home Base, M1977439 Permit

My information is

William Seaworth

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[Fort Collins Colorado, 80524](#)

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Seaworth Properties

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Concerns over Amendment to the Martin Marietta Home Base, M1977439 Permit. Specifically Exhibit G, Water Information. The amended reclamation plan has directly impacted the Seaworth property to the west and our ability to farm this property as it has been done historically.

The reclamation plan originally called for the Stage G pits to be open water, ground fed ponds.

1. Ground water monitoring to establish existing ground water conditions and patterns was not done.
 - a. The Phase I, Stage G Pit was dewatered, mined, and the compacted liner installed before monitoring wells HO-12 and HO-13 were installed.
 - b. The Phase I, Stage G Pit was dewatered for mining before monitoring well HO-1 was installed.
 - c. The absence of accurate documentation of historical ground water levels prior to mining makes it impossible for engineers to insure their targeted ground water levels are accurate.
 - d. The absence of accurate documentation of historical ground water levels prior to mining makes it impossible for Martin Marietta's engineers to insure their mitigation drain is adequately sized or installed.

2. The Seaworth property has been historically farmed and irrigated for decades, prior to the mining of Stage G Pit.
 - a. The historic tailwater ditch was removed without consultation of owners with farm lands to the west and to the north.
 - b. The absence of accurate documentation of historical groundwater levels and water flows through the historical tailwater ditch makes it impossible for MM's engineers to insure their mitigation drain will adequately handle the required returns from the tailwater ditch.
3. The mitigation plan proposed by MM does not address the impacts to farming, flooding of properties, or rise in groundwater that could be caused by placement of the Stage G pit liner and/or insufficient design capacity and placement of the drain.
 - a. MM mitigation plan only addresses water rights of registered well owners.
 - b. There is no mention of redesign and repair of drain if water table is impacted, or if flooding again occurs due to irrigation of Seaworth farm land.
4. The amendment reads as if the liner in Phase 1 G Pit has yet to be installed, and that the drain has yet to be installed.
 - a. The liner has been installed, and we believe the placement of this liner, prior to installing a drain, resulted in the property flooding.
 - b. The drain has been installed, and appears to be approximately 3 feet below ground level. Because there is no historical data that provides accurate information on the historical ground water levels, there is no assurance that this drain will prove to be adequate to protect our ability to farm the land.
5. The amendment as submitted does not provide any recourse for Seaworth Properties to obtain relief should the drain that is installed prove not to work.
 - a. We would like to see provisions that require MM to replace, relocate, resize, the drain if any flooding occurs during irrigation season, if the ground water level reaches a level less than 3' beneath the surface.
 - b. We would like to see provisions that require MM to replace lost crops due to flooding caused by inability of drain to carry tailwater from any irrigation of lands to the west and the north of the Stage G pits.
 - c. We would like to see provisions that require MM provide proof to DRMS that the drain design is working properly and that groundwater levels on Seaworth property have not been impacted prior to release of the Reclamation Bond.

Thank you,

William Seaworth
Vice President
Seaworth Properties

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