



September 14, 2022

Jim Harrington
Colorado Legacy Land, LLC
333 W. Hampden Ave., Suite 935
Englewood, CO 80110

**RE: Schwartzwalder Mine, Permit No. M-1977-300, 112d-2 Designated Mining Operation
Reclamation Permit Amendment Application (AM-6), Adequacy Review No. 5**

Mr. Harrington:

The Division of Reclamation, Mining and Safety (Division) has completed its 5th adequacy review of your Amendment Application (AM-6) submitted for the Schwartzwalder Mine. All comment and review periods for the application began on July, 29, 2021, when the application was called complete for filing purposes.

The Division has identified the following adequacy item(s) in the application requiring additional information or clarification:

- 1) The operator is proposing three stormwater control features to be constructed in association with the proposed South Waste Rock Pile (SWRP) extension, including a 1-2 foot tall earthen berm along its northern edge, a drainage swale at its southern edge, and rock armoring at its southern edge. These proposed stormwater control features are shown on the revised Figure F-2 – Schwartzwalder Mine Reclamation Grading. No additional details were provided for these control features, such as whether they will be designed to handle a 100-year 24-hour storm event, how the riprap sizing and placement area will be selected, or how water in the drainage swale and bermed drainage flow path will cross the access road and discharge into the creek. For example, will any culverts, other outlet structures, or energy dissipation structures be required? Because the existing SWRP is an Environmental Protection Facility (EPF), an extension of this pile would be considered part of the EPF. Accordingly, the Division will require additional details be submitted on the stormwater control features to be constructed in association with this EPF (as was done in the previously approved Technical Revision Nos. 7, 23, and 28). However, given the limited time remaining in the review period for AM-6, these details will need to be provided under a separate revision. Therefore, please commit to submitting a Technical Revision within 60 days of approval of AM-6, which includes a detailed stormwater management plan for the SWRP extension.

This concludes the Division's 5th adequacy review of AM-6. The application decision date is scheduled for September 27, 2022. Please provide the requested information no later than **September 16, 2022.**

If you have any questions, you may contact me by telephone at 303-866-3567, ext. 8129, or by email at amy.eschberger@state.co.us.



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Colorado Legacy Land, LLC
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Sincerely,

A handwritten signature in blue ink that reads "Amy Eschberger". The signature is written in a cursive, flowing style.

Amy Eschberger
Environmental Protection Specialist

Cc: Paul Newman, Colorado Legacy Land, LLC
Eric Williams, Colorado Legacy Land, LLC
Elizabeth Busby, Ensero Solutions US, Inc.
Billy Ray, Ensero Solutions US, Inc.
Michael Cunningham, DRMS