



November 30, 2021

Peter Wayland
Weiland, Inc.
PO Box 18087
Boulder, CO 80308

**RE: Goose Haven Reservoirs (Permit No. M-2010-071)
Amendment No. 2 (AM-2)
Adequacy Review #1**

Dear Mr. Wayland:

On July 22, 2021, the Division of Reclamation, Mining and Safety received your amendment application package for the Goose Haven Reservoirs, File No. M-2010-071. The following questions address adequacy issues and missing information that is needed to complete the application. This information needs to be addressed and/or received before the Division can approve the application.

Rule 1.6.2(1)(d) and 1.6.5(2) – Proof of Publication

1. Please submit proof of publication in a newspaper of general circulation in the locality of the proposed operation.

Rule 1.6.2.(e) Notice of Land Owners –

2. Please submit proof of notice to owners of record for all land surface within 200 feet of the boundary of the affected land.

Rule 6.2.1(2) Maps and Exhibits –

3. The text states that Exhibit C-2 Mining Plan Map has been changed to add Sheet 3. Sheet 3 was not submitted with the application. Please submit Exhibit C-2, Sheet 3 for review.

Rule 6.4 - Specific Exhibit Requirements - 112 Reclamation Operation

6.4.1 EXHIBIT A - Legal Description - Adequate as submitted.

6.4.2 EXHIBIT B - Index Map - Adequate as submitted.

6.4.3 EXHIBIT C - Pre-mining & Mining Plan Map(s) of Affected Lands

4. See #3 above.



6.4.4 EXHIBIT D - Mining Plan

5. In Item (c) it states that no surface water diversions are planned for the site. In Appendix A, Item 2.4, page 3, it states that a diversion swale will collect surface runoff south and west of Cell 2A and route the water around the reservoir. No other details were included in the application. Please clarify the following:
 - a. Will a swale will be constructed around Cell 2A?
 - b. If a swale is planned, include a discussion addressing: the purpose, anticipated impact to the surface water and if it's a permanent feature.
 - c. Submit construction designs.
6. Cell 2A is being constructed in accordance with Rule 8 of the 2020 Rules and Regulations for Dam Safety and Dam Construction and is being overseen by the Colorado State Engineer. Please commit to submitting the final dam construction report, as-built plans and the final certification for inclusion into the permit when these documents are obtained.

6.4.5 EXHIBIT E - Reclamation Plan - Adequate as submitted.

6.4.6 EXHIBIT F - Reclamation Plan Map - Adequate as submitted.

6.4.7 EXHIBIT G - Water Information -

7. A well location map for the surrounding area was submitted with the original permit application in 2010. Please submit an updated well location map and include depth of wells as part of the data set.
8. There are two properties within 200 feet of the western permit boundary. There are several structures and private ponds located on each of these properties. The houses on these properties will be within 200 feet of the proposed clay lined pond. A ground water hydrological analysis of the potential impacts to these properties needs to be submitted as part of the application package.
9. The two houses along the western permit boundary are within 200 feet of the clay lined pond. The closest piezometer monitoring groundwater levels is more than 1500 feet to the east. Two piezometers should be installed on the western side of Pond 2A in the vicinity of these homes. The piezometers should be up-gradient and down-gradient of the pond to measure the lined pond's effect on the groundwater. These wells should be monitored and reported on the same schedule as the current water monitoring plan.

6.4.8 EXHIBIT H - Wildlife Information - Adequate as submitted.

6.4.9 EXHIBIT I - Soils Information - Adequate as submitted.

6.4.10 EXHIBIT J - Vegetation Information - Adequate as submitted.

6.4.11 EXHIBIT K - Climate- Adequate as submitted.

6.4.12 EXHIBIT L - Reclamation Costs – Adequate as submitted.

6.4.13 EXHIBIT M - Other Permits and Licenses (Statement Req'd) - Adequate as submitted.

6.4.14 EXHIBIT N - Source of Legal Right to Enter – Adequate as submitted.

6.4.15 EXHIBIT O - Owner(s) of Record of Affected Land and Substance to be Mined - Adequate as submitted.

6.4.16 EXHIBIT P - Municipalities Within Two Miles - Adequate as submitted.

6.4.17 EXHIBIT Q - Proof of Mailing of Notices to Board of County - Adequate as submitted.

6.4.18 EXHIBIT R - Proof of Filing with County Clerk and Recorder - Adequate as submitted.

6.4.19 EXHIBIT S - Permanent Man-made Structures -

10. A list of 10 structures was provided in the application. The text states that 5 agreements have been secured and 2 are currently in process. Tom Schwartz is listed as one of the agreements that has been secured but he is not listed as a structure owner. Please update this list and submit updated structure agreements for all the structures listed.

The Division of Water Resources and History Colorado submitted comments for this application. The comment letters are attached. Please address any concerns raised by these agencies in your response letter.

Please note that the decision date for this application is January 10, 2022. If you are unable to provide satisfactory responses to any inadequacies prior to this date, it will be your responsibility to request an extension of time to allow for continued review of this application.

All corrected pages must also be provided to Boulder County Clerk & Recorder.

If you have any questions, please contact me at (720) 774-0040 or brock.bowles@state.co.us.

Sincerely,



Brock Bowles
Environmental Protection Specialist

CC: Michael Cunningham, DRMS
Amy Eschberger, DRMS



Response to Reclamation Permit Amendment Application Consideration

DATE: October 28, 2021
TO: Brock F. Bowles, Environmental Protection Specialist
CC: Division 1 Office, District 6 Water Commissioner
FROM: Ioana Comaniciu, P.E.
RE: Goose Haven Reservoir #2 Complex Expansion, File No. M-2010-071-[AM2](#)
Operator: City of Lafayette, (303) 661-1226
Contact: Peter Wayland, (303) 443-9521
Sections 15, 21, and 22, Twp 1 North, Rng 69 West, 6th P.M., Boulder County

COMMENTS: City of Lafayette requested an amendment to the application for the Goose Haven Reservoir #2 Complex Expansion, Permit no. M2010-071. The purpose of this amendment is to add a new cell to the mining area designated as Cell 2A. Cell 2A will be reclaimed as a clay liner reservoir and an embankment dam. This change in end use will involve creating up to 3 reservoirs covering 94.3 acres. The proposed operation will continue to consume ground water through evaporation, dust control, reclamation, water removed with the mined product, and dewatering. The Goose Haven Reservoir #2 Complex Expansion is included in a pending Substitute Water Supply Plan, which is proposed to covered depletions caused by gravel mining operations at the site through April 30, 2022, which include Cell 2A. The renewal request of the SWSP was submitted to this office on May 25, 2021 and this plan is pending additional information from the Applicant's water consultant. A gravel pit well permit must be obtained for the current use and exposed surface area at the site in accordance with §37-90-137(2) and (11), C.R.S., since the current well permit no. 79766-F obtained for the site in 2016 covers only 2 acres of groundwater exposed at the site and 20 acre-feet of depletions. So long as the proposed amendment is operated in accordance with an approved SWSP or approved plan for augmentation and a valid well permit, this office has no objection to the request.

If stormwater runoff is intercepted by this mining operation and is not diverted or captured in priority, it must be released to the stream system within 72 hours, which may require a discharge permit from CDPHE-WQCD. Otherwise, the operator will need to make replacements for evaporation.

The applicant may contact the State Engineer's Office with any questions.





Brock Bowles
Colorado Division of Reclamation,
Mining and Safety
Department of Natural Resources
1313 Sherman St., Room 215
Denver, CO 80203

RE: Goose Haven Reservoir# 2- Complex Expansion - File No. M-2010-071, the City of Lafayette
Amendment Application (AM-2) (HC # 58664)

Dear Mr. Bowles,

This letter is provided in response to your correspondence dated and received on October 11, 2021 requesting consultation with our office for the above mentioned subject action pursuant to the Colorado State Register Act – Colorado Revised Statute (CRS) 24-80.1.

A review of our records shows that no previously identified historic properties sit in the area of the proposed action. Based on the documentation provided, we find that the subject action will not adversely affect properties listed on or nominated for the State Register of Historic Properties.

Please note that our comments should not be interpreted as concurrence under the National Historic Preservation Act (NHPA) or any other environmental law or regulation. If human remains are discovered during ground disturbing activities, the requirements under CRS 24-80 part 13 apply and must be followed. Should the current subject action change, please contact our office for continued consultation under CRS 24-80.1.

In the event that there is federal agency involvement, please note that it is the responsibility of the federal agency to meet the requirements of Section 106 as set forth in 36 CFR Part 800 titled “Protection of Historic Properties”. This includes not only reasonable and good faith identification efforts of any historic properties located within the area of potential effects, but determining whether the undertaking will have an effect upon such properties. The State Historic Preservation Office, Native American tribes, representatives of local governments, and applicants for federal permits are entitled to consultative roles in this process.

We thank you for the opportunity to comment. If we may be of further assistance, please contact Matthew Marques, Section 106 Compliance Manager, at (303) 866-4678 or matthew.marques@state.co.us.

Sincerely,

Holly Kathryn Norton, Ph.D.
Deputy State Historic Preservation Officer

We are now accepting electronic consultation through our secure file transfer system, MoveIT. Directions for digital submission and registration for MoveIT are available at <https://www.historycolorado.org/submitting-your-data-preservation-programs>.