



August 8, 2023

Fred Charles
Tetra Tech, Inc.
351 Coffman St. Suite. 200
Longmont, CO 80501

**RE: Wattenberg Lakes Mine (Permit No. M-2004-051)
Adequacy Review #1**

Dear Mr. Charles:

On May 11, 2023, the Division of Reclamation, Mining and Safety received your 112 Construction Materials Amendment Application package for the Wattenberg Lakes Mine, File No. M-2004-051. The application was deemed complete on June 15, 2023. 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 6.4 - Specific Exhibit Requirements - 112 Reclamation Operation

Rule 6.4.1 EXHIBIT A - Legal Description- Adequate as submitted.

Rule 6.4.2 EXHIBIT B – Index Map - Adequate as submitted.

Rule 6.4.3 EXHIBIT C – Pre-mining and Mining Plan Map-

1. The Weld County Assessor site shows a small parcel 146925000022 owned by Holcim-WCR Inc. that is 0.92 acres. This parcel is not shown on Map C-4 and is in the middle of the City of Westminster property. Please include this parcel on Map C-4.

6.4.4 EXHIBIT D – Mining Plan

2. What will be the average depth of Pond 1 when all mining activities are complete?
3. The operator has committed to submitting specific specifications and quality control procedures to the Division for review prior to construction of the slurry walls.
4. The proposed mining plan will affect areas that are also within permit boundary of the Baurer Pit (M-2020-058). What steps will be taken to change the Baurer Pit permit?



6.4.5 EXHIBIT E – Reclamation Plan –

5. The reclamation plan calls to build up the south edge of Pond 1 to create a 40-foot buffer from top of pond slope to county road. Is the 40 feet from the edge of the county road or to the center of the road?
6. The upland seed mix show that sideoats grama and Blue grama have the same scientific name. Please clarify which species is being applied.

6.4.6 EXHIBIT F - Reclamation Plan Map –

7. Map F-1 shows that the slurry wall may be constructed in WCR 23 $\frac{3}{4}$ on the east side. Will a 40-foot buffer be maintained on the east side of Pond 1 and the county road also?

6.4.7 EXHIBIT G - Water Information- Adequate as submitted.

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

8. The operator proposes that the slurry wall installation will cost \$3,00,000. How was this value determined and can the operator supply a detailed cost breakdown to verify this value?

6.4.13 EXHIBIT M - List of Other Permits and Licenses Required - Adequate as submitted

9. The?

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 a Two-Mile Radius: Adequate as submitted.

6.4.17 EXHIBIT Q - Proof of Mailing of Notices to Board of County Commissioners and Conservation District- 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

The Division received additional comments from the Division of Water Resources, Colorado Parks and Wildlife, City of Aurora and Carl Eiberger. Please address any additional comments raised in these letters.

To organize this permit file, all the documents associated with this amendment will be compiled and uploaded as a single document to Laserfiche when the permit is issued. The documents will be organized by exhibit for ease of being able to research the permit. Please respond to the above comments in the format you sent the application in. The preferred method is to incorporate your response into the text of the appropriate exhibit. The updated permit pages can then be returned to DRMS for review.

The decision date for this application is September 13, 2023. 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. Also, the comment period for this application is still open and any comments or objections received may initiate new adequacy questions. Please submit the proof of newspaper publication that is required by Rule 1.6.5(2).

All corrected pages must be provided to the Weld 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

Enclosures: Division of Water Resources, 6/28/2023
Colorado Parks and Wildlife, 6/20/2023
Aurora Water comments, 8/1/2023, in a separate email due to size
Eiberger comments, 8/1/2023, in separate email due to size