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August 21, 2024

To: Patrick Lennberg
Environmental Protection Specialist
Colorado Division of Reclamation Mining and Safety
Office of Mined Land Reclamation (OMLR)
1313 Sherman Street, Room 215
Denver, Colorado 80203

From: Garrett Varra
Raptor Materials LLC
8120 Gage Street
Frederick, Colorado 80516

Subject: Parcel 124 – Two Rivers Sand, Gravel, and Reservoir Project, File No. M-2022-013;
Technical Revision (TR-01), Materials Processing Area and Wash Pond Relocation and Conveyor
Removal; Preliminary Adequacy Review RESPONSE

Dear Mr. Lennberg,

The Division of Reclamation, Mining and Safety (Division/DRMS), Office of Mined Land Reclamation (OMLR); reviewed the contents of the Technical Revision (TR-01) for the Materials Processing Area and Wash Pond Relocation and Conveyor Removal for the P124 – Resource Development Project (RDP), File No. M-2022-013. Raptor Materials received a Preliminary Adequacy Review (PAR) dated July 18, 2024.

Raptor's first adequacy responses below follow the comments from the adequacy review and are highlighted in blue font for clarity.

DRMS Comment no.1

All of the maps submitted for this TR need to clearly show the relevant riverbanks. This includes the north bank of the South Platte River and the south bank of the Big Thompson River. This is important to illustrate the distance between the banks and the pit boundaries and to be consistent with the currently approved maps for this permit.

The north bank of the South Platte River and the south bank of the Big Thompson River have been added to map exhibits C-2, F, G, I-J, and L, which have been re-submitted as attachments to this PAR response letter.

DRMS Comment no.2

The applicant needs to confirm that the letter to the City of Evans (Floodplain Development Permit Application in the TR-1 submittal) is only related to a “no-rise” certification and that this letter and associated hydraulic analysis is not intended to provide a demonstration related to the Division’s requirements for floodplain protection. These requirements were presented to Raptor Materials during the adequacy process for this permit, and a 400-foot setback is discussed in Exhibit D.

The Floodplain Development Permit Application cover letter, addressed to the City of Evans and dated January 19, 2024, is related only to a “no rise” condition. The intent to acquire a “no rise” permit is outlined in the concluding section of the letter, “Engineering No-Rise Certification”, and is selected in the Proposal Review Checklist section of the City of Evans Floodplain Development Permit Application form.

DRMS Comment no.3

In Attachment A, of the Floodplain Development Permit Application, at the end of the second page there is a section for the Flood Plain Administrator’s Signature. This section has been left blank and instead there is a text box, on the title page of the application, indicating the date of approval and who approved it. Please provide the completed Attachment A or a signed letter, on letterhead, from the Flood Plain Administrator indicating official approval of the application.

The second page of the Floodplain Development Permit Application has been updated with the Floodplain Administrator’s signature and is re-submitted as part of this response.

DRMS Comment no.4

Please update map C-2 to give the individual lengths of the magenta cut slopes within the yellow hatched polygon. Additionally, please provide the individual lengths of the blue keyway (west, north and south sides of polygon) and red cut slope along the southern portion of the polygon. The Division requires these lengths to up the cost estimate based on the proposed changes.

Map exhibit C-2 has been updated to include the requested lengths and is attached to this submittal.

Please find attached the following documents as our response:

- Updated Map Exhibit C-2 – Extraction Plan Map
- Updated Map Exhibit F – Reclamation Plan
- Updated Map Exhibit G – Water Resources Map
- Updated Map Exhibit I-J – Soil and Vegetation Map

- Updated Map Exhibit L – Financial Warranty Map

The current decision date is September 19, 2024.

Regards

A handwritten signature in blue ink, appearing to read "Garrett Varra", is positioned above the printed name.

Garrett Varra