




**COLORADO DIVISION OF RECLAMATION, MINING AND SAFETY**  
**MINERALS PROGRAM INSPECTION REPORT**  
**PHONE: (303) 866-3567**

The Division of Reclamation, Mining and Safety has conducted an inspection of the mining operation noted below. This report documents observations concerning compliance with the terms of the permit and applicable rules and regulations of the Mined Land Reclamation Board.

<b>MINE NAME:</b> 83rd Joint Venture	<b>MINE/PROSPECTING ID#:</b> M-1992-069	<b>MINERAL:</b> Sand and gravel	<b>COUNTY:</b> Weld
<b>INSPECTION TYPE:</b> Monitoring	<b>INSPECTOR(S):</b> Peter S. Hays	<b>INSP. DATE:</b> March 17, 2016	<b>INSP. TIME:</b> 13:00
<b>OPERATOR:</b> Aggregate Industries - WCR, Inc.	<b>OPERATOR REPRESENTATIVE:</b> Connie Davis	<b>TYPE OF OPERATION:</b> 112c - Construction Regular Operation	

<b>REASON FOR INSPECTION:</b> Normal I&E Program	<b>BOND CALCULATION TYPE:</b> None	<b>BOND AMOUNT:</b> \$71,404.00
<b>DATE OF COMPLAINT:</b> NA	<b>POST INSP. CONTACTS:</b> None	<b>JOINT INSP. AGENCY:</b> None
<b>WEATHER:</b> Clear	<b>INSPECTOR SIGNATURE:</b> 	<b>SIGNATURE DATE:</b> March 26, 2016

**GENERAL INSPECTION TOPICS**

This list identifies the environmental and permit parameters inspected and gives a categorical evaluation of each. No problems or possible violations were noted during the inspection. The mine operation was found to be in full compliance with Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials and/or for Hard Rock, Metal and Designated Mining Operations. Any person engaged in any mining operation shall notify the office of any failure or imminent failure, as soon as reasonably practicable after such person has knowledge of such condition or of any impoundment, embankment, or slope that poses a reasonable potential for danger to any persons or property or to the environment; or any environmental protection facility designed to contain or control chemicals or waste which are acid or toxic-forming, as identified in the permit.

(AR) RECORDS----- <u>N</u>	(FN) FINANCIAL WARRANTY----- <u>N</u>	(RD) ROADS----- <u>N</u>
(HB) HYDROLOGIC BALANCE----- <u>N</u>	(BG) BACKFILL & GRADING----- <u>N</u>	(EX) EXPLOSIVES----- <u>N</u>
(PW) PROCESSING WASTE/TAILING---- <u>N</u>	(SF) PROCESSING FACILITIES----- <u>N</u>	(TS) TOPSOIL----- <u>N</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>N</u>	(FW) FISH & WILDLIFE----- <u>N</u>	(RV) REVEGETATION---- <u>N</u>
(SM) SIGNS AND MARKERS----- <u>N</u>	(SW) STORM WATER MGT PLAN---- <u>N</u>	(CI) COMPLETE INSP---- <u>N</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>N</u>	(SC) EROSION/SEDIMENTATION--- <u>N</u>	(RS) RECL PLAN/COMP-- <u>N</u>
(AT) ACID OR TOXIC MATERIALS----- <u>N</u>	(OD) OFF-SITE DAMAGE----- <u>N</u>	(ST) STIPULATIONS----- <u>N</u>

Y = Inspected and found in compliance / N = Not inspected / NA = Not applicable to this operation / PB = Problem cited / PV = Possible violation cited

## **OBSERVATIONS**

The 83rd Joint Venture site was inspected by Peter Hays with the Division of Reclamation, Mining and Safety (Division/DRMS) as a follow-up to the inspection on February 12, 2016 due to limited site access. Mrs. Connie Davis with Aggregate Industries (AI) was present during the inspection.

### **Boyd-Freeman Ditch**

The repairs to the piped section of the Boyd-Freeman Ditch damaged during the May 2014 flood event were underway. The damaged area is located in the northwest corner of the site. The breach is shown on the attached Google Earth image from 2014. Equipment and materials to repair the ditch were observed. AI will repair the section of slope east of the ditch repair with rip-rap. Boyd-Freeman will provide AI plans for the repair. The plans had not been received by AI at the time of the inspection. The Operator did not know if the alluvial fan created by the flood would be graded as part of the slope work.

### **Water Rights**

The DRMS inspection report from February stated, "The Operator stated AI sued the City of Greeley in March 2015 regarding the Boyd-Freeman ditch rights associated with the site." The statement was incorrect. AI notified the City of Greeley of their intent to sue. AI did not file the law suit. The two parties have been meeting to discuss the matter and agree on a resolution.

The Operator stated in the 2016 Annual Report all wetland mitigation requirements and conditions for the Corps of Engineers 404 Permit No. 199280589 were deemed complete on July 16, 2012. The Division does not have a copy of the approved 404 permit. A copy of the approved permit will be required prior to consideration of all future release requests for the site.

The site is included in the Operators Combined Substitute Water Supply Plan. The Office of the State Engineer granted a variance for the long-term groundwater augmentation requirement at the site until the water rights issue is resolved.

### **Vegetation**

The Operator stated the site was scheduled to be mowed and sprayed to control weeds this year. The vegetation along the west and east boundaries and in the southwest corner of the site was establishing well. The majority of the vegetation in the middle of the site has been destroyed by prairie dogs. The Division recommends the site is monitored for noxious weeds, including tamarisk, in the spring.

The Google Earth image from 2014 and photographs taken during the inspection are attached.

### **Inspection Contact Address**

Mrs. Connie Davis  
Aggregate Industries - WCR, Inc.  
1687 Cole Blvd., Ste. 300  
Golden, CO 80401

Enclosure – 2014 Google Earth map

Cc: Wally Erickson, DRMS

**PHOTOGRAPHS**



Looking west at flood damage west of mine site



Looking north at Boyd-Freeman ditch repair





Looking north at Boyd-Freeman ditch repair



Looking northeast at fan created by 2014 flood event





Looking south at Boyd-Freeman ditch repair



Looking east from southwest corner of site



Looking east from middle of the site between the 2 lakes



Looking south from northeast corner of site



# 83rd Joint Venture

Aggregate Industries

M1992069

March 17, 2016 Inspection Map

Lafarge Greeley 35th Ave Pit

Agg Ind 83rd Joint Venture

F St

Google earth

1000 ft

