




**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> Marcovich Mining Resource	<b>MINE/PROSPECTING ID#:</b> M-2024-034	<b>MINERAL:</b> Sand and gravel	<b>COUNTY:</b> Weld
<b>INSPECTION TYPE:</b> Preoperation Inspection	<b>WEATHER:</b> Clear	<b>INSP. DATE:</b> August 28, 2024	<b>INSP. TIME:</b> 09:00
<b>OPERATOR:</b> Asphalt Specialties Co., Inc.	<b>OPERATOR REPRESENTATIVE:</b> Greg Geras and Ben Langenfeld	<b>TYPE OF OPERATION:</b> 112c - Construction Regular Operation	
<b>REASON FOR INSPECTION:</b> Preoperation Inspection	<b>BOND CALCULATION TYPE:</b>	<b>BOND AMOUNT:</b>	
<b>DATE OF COMPLAINT:</b> NA	<b>POST INSP. CONTACTS:</b> None	<b>JOINT INSP. AGENCY:</b> None	
<b>INSPECTOR(S):</b> Nikie Gagnon	<b>INSPECTOR'S SIGNATURE:</b> 	<b>SIGNATURE DATE:</b> September 18, 2024	

**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>	(SP) STORM WATER MGT PLAN---- <u>N</u>	(RS) RECL PLAN/COMP-- <u>N</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>N</u>	(SC) EROSION/SEDIMENTATION--- <u>N</u>	(ST) STIPULATIONS----- <u>N</u>
(AT) ACID OR TOXIC MATERIALS----- <u>N</u>	(OD) OFF-SITE DAMAGE----- <u>N</u>	

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

## **OBSERVATIONS**

This was a pre-operational inspection conducted by Nikie Gagnon with the Colorado Division of Reclamation, Mining and Safety (Division). Greg Geras representing Asphalt Specialties Co, Inc. and Ben Langenfeld representing Lewicki and Associates accompanied the Division during the inspection. The site entrance is located west of U.S. Highway 85, southwest of the city limits of Fort Lupton in Weld County. As required by Rule 1.6.2(1)(b), the applicant posted a notice sign north of the entrance which is visible from Highway 85.

Asphalt Specialties submitted a 112 Construction Materials Reclamation Permit application on June 28, 2024. The application was deemed complete for filing purposes on July 15, 2024. The required public notice ran in the Greeley Tribune on July 24, July 31, August 7 and August 14, 2024. The public comment period closed September 3, 2024. The Division received comments from the Colorado Division of Water Resources, Weld County, and the Colorado Parks and Wildlife. No other public comments were received by the end of the comment period. The decision on the application is scheduled for October 13, 2024.

Asphalt Specialties proposes a 57.28 sand and gravel operation to feed raw materials to the processing and sales point at the adjacent Chavers Mining Resources site. No crushing, screening or washing will occur at the Marcovich site. All material will be hauled to Chavers via a 40-foot wide haul road to be constructed in the southeast corner of the permit area, running between the two mining sites. Reclamation of the site will convert the mined pit to a water storage pond surrounded by rangeland. A slurry wall will be installed around the mining area to prevent groundwater from infiltrating into the pit.

The topography of the proposed site is a relatively flat pasture adjacent to the South Platte River. Cottonwood trees dot the landscape along the west and south sides of the permit area. The site is sparsely vegetated with pasture grasses. The Division observed weedy vegetation, bare ground, and dirt pushed into piles throughout the site. Recently cut cottonwood limbs were observed indicating some vegetation clearing is occurring on site. Prairie dog colonies were observed on the north end of the permit area.

The proposed permit area is within the 100-year floodplain and floodway of the river. Mining will extend to within 200 feet of the river. No stockpiling or filling above the natural grade will occur in the floodway. The Division observed the active floodplain adjacent to the South Platte River and the cottonwood canopy area within the 25-year return interval of the floodplain that runs along the entire western edge of the permit area. The applicant stated that no mining disturbance will occur in these areas. The applicant proposes to install an inlet/outlet structure in the southwest corner for flood control.

A concrete irrigation ditch was observed in the center of the site running east to west terminating in a one-acre pond on the west end in the northwest corner of the permit area. During this inspection, Mr. Langenfeld indicated the shallow groundwater pond is connected to the South Platte River. An irrigation ditch flowing from the east will be rerouted to the southern boundary of the permit area. During the inspection, the applicant pointed out two groundwater monitoring wells, one in the northwest corner, and one on the eastern side of the permit area.

A modular home, sheds, trailers, and scattered equipment were observed in the southeast corner of the permit area, near the entrance off Highway 85. The applicant stated they will leave the home and remove the other structures and equipment for the landowner.

The Division will review the reclamation bond estimate submitted in the application and send a letter under separate cover.

Based on the observations made during the inspection, the site conditions presented in the application were found to be accurate. All adequacy issues will be addressed during the Division's review process. This concluded the inspection. A subset of the photos taken during the inspection are included below.

## **PHOTOGRAPHS**



Photo 1: Looking south from the access road in the center of the site.



Photo 2: Looking north end from the access road in the center of the site. Prairie dog colonies observed here.



Photo 3: Looking east at the concrete lined irrigation ditch in the center of the permit area.



Photo 4: Looking west at the irrigation ditch where it discharges to a pond in the northwest corner of the site.



Photo 5: Looking at the groundwater pond in the northwest corner of the permit area.



Photo 6: Groundwater monitoring well in the northwest corner of the permit area.



Photo 7: Looking dirt and debris piles on the northern side of the permit area.



Photo 8: Looking south at the cottonwood canopy that runs along the entire western side of the permit area.



Photo 9: Looking west within in the cottonwood canopy.



Photo 10: Looking towards the southwest corner of the permit area.



Photo 11: Looking northeast from the southwest corner of the proposed mining area.



Photo 12: Looking east down the southern permit boundary where the ditch coming from the east will be rerouted.



Photo 13: View of modular home, sheds and equipment near the entrance to the site.



Photo 14: Looking south towards the area where the future haul road will be constructed.

**Inspection Contact Address**

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