

STATE OF
COLORADO

Gagnon - DNR, Nikie <nikie.gagnon@state.co.us>

Ft Lupton M1999120 AM3 Public Comment Letter

1 message

Gagnon - DNR, Nikie <nikie.gagnon@state.co.us>

Tue, Jan 7, 2025 at 10:44 AM

To: Lynn Mayer Shults <lmshults@lgeverist.com>

Hi Lynn.

Please see the attached comment letter received by the Division today on the Ft Lupton Sand and Gravel Amendment (AM3).

Once the comment period ends, I will send out an adequacy letter for the amendment and include this comment for you to address.

Best regards,

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Nikie Gagnon

Environmental Protection Specialist

**COLORADO**
Division of Reclamation,
Mining and Safety
Department of Natural Resources

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nikie.gagnon@state.co.us | <https://www.drms.colorado.gov>**2025-01-07_REVISION - M1999120_Michael Bachofer.pdf**

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Colorado Division of Reclamation,
Mining and Safety

January 1, 2025

Colorado Division of Reclamation, Mining, & Safety
1313 Sherman Street, Suite 215
Denver, CO 80203

Re: L. G. Everist Application Amendment public comments
Reference: DRMS Permit # M-1999-120

Attn: DRMS:

Please find below some comments for consideration regarding L.G. Everist's Fort Lupton Sand & Gravel Mine Application Amendment Filing, permit # M-1999-120.

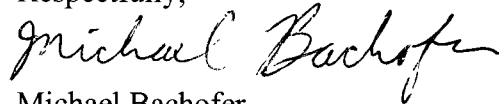
1. This may seem trivial, but the letter from LG Everist notifying me of the amendment application filing contains an error. It states, "The existing permit properties are located west of the South Platte River, east of County Road 23.5, and **bounded by CR 18 on the north**, and CR 14.5 on the south." However, the map clearly shows part of the existing permitted property already lies north of CR 18. The north entrance is marked with an E and is on CR 18. There is a portion that lies north of CR 18 across from that entrance. It looks to be part of a 314.35 acre property.
2. How many amendments to the original permit are allowed? This is not the first amendment/expansion. I am concerned the original permit requirements may be lacking based on the ever-increasing size of the mine as well as the effects from the other mines and lined water storage reservoirs in near proximity. I am not sure if this application is looked at without considering the other mining activities in the area or if it includes all related activities in the area but believe it should be the latter.
3. Based on previous experience, I am concerned the groundwater modeling may not be accurate. Is there a review of the monitoring wells and groundwater modeling to see if the model is predicting actual results to determine if that model is still appropriate for the expansion or if it needs revisited with the additional data available? This becomes even more important and there is even more data available from the additional gravel mines in the area to help refine any existing models.
 - a. What baseline data will be taken on groundwater prior to the commencement of mining? This data is important for following-up on the accuracy of any modeling that is used in the permitting process.
 - b. From a previous well permit application hearing in 2018, I understood L.G. Everist mitigated a neighbor's water well drying up by installing a well with a 36" diameter casing. I am concerned the groundwater impacts

are not adequately understood. Normal household use water well casings in the area are much smaller. With a 36" casing, it almost seems they rectified the problem by installing an underground cistern. This drying up of the well was not an anticipated impact of mining activities, but it happened.

- i. From that same hearing L.G. Everist's water expert used a report by Wright Water Engineering. That report said the ditch crossing CR 18 near the north entrance of the mine was silted in and sealed from leaking water on the south side of the road, but like a leaky bathtub full of holes on the north side of the road. I don't believe CR 18 is a magical dividing line for something like this. I believe it is further evidence that even the experts do not understand groundwater flow impacts of mining activities and slurry walls acting as underground dams with mounding and shadow effects.
4. I believe the floodplain has been altered as a direct result of L. G. Everist mining activities in the area. Post-mining elevations are higher than pre-mining elevations along the west side of the South Platte River in places. I believe this has had a causal relationship to increased flooding on at least one property I am aware of. Will detailed pre-mining elevations be recorded on the amended areas? Is there now a review of elevations to ensure this does not happen?

I know a lot of these comments are written as questions. This is intentional to spur thought and hopefully encourage a thorough review and discussion of the amendment to the permit, so all stakeholders are considered. I am also available for further discussion or clarification if needed.

Respectfully,



Michael Bachofer

Cc: Lynn Shults, L.G. Everist, Inc. 7321 East 88th Ave. #200 Henderson, CO 80640