




**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> Ft. Lupton Sand and Gravel Mine	<b>MINE/PROSPECTING ID#:</b> M-1999-120	<b>MINERAL:</b> Borrow Material for Construction	<b>COUNTY:</b> Weld
<b>INSPECTION TYPE:</b> Preoperation Inspection AM3	<b>WEATHER:</b> Clear	<b>INSP. DATE:</b> January 28, 2025	<b>INSP. TIME:</b> 10:00
<b>OPERATOR:</b> L. G. Everist, Incorporated	<b>OPERATOR REPRESENTATIVE:</b> Lynn Shults and Steve O'Brian	<b>TYPE OF OPERATION:</b> 112c - Construction Regular Operation	
<b>REASON FOR INSPECTION:</b> Preoperation Inspection AM3	<b>BOND CALCULATION TYPE:</b> Complete Bond	<b>BOND AMOUNT:</b> \$2,002,400.00	
<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> April 11, 2025	

**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>Y</u>	(FW) FISH & WILDLIFE----- <u>N</u>	(RV) REVEGETATION---- <u>N</u>
(SM) SIGNS AND MARKERS----- <u>Y</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 inspection was conducted by Nikie Gagnon of the Division of Reclamation, Mining and Safety (Division). Lynn Mayer Shults, representing L.G. Everist (LGE), and Steve O'Brian from Environment Inc., accompanied the Division during the inspection. On November 22, 2025, L.G. Everist submitted an amendment application for the Ft. Lupton Sand and Gravel Mine. The amendment application (AM3) was deemed complete on December 11, 2024. The original decision date was March 11, 2025. The Operator requested that the decision date be extended to May 9, 2025, to allow time to address the Division's adequacy questions.

The required public notice ran in the Fort Lupton Press for four weeks, December 19 and December 24, 2024, January 2 and January 9, 2025. The public comment period closed on January 29, 2025. The Division received comments from the Colorado Division of Water Resources, the Platte Valley Irrigation Company (PVIC), and one adjacent landowner.

The Ft. Lupton Sand and Gravel Mine is located 2 miles northwest of Ft. Lupton in Weld County on CR 18. The mine is a 112c construction operation permitted for 615.54 acres. AM3 proposes to add 202.26 acres north of the existing permit area in two separate mining areas, the Northeast and the Northwest areas. The amendment areas will be accessed from County Road 18 (CR18) and County Road 25 (CR25). The post mining land use for the entire mine site is developed water resources. Nineteen of the twenty mined areas will be slurry walled or clay lined and developed into a series of water storage reservoirs ranging from 10 acres to 70 acres. The amendment proposes four new mining phases on the northern parcels.

### **Financial Warranty:**

The Division currently holds a bond for \$2,002,400.00. The financial liability will be reviewed as part of the Amendment 3 process.

### **Signs and Markers:**

At the time of inspection, the site identification sign was noted at the mine entrance, and the permit boundary is defined by existing fencing. Notice signs for AM3 were observed facing Weld County Roads 18 and 25 on the south and west sides of the amendment area, consistent with Rule 1.6.2(b).

### **Northeast Amendment Area**

During the inspection, the Division observed a large agriculture field in the northeast area. Dormant grasses and annual weeds are the primary vegetation across the field. The Lupton Bottoms ditch splits the property diagonally from the northwest to southeast. Dormant wetland vegetation was observed along the ditches. The South Platte River flows east of the site and is within 400 feet of the boundary of Phases 1 and 3. Riparian vegetation, cottonwood trees, willows and shrubs were observed along the river. Barbed wire fencing is installed around the boundary. An unlined pond was observed on the adjacent property next to the river, outside the northeast corner of the proposed permit area. A gas line marker was also observed in this area. Utilities were observed along the roads and between the amendment area and the Blue-Ribbon mining phase in the existing permit area.

Mining will occur in three phases leaving three storage reservoirs. Access roads will be left around the reservoirs for future operation. The Division observed groundwater monitoring wells installed around the perimeter of this area.

### Northwest Amendment Area

Corn planted during the previous season was observed on the south end of the northwest area. Little Dry Creek flows through the eastern bottom of this area. Wetland vegetation was observed associated with the creek. An abandoned home and outbuildings were observed in this area. A cornfield from the previous season was observed on the southeast side of the area. The Lupton Ditch flows along a ridge above the western side of the proposed mining area. A PVIC water return pipeline is installed along the southern boundary. This pipeline drains a reservoir west of the site. Utilities were also observed along CR18 on the south side of the site. Mining of this area will leave a single 52 ac. storage reservoir on the west side of the creek.

The C-1 baseline map submitted with the application accurately depicts the structures observed during this inspection. The Division observed:

- Groundwater Monitoring wells on the perimeter of both areas
- Residences and associated outbuildings were observed on the west side of CR 25 across from the Northeast Area.
- Utilities: powerlines and gas markers
- Irrigation ditches and associated structures

Note: The adjacent NCCI mine site recently installed a French drain to move groundwater around a slurry wall to the Little Dry Creek northeast of the site. This drain will need to be added to the structures map.

Based on the observations made during the inspection, the site conditions presented in the amendment application were found to be accurate. All adequacy issues will be addressed during the Division's review process.

This concludes the inspection report. A subset of the photos taken during the inspection are included below. Please contact Nikie Gagnon via phone at 720-527-1640 or email at [nikie.gagnon@state.co.us](mailto:nikie.gagnon@state.co.us) if you have any questions regarding this report.



## **PHOTOGRAPHS**



Photo 1: Looking across the Northeast #2 area from the southwest corner of the amendment area.



Photo 2: Lupton Bottom ditch on the south end of the proposed Northeast area. The Blue-Ribbon mining phase in the existing permit area is on the left side of the ditch. United Power lines observed between the parcels.





Photo 3: Looking southeast down the Lupton Bottoms Ditch between the proposed Northeast #2 and Northeast #3 mining areas.



Photo 4: Looking northwest at the Lupton Bottoms Ditch between the proposed Northeast #1 and Northeast #2 mining areas. The Meadows Island ditch also runs through here.





Photo 5: Looking at the Northeast #3 area from the southwest corner.



Photo 6: Looking north along the permit boundary on the east side of the Northeast #3 area. Riparian area on the left associated with the South Platte River.





Photo 7: Looking south down the permit boundary on the east side of the Northeast #1 area. Red arrow points to a groundwater monitoring well MW-01n. Blue arrow points to an unlined pond on the adjacent property, outside the Amendment 3 area. A gas line marker was also observed in this area.



Photo 8: Looking west down the permit boundary on the north end of the Northeast area. Barbed wire fencing marks the boundary. A dirt horse racing track was observed to the north on the adjacent property.





Photo 9: Looking across the proposed Amendment 3 area from the northeast corner.



Photo 10: Looking down the eastern boundary of the Northeast #1 area. Mining will occur within 400 feet of the South Platte River in this area. The operator submitted a bank armoring plan for to address flooding concerns.





Photo 11: Looking southeast from the northwest corner of the Northeast area. Red arrow points to groundwater monitoring well MW-02n.



Photo 12: Looking northeast at the adjacent property on the north side of the Amendment 3 area. This property includes a home, barn, and dirt horse racing track.





Photo 13: Looking south down CR25. Two residences and associated outbuildings were observed on the west side of CR25, across from the northwest corner of the proposed Amendment 3 area. The Division also observed utilities along the county road.



Photo 14: One of four public notices observed posted around the Amendment 3 area. This sign is posted on CR25 at an entrance on the northern end of the proposed Northeast area.





Photo 15: Public notice sign posted at the entrance to the proposed Northwest area.



Photo 16: Looking north from the entrance to the Northwest area. An abandoned home and outbuildings were observed. A cornfield was observed on the left side of driveway.





Photo 17: Looking northeast across the agriculture field in the Northwest area.



Photo 18: Wetland vegetation associated with Little Dry Creek observed along the northeastern side of the Northwest area.





Photo 19: Looking north across the Northwest area from the center of the site. This area did not appear to be recently planted for agriculture. The red arrow points to the Lupton Ditch which flows along a ridge on the western side of the proposed mining area.



Photo 20: Looking at utilities along the southern boundary of the Northwest area. A PVIC water return pipeline is installed in this area to drain a reservoir west of the site. Utilities were also observed within 200 feet of the proposed mining area.

**Inspection Contact Address**

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