



STATE OF
COLORADO

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Guttersen Mining Resource M2025002- Pre-Op Inspection Report

1 message

Girardi - DNR, Chris <chris.girardi@state.co.us>

Wed, May 14, 2025 at 12:34 PM

To: Sydney Connor <Sydney@lewicki.biz>

Cc: Jared Ebert - DNR <jared.ebert@state.co.us>

Good afternoon,

Attached to this email is a pdf of the Guttersen Mining Resource Pre-operational Inspection Report for the inspection conducted on April 14, 2025 at the proposed Guttersen Mining Resource 112c permit application, project number M-2025-002.

A hard copy will not be mailed unless requested. Please feel free to contact me if you have any questions.

Thanks,

Chris Girardi

Environmental Protection Specialist Intern



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

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GuttersenMiningResource_M2025002_PreOpInspectionReport.pdf

1739K



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.

MINE NAME: Guttersen Mining Resource	MINE/PROSPECTING ID#: M-2025-002	MINERAL: Topsoil	COUNTY: Weld
INSPECTION TYPE: Pre-operation Inspection	WEATHER: Clear	INSP. DATE: April 14, 2025	INSP. TIME: 11:30am
OPERATOR: Fortress Development Solutions, LLC	OPERATOR REPRESENTATIVE: Kate Graves	TYPE OF OPERATION: 112c - Construction Regular Operation	
REASON FOR INSPECTION: Pre-operation Inspection	BOND CALCULATION TYPE: Complete Bond	BOND AMOUNT: TBD	
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None	
INSPECTOR(S): Chris Girardi	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: May 14, 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>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

On April 14, 2025, Chris Girardi with the Colorado Division of Reclamation, Mining, and Safety ("DRMS" or "Division") conducted a pre-operational inspection of the Gutteresen Mining Resource reclamation permit application. The applicant, Fortress Development Solutions, LLC (Operator) was present and represented by Kate Graves. Sydney Connor with Lewicki & Associates, was also present during the inspection. The weather was clear and sunny.

The 112(c) reclamation permit application was received by the Division on January 13, 2025, and deemed complete on February 12, 2025. The Division issued a Preliminary Adequacy Review of the application on April 14, 2025. The current Application Decision Due Date is June 12, 2025.

The site is located approximately 3 miles northeast of Eaton, CO. Primary access to the site is from a private road east of County Road 43 and an access road off County Road 76 to the south. A Mine Application Notice sign was not observed at the designated mine entrance. However, the Public Comment Period had previously closed prior to the inspection on April 11, 2025, so this is not an issue. No objections to the application were received.

The proposed permit area is 259.3 acres, with a total affected area of 206.2 acres. The proposed mining operation will occur for 2.7 years. The primary commodity to be extracted is topsoil to a depth of one (1) foot to be sold as reclamation material. No material processing will occur. Mining will be conducted in four (4) distinct phases/areas, with concurrent mining and reclamation. Topsoil will not be stockpiled for reclamation, as topsoil thickness at the site is approximately three (3) feet, leaving sufficient topsoil for revegetation. The reclamation seed mix is Winter Wheat at fifty (50) pounds per acre. Pre-existing drainage patterns will generally be maintained, as post-mine contouring will allow for any drainage to flow to the south. The proposed post-mining land use is general agriculture.

The site is flat and consists of agricultural fields. The western and southern permit boundaries are bound by a red, aluminum fence. A wheel loader was observed on-site. Several central pivots were observed in the fields. A stockpile of material was observed adjacent to the north of the Phase 1 area (see Photo 5), which had been imported from an offsite source according to the Operator. The Phase 1 area had annual crops from fall seeding (see Photo 1). Lone Tree Creek intersects the site down the middle (see Photo 2), and Owl Creek runs along the proposed permit boundary before running parallel between the Phase 1 and 2 areas (see Photo 3). Both surface water bodies are located within the proposed permit boundary but located outside of the proposed affected area boundaries. An oil and gas tank battery operated by Chevron Corporation was observed nestled between the Phase 1 and 3 areas.

Photographs taken during the inspection are attached. If you need additional information or have any questions, please contact me at the Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203, by telephone at (720) 793-3041, or by email at chris.girardi@state.co.us.

PHOTOGRAPHS



Photo 1: View of Phase 1 area, facing south.



Photo 2: View of Lone Tree Creek and the Phase 2 area on the other side of the creek, facing west.



Photo 3: View of Owl Creek along the northwestern side of the Phase 1 area before its confluence with Lone Tree Creek, facing south.



Photo 4: View of the Phase 4 area, facing south.



Photo 5: View a stockpile of imported material located adjacent to the north of the Phase 1 area, facing south.

Inspection Contact Address

Art Guttersen
Fortress Development Solutions, LLC
4407 W 29th St
Greeley, CO 80634

CC:
Jared Ebert, DRMS
Sydney Connor, Lewicki & Associates