



LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT

Planning • Building

MEMORANDUM

TO: Laramie County Planning Commission

FROM: Sonny M. Pourchot, Associate Planner

DATE: March 26th, 2026

TITLE: Review and Action on a Class C Conditional Use Permit for the Horse Creek Rock Quarry Expansion, located in a portion of land situated in the E ½ Section 31, S ½ Section 32, T18N, R70W, and E ¼ NE ¼ Section 5, E ½ Section 6, T18N, R69W, Laramie County, WY, and located at 3380 Horse Creek Rd, Cheyenne, WY.

EXECUTIVE SUMMARY

Brierley Associates, on behalf of applicant, L.G. Everist, Inc., who is in a lease agreement with Farthing Ranch Company, has submitted an application for a Class C Conditional Use Permit for the Horse Creek Rock Quarry Expansion. The purpose of the project is to expand the Limited Mining Operation on 15-acres of land to a Large Mining Operation on 600-acres of land which requires Board approval via a Class C Conditional Use Permit.

BACKGROUND

The subject property is located in the Land Use (LU) zone district and consists of 11,081.31-acres, with 600-acres being utilized for the mine expansion. The surrounding area is also zoned Land Use (LU) zone district. The property is currently accessed from Horse Creek Road. The Limited Mining Operation was approved and operating under a Temporary Certificate of Compliance on December 5th, 2024, and received full compliance on March 21st, 2025.

Pertinent Laramie County Land Use Regulations or Statutory Provisions include:

- Section 1-3-100 governing public notice.
- Section 2-3-102(d)(iii) governing the Class C Conditional Use permitting process.
- Section 2-4-104 governing the LU – Land Use Zone District.
- Section 3-1-109 governing commercial projects.
- Section 3-1-112(c) governing quarries.

DISCUSSION

The Laramie County Comprehensive Plan identifies the area as Ag and Range Land (AGR), which are outlying areas of Laramie County. These areas are far removed from the providers of public services and have relatively lower levels of road access. Some areas with existing development may be appropriate for expansion, identified as rural centers. Any new development in this area shall address water availability, public lands access, cultural resource preservation, and roads and connectivity. Ensuring minimal impacts to view sheds and wildlife are especially critical in the western portion of Laramie County.

This area is outside the PlanCheyenne future land use areas.

Agency comments pertained to following the Wyoming Game and Fish recommendations (see WER 15005.02 attached to this report). All other agency comments have been corrected or acknowledged.

Public notice was provided and no public comments were received.

A conditional use is given to land use meant to be beneficial to the permitted uses or those similar within a zoning district with conditions; or it requires conditions to mitigate impacts it may have on the surrounding area. Every listed land use or land use proposal similar in nature, intensity and community impact which requires a conditional use permit has probable impacts and is required to meet all conditions within the LCLUR. It was determined that a Class C Conditional Use Permit would be required along with a Site Plan. Class C Conditional uses are generally those which are presumed intense in nature and likely require conditions to mitigate impacts they may have on the surrounding area to uphold public health, safety and general welfare. Any conditions placed by the governing bodies shall be met.

Section 2-3-102 (a) of the Laramie County Land Use Regulations requires that the Laramie County Planning Commission find that the proposed use is permitted and is in conformance with all applicable development standards. Staff find this application is in conformance with the plans and policies of Laramie County.

RECOMMENDATION and FINDINGS

Based on evidence provided, staff finds that:

- a. This application meets the criteria for a Class C Conditional Use Permit pursuant to section 2-3-102(d)(iii) of the 2025 Laramie County Land Use Regulations.
- b. This application meets the criteria for commercial projects pursuant to section 3-1-109 of the 2025 Laramie County Land Use Regulations.
- c. This application is in conformance with section 2-4-104 of the 2025 Laramie County Land Use Regulations governing the LU – Land Use Zone District.

and that the Planning Commission may recommend approval of the Class C Conditional Use Permit for the Horse Creek Rock Quarry Expansion, located in a portion of land situated in the E ½ Section 31, S ½ Section 32, T18N, R70W, and E ¼ NE ¼ Section 5, E ½ Section 6, T18N, R69W, of the 6th P.M., Laramie County, WY, to the Laramie County Board of Commissioners with the following conditions:

- 1) Comply with and provide a copy of the approved Department of Environmental Quality permit.**

PROPOSED MOTION

I move to recommend approval of the Class C Conditional Use Permit for the Horse Creek Rock Quarry Expansion, located in a portion of land situated in the E ½ Section 31, S ½ Section 32, T18N, R70W, and E ¼ NE ¼ Section 5, E ½ Section 6, T18N, R69W, of the 6th P.M., Laramie County to the Laramie County Board of Commissioners, and adopt the findings of facts a, b, and c of the staff report with the following conditions:

- 1) Comply with and provide a copy of the approved Department of Environmental Quality permit.**

ATTACHMENTS-

- Attachment 1: Location Map
- Attachment 2: Pre-Application Notes
- Attachment 3: Project Narrative
- Attachment 4: Wyoming Game and Fish Correspondence
- Attachment 5: Real West Natural Resource Consulting Appendix D-9 report (for reference only)
- Attachment 6: Agency Review Comments with Applicant Responses
- Attachment 7: Traffic Assessment Worksheet
- Attachment 8: Drainage email with flow chart information
- Attachment 9: Applicant Site Photos
- Attachment 10: Class C Conditional Use Permit Resolution
- Attachment 11: Exhibit A – Conceptual Site Plan
- Attachment 12: Exhibit B – Expansion Location Map



Laramie County, WY
Laramie County Planning and Development Office

3966 Archer Pkwy
Cheyenne, WY 82009
(307) 633-4303
www.laramiecountywy.gov
planning@laramiecounty.com

PERMIT

PA-25-00119

PRE-APPLICATION MEETINGS

SITE ADDRESS: UNKNOWN LARAMIE COUNTY
PRIMARY PARCEL: 17690610000100
PROJECT NAME: FOLLOW-UP TO PA-25-00055, SITE PLAN
EXPANSION FOR LG EVERIST MINING OPERATIONS.

ISSUED: 12/03/2025

EXPIRES: 06/01/2026

APPLICANT: Bautz, Melissa
7321 E. 88th Ave., Suite 200
HENDERSON, CO 80640
(303) 941-9620

OWNER: FARTHING RANCH COMPANY
228 ROAD 237
CHEYENNE, WY 82009

Detail Name	Detail Value
Meeting Date	12/03/2025
MEETING AM OR PM	AM
Application Types	Conditional Use Class C
Attendees	Online (Teams Meeting)
Property Interest	Leasee
Detailed Project Narrative	Hello Sonny: We did a pre-application for the existing LMO in 2023. The proposed Large Mine Permit will be nearly 600 acres. It will include the existing 15-acre LMO disturbance as well as the following features: • Mining of two granite knobs, called "North Hill" (108 acres) and "South Hill" (171 acres) • Railroad loadout area (132 acres). • Crusher and Mine Facilities area (33 acres) Given the magnitude of the proposed Large Mine Permit, I think it would be helpful for us (and the client) to do another pre-application meeting.
Staff Attending	JA DP CC PB MR MB MN
Application Fees	Yes
Copy of Pre-App Notes	REQUIRED FOR APPLICATION SUBMITTAL
Project Narrative Letter	Yes
Warranty Deed and/or Lease Agreement	Yes



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Development Action	Conditional Use Class C
Drainage Plans	TBD
Drainage Study	Letter of Waiver
Traffic Study	Letter of Waiver
Public Safety Fees Acknowledgement Letter	No
Community Facility Fees Acknowledgement Letter	No
WY DEQ Chapter 23 Study/Submittal Letter	No
Development Agreement	No
Roadway Maintenance Plan	No
Road/Easement Use Agreement	No
Right-of-Way Construction Permit	TBD
Engineer Review - Paid by Applicant	Yes
Environmental Health Review/Approval	No
Environmental and Services Impact Report	No
GESC Permit	Yes, Standard
Floodplain Development Permit	No
Perimeter Fence Construction per W.S.S. 18-5-319	No
Public Notice, Paid by Applicant	Yes
Newspaper Legal Notice, Paid by Applicant	Yes
Adjacent Property Owner Letter, Paid by Applicant	Yes
Miscellaneous Notes	PW Has no issue with this since previous comments accommodate for emergency response vehicles. WYDOT has approval for access. Expansion of the existing of the LG Everist Horse Creek Quarry to approximately 600 acres. Expansion includes two granite knobs, railroad loadout area, and crusher. Access will not change. A buffer on north and west side will be a high wall to protect wetlands. South hill will also have buffer to protect creek. Life of mine is 15 to 30 years for north hill. May do mining of both mines concurrently.



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Miscellaneous Notes (2)

Material is going to ready mix, road base, and asphalt. Loadout facility will be later. Project can be phased so facility can be operational without all proposed improvements completed. DEQ application submitted in early May 2026 and can take up to 18 months. WYDOT said if access stays the same it's fine but if plan to widen would require permit. Needs traffic study that includes number of trucks and travel routes to determine requirements. railyard is anticipated to be at least 5 years away which will reduce truck traffic significantly. Current permit is 100 round trips a day which will still take care of truck traffic. No restrooms or offices will be part of the project. No building permits will be required. Standard grading permit will be required and needs a DEQ permit.

Miscellaneous Notes (3)

New 2025 regulations will require a Class C Conditional Use Permit that includes a concept plan that will be approved by the Planning Commission and the BOCC. After this permit is approved a Site Plan Permit can be submitted. Both permits can be done concurrently but site plan will be at risk if the CUP isn't approved. Fees are \$750 for CUP, mailing costs, legal ad, sign, engineer reviews fees, \$500 for Site Plan. If done concurrently costs for public notification can be shared. Be sure to show phases on site plan and existing operations. Letters go out to neighbors a distance of 500' buffer from parcel, not location of mining operations. But the operations will be shown on the documents sent to neighbors that it is located in the interior of the parcel. Shapefiles will be helpful but not required.

CONDITIONS

* Disclaimer: These are intended as guidance only. Fee calculations are determined at the time of application, and issues that arise during review periods are not always anticipated at pre-application stage. Public Records Act: This document and any documents provided by the applicant to Planning may constitute a public record under W.S.S. 16-4-201 et seq. Applicants are advised not to divulge any information at a Pre-Application Meeting with Planning that they do not yet desire to be public information.



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* A traffic study may be required for any site plan, subdivision permit, or access request for any development and shall be required for any project or development that will generate 100 or more trips during any hour or over 200 trips per day. Traffic studies shall be prepared by a qualified civil engineer licensed by the Wyoming State Board of Registration for Professional Engineers and Professional Land Surveyors to practice engineering in Wyoming. The applicant and the engineer shall meet with the County prior to preparation of the traffic study to discuss specific issues or concerns. The Director of Planning and Development may waive a traffic study based on estimated ADT, and peak hour trips, or existing road or site conditions, including adequate pedestrian access.

* Requests for waivers for drainage impact studies shall be made in writing to the Laramie County Public Works Department. The County shall review the request and approve the grant for a waiver or identify the level of study required for the proposed development action. Laramie County Public Works may waive the requirement for drainage study based on the following: a. Information is provided to substantiate there are no potential drainage problems at the site or downstream of the site (including impacts to downstream floodplains). b. The development or redevelopment will not result in an increase in the historic impervious area. c. The development or redevelopment of an area is immediately adjacent to a major drainageway that is capable of conveying the fully developed basin 100-year flood without impact to the base flood elevation. d. The development or redevelopment is unlikely to create drainage problems.

* A waiver or alternative to the required landscaping may be presented to the Planning and Development Director for review. The Director shall approve the proposed alternative landscape plan based on the following criteria: A. the proposed alternative meets or exceeds the intent of this regulation, and B. the proposed alternative is well-integrated with the surrounding landscaping and land uses, and C. the proposed alternative meets the goals of Laramie County Comprehensive Plan and; D. the purpose of the required site plan is to legalize an existing use and the impact or benefits of the landscape plan on the property would be minimal; or E. the landscaping as required would prohibit reasonable use of the property.

Horse Creek Rock Quarry - Proposed Mining Sequence and Plant Configuration

Expected Life of Mine: 2027 – 2089 (62 Years)

1. **Initial Development Phase – North Hill - April 2027 – April 2028**
 - Commence primary mining operations on the North Hill deposit following receipt of the approved Large Mine Permit (LMP) from Wyoming DEQ/Land Quality Division (WDEQ/LQD).
 - Establish a new starter pit located proximal to (south of) the existing processing plant site.
2. **North Hill Pit Integration and Expansion Phase – (2027 – 2029) 2 years**
 - Advance mining operations from the new starter pit in a direction toward the existing (active) pit. 2027 - 2029
 - Achieve eventual merger of the two pits into a single continuous open-pit excavation. 2029
3. **North Hill Pit Mining – (2029-2059) – 30 years**
 - Subsequent mining will proceed in a downward (depth-increasing) manner (generally westward) with controlled lateral expansion to remain within approved boundaries. 2029 - 2059
 - Expected Life of Mine (North Hill): ~30 years
4. **North Hill Depletion and Transition (2058 – 2059)**
 - Upon exhaustion of economically viable reserves in the North Hill deposit, cease primary operations in that area. Will continue occupy North Hill for stockpiling.
 - Begin reclamation of the North Hill quarry at this time.
 - Relocate primary mining fleet and focus on the South Hill deposit.
5. **South Hill Development (2053 – 2059)**
 - Initiate mining on the northern flank of the South Hill deposit estimated to start in 2053.
 - Mining in South Hill will overlap with mining in North Hill from 2053 - 2059.
 - Progress mining operations in a generally southerly direction along the strike of the deposit.
 - Expected Life of Mine (South Hill): **2059 – 2089 (30 Years)**
6. **Processing Plant Location and Potential Future Relocation**
 - The existing processing plant will remain at its current location throughout initial phases.
 - Plant infrastructure will be progressively expanded toward the limits of the permitted area as required to support increased throughput or operational efficiency.
 - Following completion and commissioning of the new rail spur and associated rail loop, relocation of the processing plant to the area within the rail loop footprint will be evaluated. The timing of installation of the rail spur is market dependent. L.G. Everist will update the project's site plan with Laramie County Planning and Zoning.
 - This relocation remains conditional / non-committed at this time and is subject to further economic, logistical, and permitting assessments.
7. **Final Reclamation – Estimated to be completed in the year 2090**
 - Contemporaneous reclamation of the north and south hill quarries will occur throughout the life-of-mine as possible.
 - Areas not reclaimed during the life-of-mine will be reclaimed in accordance with approved Reclamation Plan on file with the Wyoming DEQ/Land Quality Division.

This sequence prioritizes early access to North Hill reserves, optimizes haulage distances during the transition period, and preserves flexibility for potential long-term plant optimization once rail infrastructure is operational.

Attachments:

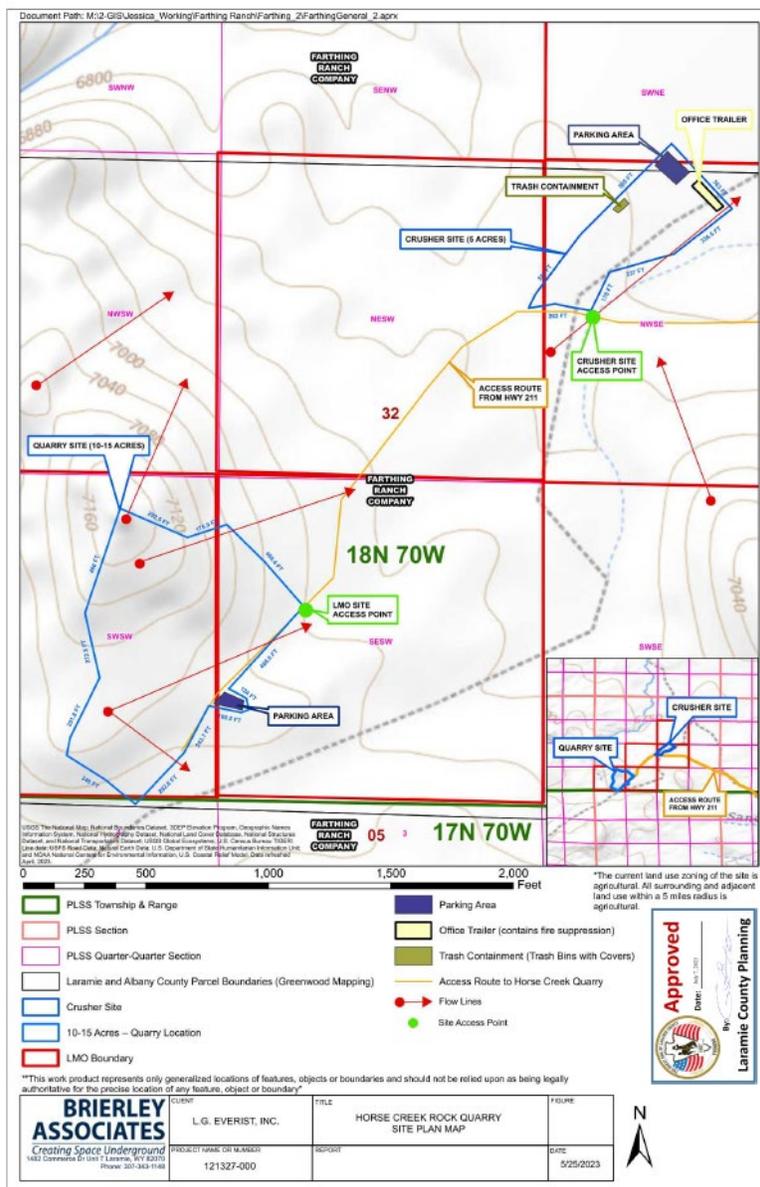
Maps 1 & 2 – General Location Maps of the HCRQ

Map 3 – Proposed Mining Sequence for the HCRQ

Horse Creek Rock Quarry – Supplemental Information for Type C Conditional Use Permit Application – January 30, 2026

At this time, L.G. Everist, Inc. has no supplemental information to provide. The project has an existing Site Plan approved for the current mining operation, which is a Limited Mining Operation (LMO)#1696 via Wyoming DEQ Land Quality Division. L.G. Everist is in the process of updating the Site Plan for the forthcoming Large Mine Permit application. However, that new Site Plan is not ready yet. Below is a screenshot of the current Site Plan (PZ-23-00076).

A traffic study was waived for the below-referenced Site Plan in 2023. We anticipate that a Traffic Study will not be required for this current application based up on our Pre-application meeting held on Dec 3, 2025. However, we understand that is not guaranteed.





Wyoming Game and Fish Department

Conserving Wildlife, Serving People

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John Masterson

Kenneth D. Roberts

February 12, 2026

WER 15005.02

L. G. Everist, Inc.

Horse Creek Rock Quarry

Conditional Use Permit C

Laramie County

Sonny Pourchot

Associate Planner

Laramie County Planning and Development

Sonny.Pourchot@laramiecountywy.gov

Dear Ms. Pourchot,

The staff of the Wyoming Game and Fish Department (Department) has reviewed the proposed Conditional Use Permit C for the L. G. Everist, Inc. Horse Creek Rock Quarry in Section 32 T18N R70W and Section 5-6 T17N R70W in Laramie County. The Department is statutorily charged with managing and protecting all Wyoming wildlife (W.S. 23-1-103). Pursuant to our mission, we offer the following comments for your consideration.

L. G. Everist currently operates a Limited Mine Operation (LMO) at this site. The proposed Regular Mine permit area would encompass an additional 658 acres on private lands, and the site would be accessed from Wyoming Highway 211/Horse Creek Road via an existing access road approximately 3 miles in length. The expansion area primarily consists of two hill formations, the North Hill and the South Hill, as well as a large loadout area located adjacent to the railroad line near Highway 211. Mining operations would begin at the North Hill and when the resources there are depleted in approximately 20-25 years, mining at the South Hill would commence. Depending on the resources on site, a conveyor belt from the existing LMO site to the loadout area may also be constructed.

The proposed mine expansion project is located in vital habitat for several types of wildlife, including those protected by State of Wyoming Executive Order policy. The North Hill mine site, nearly the entirety of the access road, and a portion of the loadout area are located within the 2-mile Timing Limitation Stipulation (TLS) buffer of an occupied, non-Core area Greater sage-grouse lek. The lek is located approximately 1.1 miles northeast of the existing LMO site and was active in 2025. The majority of the proposed mine, loadout area, and existing access road is also located within mule deer crucial winter range habitat. South Chugwater Creek and Ricker Creek, perennial streams supporting extensive riparian vegetation, run along the northern and western portions of the North Hill and South Hill sites. The project area and surrounding vicinity may contain suitable habitat for a number of Species of Greatest Conservation Need (SGCN) such as

Sonny Pourchot
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Greater sage-grouse, nesting raptors, other migratory bird species, Preble's meadow jumping mouse, swift fox, various bat species, reptiles and amphibians, and native fishes.

In 2025, the Department provided project recommendations to the permitting consultant Brierley Associates and to the wildlife and environmental consultant Real West Consulting. The recommendations in this letter reiterate the recommendations previously provided to those entities. To date, we have not received additional information from those entities.

We recommend the following measures be considered for conditions of the project's Laramie County permit.

Terrestrial Recommendations:

Comply with the [Wyoming Greater Sage-Grouse Core Area Protection Executive Order 2019-3](#) (SGEO) – Given that the proposed mine site and existing access road is primarily located within the 2-mile TLS buffer of an occupied, non-Core area Greater sage-grouse lek (NLSID 3354), the following stipulations must be followed in order to comply with required state policy via the SGEO:

- For all mine or loadout area sites located within the lek's 2-mile Timing Limitation Stipulation (TLS) buffer, remove all vegetation and topsoil outside of the March 15 – June 30 TLS period.
- For all mine or loadout area sites that are located outside of the lek's 2-mile Timing Limitation Stipulation (TLS) buffer, and are only accessible via the access road that passes through substantial portions of the lek's 2-mile TLS buffer, all traffic related to vegetation and topsoil removal must also occur outside the March 15 – June 30 TLS period.
- Once all vegetation and topsoil removal activities are complete, mining activities at sites within the 2-mile Timing Limitation Stipulation (TLS) buffer and/or accessed via the road located within the 2-mile TLS buffer may occur year-round.

Additionally, the Department recommends the following measures:

- Avoid removing any stands of sagebrush except for what is essential for the mine expansion. Sagebrush provides vital habitat for many sagebrush obligate species and is difficult to restore once removed.
- Facilitate the monitoring of the affected Greater sage-grouse lek. We recommend coordinating with the landowner to continue to allow access for Department personnel to conduct lek monitoring while the mine is in operation or until the lek is determined to be unoccupied.
 - If Department staff are unable to access the site for lek monitoring, we recommend the project's environmental consultant conduct annual lek monitoring.

Avoid disturbance to wintering mule deer – The project site is located within mule deer crucial winter range habitat, which is delineated as such because the use of that habitat is a determining factor in a population’s ability to maintain itself long-term. Big game crucial winter range is considered a vital habitat per the Wyoming Game and Fish Commission [Mitigation Policy](#) (2016) and the Department is directed to recommend no loss of habitat function for crucial winter range. Human activity and industrial/ground-disturbing activity can impact the foraging behavior, stress levels, and energy reserves in big game individuals, particularly during the winter when mortality risk is already high. This can cause increased energy demands, increased winter mortality, and decreased fawn productivity, potentially impacting the viability of local populations. Therefore, the Department recommends:

- Restricting all ground-disturbing activity and other project-related activity, and minimizing traffic and human presence, at the site between November 15 and April 30.
- If this is not feasible, we recommend:
 - Performing all initial topsoil removal at the mine site outside the November 15 – April 30 Timing Limitation Stipulation period.
 - Creating a travel management plan to reduce impacts to wintering big game and submitting it to the Department for review.
 - We recommend including measures for minimizing traffic loads, encouraging carpooling of personnel, avoiding traffic for one hour after dawn and one hour before dusk, and implementing 25 mph speed limits on project roads.

Protect nesting raptors and other migratory birds – The proposed project site and surrounding area contains nesting habitat for raptors. Federal law prohibits the take of raptors, including causing the destruction or abandonment of eggs and young. Raptors can require up to a 1-mile spatial buffer from construction activities during nesting. Additionally, sagebrush-obligate migratory birds and other bird species likely nest in the project area in shrubs, grass, and/or conifers. To avoid losses of birds or occupied nests, the Department recommends:

- Conducting raptor nest surveys in and within 1 mile of the project prior to new surface disturbing activities, if habitat clearing and construction activity is occurring during the breeding season (approximately February 1 – July 31)
- Implementing the U.S. Fish and Wildlife Service (Service) seasonal and spatial buffers for occupied raptor nests. The Service’s breeding season dates and recommendations are located at: <https://www.fws.gov/project/wyoming-ecological-services-field-office-raptor-guidance>.
- Conducting ground clearance surveys for active migratory bird nests, if ground-disturbing activities are planned between April 1 and July 31. If nests are located or other evidence of nesting is detected, we recommend a protective buffer (in consultation with the Department and the Service) be implemented until the young fledge or the nest is no longer occupied, in order to avoid avian take as a result of construction activities.

- Consulting with the Service to avoid take of migratory birds.

Minimize impacts to bat roosts and habitat – A number of SGCN bats may occur in and around the project area. Bats use both live and dead snag trees to roost in during the day, and some species also form maternity (pup bearing and rearing) roosts in trees. To minimize impacts to sensitive bat populations in the project area, the Department recommends:

- Avoiding the removal of any live or dead snag trees that are not essential for the quarry expansion.
- Covering or netting ponds that contain oily wastes or other wastes to exclude use by bats.

Prevent the spread of invasive annual grasses – Invasive annual grasses (IAGs) can cause significant harm to the ecosystem when introduced. Ground-disturbing activities can create an environment that facilitates establishment by unwanted plants. They significantly reduce the quality of wildlife habitat and their presence increases the probability of catastrophic wildfire. The potential economic impacts to the State of Wyoming are severe, and once these species become established, eradication is difficult and costly. Prevention of establishment remains the best way to keep Wyoming's habitats free of IAGs.

The most significant known threat to Wyoming is from cheatgrass, medusahead, and ventenata. To prevent the spread of IAGs, we recommend the following:

- Preventing introduction and establishment by cleaning vehicles and equipment prior to movement to a new location in order to minimize the potential for transporting seeds.
- Working with landowners and land managers to develop and implement a plan to assess, treat, and monitor for invasive plants at the project scale and in the adjacent landscape where they are present.
- Working with the [Laramie County Weed & Pest Control District](#) to implement and fund long-term plans for successful restoration of disturbed sites. Additional information on prevention and treatment options for IAGs can be found at <https://www.invasivegrasses.com>.

Aquatic Recommendations:

Protect riparian and wetland habitat – The perennial South Chugwater Creek runs along the northwestern portion of the project's North Hill site. Its tributary, Ricker Creek, is located along the western portion of both the South Hill and North Hill sites, and fresh emergent wetlands are found along the western portions of the North Hill and South Hill sites. These creeks and wetland habitat are surrounded by steep topography. The project boundary provided to the Department indicates that mining activities may be planned adjacent to the steep stream banks, raising concerns about potential runoff and sedimentation concerns. These creeks are known to contain brown and

brook trout as well as a number of native fish species. The riparian and wetland areas also serve as potential habitat for the federally-threatened Preble's meadow jumping mouse, nesting raptors and other migratory birds, and reptiles and amphibians, including a number of potential SGCN. As such, the Department recommends:

- Mapping all perennial and ephemeral riparian and wetland habitat in and in the immediate vicinity of the project area.
- Maintaining a 500-foot buffer around all perennial and ephemeral riparian and wetland habitat.

Protect watershed and fishery quality – In addition to maintaining appropriate buffers around riparian and wetland habitat as discussed above, the proponent should incorporate other Best Management Practices (BMPs) to protect watershed and fishery quality in this area. Sediment from construction activities, mining activities on surfaces cleared of vegetation, and stockpiles of materials, as well as pollutant runoff, can enter nearby waterways and negatively impact water quality and habitat for aquatic wildlife. The Department recommends:

- Incorporating sufficient overflow capacity into sedimentation ponds so that storm water concentrated flow during extreme precipitation events does not overflow onsite storage ponds.
- Incorporating BMPs to control erosion and prevent sediment from reaching watersheds, including but not limited to:
 - Preserving existing vegetation wherever possible.
 - Properly containing stockpiles of materials and locating them away from riparian areas, wetlands, or areas of potential storm water concentrated flow.
 - Incorporating revegetation, silt fences, siltation berms, rock chuck dams, and other erosion control measures to prevent sedimentation from cleared surfaces and materials piles.
 - Cleaning, fueling, and maintaining vehicles and equipment at designated areas away from aquatic resources or areas of potential storm water concentrated flow.

Prevent the spread of aquatic invasive species – Aquatic invasive species (AIS) are organisms that are not native to Wyoming and can cause significant harm to an ecosystem when introduced. Harmful impacts can occur to municipal water supplies, fishing and boating-related recreation, agriculture, aquaculture, and other commercial activities. The potential economic impacts to the State of Wyoming could be severe if these non-native species are introduced into our water systems. Once these organisms become established in a waterbody, there is very little that can be done to remove them. Prevention is the best way to keep a water body safe from AIS.

The most significant known threat to Wyoming is from zebra and quagga mussels based on their proximity and demonstrated impacts in neighboring states. Other AIS include New Zealand mudsnail, Asian carp, rusty crayfish, and several species of aquatic plants.

Sonny Pourchot
February 12, 2026
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The spread of AIS from one body of water to another is a violation of Wyoming state statute (WS § 23-1-102 & §§ 23-4-201 through 205) and Wyoming Game and Fish Commission Regulation. To prevent the spread of AIS, the following is required:

- Equipment that was in contact with a water positive for zebra/quagga mussels (currently none in Wyoming) within the last 30 days is required to undergo inspection by an authorized inspector prior to contacting a Wyoming water.
- From March through November, all water hauling equipment and watercraft entering the state by land must be inspected before contacting a water of the state.
- Equipment used in any Wyoming water that contains AIS, must be Cleaned, Drained and Dried before use in another water. Wyoming waters with AIS can be found at: <https://experience.arcgis.com/experience/fbcba43d51e945cf8ab6eb0fcfe70d00>.
- When equipment that has been in contact with any Wyoming water is moved from one 4th level watershed (8-digit Hydrological Unit Code) to another within Wyoming, it must be Cleaned, Drained and Dried. Specific guidance is available at: <https://wgfd.wyo.gov/watercraft-inspection-information>.

Thank you for the opportunity to comment. If you have any questions or concerns, please contact Lauren Throop, Habitat Protection Biologist, at (307) 721-1396.

Sincerely,



Will Schultz
Habitat Protection Supervisor

WS/lt

cc: U.S. Fish and Wildlife Service
Chris Wichmann, Wyoming Department of Agriculture
Melissa Bautz, Brierley Associates
Amber Travsky, Real West Consulting

Sonny Pourchot

From: lauren.throop@wyo.gov on behalf of WGFD HPP <wgfd.hpp@wyo.gov>
Sent: Friday, February 13, 2026 10:23 AM
To: Melissa Bautz
Cc: Sonny Pourchot; WyomingES, FW6; Chris Wichmann; Amber Travsky; Marina McCampbell; Lee Knox; Bobby Compton; Steve Gale; Ryan Amundson
Subject: Re: WER 15005.02 - Horse Creek Rock Quarry, Laramie Co. Conditional Use Permit

Hi Melissa, thank you for the inquiry and for passing these recommendations on to your client. We'd suggest they be used to supplement the previous recommendations rather than fully supersede previous letters. If you have any questions or clarifications, please don't hesitate to reach out!

Thanks and hope everyone has a great weekend.
Lauren



Habitat Protection Program

Wyoming Game and Fish Department
5400 Bishop Blvd
Cheyenne, WY 82006
Phone: (307) 777-4506



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On Thu, Feb 12, 2026 at 4:26 PM Melissa Bautz <mbautz@brierleyassociates.com> wrote:

Lauren:

Thank you for your recommendation letter.

This letter will be provided to our client, the mine permit applicant, L.G. Everist. We plan to incorporate all WGFD's recommendations in the WDEQ Mine Permit; specifically, in the Mine Plan and Reclamation Plan.

Should we have this letter supersede or supplement the previous recommendation letters that you provided to Real West and Brierley for this project?

Thank you,

Melissa

APPENDIX D-9

WILDLIFE

Horse Creek Mine Mine Permit

LARAMIE COUNTY, WYOMING

Prepared for

Brierley Associates, Corp.
1482 Commerce Dr. Unit T
Laramie, WY 82070

And the
Wyoming Department of Environmental Quality
Land Quality Division
Cheyenne, WY 82001

Compiled by



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October 2025

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Abbreviations

WDEQ	Wyoming Department of Environmental Quality
WDEQ-LQD	Wyoming Department of Environmental Quality – Land Quality Division
LMO	Limited Mining Operation
NREX	Natural Resource and Energy Explorer
SGCN	Species of Greatest Conservation Need
T&E	Threatened and Endangered Species
USWFS	United States Fish and Wildlife Service

1.0 INTRODUCTION

Real West Natural Resource Consulting (Real West) is assisting Brierley Associates Corp. (Brierley) with preparation of a non-coal mining permit located in Laramie County, Wyoming. The project involves expansion of a Limited Mine Operation by L. G. Everist, Inc. The Horse Creek Rock Quarry currently operates under LMO ET1696.

The proposed mine permit area covers 591.8 acres immediately east of the Albany/Laramie County line, and another 1.6 acres in Albany County, for a total of 593.4 acres. The mine is located approximately 27 miles northwest of the city of Cheyenne as shown in Figure A-1, Addendum A. It is accessed from Wyoming Highway 211 after passing by the small community of Horse Creek and continuing 3.8 miles to the mine access road exiting from the highway. As shown in Figure A-2, Addendum A, the access road, already constructed for the LMO, continues for 3.4 miles to the west in Sections 3 and 4, T17N, R70W and Sections 32 and 33, T18N, R70W. Mining operations are proposed for Section 32, T18N, R70W and Sections 5 and 6, T17N, R70W. The permit area is all on private land owned by the Farthing Ranch Company.

Amber Travsky, a biologist with Real West Natural Resource Consulting (Real West), surveyed the site starting with an initial site reconnaissance in May 24, 2025. Additional surveys were conducted by Real West on June 1 and September 6, 2025. The purpose of this report is to document the pre-mining wildlife on the site and identify potential areas of concern.

2.0 PERMIT AREA DESCRIPTION

The 593-acre permit area is in an area of minimal development with land use primarily focused on livestock grazing and wildlife use. The small community of Horse Creek, consisting of a few residences and a post office, is 4.4 miles to the south. The nearest ranch house is 3.5 miles to the north.

The topography of the area is highlighted by the Horse Creek Hogback. This geologic feature is a series of steep and narrow ridges running at a slight diagonal from the southeast to the northwest.

East of the hogbacks, the terrain is mostly flat to rolling, while the terrain is hilly and undulating to the west where it eventually rises to the Laramie Range approximately 12 miles farther west. The permit area skirts around the northernmost and smallest of the hogbacks. Due to the position of the hogbacks, the LMO area is mostly hidden from view in all directions. As the mine expands, it may become more visible to those driving past on the highway to the east.

An aerial photograph of the permit area is in Figure A-3, Addendum A. Total length of the access road from the highway to the current crushing site is 3.4 miles. The most notable development in the vicinity and crossing the permit area is a railroad line that runs from north to south on the east end of the permit area. Train activity on the rail line was minimal during all wildlife survey session. The railroad corridor bisects the access road 925 yards west of the road exit from Wyoming Highway 211. Immediately after the exit of the access road from the highway, a wooden snowfence and two lines of trees that create a living snowfence are in place to aid in preventing snow from drifting on the access road and highway in the winter months.

The elevation at the road entrance is 6,774 feet. Elevation at the railroad crossing is 6,722 feet. Continuing west, it passes over two ephemeral drainages that dip to a low of 6,780 feet and 6,794 feet. These drainages continue to the northeast and enter into Sand Creek within 1.5 and 1.7 miles.

The permit area skirts around a 0.8-mile-long hogback that rises from the prairie to a ridgeline summit elevation of 7,060 feet. The road enters the current rock crushing site, covering 15 acres, and then continues 0.3 miles to the southwest to the LMO mine, covering 3.0 acres.

The permit area consists of two hills, referred to as the North Hill and the South Hill. The North Hill where the current LMO mine site is located, covers 160 acres. The summit rises to 7,110 feet. The South Hill, covering 173 acres, rises to a summit elevation of 7,352 feet. A narrow corridor, approximately 110 yards wide, connects the two mining areas.

Outside the permit area, Ricker Creek skirts around the North Hill, forming a canyon with rocky cliffs and outcrops rising above the creek 0.10 miles north and west of the permit area boundary. An ephemeral creek skirts around the west side of the South Hill outside the permit area. This drainage

flows into Ricker Creek after edging around the western side of the North Hill, which is outside the permit area.

Mining is proposed initially for the North Hill. Once the North Hill is mined out, likely in 15 to 20 years, mining in the South Hill will commence. It is anticipated that, after several years of mining in the North Hill, it will be determined if the deposit warrants installation of a conveyor belt from the crusher site to the loadout area. The loadout will involve the loading of mine materials onto rail cars.

3.0 METHODS

Information on federally listed threatened and endangered species expected and previously reported in the area was obtained from the U.S. Fish and Wildlife Service (USFWS) Information, Planning, and Conservation System (IPaC) website (USFWS 2025). Through this on-line site, an official list of threatened and endangered species that may occur on the project site and/or may be affected by the project was provided by the USFWS. The correspondence is in Addendum D.

The project proposal was submitted to the Habitat Division of the Wyoming Game and Fish Department (WGFD) for their comment and to provide guidance on species of concern in the permit area and vicinity. Their response letter is in Addendum D.

Information on big game crucial range and location of sage-grouse core areas was obtained through the Natural Resource and Energy Explorer (NREX) database (NREX 2025). The Wyoming Natural Diversity Database (WYNDD) Data Explorer Tool was used to determine those species considered Wyoming Species of Greatest Conservation Need (SGCN) that have the potential to occur within the project area (WYNDD 2025).

Amber Travsky, wildlife biologist and ecologist with Real West, surveyed the permit area on three occasions in 2025: May 24, June 1 and September 6. The purpose of the surveys was to provide a description of the site, identify habitats, document wildlife and wildlife sign on the site, and to assess any areas of concerns or in the vicinity concerning wildlife, vegetation, or

wetlands. The surveys included the permit area along with a 1-mile buffer for raptor nests. The surveys were conducted using a 4-wheel drive vehicle and on foot.

4.0 RESULTS

All wildlife observed by Real West on the project area is listed in Table C-1, Addendum C. Habitats on the site and the results of the wildlife surveys are described in detail below.

4.1 Habitat Types

The permit area has three primary habitats, as shown in Figure A-4, Addendum A, with overview photographs in Figure B-1, Addendum B. Habitat on the permit area is dominated by grassland and mixed shrub as shown in Table 4-1. The grassland is found on the east side of the permit area, in the proposed loadout area next to the rail way, and along the access road. Mixed shrub dominates the North Hill and skirts around the eastern foot of the South Hill. Woodland is prevalent near the summit and western slope of South Hill, and it is intermixed with shrub habitat and rock outcrops. The disturbed habitat includes areas currently being mined, the crushing site, and the access road.

A photograph of each habitat type is shown in Figures B-2 through B-5, Addendum B, and each habitat is described in more detail below.

Table 4-1. Habitat Types on the Horse Creek Quarry Permit Area.

Habitat Type	Acreage	Percent of Area
Grassland	266.0	45%
Woodland	56.7	9%
Mixed Shrub	200.3	34%
Disturbed	70.0	12%
TOTAL	593 acres	100%

4.1.1 Grassland Habitat

Grassland habitat covers approximately 266 acres, or 45% of the permit area. It is the primary habitat on the eastern side of the permit area in the loadout area and along the access road. The habitat is dominated by grass species including western wheatgrass (*Pascopyrum smithii*), blue grama (*Bouteloua gracilis*), and buffalograss (*Bouteloua dactyloides*). Forbs include hood's phlox (*Phlox hoodii*), spring parsley (*Cymopterus acaulis*), rosy pussytoes (*Antennaria rosea*), wild buckwheat (*Eriogonum umbellatum*), stonecrop (*Sedum lanceolatum*), and miner's candle (*Cryptantha virgate*). The sub-shrub fringed sagebrush (*Artemisia frigida*) is also present but not abundant.

A small depression within the proposed loadout area likely holds water early in the spring season and following precipitation events. Species in this concave site also has scarlet globemallow (*Sphaeralcea coccinea*), threadleaf sedge (*Carex filifolia*), curlycup gumweed (*Grindelia squarrosa*), and wood's rose (*Rosa woodsia*).

4.1.2 Mixed Shrub Habitat

The mixed shrub habitat is found on most of the North Hill and lower southern and eastern slopes of the South Hill. It covers 200.3 acres or 34% of the permit area. In some patches, big sagebrush (*Artemisia tridentata*) is the dominant species, while other areas support mountain mahogany (*Cercocarpus montanus*), antelope bitterbrush (*Pursia tridentate*), and wax current (*Ribes cereum*). The dominant grass is western wheatgrass while forbs include beardstongue (*Penstemon* spp.), prairie cinquefoil (*Potentilla pensylvanica*), and wild buckwheat.

4.1.3 Woodland Habitat

The woodland habitat covers 56.7 acres or 9% of the permit area primarily along the western slope and summit of the South Hill. Ponderosa pine (*Pinus ponderosa*) is the dominant overstory species, while the understory includes mountain mahogany, Wood's rose, fringed sagebrush, and

wax currant. The dominant perennial grass species is western wheatgrass while forbs include yarrow (*Achillea millefolium*), wild onion (*Allium geeyeri*), and pasqueflower (*Anemone patens*).

4.1.4 Disturbed Habitat

Disturbed habitat covers 70 acres or 12% of the permit area. The disturbance is primarily associated with the LMO mining. It includes the mine site, scale house, crushing area and the access roads. This habitat is mostly void of vegetation.

4.2 Threatened and Endangered Species

The project area was inspected for potential habitat for those federally listed threatened and endangered (T&E) species potentially occurring in the vicinity. The species, listed in Table 4-2, includes one mammal, two birds, one fish, two insects, and two plant species. The plant species are addressed in Appendix D8, Vegetation. The potential for the other species to occur or be affected by the proposed mining is discussed below.

4.2.1 Preble's Meadow Jumping Mouse

The Preble's meadow jumping mouse (Preble's) occurs in brushy riparian ecosystems along foothills and prairies east of the Front Range of the Rocky Mountains (Travsky 2005; Beauvais 2001). Shenk and Eussen (1998) determined that suitable Preble's habitat appears to have at least two major components. The first component is open water, at least in part of the active season. Secondly, dense cover is needed.

A distinguishing characteristic of Preble's habitat is the presence of dense herbaceous ground cover. Occupied habitat sometimes has an overstory canopy layer but almost always has a well-developed shrub layer and a dense herbaceous layer. Most often the shrub component consists of willow species (*Salix* spp.) but the species composition seems to be secondary to the overall presence of a mature shrub component.

Table 4-2. Federally Listed Threatened, Endangered, and Candidate Wildlife Species Potentially Occurring Within the Vicinity of the Project Site.³

Common Name	Scientific name	Status ¹	Key Habitat Characteristics	Potential on site
Mammals				
Preble’s meadow jumping mouse	<i>Zapus hudsonius</i>	T	Dense shrub habitat next to water.	Unlikely
Birds				
Whooping crane ²	<i>Grus americana</i>	E	Wetland marshes.	Unlikely
Piping plover ²	<i>Charadrius melodus</i>	T	Sandbars along rivers.	Unlikely
Insects				
Monarch butterfly	<i>Danaus plexippus</i>	PT	Breeding areas are patches of milkweed.	Unlikely
Suckley’s Cuckoo Bumble Bee	<i>Bombus suckleyi</i>	PE	Habitat with high floral diversity, flowering through the entire growing season.	Unlikely
Fishes				
Pallid sturgeon ²	<i>Scaphirhynchus albus</i>	E	Sand-covered portions of rivers.	Unlikely
Plants				
Ute ladies’-tresses	<i>Spiranthes diluvialis</i>	E	Moist to wet conditions in floodplains, alluvial banks, or ox-bows associated with perennial streams.	Unlikely
Western prairie fringed orchid ²	<i>Platanthera praeclara</i>	T	Highly calcareous (alkaline), stony soils in tall-grass prairie environments.	Unlikely

¹ Federal Status Definitions:

E = Endangered T = Threatened PE = Proposed Endangered PT = Proposed Threatened

²Water depletions may affect the species and/or critical habitat in downstream reaches in other states.

³ List obtained on the U.S. Fish and Wildlife Service Information, Planning and Conservation System (IPaC).

The permit area lacks open water, one needed component for Preble’s habitat. While there is riparian habitat along Riker Creek and patchy willow stringers abutting the ephemeral creek along the drainage bottom of west side of South Hill, the habitat lacks the dense shrub and

herbaceous cover preferred by Preble's. Due to the lack of suitable habitat, it is unlikely this species occurs in this area; therefore, the proposed mining will have no effect on this species.

4.2.2 Monarch Butterfly

The monarch butterfly is a candidate species and is not yet listed or proposed for listing. While federal protections are not in place, the goal in highlighting it as a candidate species is to encourage conservation of the species when opportunities arise. Monarch caterpillars utilize milkweed (*Asclepias* spp.) as the host plant (NatureServe 2021). According to WYNND, of the milkweed species found in Wyoming one species, the showy milkweed (*Asclepias speciosa*), might be found in this portion of Laramie County (WYNDD 2023).

Milkweed was not observed during any of the site surveys. If milkweed is found on the site, the extent of the plant's spread and density could be inspected to determine the potential of the site to provide habitat for the monarch butterfly. Another purpose of highlighting the monarch butterfly as a candidate species is to encourage enhancement of habitat for the species. If significant patches of milkweed are found in the project area, enhancement measures could be considered.

4.2.3 Suckley's Cuckoo Bumble Bee

As of February 2025, this species is proposed for listing as endangered, but no critical habitat has been designated. The species inhabits open grassy areas, urban parks and gardens, chaparral and shrub areas, and mountain meadows. Typically, their habitat has high floral diversity, flowering throughout the entire growing season (NatureServe 2025). This species is a social parasite and nests exclusively in the nests of other bees. No specified survey methods or identification of vegetation triggers have been noted for this species. With the lack of information, there is no designated protocol for surveys; however, based on preferred habitats of the species, it is unlikely to occur in the permit area. In addition, the known area for this bumble bee species in Wyoming does not include this portion of Laramie County. Because of its unlikely occurrence in the area, the proposed mining will have no effect on this species.

4.2.3 Platte River System Species

In Laramie County, concerns with the piping plover, whooping crane, pallid sturgeon, and western prairie fringed orchid are due to water depletions or decreased water quality in the Platte River system. They are listed for Laramie County only because reduced water flow may affect the species and/or critical habitat in downstream reaches in other states. None of the species themselves are likely within the permit area or vicinity. Without a significant reduction in flow to the Platte River system, the proposed mining will have no effect on these species.

4.3 Greater Sage-grouse

The Greater sage-grouse was listed as a candidate species in March 2010 and in September 2015 it was determined to not warrant federal listing at that time. Protective measures are in place, however, to safeguard the bird and its habitat regardless of the listing status. It also remains a Sensitive Species with the State of Wyoming.

Greater sage-grouse inhabit foothills, plains, and mountain slopes where sagebrush is present (American Ornithologists' Union 1983) or a mixture of sagebrush, meadows, and aspen is in close proximity. Core sage-grouse areas have been designated across the State of Wyoming where additional protections are required.

The permit area is outside any core area, but there is one lek within two miles of portions of the permit area. Those areas are illustrated in Figure A-5, Addendum A. The lek is approximately 1.1 miles north of the LMO site and it was active in 2025. As stated in the WGFD letter (Addendum D), there are necessary stipulations when disturbance is within two miles of an occupied, non-core greater sage-grouse lek.

The following stipulations are required by the WGFD:

- For all mine or loadout area sites located within the 2-mile Timing Limitation Stipulation (TLS) buffer, remove all vegetation and topsoil outside of the March 15 to June 30 timing stipulation period.

- For all mine or loadout area sites that are located outside the leks 2-mile TLS buffer, but are only accessible via the access road that passes through substantial portions of the lek's 2-mile TLS buffer, all traffic related to vegetation and topsoil removal must also occur outside the March 15 to June 30 timing stipulation period.
- Once all vegetation and topsoil removal activities are complete, mining activities at sites within the 2-mile TLS buffer and/or accessed via the road located within the 2-mile TLS buffer may occur year-round.

The following measures are recommended by the WGFD:

- Avoid removing any stands of sagebrush except for what is essential for the mine expansion. Sagebrush provides critical habitat for many sagebrush obligate species and is difficult to restore once removed.
- Facilitate the monitoring of the F-Pine Top lek. It is recommended coordinating with the landowner to continue to allow access for WGFD personnel to conduct lek monitoring while the mine is in operation or until the lek is determined to be unoccupied. If WGFD staff are unable to access the site for lek monitoring, the WGFD recommends the project's environmental consultant conduct annual lek monitoring.

4.4 Raptors

Two raptor nests, as shown in Figure A-6, Addendum A, were observed on a cliff face 0.13 miles northwest of the permit area above Rinker Creek. The rock face with nest locations indicated is shown in Figure B-6, Addendum B. The two nests are within approximately 20 feet of each other. In addition to the two ledge nests, there is considerable whitewash in the vicinity, indicating the area is likely used for roosting.

Both nests were inspected on May 25 and June 1, 2025 using a spotting scope and binoculars. During the June 1 survey, the cliff face was inspected from directly below the nest locations. No raptors were observed or heard at the nests or in the vicinity during either of the surveys. Due to the difficulty in viewing the nests and lack of closer access, nest condition was difficult to assess. However, both nests appeared in good condition. Neither nest was large in size, making it unlikely

they were once used by golden eagles (*Aquila chrysaetos*), but more likely by red-tailed hawks (*Buteo jamaicensis*) or ferruginous hawks (*Buteo regalis*).

Within the permit area, suitable raptor nesting habitat is present primarily on the South Hill in the form of ponderosa pine trees and numerous rock outcrops. The North Hill has limited nesting substrate, but there are scattered trees and rocky outcrops. Raptor species that could forage and nest in the area are ferruginous hawks, red-tail hawks, Swainson's hawks (*Buteo swainsoni*), and great horned owls (*Bubo virginianus*). American kestrels (*Falco sparverius*) are likely within the permit area using the scattered snags or other tree cavities for nesting. Northern harriers (*Circus hudsonius*) are possible foraging in the grassland habitat, although the denser grass habitat this species typically uses for nesting is lacking within the permit area. Due to livestock on the site, the grasses in moist areas are mostly cropped due to grazing and lack the density for nesting substrate.

While suitable habitat is lacking within the permit area for prairie falcons (*Falco mexicanus*), cliff habitat for nesting is present within the 1-mile buffer along Rinker Creek. That is also true for golden eagles with possible foraging within the permit area. Due to the lack of any significant water source, a preferred habitat component by bald eagles (*Haliaeetus leucocephalus*), this species is unlikely in the area except when occasionally migrating or foraging in the vicinity.

Should any active raptor nest become established and observed in the permit area or 1-mile buffer, no new surface disturbing activities should occur during the nesting season. Typical buffer distances are 1-mile for golden eagles and ferruginous hawks, while the buffer distance is 0.5-mile for other raptor species.

4.5 Migratory Bird Species of Management Concern

In the USFWS 2025 correspondence (Addendum D) it is stated “*there are no Fish and Wildlife Service migratory birds of concern within the vicinity of your project area.*” For that reason, none will be addressed in this report. It is likely avian species considered migratory birds of management concern fly over and likely roost in the permit area; however, none are specifically addressed in this section of the report.

4.6 Wyoming Species of Greatest Conservation Need

Wyoming Species of Greatest Conservation Need (SGCN) are those classified in the Wyoming State Wildlife Action Plan as having low or declining populations that are indicative of the diversity and health of the state’s wildlife (WGFD 2017). Each species is rated by the WGFD for their priority for conservation measures. Those rated at Tier I are the highest priority; those rated Tier II are moderate priority; and those rated Tier III are the lowest priority.

In the WGFD comment letter (Addendum D), a list of SGCN to consider as possibly within the permit area or vicinity included 17 mammals, 41 avian species, 6 reptiles, and 2 amphibians. They are listed in Table C-2, Addendum C, as is their potential on the permit area based on the presence of suitable habitat. This reduces the number of species to 5 mammals, 16 birds, and 2 reptiles, as listed in Table 4-3. The raptor species and greater sage-grouse have already been mentioned, but the other species will be discussed in more detail below.

4.6.1 Bat Species

Two SGCN bat species potentially inhabiting the permit area or vicinity are the fringed myotis and the western small-footed myotis. Targeted bat surveys were not conducted by Real West, but their potential presence is based on suitable habitat in the area.

The fringed myotis generally occurs in middle elevations in grasslands, deserts and woodlands, and are occasionally observed as high as spruce-fir habitats (WGFD 2017). Suitable habitat is present on the permit area; therefore, this species is possible in the area, although no bats were observed during site surveys.

The western small-footed myotis inhabits a variety of habitats from montane forests to sage steppe or shortgrass prairie near rock outcrops (WGFD 2017). These bats rest all day and only forage for about an hour after sunset. Suitable habitat is present for this species and it could occur within the permit area, although none were observed during site surveys.

Table 4-3. Wyoming Species of Greatest Conservation Need Potentially Occurring on the Horse Creek Quarry Permit Area.

Common Name	Scientific Name
Mammals	
Fringed Myotis	<i>Myotis thysanodes</i>
Western Small-footed Myotis	<i>Myotis ciliolabrum</i>
Hispid Pocket Mouse	<i>Chaetodipus hispidus</i>
Plains Harvest Mouse	<i>Reithrodontomys montanus</i>
Swift fox	<i>Vulpes velox</i>
Birds	
American Kestrel	<i>Falco sparverius</i>
Burrowing Owl	<i>Athene cunicularia</i>
Ferruginous Hawk	<i>Bureo regalis</i>
Golden Eagle	<i>Aquila chrysaetos</i>
Swainson’s Hawk	<i>Buteo swainsoni</i>
Merlin	<i>Falco columbarrius</i>
Greater Sage-grouse	<i>Centrocercus urophasianus</i>
Canyon Wren	<i>Catherpes mexicanus</i>
Chestnut-collared Longspur	<i>Calcarius ornatus</i>
McCown’s Longspur	<i>Rhynchophanes mccownii</i>
Common Nighthawk	<i>Chordeiles minor</i>
Loggerhead Shrike	<i>Lanius ludovicianus</i>
Upland Sandpiper	<i>Bartramia longicauda</i>
Long-billed Curlew	<i>Numenius americanus</i>
Red-headed Woodpecker	<i>Melanerpes erythrocephalus</i>
Lewis’s Woodpecker	<i>Melanerpes lewis</i>
Reptiles	
Greater Short-horned Lizard	<i>Phrynosoma hernandesi</i>
Prairie Rattlesnake	<i>Crotalus viridis</i>

4.6.2 Rodent Species

Two SGCN mouse species have the potential to occur within the permit areas: the hispid pocket mouse and the plains harvest mouse.

In Wyoming, the hispid pocket mouse inhabits shortgrass prairie, mixed-grass prairie, sagebrush and soapweed yucca grasslands (WGFD 2017). The plains harvest mouse is most abundant in shortgrass habitat with a high percentage of grass cover (>60%), and loamy sandy soil (WGFD 2017). Suitable habitat is present at the loadout site and along the access roads for both of these mouse species. There is the potential for these species to occur in these areas, although none were found. However, small mammal trapping to target these species was not conducted.

4.6.3 Swift Fox

Swift fox habitat in Wyoming is grasslands, possibly with a shrub component. Swift fox depends greatly on burrows used year-round for pup-rearing as well as refuge (WGFD 2017; Clark and Stromberg 1987). Den sites are typically characterized by well-drained, loamy soils and flat terrain, sloping plains, and hill tops. Suitable habitat is present on the loadout area and along the access road, although it is unlikely dens would be established within the permit area of these project components due to existing human activity. While traffic is minimal on the road, the additional noise of the crushing area could limit habitat suitability in that area. Additionally, train traffic on the railway next to the loadout area is sufficient to result in swift fox avoidance of that area. While it is possible this species occurs in the grassland habitat in the vicinity of the permit area, their use of the permit area corridors is likely limited to wandering through the area. No swift fox or potential den sites were found during the 2025 surveys by Real West.

4.6.4 Passerine Birds

Several SGCN passerine bird species could potentially occur and nest within the permit area including the canyon wren, the chestnut-collared longspur and the McCown's longspur.

The canyon wren is found in a variety of vegetative communities as long as rocky habitat is available (WGFD 2017), as is the case on the South Hill. While this species was not observed during 2025 surveys by Real West, it could potentially occur in the area.

Both the chestnut-collared longspur and the McCown's longspur are found in large, arid, open tracts of shortgrass and mixed-grass prairie (WGFD 2017). Suitable habitat is present on the eastern side of the permit area, although neither species was observed during Real West surveys in 2025.

4.6.5 Non-passerine Birds

Numerous non-passerine bird species listed as SGCN could occur on the permit area. These include two woodpecker species, nighthawks, shrikes, the long-billed curlew and upland sandpiper.

The common nighthawk uses a variety of nesting habitats including forested areas, grasslands, prairies, sagebrush and rock outcrops (WGFD 2017). In Wyoming, the species is most common below 8,500 feet in elevation and nests in prairie and open ponderosa pine forests. Suitable habitat is present and the species was observed in the South Hill area by Real West.

Lewis's woodpecker is found in forested areas dominated by ponderosa pine, and in open riparian woodlands dominated by cottonwoods (*Populus* spp.) (WGFD 2017). This bird nests in cavities excavated in dead trees. Suitable habitat is present, primarily on the South Hill area, although no Lewis's woodpeckers were observed during 2025 surveys by Real West.

The red-headed woodpecker is found in wooded habitats that include dead limbs or snags. It prefers areas with high snag density. While dead standing trees are present on the South Hill area, the density of snags is low. While it's possible this species inhabits the permit area, it is unlikely.

The loggerhead shrike is found in open habitats with short vegetation, especially hay fields and pastures (WGFD 2017). Breeding sites include isolated trees and shrubs within this open habitat. Suitable habitat is present within the permit area; therefore, it is possible this bird is found in the area, although it was not observed during 2025 surveys by Real West.

In Wyoming, the long-billed curlew nests in sparsely-vegetated shortgrass or mixed-grass prairie (WGFD 2017). This species typically avoids habitats with high densities of tall grass, forbs, shrubs, and/or trees. Suitable habitat is present on the eastern portions of the permit area, in the grassland habitat.

The upland sandpiper is found in grassland habitats, and it prefers native prairie habitats (WGFD 2017). Suitable habitat is present on the eastern portion of the permit area, in the grassland habitat.

4.6.6 Reptiles

There are two SGCN reptile species potentially occurring within the permit area: the great short-horned lizard and the prairie rattlesnake.

The greater short-horned lizard can be found in shortgrass prairie and sagebrush habitats, as well as open woodland habitats (Lewis 2011). The ground typically has fine loose soil present. Such habitat is found within the permit area. While this reptile species was not observed, it is possible within the area.

Prairie rattlesnakes can be found in plains, foothills, scarp woodlands, and near granite or limestone outcrops (Lewis 2011). They are often found near rocky outcrops, talus slopes, rocky stream courses, and ledges. Such habitat is present, primarily on the South Hill area. This species is possible within the permit area, although it wasn't observed during 2025 surveys by Real West.

4.7 Big Game

Two big game species were observed within the Horse Creek Quarry property: pronghorn antelope (*Antilocapra americana*) and mule deer (*Odocoileus hemionus*). In addition, elk (*Cervus canadensis*) sign was found, indicating use by that species at least in the winter months.

Much of the permit area is within crucial mule deer range, as shown in Figure A-7, Addendum A. The nearest crucial pronghorn range is approximately 1.0 mile south of the permit area as shown in Figure A-8, Addendum A.

As stated in the WGFD correspondence (Addendum D) “human activity and industrial/ground-disturbing activity can impact the foraging behavior, stress levels, and energy reserves in big game individuals, particularly during the winter when mortality risk is already high.”

The recommended stipulation to minimize impacts to mule deer during the winter season is to restrict all ground-disturbing activity and project-related activity, and minimize traffic and human presence between November 15 to April 30.

If this is not feasible, the WGFD recommends the following:

- Performing all initial topsoil removal at the mine site outside the November 30 – April 30 window.
- Creating a travel management plan to reduce impacts to wintering big game. The WGFD recommends including measures for minimizing traffic loads, encouraging carpooling of personnel, avoiding traffic for one hour after dawn and one hour before dusk, and implementing 25 mph speed limits on project roads.

4.8 Other Mammals

All wildlife observed during the various surveys are listed in Table C-1, Appendix C. Eight mammal species or their sign were observed within the permit area during 2025 surveys by Real West.

Examples of additional mammal species expected in the vicinity, but not observed, include the red fox (*Vulpes vulpes*), northern pocket gopher (*Thomomys talpiedes*), striped skunk (*Mephitis mephitis*), long-tailed weasel (*Mustela frenata*), raccoon (*Procyon lotor*), coyote (*Canis latrans*), porcupine (*Erethizon dorsatum*), and meadow vole (*Microtus pennsylvanicus*). Numerous species of bats likely pass through the area and could utilize the rock outcrops for temporary roosting habitat.

Mine construction and subsequent mining activities could displace individual animals. Similar habitat is in the vicinity; therefore, no impacts to mammal populations is expected.

4.9 Passerine Birds

Avian species are diverse and abundant due to the variety of habitats within the permit area and vicinity. The list of species observed in Table C-1, Addendum C, includes 19 avian species. Horned larks, American robins, mountain chickadees, and mourning doves were especially abundant within the permit area.

4.10 Reptiles and Amphibians

While the permit area lacks any perennial water source, Ricker Creek flows within 130 yards of the northwestern permit boundary. Amphibian species that might move from that perennial stream are possible on the permit site, although the terrain from the creek to the permit area is quite steep in many areas between the creek and boundary. Also, with an elevation from 6,700 to 7,000 feet, the site is too high for many species. Those potentially occurring on the edge of the

site, based on habitat and elevation, are the boreal chorus frog (*Pseudacris triseriata maculata*) and northern leopard frog (*Rana pipiens*). Neither were seen or heard within the permit area.

Due to the high elevation, about the only reptile species expected on the site is the wandering gartersnake (*Thamnophis elegans*), which is most likely near the rock outcrops or the wetlands of the bottomland swale habitat

4.10 Fish

The permit area lacks any perennial water source; therefore, no fish species will occur within the permit area.

5.0 SUMMARY

Habitat is lacking on the site for the endangered Preble's meadow jumping mouse, the Monarch butterfly, and the Suckley's cuckoo bumble bee. Other threatened or endangered species potentially impacted by the project are in downstream reaches of the Platte River system, outside the state of Wyoming. Best Management Practices should be implemented to minimize any increase in turbidity or sedimentation in Ricker Creek to prevent any potential impacts to these species.

While the permit area is outside sage-grouse core area, an occupied lek is within the 2-mile buffer that triggers a timing stipulation. The following stipulations are required by the WGFD as explained in their correspondence (Addendum D):

- For all mine or loadout area sites located within the 2-mile Timing Limitation Stipulation (TLS) buffer, remove all vegetation and topsoil outside of the March 15 to June 30 timing stipulation period.
- For all mine or loadout area sites that are located outside the leks 2-mile TLS buffer, but are only accessible via the access road that passes through substantial portions of the lek's 2-mile TLS buffer, all traffic related to vegetation and topsoil removal must also occur outside the March 15 to June 30 timing stipulation period.

- Once all vegetation and topsoil removal activities are complete, mining activities at sites within the 2-mile TLS buffer and/or accessed via the road located within the 2-mile TLS buffer may occur year-round.

The following measures are recommended by the WGFD:

- Avoid removing any stands of sagebrush except for what is essential for the mine expansion. Sagebrush provides critical habitat for many sagebrush obligate species and is difficult to restore once removed.
- Facilitate the monitoring of the F-Pine Top lek. It is recommended coordinating with the landowner to continue to allow access for WGFD personnel to conduct lek monitoring while the mine is in operation or until the lek is determined to be unoccupied. If WGFD staff are unable to access the site for lek monitoring, the WGFD recommends the project's environmental consultant conduct annual lek monitoring.

The permit area is within mule deer crucial range. The recommended stipulation to minimize impacts to mule deer during the winter season is to restrict all ground-disturbing activity and project-related activity, and minimize traffic and human presence between November 15 to April 30.

If this is not feasible, the WGFD recommends the following:

- Performing all initial topsoil removal at the mine site outside the November 30 – April 30 window.
- Creating a travel management plan to reduce impacts to wintering big game. We recommend including measures for minimizing traffic loads, encouraging carpooling of personnel, avoiding traffic for one hour after dawn and one hour before dusk, and implementing 25 mph speed limits on project roads.

While no raptor nests were found on the permit area, two unoccupied nests were observed within the 1-mile buffer. If any occupied nest occurs on the permit area or 1-mile buffer, no new surface disturbing activities should occur during the nesting season (Feb 1 to July31). The buffer distance is 1-mile for eagles and ferruginous hawks, and 0.5-mile for all other raptor species.

To minimize impacts to other nesting birds, the WGFD recommends conducting ground clearance surveys for active migratory bird nests if ground disturbing activities are planned between April 1 and July 31. Typical protocol for such surveys is to have clearance surveys within 7 days prior to the clearing activities to ensure nests are not destroyed. If active nests are documented, a buffer of 300 feet is the typical recommended distance for avoidance until the young are fledged or the nest is no longer occupied.

Minimize impacts to bat roosts and habitat by avoiding the removal of any live or dead snag trees that are not essential for quarry expansion.

The initial permit area boundary included Ricker Creek adjacent to the North Hill. To avoid aquatic impacts, the permit area boundary was revised to provide a buffer between the creek and any mining activities.

To minimize impacts to aquatic resources of Ricker Creek, the WGFD recommended the following Best Management Practices to control erosion and prevent sediment from reaching watersheds:

- Preserving existing vegetation wherever possible.
- Properly containing stockpiles of materials and locating them away from riparian areas, wetlands, or areas of potential storm water concentrated flow.
- Incorporating revegetation, silt fences, siltation berms, rock chuck dams, and other erosion control measures to prevent sedimentation from cleared surfaces and materials piles.
- Cleaning, fueling, and maintaining vehicles and equipment at designated areas away from aquatic resources or areas of potential storm water concentrated flow.

The WGFD also indicated the need for weed control by implementing the following measures:

- Preventing introduction and establishment by cleaning vehicles and equipment prior to movement to a new location in order to minimize the potential for transporting seeds.

- Working with land managers to develop and implement a plan to assess, treat, and monitor for invasive plants at the project scale and in the adjacent landscape where they are present.
- Working with the local Weed and Pest district to implement and fund long-term plans for successful restoration of disturbed sites.

Weed abundance and species occurrence is addressed in Appendix D8, Vegetation of this mine permit.

6.0 LITERATURE CITED

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Addendum A

**Topographic and Aerial Photograph Maps
of the Permit Area**

Figure A-1. Topographic Map of the Horse Creek Quarry Permit Area east of the Albany and Laramie County line in southeast Wyoming.

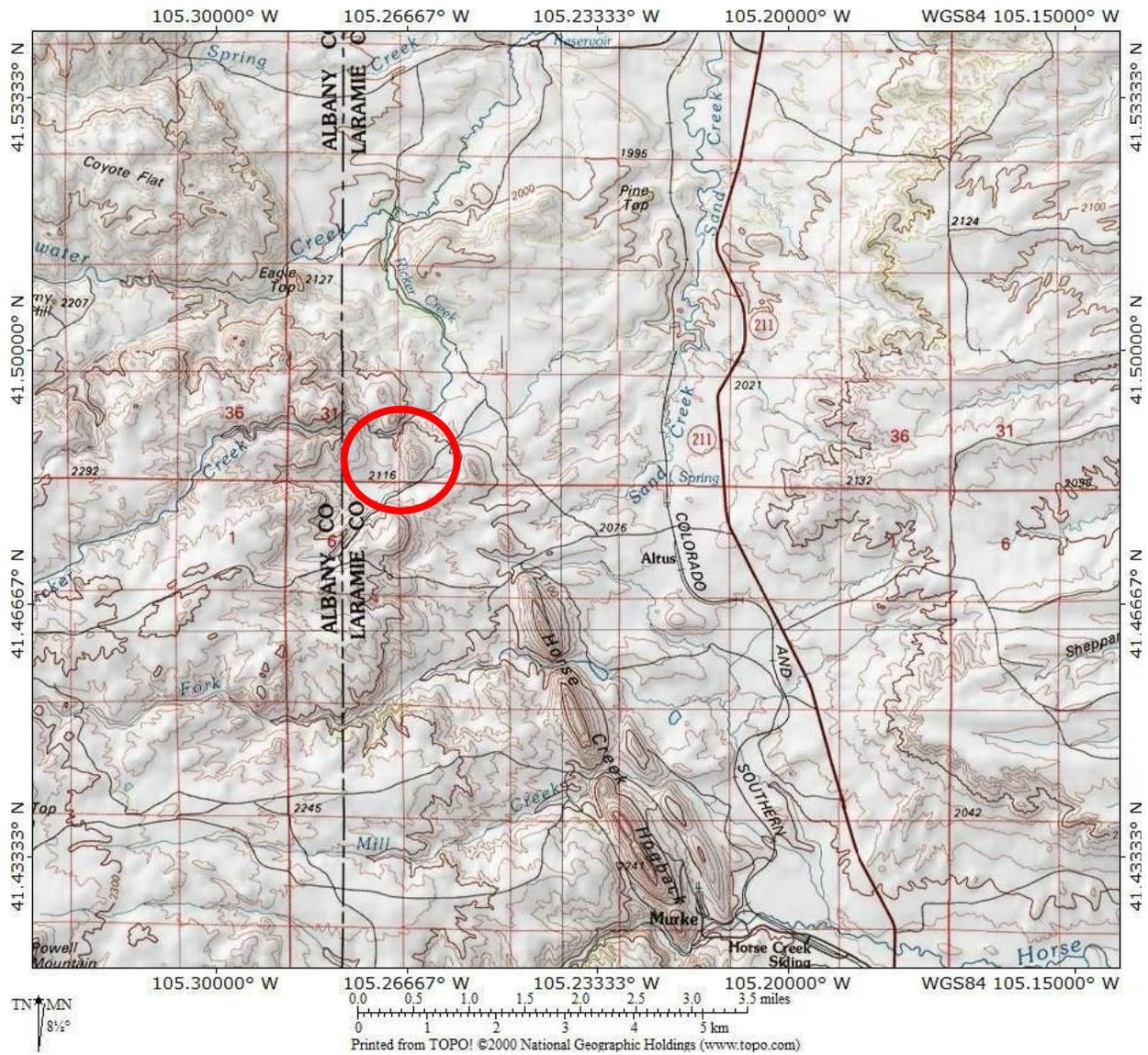


Figure A-2. Topographic map of the Horse Creek Quarry Permit Area.

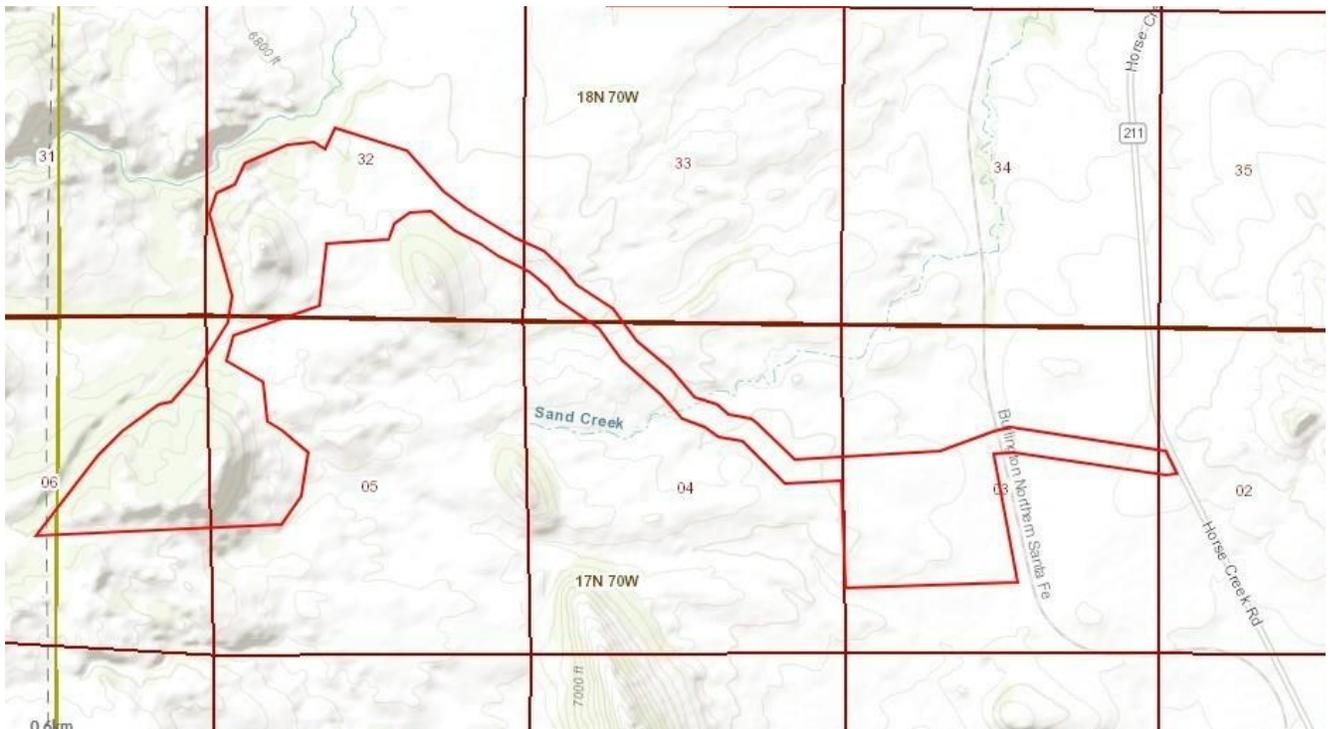


Figure A-3. Aerial Map of the Horse Creek Quarry Permit Area.

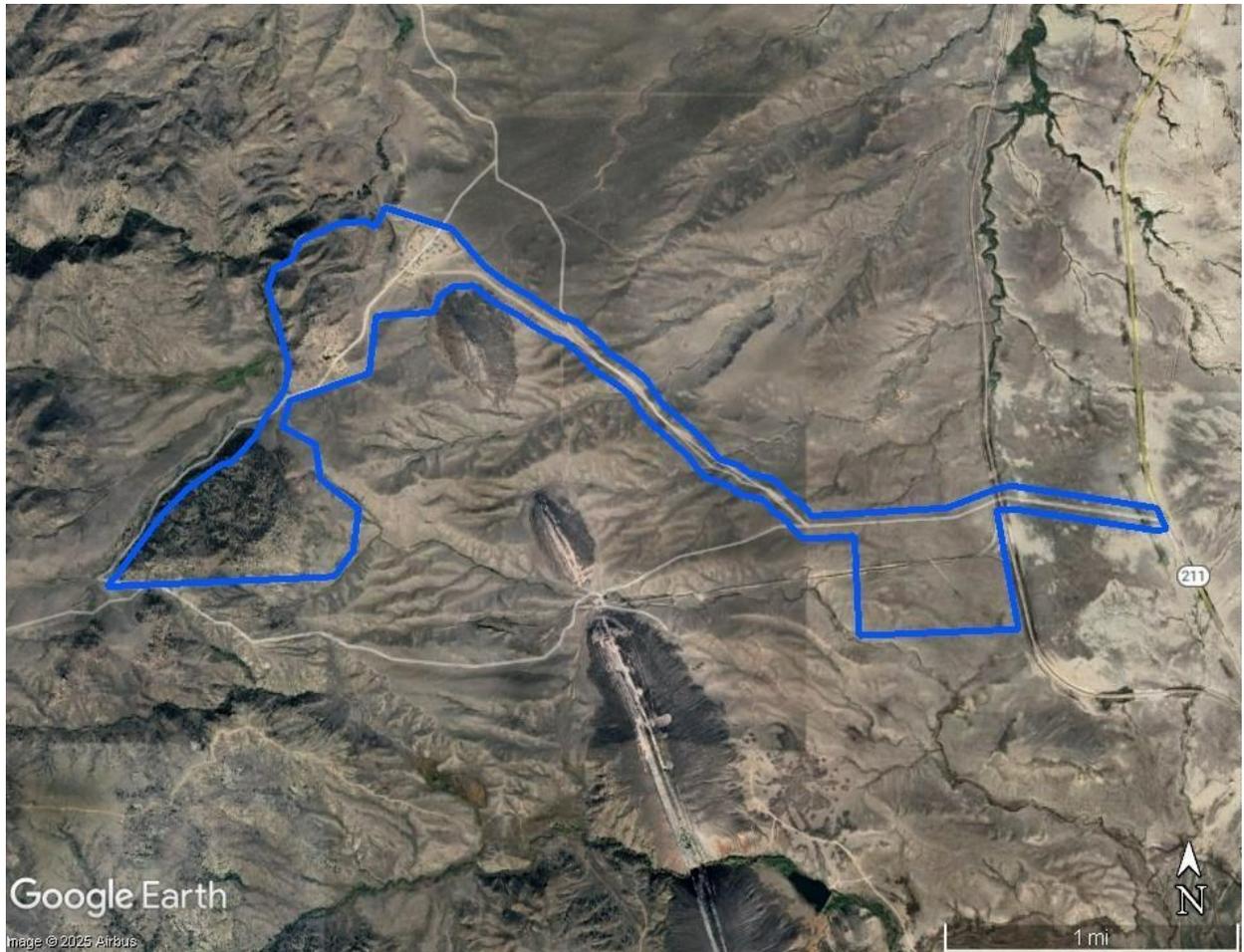


Figure A-4. Habitats in the Horse Creek Quarry Permit Area.

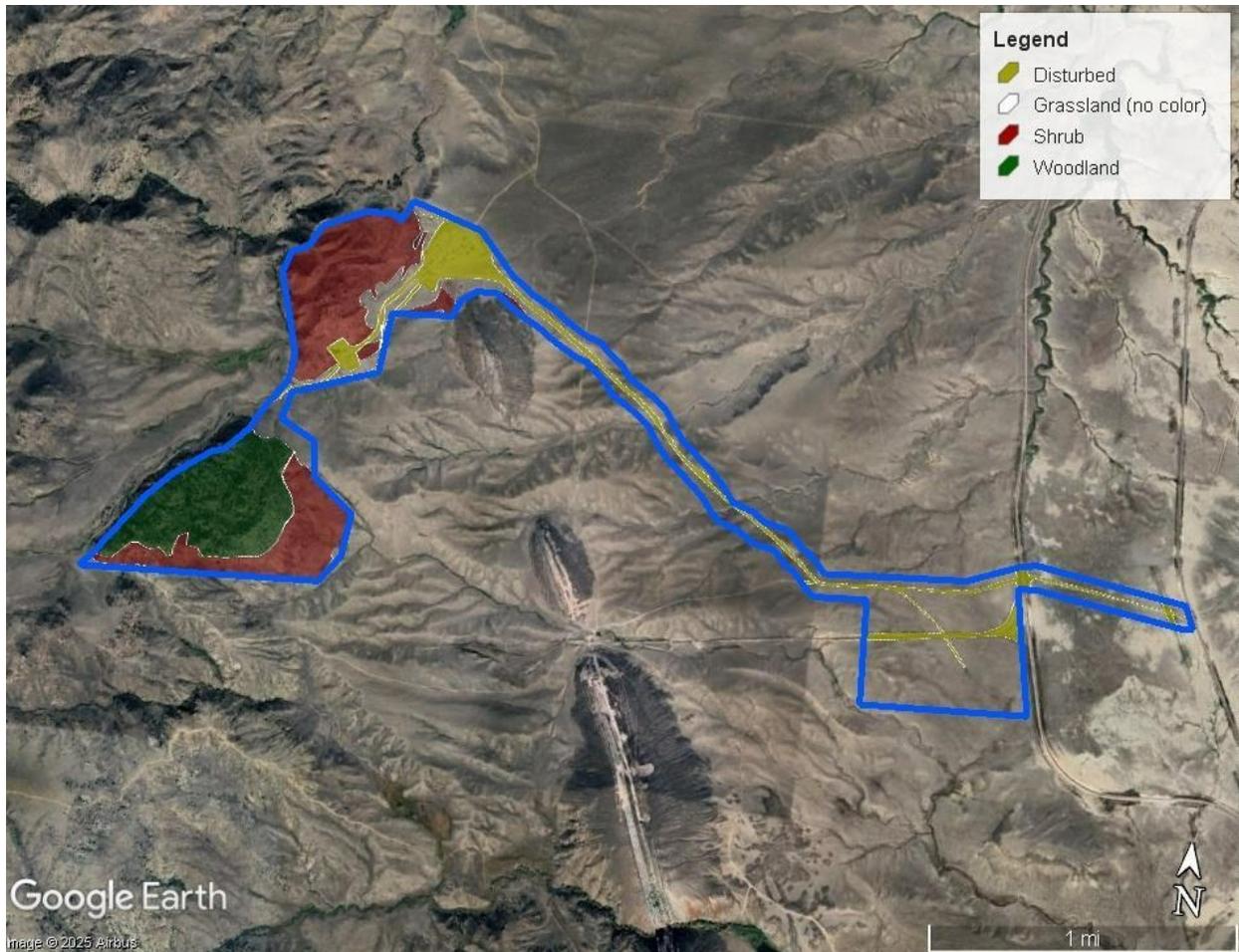


Figure A-5. Portions of the permit area are within the two-mile buffer of a sage-grouse lek. Those areas within the buffer are north of the red line.

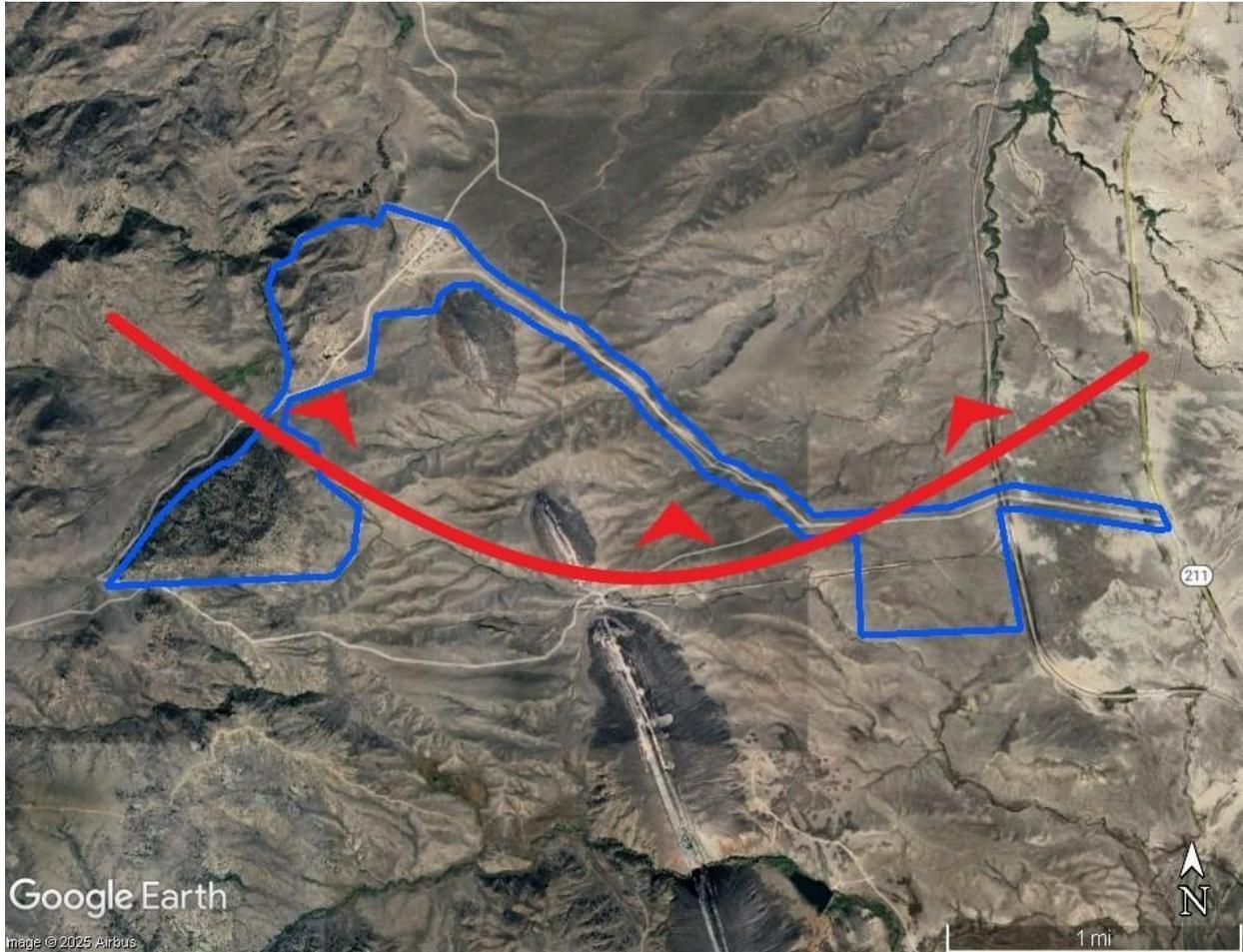


Figure A-6. Two raptor nests, both unoccupied in 2025, are on cliff habitat northwest of the permit area.

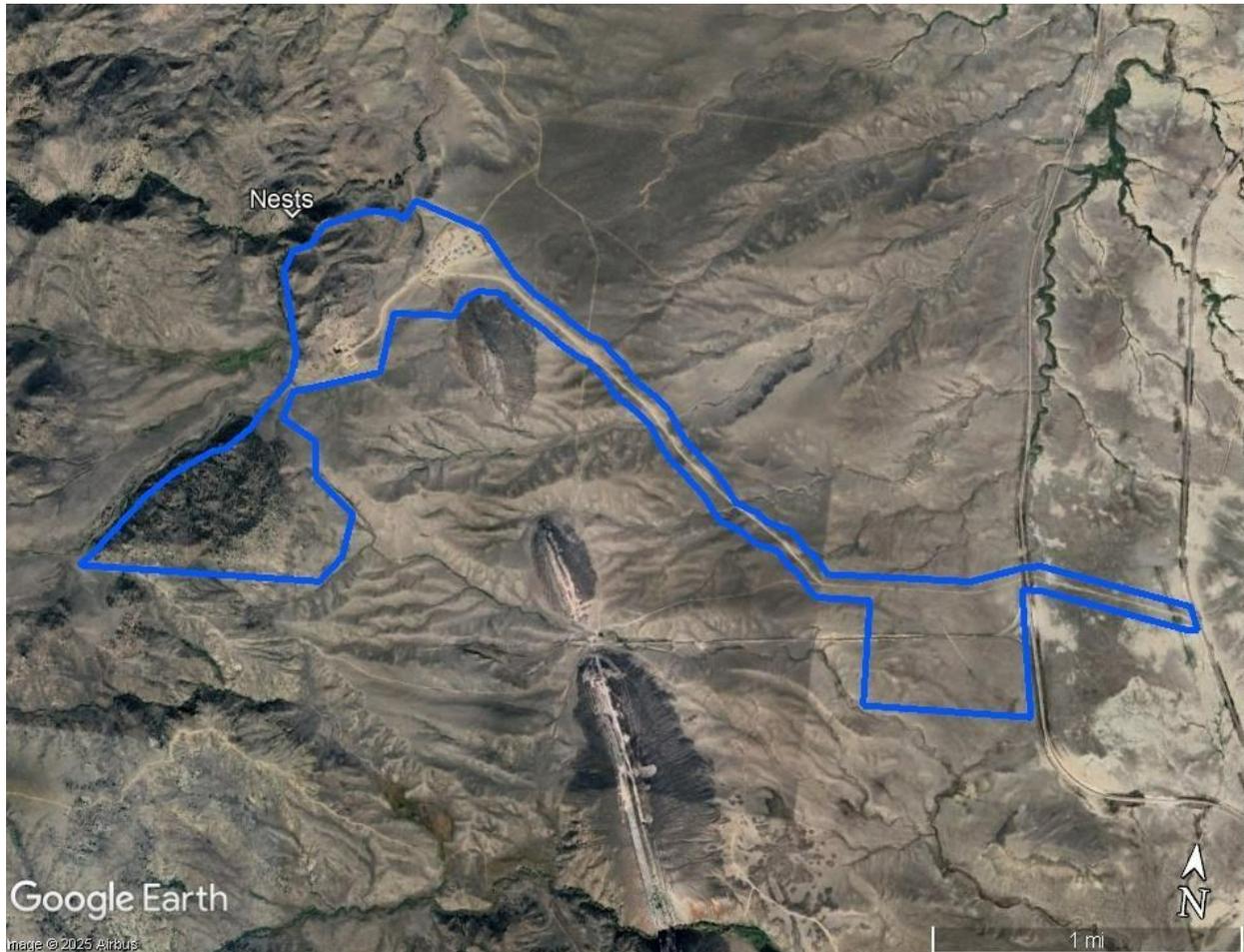
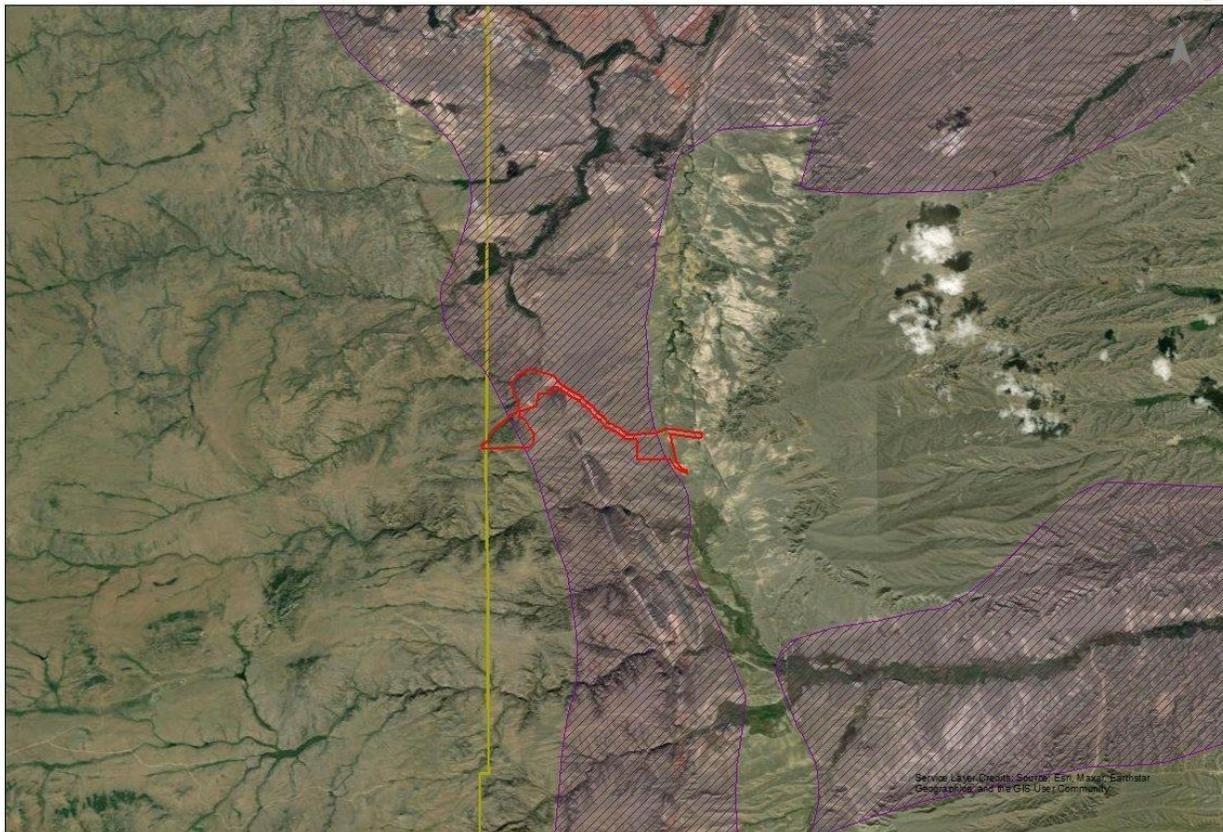


Figure A-7. The bulk of the permit area is within crucial mule deer range as shown in the striped area. *Source: Figure obtained through Natural Resource and Energy Explorer (NREX).*

Natural Resource & Energy Explorer

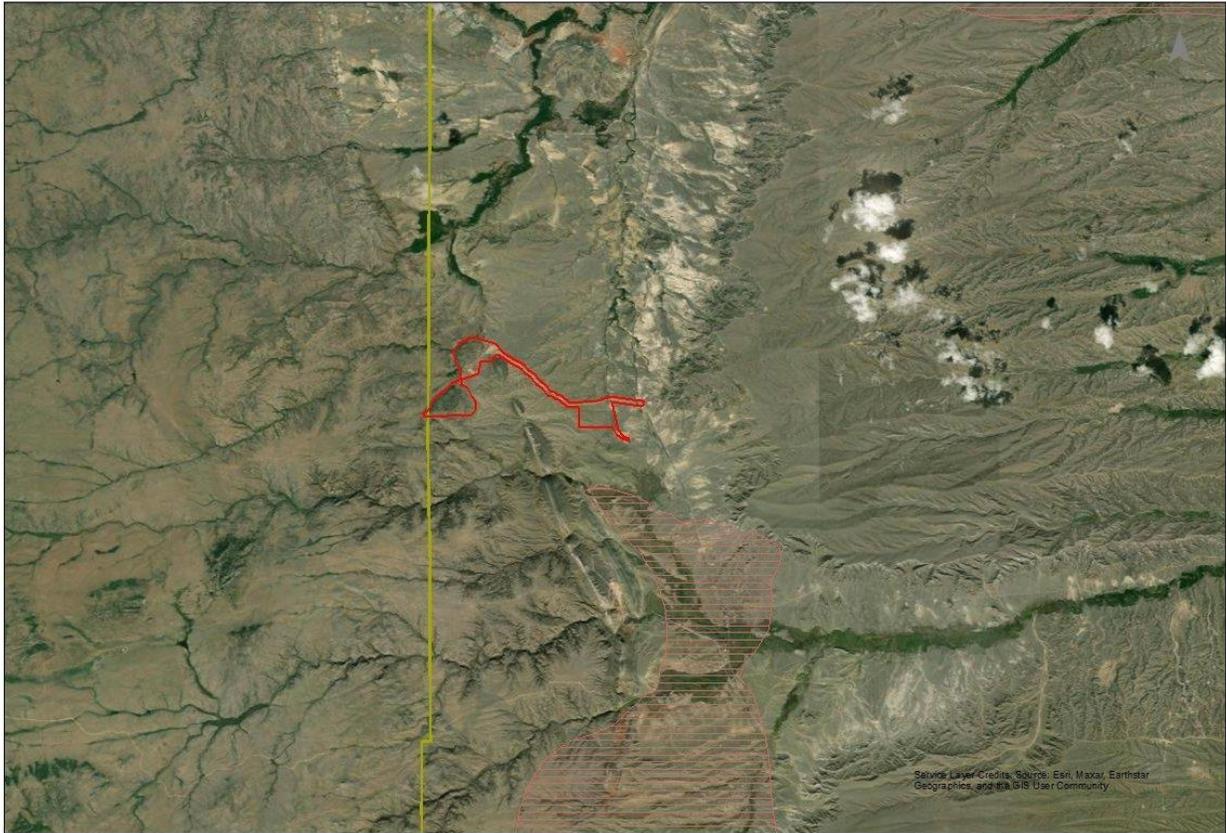


NREX is intended to provide useful, landscape-level information during the early stages of project planning. This application does not replace or supersede site-specific analysis or direct communication with appropriate agencies. This map was generated from the Natural Resources and Energy Explorer (nrex.wyo.gov)

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Figure A-8. Crucial pronghorn range is located south of the Horse Creek Quarry permit area.
Source: Figure obtained through Natural Resource and Energy Explorer (NREX).

Natural Resource & Energy Explorer



NREX is intended to provide useful, landscape-level information during the early stages of project planning.
This application does not replace or supersede site-specific analysis or direct communication with appropriate agencies.
This map was generated from the Natural Resources and Energy Explorer (nrex.wyo.gov)

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ADDENDUM B

Photographs of the Horse Creek Quarry Permit Area

Figure B-1 (Two photos). The Horse Creek Quarry Permit Area includes the North Hill (top photo) and the South Hill (bottom photo).



Figure B-2. Woodland is the dominant habitat on both the north and south hills. The habitat includes a mix of ponderosa pine, shrubland and rock outcrops.



Figure B-3. Grassland is the primary habitat on the east end of the permit area and along the access road.



Figure B-4. Mixed shrub is dominant on the North Hill and portions of the South Hill.



Figure B-5. Disturbed habitat are those areas disturbed by mining for the Limited Mining Operation and the access road.



Figure B-6. Two raptor nests are present on the cliff habitat northwest of the permit area.



APPENDIX C

**Wildlife Species Observed on the Horse Creek Quarry Permit Area
And
Wyoming Species of Greatest Conservation Need**

Table C-1. Wildlife and wildlife sign observed by Real West Natural Resource Consulting on the Horse Creek Quarry Permit Area in 2025.

Mammals

Coyote (*Canis latrans*) – sign only
Desert cottontail (*Sylvilagus audubonii*)
Elk (*Cervus canadensis*) - sign only
Least chipmunk (*Tamias minimus*)
Mule deer (*Odocoileus hemionus*)
Pronghorn antelope (*Antilocapra americana*)
Thirteen-lined ground squirrel (*Ictidomys tridecemlineatus*)
Wyoming ground squirrel (*Spermophilus elegans*)

Birds

American crow (*Corvus brachyrhynchos*)
American goldfinch (*Carduelis tristis*)
American robin (*Turdus migratorius*)
Black-billed magpie (*Pica hudsonia*)
Brewer's blackbird (*Euphagus cyanocephalus*)
Bullock's oriole (*Icterus bullockiorum*)
Chipping sparrow (*Spizella passerina*)
Cliff swallow (*Petrochelidon phrrhonota*)
Common nighthawk (*Chordeiles minor*)
Common raven (*Corvus corax*)
Horned lark (*Eremophila alpestris*)
Mountain bluebird (*Sialia currucoides*)
Mountain chickadee (*Poecile gambeli*)
Mourning dove (*Zenaidura macroura*)
Northern flicker (*Colaptes auratus*)
Rock wren (*Salpinctes obsoletus*)
Western meadowlark (*Sturnella neglecta*)
White-crowned sparrow (*Zonotrichia leucophrys*)
Yellow warbler (*Setophaga petechia*)

Table C-2. Wyoming Species of Greatest Conservation Need identified by the Wyoming Game and Fish Department¹ and their potential to occur on the Horse Creek Quarry Permit Area based on suitable habitat present. Those potentially on the permit area are in bold.

Common Name	Scientific Name	SGCN Tier Rank	Habitat	Potential on site
Mammals				
Bighorn Sheep	<i>Ovis canadensis</i>	II	Rocky escape habitat	
Eastern Red Bat	<i>Lasiurus borealis</i>	III	Forested areas	
Fringed Myotis	<i>Myotis thysanodes</i>	II	Grasslands with Ponderosa pine	X
Hispid Pocket Mouse	<i>Chaetodipus hispidus</i>	III	Grasslands with Ponderosa pine	X
Little Brown Myotis	<i>Myotis lucifugus</i>	II	Woodlands	
Long-eared Myotis	<i>Myotis evotis</i>	III	Forested areas	
Long-legged Myotis	<i>Myotis volans</i>	III	Forested areas	
Northern Meadow Jumping Mouse	<i>Zapus hudsonius</i>	III	Near water with dense vegetation	
Olive-backed Pocket Mouse	<i>Perognathus fasciatus</i>	III	Grassland with sparse vegetation	
Pallid Bat	<i>Antrozous pallidus</i>	II	Arid deserts and grasslands	
Plains Harvest Mouse	<i>Reithrodontomys montanus</i>	II	Short grass habitat	X
Plains Pocket Mouse	<i>Perognathus flavescens</i>	III	Grassland with sandy soils	
Preble's Meadow Jumping Mouse	<i>Zapus hudsonius preblei</i>	II	Riparian habitat	
Spotted Ground Squirrel	<i>Xerospermophilus spilosoma</i>	III	Vegetated dunes	
Swift Fox	<i>Vulpes velox</i>	II	Grassland on flat terrain	X
Townsend's Big-eared Bat	<i>Corynorhinus townsendii</i>	II	Caves for roosting	
Western Small-footed Myotis	<i>Myotis ciliolabrum</i>	II	Cliffs, rock outcrops	X
Birds				
American Kestrel	<i>Falco sparverius</i>	III	Nest in tree cavities	X
American White Pelican	<i>Pelecanus erythrorhynchos</i>	II	Freshwater habitats	
Bald Eagle	<i>Haliaeetus leucocephalus</i>	II	Forested area near water	

Wildlife D9 –Horse Creek Quarry
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Common Name	Scientific Name	SGCN Tier Rank	Habitat	Potential on site
Black Tern	<i>Chlidonias niger</i>	II	Freshwater habitats	
Black-billed Cuckoo	<i>Coccyzus erythrophthalmus</i>	II	Mature deciduous riparian habitat	
Black-crowned Night Heron	<i>Nycticorax nycticorax</i>	II	Wetlands	
Bobolink	<i>Dolichonyx oryzivorus</i>	II	Tall-grasslands	
Brewer's Sparrow	<i>Spizella breweri</i>	II	Sagebrush obligates	
Burrowing Owl	<i>Athene cunicularia</i>	I	Grasslands	X
Calliope Hummingbird	<i>Selasphorus calliope</i>	II	Montane willow	
Canyon Wren	<i>Catherpes mexicanus</i>	III	Rocky habitats	X
Chestnut-collared Longspur	<i>Calcarius ornatus</i>	II	Large open tracks of grassland	X
Clark's Grebe	<i>Aechmophorus clarkii</i>	II	Freshwater lake	
Clark's Nutcracker	<i>Nucifraga columbiana</i>	II	Forested habitat	
Common Nighthawk	<i>Chordeiles minor</i>	III	Open forest	X
Common Yellowthroat	<i>Geothlypis trichas</i>	III	Dense vegetation near marshes	
Ferruginous Hawk	<i>Buteo regalis</i>	II	Prairie habitat with rock outcrops	X
Golden Eagle	<i>Aquila chrysaetos</i>	II	Sagebrush steppe	X
Great Blue Heron	<i>Ardea herodias</i>	II	Marshes	
Greater Sage-Grouse	<i>Centrocercus urophasianus</i>	II	Sagebrush prairie	X
Lewis's Woodpecker	<i>Melanerpes lewis</i>	II	Ponderosa Pine woodland	X
Loggerhead Shrike	<i>Lanius ludovicianus</i>	II	Prairie habitat	X
Long-billed Curlew	<i>Numenius americanus</i>	II	Short-grass prairie	X
MacGillivray's Warbler	<i>Geothlypis tolmiei</i>	II	Coniferous and deciduous forest	
Merlin	<i>Falco columbarius</i>	III	Trees for nesting; open areas for foraging	X
Mountain Plover	<i>Anarhynchus montanus</i>	I	Sparsely vegetated grassland	
Peregrine Falcon	<i>Falco peregrinus</i>	II	Cliffs for nesting	
Pygmy Nuthatch	<i>Sitta pygmaea</i>	II	Old-growth forests	
Red Crossbill	<i>Loxia curvirostra</i>	II	Conifer forests	

Wildlife D9 –Horse Creek Quarry
October 2025

Common Name	Scientific Name	SGCN Tier Rank	Habitat	Potential on site
Red-eyed Vireo	<i>Vireo olivaceus</i>	II	Deciduous forest	
Red-headed Woodpecker	<i>Melanerpes erythrocephalus</i>	II	Wooded habitat with snags	X
Sage Thrasher	<i>Oreoscoptes montanus</i>	II	Sagebrush obligates	
Snowy Egret	<i>Egretta thula</i>	II	Marshes	
Swainson's Hawk	<i>Buteo swainsoni</i>	II	Trees for nesting; open areas for foraging	X
McCown's Longspur	<i>Rhynchophanes mccownii</i>	II	Large open tracks of grassland	X
Upland Sandpiper	<i>Bartramia longicauda</i>	II	Grasslands	X
Virginia Rail	<i>Rallus limicola</i>	III	Wetlands and Marshes	
Virginia's Warbler	<i>Leiothlypis virginiae</i>	II	Dense brush on mountain slopes	
White-faced Ibis	<i>Plegadis chihi</i>	II	Wetlands	
Williamson's Sapsucker	<i>Sphyrapicus thyroideus</i>	II	Forests	
Willow Flycatcher	<i>Empidonax traillii</i>	III	Riparian habitat	
Reptiles				
Great Plains Earless Lizard	<i>Holbrookia maculata maculata</i>	III	Prairies with sandy soil	
Greater Short-horned Lizard	<i>Phrynosoma hernandesi</i>	II	Shortgrass and sagebrush	X
Northern Many-lined Skink	<i>Plestiodon multivirgatus multivirgatus</i>	II	Shortgrass community	
Prairie Rattlesnake	<i>Crotalus viridis</i>	III	Prairie and grasslands	X
Red-sided Gartersnake	<i>Thamnophis sirtalis parietalis</i>	III	Near permanent water	
Western Milksnake	<i>Lampropeltis gentilis</i>	II	Foothill shrublands and grasslands	
Amphibians				
Western Tiger Salamander	<i>Ambystoma mavortium</i>	III	Aquatic habitat for breeding	
Northern Leopard Frog	<i>Lithobates pipiens</i>	II	Aquatic habitats	

Preferred habitats provide by: Dorn and Dorn 1990, Faulkner 2010, Lewis 2011

ADDENDUM D

Correspondence from:

Wyoming Game and Fish Department

U.S. Fish and Wildlife Service



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Wyoming Ecological Services Field Office
334 Parsley Boulevard
Cheyenne, WY 82007-4178

Phone: (307) 772-2374 Fax: (307) 772-2358

Email Address: wyominges@fws.gov

<https://www.fws.gov/office/wyoming-ecological-services>

In Reply Refer To:

09/13/2025 20:30:29 UTC

Project Code: 2025-0149087

Project Name: Horse Creek Quarry

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat that may occur within the boundary of the proposed project and / or may be affected by the proposed project. This species list fulfills requirements under section 7(c) of the [Endangered Species Act of 1973](#), as amended (ESA; 16 U.S.C. 1531 *et seq.*).

New or updated information based on surveys, changes in the abundance and / or distribution of species, changed habitat conditions, or other factors could change this species list. Note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the ESA, the accuracy of this species list should be verified after 90 days. The U.S. Fish and Wildlife Service (Service) recommends that verification be completed by visiting the [IPaC website](#) at regular intervals during project planning and implementation for updates to species lists and information. An updated list can be requested through the IPaC tool by completing the same process used to receive the enclosed list.

The purpose of the ESA is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the ESA and its implementing regulations (50 CFR 402 *et seq.*), federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects they authorize, fund, carry out, in whole or in part may affect listed and proposed species as well as proposed and final designated critical habitat.

A biological assessment is required for construction projects (or other undertakings having similar physical impacts) that are major federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, a biological evaluation similar to a biological assessment should be prepared to determine whether the project may affect listed or proposed species as well as proposed and final designated critical habitat. The necessary contents of a biological assessment for consultation are described at 50 CFR 402.14.

If the federal agency determines that proposed or listed species and / or designated critical habitat may be affected by the proposed project, the federal agency is required to support that determination and consult with the Service pursuant to the ESA implementing regulations at 50 CFR 402. More information on the regulations and procedures for section 7 consultation, including the role of designated non-federal representatives, can be found in the [1998 Endangered Species Consultation Handbook](#).

We appreciate your efforts to ensure the conservation of endangered, threatened, proposed and candidate species. Contact our office for more information and / or assistance regarding potential impacts to federally proposed, listed, candidate species, or proposed and final designated critical habitat at (307) 772-2374 or visit the [Wyoming Ecological Services website](#). **Please include the IPaC Project Code, located in the header of this letter, with any request for consultation or correspondence about your project that you submit to our office using our WyomingES@fws.gov email address.**

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Bald & Golden Eagles
- Migratory Birds
- Wetlands

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Wyoming Ecological Services Field Office
334 Parsley Boulevard
Cheyenne, WY 82007-4178
(307) 772-2374

PROJECT SUMMARY

Project Code: 2025-0149087
Project Name: Horse Creek Quarry
Project Type: Subsurface Exploration - Non Energy Materials
Project Description: Mining of feldspar.
Project Location:

The approximate location of the project can be viewed in Google Maps: https://***.google.com/maps/@41.48067355,-105.24270477062382,14z



Counties: Albany and Laramie counties, Wyoming

ENDANGERED SPECIESACT SPECIES

There is a total of 8 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 1 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Preble's Meadow Jumping Mouse <i>Zapus hudsonius preblei</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/4090 General project design guidelines: *****ipac.ecosphere.fws.gov/project/HANJSLIOIVEINCGMMWW3JLYSKU/documents/generated/10578.pdf	Threatened

BIRDS

NAME	STATUS
Piping Plover <i>Charadrius melodus</i> Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered. There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6039	Threatened
Whooping Crane <i>Grus americana</i> Population: Wherever found, except where listed as an experimental population There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/758	Endangered

FISHES

NAME	STATUS
Pallid Sturgeon <i>Scaphirhynchus albus</i> No critical habitat has been designated for this species. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> Water use or contamination may adversely affect the species. Within the Platte River basin, depletions may adversely affect the species. These affects must be considered even outside occupied range. See local FWS office for more information. Species profile: https://ecos.fws.gov/ecp/species/7162	Endangered

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> There is proposed critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/9743	Proposed Threatened
Suckley's Cuckoo Bumble Bee <i>Bombus suckleyi</i> Population: No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10885	Proposed Endangered

FLOWERING PLANTS

NAME	STATUS
Ute Ladies'-tresses <i>Spiranthes diluvialis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/2159 General project design guidelines: *****ipac.ecosphere.fws.gov/project/HANJSLIOIVEINCGMMWW3JLYSKU/documents/generated/10578.pdf	Threatened
Western Prairie Fringed Orchid <i>Platanthera praeclara</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1669	Threatened

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

BALD & GOLDEN EAGLES

Bald and Golden Eagles are protected under the Bald and Golden Eagle Protection Act ² and the Migratory Bird Treaty Act (MBTA) ¹. Any person or organization who plans or conducts activities that may result in impacts to Bald or Golden Eagles, or their habitats, should follow appropriate regulations and consider implementing appropriate avoidance and minimization measures, as described in the various links on this page.

-
1. The [Bald and Golden Eagle Protection Act](#) of 1940.
 2. The [Migratory Birds Treaty Act](#) of 1918.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

Bald and Golden Eagles are protected under the Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act (MBTA). Any person or organization who plans or conducts activities that may result in impacts to Bald or Golden Eagles, or their nests, should follow appropriate

regulations and implement required avoidance and minimization measures, as described in the various links on this page.

The data in this location indicates that no eagles have been observed in this area. This does not mean eagles are not present in your project area, especially if the area is difficult to survey. Please review the 'Steps to Take When No Results Are Returned' section of the Supplemental Information on Migratory Birds and Eagles document to determine if your project is in a poorly surveyed area. If it is, you may need to rely on other resources to determine if eagles may be present (e.g. your local FWS field office, state surveys, your own surveys).

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats, should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "Supplemental Information on Migratory Birds and Eagles".

MIGRATORY BIRDS

The Migratory Bird Treaty Act (MBTA) ¹ prohibits the take (including killing, capturing, selling, trading, and transport) of protected migratory bird species without prior authorization by the Department of Interior U.S. Fish and Wildlife Service (Service).

-
1. The [Migratory Birds Treaty Act](#) of 1918.
 2. The [Bald and Golden Eagle Protection Act](#) of 1940.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

THERE ARE NO FWS MIGRATORY BIRDS OF CONCERN WITHIN THE VICINITY OF YOUR PROJECT AREA.

WETLANDS

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

RIVERINE

- R4SBC
- R4SBA

FRESHWATER EMERGENT WETLAND

- PEM1C

IPAC USER CONTACT INFORMATION

Agency: Real West Natural Resource Consulting

Name: Amber Travsky

Address: 1116 Albin St.

City: Laramie

State: WY

Zip: 82072

Email: atravsky@wyoming.com

Phone: 3077423506



Wyoming Game and Fish Department

Conserving Wildlife, Serving People

Governor Mark Gordon • Director Angi Bruce

Commissioners

Ashlee Lundvall, President

Mark Jolovich, Vice President

Rusty Bell

Bill Mai

Carlisle "Fonzy" Haskell

John Masterson

Kenneth D. Roberts

March 24, 2025

WER 15005.01

L. G. Everist, Inc.

Horse Creek Rock Quarry

Proposed Regular Mine Permit

Baseline Wildlife Request for Consultation

Albany and Laramie Counties

Amber Travsky

Real West Natural Resource Consulting

1116 Albin St.

Laramie, WY 82072

atravsky@wyoming.com

Dear Ms. Travsky,

The staff of the Wyoming Game and Fish Department (Department) has reviewed the proposed non-coal mining permit for the L. G. Everist, Inc. Horse Creek Rock Quarry in Section 32 T18N R70W and Section 5-6 T17N R70W in Laramie County. The Department is statutorily charged with managing and protecting all Wyoming wildlife (W.S. 23-1-103). Pursuant to our mission, we offer the following comments for your consideration.

L. G. Everist currently operates a Limited Mine Operation (LMO) at this site. The proposed mine permit area would encompass an additional 658 acres on private lands, and the site would be accessed from Wyoming Highway 211/Horse Creek Road via an existing access road approximately 3 miles in length. The expansion area primarily consists of two hill formations, the North Hill and the South Hill, as well as a large loadout area located adjacent to the railroad line near Highway 211. Mining operations would begin at the North Hill and when the resources there are depleted in approximately 20-25 years, mining at the South Hill would commence. Depending on the resources on site, a conveyor belt from the existing LMO site to the loadout area may also be constructed.

The proposed mine is located in sagebrush shrubland and xeric forest habitat, and the proposed loadout area and existing access road are located in sagebrush shrubland and prairie grassland habitat. The North Hill mine site, nearly the entirety of the access road, and a portion of the loadout area are located within the 2-mile Timing Limitation Stipulation (TLS) buffer of the occupied, non-Core Area greater sage-grouse lek F-Pine Top as designated by the Governor's Sage-grouse Executive Order 2019-3 (SGEO). The lek is located approximately 1.1 miles northeast of the existing LMO site and was active in 2025. The majority of the proposed mine, loadout area, and existing access road is also located within mule deer crucial winter range habitat as delineated by

the Department. South Chugwater Creek and Ricker Creek, perennial streams supporting extensive riparian vegetation, run along the northern and western portions of the North Hill and South Hill sites. The project area and surrounding vicinity may contain suitable habitat for a number of Species of Greatest Conservation Need (SGCN) such as greater sage-grouse, nesting raptors, other migratory bird species, Preble's meadow jumping mouse, swift fox, various bat species, reptiles and amphibians, and native fishes (Table 1).

The Department recently provided recommendations for the development of this project's groundwater monitoring wells in order to maintain compliance with the SGEO, via WER 51593.00 (attached).

Terrestrial Recommendations:

Comply with development stipulations in the SGEO – Given that the proposed mine site and existing access road is primarily located within the 2-mile TLS buffer of an occupied, non-Core greater sage-grouse lek, the following stipulations must be followed:

- For all mine or loadout area sites located within the lek's 2-mile TLS buffer, remove all vegetation and topsoil outside of the March 15 – June 30 timing stipulation period.
- For all mine or loadout area sites that are located outside of the lek's 2-mile TLS buffer, but are only accessible via the access road that passes through substantial portions of the lek's 2-mile TLS buffer, all traffic related to vegetation and topsoil removal must also occur outside the March 15 – June 30 timing stipulation period.
- Once all vegetation and topsoil removal activities are complete, mining activities at sites within the 2-mile TLS buffer and/or accessed via the road located within the 2-mile TLS buffer may occur year-round.

Additionally, the Department recommends the following measures:

- Avoid removing any stands of sagebrush except for what is essential for the mine expansion. Sagebrush provides critical habitat for many sagebrush obligate species and is difficult to restore once removed.
- Facilitate the monitoring of F-Pine Top lek. We recommend coordinating with the landowner to continue to allow access for Department personnel to conduct lek monitoring while the mine is in operation or until the lek is determined to be unoccupied.
 - If Department staff are unable to access the site for lek monitoring, we recommend the project's environmental consultant conduct annual lek monitoring.

Avoid disturbance to wintering mule deer – The project site is located inside mule deer crucial winter range habitat, which is delineated as such because the use of that habitat is a determining factor in a population's ability to maintain itself long-term. Big game crucial winter range is

considered a vital habitat per the Wyoming Game and Fish Commission Mitigation Policy (2016) and the Department is directed to recommend no loss of habitat function for crucial winter range. Human activity and industrial/ground-disturbing activity can impact the foraging behavior, stress levels, and energy reserves in big game individuals, particularly during the winter when mortality risk is already high. This can cause increased energy demands, increased winter mortality, and decreased fawn productivity, potentially impacting the viability of local populations.

Therefore, the Department recommends:

- Restricting all ground-disturbing activity and other project-related activity, and minimizing traffic and human presence, at the site between November 15 and April 30.
- If this is not feasible, we recommend:
 - Performing all initial topsoil removal at the mine site outside the November 30 – April 30 window.
 - Creating a travel management plan to reduce impacts to wintering big game. We recommend including measures for minimizing traffic loads, encouraging carpooling of personnel, avoiding traffic for one hour after dawn and one hour before dusk, and implementing 25 mph speed limits on project roads.

Complete habitat and wildlife surveys and prepare an Appendix D9 report – When available, the Department would appreciate an opportunity to review a habitat and wildlife inventory Appendix D9 report prepared for the Wyoming Department of Environmental Quality Land Quality Division as part of their mine permitting process.

Protect nesting raptors and other migratory birds – The proposed project site and surrounding area contains nesting habitat for raptors. Federal law prohibits the take of raptors, including causing the destruction or abandonment of eggs and young. Raptors can require up to a 1-mile spatial buffer from construction activities during nesting. Additionally, sagebrush-obligate migratory birds and other bird species likely nest in the project area in shrubs, grass, and/or conifers. To avoid losses of birds or occupied nests, the Department recommends:

- Conducting raptor nest surveys in and within 1 mile of the project prior to new surface disturbing activities, if habitat clearing and construction activity is occurring during the breeding season (approximately February 1 – July 31)
- Implementing the U.S. Fish and Wildlife Service (Service) seasonal and spatial buffers for occupied raptor nests. The Service’s breeding season dates and recommendations are located at: <https://www.fws.gov/project/wyoming-ecological-services-field-office-raptor-guidance>.
- Avoiding ground-disturbing activities during the migratory bird breeding season, April 1 – July 31.
- Conducting ground clearance surveys for active migratory bird nests, if ground-disturbing activities are planned between April 1 and July 31. If nests are located or other evidence of nesting is detected, we recommend a protective buffer (in consultation with

the Department) be implemented until the young fledge or the nest is no longer occupied, in order to avoid avian take as a result of construction activities.

- Consulting with the Service to avoid take of migratory birds.

Minimize impacts to bat roosts and habitat – A number of SGCN bats may occur in and around the project area. Bats use both live and dead snag trees to roost in during the day, and some species also form maternity (pup bearing and rearing) roosts in trees. To minimize impacts to sensitive bat populations in the project area, the Department recommends:

- Avoiding the removal of any live or dead snag trees that are not essential for the quarry expansion.
- Covering or netting ponds that contain oily wastes or other wastes to exclude use by bats.

Prevent the spread of invasive annual grasses – Invasive annual grasses (IAGs) can cause significant harm to the ecosystem when introduced. Ground-disturbing activities can create an environment that facilitates establishment by unwanted plants. They significantly reduce the quality of wildlife habitat and their presence increases the probability of catastrophic wildfire. The potential economic impacts to the State of Wyoming are severe, and once these species become established, eradication is difficult and costly. Prevention of establishment remains the best way to keep Wyoming's habitats free of IAGs.

The most significant known threat to Wyoming is from cheatgrass, medusahead, and ventenata. To prevent the spread of IAGs, we recommend the following:

- Preventing introduction and establishment by cleaning vehicles and equipment prior to movement to a new location in order to minimize the potential for transporting seeds.
- Working with land managers to develop and implement a plan to assess, treat, and monitor for invasive plants at the project scale and in the adjacent landscape where they are present.
- Working with the local Weed and Pest district to implement and fund long-term plans for successful restoration of disturbed sites. Additional information on prevention and treatment options for these grasses can be found at <https://www.invasivegrasses.com>.

Aquatic Recommendations:

Protect riparian and wetland habitat – The perennial stream South Chugwater Creek runs along the northwestern portion of the project's North Hill, its tributary Ricker Creek is located along the western portion of both the South Hill and North Hill, and fresh emergent wetlands are found along the western portions of the North Hill and South Hill. These creeks and wetland habitat are surrounded by steep topography. The project boundary provided to the Department indicates that mining activities may be planned adjacent to the steep stream banks, raising concerns about potential runoff and sedimentation issues. These creeks are known to contain brown and brook

trout as well as a number of native fish species. The riparian and wetland areas also serve as potential habitat for the federally-threatened Preble's meadow jumping mouse, nesting raptors and other migratory birds, and reptiles and amphibians, including a number of potential SGCN. As such, the Department recommends:

- Mapping all perennial and ephemeral riparian and wetland habitat in and in the immediate vicinity of the project area.
- Maintaining a 500-foot buffer around all perennial and ephemeral riparian and wetland habitat.

Protect watershed and fishery quality – In addition to maintaining appropriate buffers around riparian and wetland habitat as discussed above, the proponent should incorporate other Best Management Practices (BMPs) to protect watershed and fishery quality in this area. Sediment from construction activities, mining activities on surfaces cleared of vegetation, and stockpiles of materials, as well as pollutant runoff, can enter nearby waterways and negatively impact water quality and habitat for aquatic wildlife. The Department recommends:

- Incorporating sufficient overflow capacity into sedimentation ponds so that storm water concentrated flow during extreme precipitation events does not overflow onsite storage ponds.
- Incorporating BMPs to control erosion and prevent sediment from reaching watersheds, including but not limited to:
 - Preserving existing vegetation wherever possible.
 - Properly containing stockpiles of materials and locating them away from riparian areas, wetlands, or areas of potential storm water concentrated flow.
 - Incorporating revegetation, silt fences, siltation berms, rock chuck dams, and other erosion control measures to prevent sedimentation from cleared surfaces and materials piles.
 - Cleaning, fueling, and maintaining vehicles and equipment at designated areas away from aquatic resources or areas of potential storm water concentrated flow.

Prevent the spread of aquatic invasive species – Aquatic invasive species (AIS) are organisms that are not native to Wyoming and can cause significant harm to an ecosystem when introduced. Harmful impacts can occur to municipal water supplies, fishing and boating-related recreation, agriculture, aquaculture, and other commercial activities. The potential economic impacts to the State of Wyoming could be severe if these non-native species are introduced into our water systems. Once these organisms become established in a waterbody, there is very little that can be done to remove them. Prevention is the best way to keep a water body safe from AIS.

The most significant known threat to Wyoming is from zebra and quagga mussels based on their proximity and demonstrated impacts in neighboring states. Other AIS include New Zealand mudsnail, Asian carp, rusty crayfish, and several species of aquatic plants.

The spread of AIS from one body of water to another is a violation of Wyoming state statute (WS § 23-1-102 & §§ 23-4-201 through 205) and Wyoming Game and Fish Commission Regulation. To prevent the spread of AIS, the following is required:

- Equipment that was in contact with a water positive for zebra/quagga mussels (currently none in Wyoming) within the last 30 days is required to undergo inspection by an authorized inspector prior to contacting a Wyoming water.
- From March through November, all water hauling equipment and watercraft entering the state by land must be inspected before contacting a water of the state.
- Equipment used in any Wyoming water that contains AIS, must be Cleaned, Drained and Dried before use in another water. Wyoming waters with AIS can be found at: <https://wgfd.maps.arcgis.com/apps/webappviewer/index.html?id=935acbec194f4d42823af3db59272409>.
- When equipment that has been in contact with any Wyoming water is moved from one 4th level watershed (8-digit Hydrological Unit Code) to another within Wyoming, it must be Cleaned, Drained and Dried. Specific guidance is available at: [*****wgfd.wyo.gov/watercraft-inspection-information](https://wgfd.wyo.gov/watercraft-inspection-information).

Thank you for the opportunity to comment. If you have any questions or concerns, please contact Lauren Throop, Habitat Protection Biologist, at (307) 721-1396.

Sincerely,



Will Schultz
Habitat Protection Supervisor

WS/lt/ch

cc: U.S. Fish and Wildlife Service
Chris Wichmann, Wyoming Department of Agriculture

Table 1. Wyoming Species of Greatest Conservation Need (SGCN) with the potential to occur at the project area.

Name	Scientific name	Taxon	NSS	Tier
Northern Leopard Frog	<i>Lithobates pipiens</i>	Amphibians	NSS4(Bc)	II

Western Tiger Salamander	<i>Ambystoma mavortium</i>	Amphibians	NSS4(Bc)	III
Burrowing Owl	<i>Athene cunicularia</i>	Birds	NSSU(U)	I
Mountain Plover	<i>Anarhynchus montanus</i>	Birds	NSSU(U)	I
American White Pelican	<i>Pelecanus erythrorhynchos</i>	Birds	NSS4(Bc)	II
Bald Eagle	<i>Haliaeetus leucocephalus</i>	Birds	NSS3(Bb)	II
Black Tern	<i>Chlidonias niger</i>	Birds	NSS3(Bb)	II
Black-billed Cuckoo	<i>Coccyzus erythrophthalmus</i>	Birds	NSS4(Bc)	II
Black-crowned Night Heron	<i>Nycticorax nycticorax</i>	Birds	NSS3(Bb)	II
Bobolink	<i>Dolichonyx oryzivorus</i>	Birds	NSS4(Bc)	II
Brewer's Sparrow	<i>Spizella breweri</i>	Birds	NSS4(Bc)	II
Calliope Hummingbird	<i>Selasphorus calliope</i>	Birds	NSS4(Bc)	II
Chestnut-collared Longspur	<i>Calcarius ornatus</i>	Birds	NSS4(Bc)	II
Clark's Grebe	<i>Aechmophorus clarkii</i>	Birds	NSSU(U)	II
Clark's Nutcracker	<i>Nucifraga columbiana</i>	Birds	NSS4(Bc)	II
Ferruginous Hawk	<i>Buteo regalis</i>	Birds	NSS4(Cb)	II
Golden Eagle	<i>Aquila chrysaetos</i>	Birds	NSS4(Bc)	II
Great Blue Heron	<i>Ardea herodias</i>	Birds	NSS4(Bc)	II
Greater Sage-Grouse	<i>Centrocercus urophasianus</i>	Birds	NSS4(Bc)	II
Lewis's Woodpecker	<i>Melanerpes lewis</i>	Birds	NSSU(U)	II
Loggerhead Shrike	<i>Lanius ludovicianus</i>	Birds	NSS4(Bc)	II
Long-billed Curlew	<i>Numenius americanus</i>	Birds	NSS3(Bb)	II
MacGillivray's Warbler	<i>Geothlypis tolmiei</i>	Birds	NSS4(Bc)	II
Peregrine Falcon	<i>Falco peregrinus</i>	Birds	NSS3(Bb)	II
Pygmy Nuthatch	<i>Sitta pygmaea</i>	Birds	NSS3(Bb)	II
Red Crossbill	<i>Loxia curvirostra</i>	Birds	NSS4(Bc)	II
Red-eyed Vireo	<i>Vireo olivaceus</i>	Birds	NSS4(Bc)	II
Red-headed Woodpecker	<i>Melanerpes erythrocephalus</i>	Birds	NSS4(Bc)	II
Sage Thrasher	<i>Oreoscoptes montanus</i>	Birds	NSS4(Bc)	II
Snowy Egret	<i>Egretta thula</i>	Birds	NSS3(Bb)	II
Swainson's Hawk	<i>Buteo swainsoni</i>	Birds	NSSU(U)	II
Thick-billed Longspur	<i>Rhynchophanes mccownii</i>	Birds	NSS4(Bc)	II
Upland Sandpiper	<i>Bartramia longicauda</i>	Birds	NSSU(U)	II
Virginia's Warbler	<i>Leiothlypis virginiae</i>	Birds	NSSU(U)	II
White-faced Ibis	<i>Plegadis chihi</i>	Birds	NSS3(Bb)	II
Williamson's Sapsucker	<i>Sphyrapicus thyroideus</i>	Birds	NSS3(Bb)	II
American Kestrel	<i>Falco sparverius</i>	Birds	NSS4(Bc)	III
Canyon Wren	<i>Catherpes mexicanus</i>	Birds	NSS4(Bc)	III

Common Nighthawk	<i>Chordeiles minor</i>	Birds	NSS4(Bc)	III
Common Yellowthroat	<i>Geothlypis trichas</i>	Birds	NSS4(Bc)	III
Merlin	<i>Falco columbarius</i>	Birds	NSSU(U)	III
Virginia Rail	<i>Rallus limicola</i>	Birds	NSSU(U)	III
Willow Flycatcher	<i>Empidonax traillii</i>	Birds	NSS3(Bb)	III
Bighorn Sheep	<i>Ovis canadensis</i>	Mammals	NSS4(Bc)	II
Fringed Myotis	<i>Myotis thysanodes</i>	Mammals	NSS3(Bb)	II
Little Brown Myotis	<i>Myotis lucifugus</i>	Mammals	NSS3(Bb)	II
Pallid Bat	<i>Antrozous pallidus</i>	Mammals	NSS3(Bb)	II
Plains Harvest Mouse	<i>Reithrodontomys montanus</i>	Mammals	NSS3(Bb)	II
Preble's Meadow Jumping Mouse	<i>Zapus hudsonius preblei</i>	Mammals	NSS3(Bb)	II
Swift Fox	<i>Vulpes velox</i>	Mammals	NSS4(Cb)	II
Townsend's Big-eared Bat	<i>Corynorhinus townsendii</i>	Mammals	NSS3(Bb)	II
Western Small-footed Myotis	<i>Myotis ciliolabrum</i>	Mammals	NSS4(Cb)	II
Eastern Red Bat	<i>Lasiurus borealis</i>	Mammals	NSS4(Bc)	III
Hispid Pocket Mouse	<i>Chaetodipus hispidus</i>	Mammals	NSSU(U)	III
Long-eared Myotis	<i>Myotis evotis</i>	Mammals	NSS4(Cb)	III
Long-legged Myotis	<i>Myotis volans</i>	Mammals	NSS4(Cb)	III
Northern Meadow Jumping Mouse	<i>Zapus hudsonius</i>	Mammals	NSS4(Bc)	III
Olive-backed Pocket Mouse	<i>Perognathus fasciatus</i>	Mammals	NSS4(Cb)	III
Plains Pocket Mouse	<i>Perognathus flavescens</i>	Mammals	NSSU(U)	III
Spotted Ground Squirrel	<i>Xerospermophilus spilosoma</i>	Mammals	NSS4(Bc)	III
Greater Short-horned Lizard	<i>Phrynosoma hernandesi</i>	Reptiles	NSS4(Bc)	II
Northern Many-lined Skink	<i>Plestiodon multivirgatus</i>	Reptiles	NSSU(U)	II
Western Milksnake	<i>Lampropeltis gentilis</i>	Reptiles	NSS3(Bb)	II
Great Plains Earless Lizard	<i>Holbrookia maculata maculata</i>	Reptiles	NSSU(U)	III
Prairie Rattlesnake	<i>Crotalus viridis</i>	Reptiles	NSS4(Bc)	III
Red-sided Gartersnake	<i>Thamnophis sirtalis parietalis</i>	Reptiles	NSSU(U)	III



Wyoming Game and Fish Department

Conserving Wildlife, Serving People

Governor Mark Gordon • Director Angi Bruce

Commissioners

Ashlee Lundvall, President

Mark Jolovich, Vice President

Rusty Bell

Bill Mai

Carlisle "Fonzy" Haskell

John Masterson

Kenneth D. Roberts

April 7, 2025

WER 51593.00

State of Wyoming Executive Order 2019-3 and 2020-1

Project Compliance Review

Brierley Associates

Horse Creek Rock Quarry

Drilling Notification for Groundwater Monitoring Wells

Laramie County

Melissa Bautz

Project Geologist

Brierley Associates

1482 Commerce Dr., Unit T

Laramie, WY 82070

mbautz@brierleyassociates.com

Dear Ms. Bautz,

The staff of the Wyoming Game and Fish Department (Department) has reviewed the proposed groundwater monitoring wells for compliance with the State of Wyoming's Sage Grouse Executive Order 2019-3 (SGEO) and Migration Corridor Executive Order 2020-1 (MCEO). We offer the following comments for your consideration.

The proposed project entails the installation of eight groundwater monitoring wells (with two alternate locations) around the perimeter of the proposed new permit boundary for the Horse Creek Farthing Ranch granite quarry mine. The access route from Horse Creek Road to the project site was also provided to the Department. The granite quarry mine is in the process of being converted from a Limited Mining Operation to a Regular Mining Permit through the Wyoming Department of Environmental Quality permitting process.

Note this letter is for sage-grouse and migration corridor recommendations only, and additional wildlife concerns may need to be addressed within the project area. It is the responsibility of the permitting agency(s) to accept or deny the permit based on the following recommendations.

Executive Order 2019-3 Greater Sage-Grouse Core Area Protection

The materials provided by the proponent and consultant suggest drilling and other associated activities for these groundwater monitoring wells would begin in early May 2025. The majority of the proposed groundwater monitoring well locations, as well as the majority of the access route from Horse Creek Road to the project site, are located within the 2-mile Timing Limitation

Melissa Bautz
April 7, 2025
Page 2 of 3 – WER 51593.00

Stipulation (TLS) buffer of an occupied non-Core greater sage-grouse lek. Only the well locations in Section 6 and the southern half of Section 5 T17N:R70W, and only the portion of the access route located east of the railroad tracks in Section 3 T17N:R70W, are located outside the lek buffer. Per the SGEO, no drilling activity, habitat removal, traffic to the site, civil surveys, or other activities associated with the development and operation of these groundwater monitoring wells may occur within the 2-mile buffer of this lek during March 15 – June 30. Please refer to Appendix E of the [Governor’s Sage-grouse Executive Order 2019-3 \(SGEO\)](#) for more information if needed.

The Department would also like to clarify that per page 11 of Appendix E of the SGEO, the following timing stipulations and timing allowances would apply to mining development, operations, and maintenance activities at a future Regular Mine granite quarry at this site. “Vegetation removal and topsoil stripping should be limited to the minimum disturbance required by the project. All topsoil stripping and vegetation removal in suitable habitat is limited to between July 1 and March 14 in Core Areas [and in the 2-mile TLS buffer of occupied non-Core leks]. Production and maintenance activities (surface mining) between March 15 and June 30 are considered permissible once the vegetation is removed outside the seasonal stipulations. Initial disturbance in unsuitable habitat between March 15 and June 30 may be approved on a case-by-case basis.”

Last, we recommend exploring the potential for using an alternate existing access route to the site for the development, operations, and maintenance of the Regular Mine, if feasible. The identified access route is located primarily inside the 2-mile TLS buffer of the nearby occupied sage-grouse lek. While the use of this road year-round would be compliant with the SGEO, its use may present negative impacts for lekking and nesting sage-grouse in this area. We recommend exploring whether any other existing two-tracks or roads route outside the lek buffer may be utilized for access, as a Best Management Practice. We have coordinated with the consultants on providing spatial data for that lek buffer, for your planning purposes.

Executive Order 2020-1 Wyoming Mule Deer and Antelope Migration Corridor Protection

The proposed project is not located within any identified or designated big game migration corridor. As such, no stipulations from the MCEO apply to this project.

Thank you for the opportunity to comment. If you have any questions or concerns, please contact Lauren Throop, Habitat Protection Biologist, at (307) 721-1396.

Melissa Bautz
April 7, 2025
Page 3 of 3 – WER 51593.00

Sincerely,

A handwritten signature in black ink, appearing to read "Will Schultz", with a stylized flourish at the end.

Will Schultz
Habitat Protection Supervisor

WS/lt/kgb

cc: U.S. Fish and Wildlife Service
Chris Wichmann, Wyoming Department of Agriculture
Chad Haley, Wyoming Department of Environmental Quality, Land Quality Division

Permit Notes

Permit Number: PZ-26-00011

Parcel Number: 17690610000100

Submitted: 01/30/2026

Site Address: UNKNOWN

Technically Complete: 02/03/2026

Applicant: Bautz, Melissa
Owner: FARTHING RANCH COMPANY

Laramie County, WY 00000

Approved:
Issued:

Project Description:

The purpose of this project is to mine aggregate from the granite in the North Hill and South Hill's on the following parcels: 176961000100, 18700530000200 and 18691910000200 on the Farthing Ranch Company's property in Laramie County. The mined granite will be crushed and processed onsite, then hauled (Via truck) via Hwy 211 to Cheyenne and northern Colorado. Currently, the above-described mining is occurring via a Limited Mining Operation (LMO) issued by the Wyoming Department of Environmental Quality, Land Quality Division. The currently approved LMO is #1696. The project owner, L.G. Everist, Inc., is in the process of converting LMO #1696 into a Large Mine Permit. The LMO authorizes a maximum disturbance of 15 acres. The forthcoming Large Mine Permit application will affect up to 400 acres over the life-of-mine, which is expected to be 62 years.

<u>Begin Date</u>	<u>End Date</u>	<u>Permit Area</u>	<u>Subject</u>	<u>Note Type</u>	<u>Note Text</u>	<u>Created By</u>
02/04/2026	02/04/2026	Application	PZ-26-00011	GENERAL	No concerns noted	CONSERVATIONDI STRICT@LARAMIE COUNTYWY.GOV
02/06/2026		Workflow	GIS REVIEW	GENERAL	Address of 3380 Horse Creek RD was assigned to the quarry in March of 2025. It will likely work for the the work on the North Hill and South Hill. The address may not work for the future load out site, but that will need to be handled at that time.	CAMBIA.MCCOLLO M@LARAMIECOU NTYWY.GOV
02/10/2026	02/10/2026	Application	PZ-26-00011	GENERAL	Ensure that access and egress standards are meet for emergency services through the LCLUR.	MATTHEW.BUTLE R@LARAMIECOUN TYWY.GOV
02/11/2026		Workflow	WYDOT REVIEW	GENERAL	1. The ITE trip gen Land Use 110 is for a broad range of possible industries. This is an existing operation that should provide numbers from their current operation and a description of how these changes are to affect traffic volumes both on a daily basis and during the peak hours. 2. Developer should be aware that additional heavy truck volume may impact how WYDOT manages roadway preservation. In the event of rapid roadway degradation, weight restrictions could be applied to mitigate further damage. It is recommended that L.G. Everist continue to monitor load weights strictly to mitigate the risk of such restrictions.	TAYLOR.MCCORT @LARAMIECOUN WYWY.GOV
02/11/2026	02/11/2026	Application	PZ-26-00011	GENERAL	WAPA has no conflict with this project	ROGERS@LARAMI ECOUNTYWY.GOV
02/12/2026		Application	PZ-26-00011	GENERAL	1. There are water well permits associated with this property. P217623.0W and P221804.0W are located in the area of the South Hill but do not appear to be related to this project. However, P219224.0W, P220734.0W and P222890.0W are affiliated with the quarry. The latter two mentioned permits are subject to cancellation if the proper paperwork has not been filed by their expiration dates of 12/31/2026 and 12/31/2027, respectively. 2. This project anticipates using water from the North Platte Basin or its tributaries and is subject to the Platte	SUE.KINSLEY@LA RAMIECOUNTYWY .GOV

Permit Notes

River Recovery Implementation Program (Program). Any water use associated with this project will be reviewed in accordance with the Program and mitigation of that use may be required if certain criteria are met. 3. An approved permit from the State Engineer's Office is required prior to the drilling of any water well, including groundwater that has been exposed to the surface by an excavation such as a pit, as defined in W.S. 41-3-901(a)(ii). The procurement of the necessary and appropriate State Engineer water right permit allows the applicant to attempt to develop a water supply adequate to meet their proposed needs and is no guarantee that any water will be physically available. 4. If any new wells are proposed, they must be constructed in accordance with the State Engineer's Office Rules and Regulations, Part III, Water Well Minimum Construction Standards. 5. With few exceptions, new wells must be constructed by a Wyoming-licensed water well drilling contractor, and pumps must be installed by a Wyoming-licensed pump installation contractor. 6. Any well not to be used must be properly plugged and abandoned as outlined in the above-referenced rules and regulations. 7. Any wells developed for uses that do NOT fall within the definition of domestic or stock use require adjudication by the Board of Control.

02/12/2026	02/12/2026	Application	PZ-26-00011	GENERAL	Please see the attached recommendations for conditions of permit from the Wyoming Game and Fish Department. Thank you!	WYGAMEFISHDEPT@LARAMIECOUNTY.WY.GOV
02/13/2026		Workflow	ENGINEERS REVIEW	GENERAL	The Transportation Assessment Worksheet indicates a possible average daily traffic volume of 166 vehicles/day. The applicant has indicated that on occasion, they may experience a peak of 200 vehicles per day. Since this is not the average daily traffic volume, but a peak day volume, I believe a Traffic Impact Study is not warranted. However, since this site enters a WYDOT controlled and maintained roadway, WYDOT will have the final say with regards to the necessity of a Traffic Impact Study.	SCOTT.LARSON@LARAMIECOUNTY.WY.GOV
02/17/2026		Workflow	PUBLIC WORKS REVIEW	GENERAL	<ol style="list-style-type: none"> 1. All comments from the review engineer shall be addressed and resolved appropriately. 2. Any work taking place within the boundaries of the designated floodplain and/or floodway will require an approved Floodplain Development Permit through the Laramie County Planning and Development office. 3. Internal roadways on the site shall comply with the needs of emergency services. 	MOLLY.BENNETT@LARAMIECOUNTY.WY.GOV

APPLICANT RESPONSE TO REVIEW #1

This document was provided to the applicant, L.G. Everist, Inc., via an email from Ms. Sonny Pourchot from Laramie County Planning & Zoning. NOTE: Melissa Bautz represents the applicant, L.G. Everist, Inc. (LGE).

Permit Notes

The red font in this document are L.G. Everist, Incl's (LGE) replies and acknowledgements to each of the Agency's comments.

Permit Number: PZ-26-00011

Parcel Number: 17690610000100

Submitted: 01/30/2026

Site Address: UNKNOWN

Technically Complete: 02/03/2026

Applicant: Bautz, Melissa
Owner: FARTHING RANCH COMPANY

Laramie County, WY 00000

Approved:
Issued:

Project Description:

The purpose of this project is to mine aggregate from the granite in the North Hill and South Hill's on the following parcels: 176961000100, 18700530000200 and 18691910000200 on the Farthing Ranch Company's property in Laramie County. The mined granite will be crushed and processed onsite, then hauled (Via truck) via Hwy 211 to Cheyenne and northern Colorado. Currently, the above-described mining is occurring via a Limited Mining Operation (LMO) issued by the Wyoming Department of Environmental Quality, Land Quality Division. The currently approved LMO is #1696. The project owner, L.G. Everist, Inc., is in the process of converting LMO #1696 into a Large Mine Permit. The LMO authorizes a maximum disturbance of 15 acres. The forthcoming Large Mine Permit application will affect up to 400 acres over the life-of-mine, which is expected to be 62 years.

<u>Begin Date</u>	<u>End Date</u>	<u>Permit Area</u>	<u>Subject</u>	<u>Note Type</u>	<u>Note Text</u>	<u>Created By</u>
02/04/2026	02/04/2026	Application	PZ-26-00011	GENERAL	No concerns noted	CONSERVATIONDI STRICT@LARAMIE COUNTYWY.GOV
02/06/2026		Workflow	GIS REVIEW	GENERAL	Address of 3380 Horse Creek RD was assigned to the quarry in March of 2025. It will likely work for the the work on the North Hill and South Hill. The address may not work for the future load out site, but that will need to be handled at that time.	CAMBIA.MCCOLLO M@LARAMIECOU NTYWY.GOV
<p>LGE acknowledges that the address of 3380 Horse Creek Rd will likely need to be updated once the loadout area is built. However, since that is not planned to occur for at least 3 years, LGE plans to keep the current address for now.</p>						
02/10/2026	02/10/2026	Application	PZ-26-00011	GENERAL	Ensure that access and egress standards are meet for emergency services through the LCLUR.	MATTHEW.BUTLE R@LARAMIECOUN TYWY.GOV
<p>LGE acknowledges access/egress standards for emergency services in accordance with LCLUR. Please refer to our reply to the Public Works' comment at the end of this document for details on how LGE has addressed emergency vehicle access to date.</p>						
02/11/2026		Workflow	WYDOT REVIEW	GENERAL	1. The ITE trip gen Land Use 110 is for a broad range of possible industries. This is an existing operation that should provide numbers from their current operation and a description of how these changes are to affect traffic volumes both on a daily basis and during the peak hours. 2. Developer should be aware that additional heavy truck volume may impact how WYDOT manages roadway preservation. In the event of rapid roadway degradation, weight restrictions could be applied to mitigate further damage. It is recommended that L.G. Everist continue to monitor load weights strictly to mitigate the risk of such restrictions.	TAYLOR.MCCORT @LARAMIECOUN WYWY.GOV
<p>The currently permitted quarry has been operating since May 2024. Average daily traffic between 2024-2026 has been 5.75 loads (11.5 truck trips). Maximum daily truck hauls during peak hours (6am-7am) 2024 - 2026 was 12 loads (24 truck trips).</p> <p>The proposed new operation (once the Large Mine Permit is approved by WDEQ/LQD) is expected to have an average of 38 loads per day (76 trips per day) and an average peak hour (6am-7am) of 12 loads (24 trips).</p> <p>LGE understands that WyDOT may need to apply weight restrictions on Hwy 211 to mitigate any damage caused by the Horse Creek operation. LGE will continue to monitor loads weights to mitigate the risk of weight restrictions.</p>						
02/11/2026	02/11/2026	Application	PZ-26-00011	GENERAL	WAPA has no conflict with this project	ROGERS@LARAMI ECOUNTYWY.GOV
02/12/2026		Application	PZ-26-00011	GENERAL	1. There are water well permits associated with this property. P217623.0W and P221804.0W are located in the area of the South Hill but do not appear to be related to this project. However, P219224.0W, P220734.0W and P222890.0W are affiliated with the quarry. The latter two mentioned permits are subject to cancellation if the proper paperwork has not been filed by their expiration dates of 12/31/2026 and 12/31/2027, respectively. 2. This project anticipates using water from the North Platte Basin or its tributaries and is subject to the Platte	SUE.KINSLEY@LA RAMIECOUNTRYWY .GOV
<p>P217623, P221804, and P222890 are located on the the Farthing Ranch but are unrelated to the LGE quarry project. They are wells related to the operation of the ranch. P219224 is the current LGE Supply Well #1; LGE provided the SEO the paperwork for this well in October/November 2025. Its approval is currently under review by SEO. P220734 has been cancelled.</p> <p>LGE has recently drilled a new water supply well (Well #3), via SEO Permit# 221199. LGE is in the process of determining this well's capacities (maximum pumping rate, drawdown, recovery rate); LGE expects to finalize this permit by April 6, 2026. At that time, LGE will submit the Beneficial Use Form to the SEO for review by 12/31/2026.</p>						

Permit Notes

2. LGE is aware of the Platte River Recovery Implementation Program (PRRIP). SEO's approval of the permits for Water Supply Wells #1 and #3 included a review of adherence to PRRIP.

3-7. All of LGE's wells associated with this project have been reviewed and approved by the SEO, thus all of the projects wells are in accordance with all SEO requirements including PRRIP, Part III Water Well Minimum Construction Standards, wells drilled by a Wyoming-licensed drilling contractor, pumps installed by a Wyoming-licensed pump installation contractor, proper plugging of wells, and consult with the Board of Control for any wells that do NOT fall within the definition of Stock or Domestic use.

LGE commits to adhering to all of the above requirements for future wells installed at the project site.

River Recovery Implementation Program (Program). Any water use associated with this project will be reviewed in accordance with the Program and mitigation of that use may be required if certain criteria are met. 3. An approved permit from the State Engineer's Office is required prior to the drilling of any water well, including groundwater that has been exposed to the surface by an excavation such as a pit, as defined in W.S. 41-3-901(a)(ii). The procurement of the necessary and appropriate State Engineer water right permit allows the applicant to attempt to develop a water supply adequate to meet their proposed needs and is no guarantee that any water will be physically available. 4. If any new wells are proposed, they must be constructed in accordance with the State Engineer's Office Rules and Regulations, Part III, Water Well Minimum Construction Standards. 5. With few exceptions, new wells must be constructed by a Wyoming-licensed water well drilling contractor, and pumps must be installed by a Wyoming-licensed pump installation contractor. 6. Any well not to be used must be properly plugged and abandoned as outlined in the above-referenced rules and regulations. 7. Any wells developed for uses that do NOT fall within the definition of domestic or stock use require adjudication by the Board of Control.

02/12/2026	02/12/2026	Application	PZ-26-00011	GENERAL	Please see the attached recommendations for conditions of permit from the Wyoming Game and Fish Department. Thank you!	WYGAMEFISHDEPT@LARAMIECOUNTY.WY.GOV
LGE acknowledges all WGFD recommendations and conditions on the proposed Large Mine Permit. All WGFD conditions will be included in the Mine Plan for the WDEQ/LQD permit						
02/13/2026		Workflow	ENGINEERS REVIEW	GENERAL	The Transportation Assessment Worksheet indicates a possible average daily traffic volume of 166 vehicles/day. The applicant has indicated that on occasion, they may experience a peak of 200 vehicles per day. Since this is not the average daily traffic volume, but a peak day volume, I believe a Traffic Impact Study is not warranted. However, since this site enters a WYDOT controlled and maintained roadway, WYDOT will have the final say with regards to the necessity of a Traffic Impact Study.	SCOTT.LARSON@LARAMIECOUNTY.WY.GOV
LGE acknowledges and understands that WYDOT may require a Traffic Impact Study to be conducted for this project. LGE will respond promptly to WYDOT's requirements and requests for information.						
02/17/2026		Workflow	PUBLIC WORKS REVIEW	GENERAL	1. All comments from the review engineer shall be addressed and resolved appropriately. 2. Any work taking place within the boundaries of the designated floodplain and/or floodway will require an approved Floodplain Development Permit through the Laramie County Planning and Development office. 3. Internal roadways on the site shall comply with the needs of emergency services.	MOLLY.BENNETT@LARAMIECOUNTY.WY.GOV
1. LGE will address all comments from the review engineer. 2. None of the permit area for the Horse Creek Large Mine Permit is located within a flood plain (Flood plain map is attached). However, if that changes, LGE will ensure that prior to conducting work on a flood plain, a permit would be acquired from Laramie Co P&Z. 3. The existing access road at the Horse Creek site was constructed in adherence with the WYDOT access permit LA-07A-48569 (attached). All roads at the site are 20' wide to accommodate emergency services.						



West Boundary of North Hill will have a 100' highwall between pit & Chugwater & Ricker Creeks.

56021C0175F
eff. 1/17/2007

FEMA Flood Plains in relationship to the Horse Creek Rock Quarry proposed large mine permit

56021C0200F
eff. 1/17/2007

Approximate Permit Boundary



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, AE, AH
		With BFE or Depth Zone AE, AQ, AH, VE, AP
		Regulatory Floodway

MAP PANELS



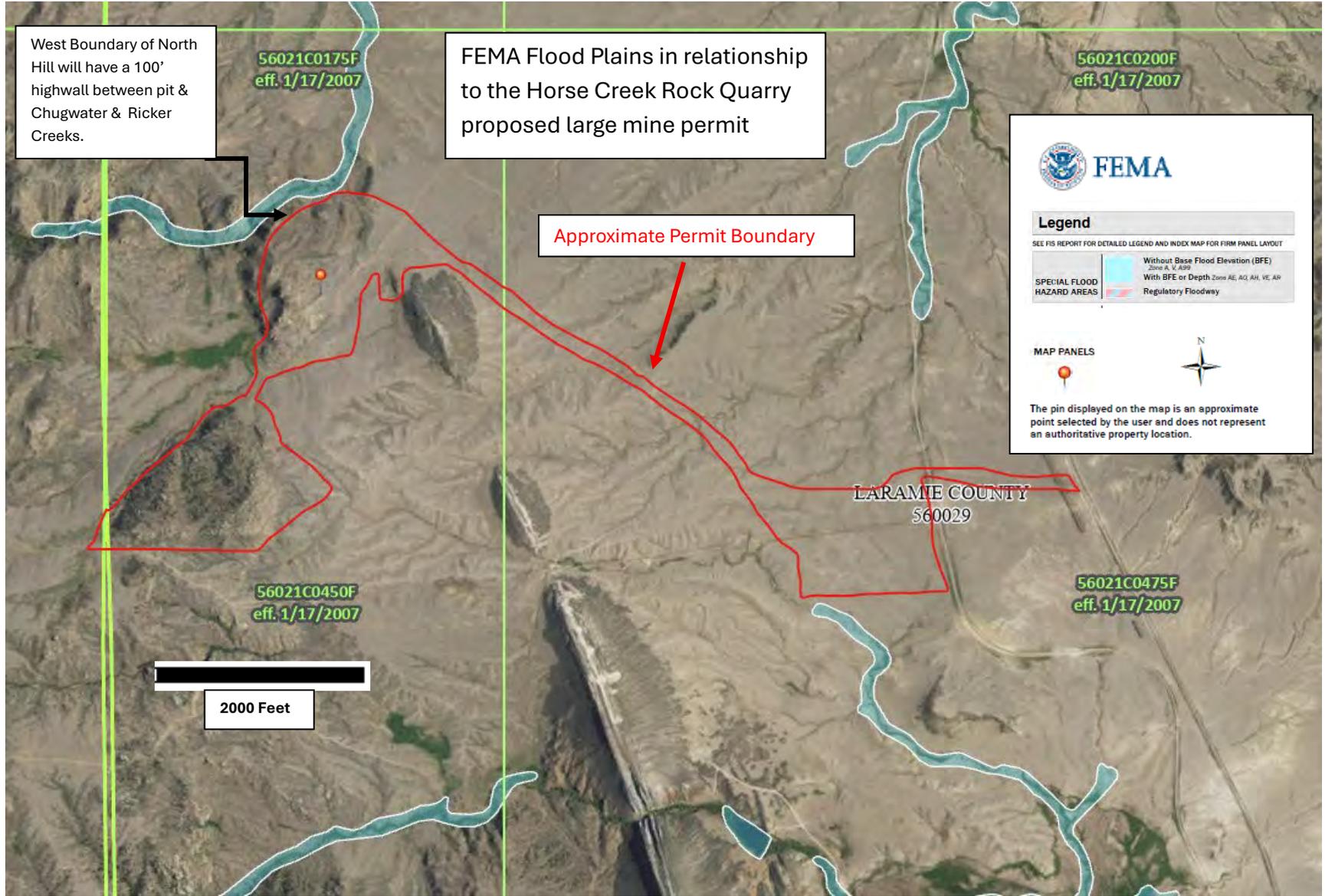
The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

56021C0450F
eff. 1/17/2007

LARAMIE COUNTY
560029

56021C0475F
eff. 1/17/2007

2000 Feet





Mark Gordon
Governor

WYOMING Department of Transportation

"Provide a safe and effective transportation system"

5300 Bishop Boulevard, Cheyenne, Wyoming 82009-3340



Darin J. Westby
Interim Director

Matt Noteboom, L.G. Everist
Attn: Todd Mattson, HDR Engineering
7321 East 88th Avenue
Henderson, CO 80640

January 29th 2026

Re:Permit No. LA-07A-48569

Dear Applicant:

Enclosed is your copy of the completed access permit for the access located in Section 2, Township 17 North, Range 70 West, and Reference Marker 31.6 left on Highway 211. This access has been field inspected and approved as of January 29th 2026.

We would like to thank you for the opportunity to work with you. If you have any further questions please email me at paul.beckett@wyo.gov.

Sincerely,

Paul Beckett,
District Traffic Technician



Mark Gordon
Governor

WYOMING Department of Transportation

"Provide a safe and effective transportation system"

5300 Bishop Boulevard, Cheyenne, Wyoming 82009-3340



Darin J. Westby
Interim Director

Matt Noteboom, L.G Everist,
Attn: Todd Mattson, HDR Engineering
7321 East 88th Avenue
Henderson, CO 80640

June 22, 2023

Re: Permit No. LA-07A-48569

Dear Applicant:

The application for constructing an access has been reviewed and approved. The approach must be constructed according to the requirements shown on the permit along with the supplementary sheets attached to the permit.

Please contact Mark Papke, 307-777-4386 in Cheyenne, if you have any questions regarding the approach. **Please make note of remarks in the comments section on the access permit.**

If the requirements on the permit have not been met by the expiration date, the permit will be canceled. The approach will then be blocked from the permitted use. The applicant will be required to remove any material within the WYDOT right of way associated with the construction of the access.

This permit will expire on June 26, 2024 if construction has not started by that date.

If you have any comments or questions regarding this approach, contact the Maintenance Foreman or myself at 307-745-2118.

Sincerely,

Michael Ginther,
District Traffic Technician

cc: Brian Erickson, Area Maintenance Supervisor
Mark Papke, Maintenance Foreman
File



WYOMING DEPARTMENT OF TRANSPORTATION

ACCESS PERMIT

Permit Number:			
First Name:		Last Name:	
Approach Width:		Radius:	
Surface Type:		<input type="checkbox"/> Paved	<input type="checkbox"/> Unpaved
		<input type="checkbox"/> Right of Way Ditch	
Drainage Structure Required:		<input type="checkbox"/> Yes	<input type="checkbox"/> No
		Flared Ends:	Yes <input type="checkbox"/> No <input type="checkbox"/>
Diameter or Width:		Length:	Type:
Fore-Slope:			
Access Type:		Field <input type="checkbox"/>	Residential <input type="checkbox"/>
		Commercial <input type="checkbox"/>	Major <input type="checkbox"/>
Milepost:		Right <input type="checkbox"/>	Left <input type="checkbox"/>
Section:		Township:	Range:
Highway Number:			
Entrance Type:		Side of Highway:	
Latitude:		Longitude:	

MAINTENANCE DIVISION :

COMMENTS:

paul beckett

Signature

District Traffic Tech

Title

Jan. 28th 2026

Date

DISTRICT TRAFFIC ENGINEERING:

REQUIREMENTS / COMMENTS:

Signature

Title

Date

District Traffic Engineer

Date

Permit Number: _____

THIS ACCESS IS HEREBY GRANTED, WITHIN THE CONDITIONS STATED HEREIN.

- 1) To construct the access in a safe manner so as not to interfere with existing authorized facilities previously permitted nor endanger public travel and to perform all related work in a neat and workman like manner, to use materials acceptable to the Wyoming Department of Transportation and leave the right-of-way clean and in a condition equal to or better than the original condition.
- 2) To fully protect any traffic on the highway during construction covered hereunder by proper barricades, flaggers, and/or signs as shown in the TRAFFIC CONTROL FOR ROADWAY WORK OPERATIONS manual.
- 3) That no access shall be constructed such that there will be parking or servicing of vehicles within the highway right-of-way.
- 4) That the profile grade of the access shall be constructed as indicated on attached sketch or plan sheet(s) and shall in no case be graded or maintained in such a way that water/mud will run out onto the highway surface.
- 5) That this permit shall become VOID if construction is not completed within days after initiation of construction or one (1) year from approval date if construction has not been started.
- 6) That any change in access use or change in business type will nullify this access permit and a new application must be submitted for approval.
- 7) That the Wyoming Department of Transportation reserves the right to inspect this installation at any time during construction until accepted by the Department, and to require changes at any time necessary to provide protection of life and property on or adjacent to the highway. Once the access has been accepted by the Department it then becomes the property of the Wyoming Department of Transportation and theirs to maintain and repair except for snow or debris removal.
- 8) To any additional requirements as described in the DISTRICT MAINTENANCE/TRAFFIC ENGINEERING, REQUIREMENTS/COMMENTS sections on this permit, and/or any on attached sketch or plan sheets.
- 9) The applicant shall hold harmless the Transportation Commission of Wyoming, Wyoming Department of Transportation, and its appointed agents and employees against any action for personal injury or property damage sustained through use of this permit.

APPROVAL FOR CONSTRUCTION:



Signature

(District Engineer / District Traffic Engineer)

Date

CONSTRUCTION INSPECTED (MAINTENANCE):

I have inspected this access and have found the access to have been constructed as per the requirements described by this permit.

Signature

Title

Date

ACCESS ACCEPTANCE:

District personnel have inspected this access described on this permit and attached drawing(s) and have found the access to be constructed in the manner as prescribed on this permit and attached drawing(s).



Signature

District Traffic Engineer

(District Engineer / District Traffic Engineer)

1/28/26

Date

references: OPERATING POLICY 21-1 and RULES & REGULATIONS FOR ACCESS FACILITIES TO WYOMING STATE HIGHWAYS.

WYOMING DEPARTMENT OF TRANSPORTATION

APPROACH DESIGN REQUIREMENTS

Some or all of the following design requirements will apply in the construction of your approach. The location, width, and turning radius of your approach(es) has been established and is shown on the access permit and/or attached sheet(s).

The individual applying for access and signing the application will be responsible for meeting the terms outlined on the said permit or attached sheet(s). The signature must be that of the landowner, a copy of the permit must be on hand at the construction site during the construction of your approach(es).

It will be the responsibility of the applicant to notify all utilities when construction work begins in the vicinity of any utility lines and to arrange for a representative of the utility to be present if the applicant's operations are in close proximity to any lines in their existing or relocated positions which could create a hazardous condition.

Requirements	Access Type			
	Field	Residential	Commercial	Major
It will be the responsibility of the applicant to notify all utilities when construction work begins in the vicinity of any utility lines and to arrange for a representative of the utility to be present if the applicant's operations are in close proximity to any lines in their existing or relocated positions which could create a hazardous condition.			X	
All major accesses shall be paved by the grantee. All other accesses which generate <u>50 trip ends</u> or more <u>per day</u> shall be paved by the grantee, or as stipulated in the permit.				
The approach driveway surface will be constructed with a minimum of four (4) inches of asphalt over six (6) inches of crushed base material. Crushed base material must meet WYDOT standards for a class W material. See spec book section 803.4.3				
The approach driveway surface will be constructed with a minimum of (6) inches of crushed base material not to exceed (1) inches in diameter. Crushed base material must meet WYDOT standards for class W material. See WYDOT spec book 803.4.3			X	
Drainage in highway R.O.W. side ditches shall not be altered or impeded. When drainage structures are required, the drainage pipe (culvert) should be aligned to allow natural flow, and the pipe ends should be nearly flush with the approach side slopes. All drainage pipes will be a minimum of (18) inches in diameter but may be sized larger depending on runoff in the area. If an existing drainage pipe is extended, it must be properly banded to prevent leakage under the approach.			X	
The driveway should be sloped down at a two (2) percent grade for a minimum eight (8) feet away from the edge of the roadway pavement in CUT sections to prevent debris from coming out onto the road surface. In urban areas with reduced traffic speeds, the first twenty (20) feet of driveway may slope toward the roadway shoulder at no more than two (2) percent grade. The driveway grade should be no more than five (5) percent for commercial access and ten (10) percent for private access within the department R.O.W.				
The driveway should be sloped down at a two (2) percent grade for a minimum twenty (20) feet in FILL sections to provide vehicles a level area to enter the roadway. The dimension will be increased to match large radii (an access with fifty (50) foot radii would require a fifty (50) foot section of two (2) percent grade.) The driveway grade should be no more than five (5) percent for commercial access and ten (10) percent for private access within the Department R.O.W.			X	

(CONTINUED)

Access Type

Requirements	Field	Residential	Commercial	Major
The approach side slopes shall conform to the latest safety standards. These standards require side slopes of 1v:8h or flatter.			X	
End panels must be constructed at the R.O.W. fence for each side of the approach opening. The end panels are to be installed prior to cutting the fence or at the same time the approach is being constructed.			X	
A gate or cattle guard must be installed if livestock is within the area. A cattle guard installed on Department R.O.W. must meet the Department's standards for either s standard or heavy duty cattle guard depending on vehicle weights and volumes. The landowner may place a lesser cattle guard off the Department R.O.W. and wing fencing to the R.O.W. fence. The Department will not maintain such a cattle guard. If a gate is installed and the landowner intends to lock the gate, the Department needs to be contacted in order to make arrangements for possible access to maintain the R.O.W. fence.			X	
It is the landowners responsibility to install mailbox (es) and to construct a turnout according to the Department's standards. A mailbox will only be permitted if the installation is at the R.O.W. fence. If a mailbox is installed the landowner must contact the Maintenance Foreman or District Traffic Engineer for assistance with the design of the turnout.			N/A	

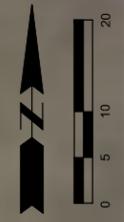
If there are any questions regarding the design of the approach, contact the District Traffic Engineer or the District Traffic Technician in Laramie, (307) 745-2100

If there are any questions regarding the construction of the approach, contact the Maintenance Foreman at the phone number on your approval letter.

Please note that failure to comply with these terms will result in the removal of all work and the cancellation of the access permit.

It will be your responsibility to contact the Maintenance Foreman, upon completion of the approach, before your permit expires. This will enable the foreman to inspect the approach and inform you of any additional work that may be required to accept the approach as a legal access. You should allow for enough time to make necessary corrections or changes before the permit expires.

The Wyoming Department of Transportation reserves the right to impose any additional requirements to insure that the roadway is not adversely affected and traffic safety is maintained.



Prepared For:

HDR ENGINEERING INC.
7350 Stockman St., Suite A
Cheyenne, WY 82009



Prepared By:

Scale:

Designed By: D.GOULETTE	Drawn By: D.GOULETTE
Design Date: 5/24/2023	Print Date: 5/24/2023
Internal Job No: 10369959	

Surveyed By: OTHERS	Survey Date: 5/2023
------------------------	------------------------

Revisions:

L.G. EVERIST, INC.
HORSE CREEK QUARRY
CHEYENNE, WYOMING

Project No. 10369959

Sheet Title:

**APPROACH
PERMIT
EXHIBIT**

Sheet:

EX 1.0



INSTALL GRADING 'W' CRUSHED BASE (6" THICK MINIMUM)

INSTALL 60 LF OF 18" RCP WITH FLARED END SECTIONS

INSTALL 34 LF OF BARBED WIRE FENCE

24' WYDOT HEAVY DUTY CATTLEGUARD

INSTALL 34 LF OF BARBED WIRE FENCE

EXISTING WYDOT ROW (APPROX.)

WY RTE 211 - HORSE CREEK RD.

R50'

R50'

60.1

42

60.1

51+00 51+05

12+00

11+00

50+00



Wyoming Department of Transportation
Access Application

Permit # _____
For WYDOT Use Only

Property Owner (Permittee) Matt Noteboom		Applicant or Agent (if different from Property Owner) Todd Mattson	
Business (if applicable) L.G. Everist, Inc		Business (if applicable) HDR Engineering, Inc.	
Mailing Address 7321 E. 88th Avenue		Mailing Address 7350 Stockman Street Ste. A	
City Henderson		City Cheyenne	
State CO	Zip Code 80640	State WY	Zip Code 82009
Phone Number 303-941-9620		Phone Number 307-660-7265	
E-mail Address msnoteboom@lgeverist.com		E-mail Address todd.e.mattson@hdrinc.com	
Property Address of Requested Access (if known)			
Located on Highway 211 / Horse Creek Road		Side of Highway <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input checked="" type="checkbox"/> W	
Approximately 0.42 feet/mile (circle: N <input checked="" type="radio"/> E W) from Milepost/Intersection MP 32			
Legal Description			
County Laramie	Subdivision	Block	Lot
			Section 2
			Township T17N
			Range R70W
Access requested			
<input type="checkbox"/> New Access <input type="checkbox"/> Temporary Access <input checked="" type="checkbox"/> Change in Access Use <input type="checkbox"/> Removal of Access			
Check appropriate box if requesting a new access or change in access use.			
<input type="checkbox"/> Major <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential <input type="checkbox"/> Field			
Does the property owner own or have any interests in the adjacent property?		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	
If yes, please describe: Applicant has secured permission/approval to, make improvements to and, traverse landowner property to access aggregate sources 2+ miles west of Highway 211.			
Are there other existing or dedicated public streets, roads, highways or access easements bordering or within the property? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If yes, list them on your plans and indicate the proposed and existing access points			
I, the undersigned property owner, request permission to construct an access driveway on Wyoming Department of Transportation right-of-way at the above property, subject to the rules and regulations contained in the " Rules and Regulations, General Section, Chapter 13, Access Facilities, approved by the Transportation Commission of Wyoming and promulgated by authority of W.S. 24-2-105 and W.S. 24-6-101 through W.S. 24-6-111 to administer access facilities on the state highway system".			
If an access permit is issued to you, the applicant agrees to the terms and conditions as stated in the permit.			
Applicant or Agent Signature for Permittee 		Date 5/25/2023	
Applications for access permits will be accepted only from an individual(s), partnerships, corporations, or other bodies recognized by law as owning all or the major interest in the property or by a party having an easement through the property abutting the highway right-of-way or proposed highway.			
Property Owner Signature 		Date 5-25-23	



Wyoming Game and Fish Department

Conserving Wildlife, Serving People

Governor Mark Gordon • Director Angi Bruce

Commissioners

Ashlee Lundvall, President

Mark Jolovich, Vice President

Rusty Bell

Bill Mai

Carlisle "Fonzy" Haskell

John Masterson

Kenneth D. Roberts

February 12, 2026

WER 15005.02

L. G. Everist, Inc.

Horse Creek Rock Quarry

Conditional Use Permit C

Laramie County

Sonny Pourchot

Associate Planner

Laramie County Planning and Development

Sonny.Pourchot@laramiecountywy.gov

Dear Ms. Pourchot,

The staff of the Wyoming Game and Fish Department (Department) has reviewed the proposed Conditional Use Permit C for the L. G. Everist, Inc. Horse Creek Rock Quarry in Section 32 T18N R70W and Section 5-6 T17N R70W in Laramie County. The Department is statutorily charged with managing and protecting all Wyoming wildlife (W.S. 23-1-103). Pursuant to our mission, we offer the following comments for your consideration.

L. G. Everist currently operates a Limited Mine Operation (LMO) at this site. The proposed Regular Mine permit area would encompass an additional 658 acres on private lands, and the site would be accessed from Wyoming Highway 211/Horse Creek Road via an existing access road approximately 3 miles in length. The expansion area primarily consists of two hill formations, the North Hill and the South Hill, as well as a large loadout area located adjacent to the railroad line near Highway 211. Mining operations would begin at the North Hill and when the resources there are depleted in approximately 20-25 years, mining at the South Hill would commence. Depending on the resources on site, a conveyor belt from the existing LMO site to the loadout area may also be constructed.

The proposed mine expansion project is located in vital habitat for several types of wildlife, including those protected by State of Wyoming Executive Order policy. The North Hill mine site, nearly the entirety of the access road, and a portion of the loadout area are located within the 2-mile Timing Limitation Stipulation (TLS) buffer of an occupied, non-Core area Greater sage-grouse lek. The lek is located approximately 1.1 miles northeast of the existing LMO site and was active in 2025. The majority of the proposed mine, loadout area, and existing access road is also located within mule deer crucial winter range habitat. South Chugwater Creek and Ricker Creek, perennial streams supporting extensive riparian vegetation, run along the northern and western portions of the North Hill and South Hill sites. The project area and surrounding vicinity may contain suitable habitat for a number of Species of Greatest Conservation Need (SGCN) such as

Sonny Pourchot
February 12, 2026
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Greater sage-grouse, nesting raptors, other migratory bird species, Preble's meadow jumping mouse, swift fox, various bat species, reptiles and amphibians, and native fishes.

In 2025, the Department provided project recommendations to the permitting consultant Brierley Associates and to the wildlife and environmental consultant Real West Consulting. The recommendations in this letter reiterate the recommendations previously provided to those entities. To date, we have not received additional information from those entities.

We recommend the following measures be considered for conditions of the project's Laramie County permit.

Terrestrial Recommendations:

Comply with the [Wyoming Greater Sage-Grouse Core Area Protection Executive Order 2019-3](#) (SGEO) – Given that the proposed mine site and existing access road is primarily located within the 2-mile TLS buffer of an occupied, non-Core area Greater sage-grouse lek (NLSID 3354), the following stipulations must be followed in order to comply with required state policy via the SGEO:

- For all mine or loadout area sites located within the lek's 2-mile Timing Limitation Stipulation (TLS) buffer, remove all vegetation and topsoil outside of the March 15 – June 30 TLS period.
- For all mine or loadout area sites that are located outside of the lek's 2-mile Timing Limitation Stipulation (TLS) buffer, and are only accessible via the access road that passes through substantial portions of the lek's 2-mile TLS buffer, all traffic related to vegetation and topsoil removal must also occur outside the March 15 – June 30 TLS period.
- Once all vegetation and topsoil removal activities are complete, mining activities at sites within the 2-mile Timing Limitation Stipulation (TLS) buffer and/or accessed via the road located within the 2-mile TLS buffer may occur year-round.

Additionally, the Department recommends the following measures:

- Avoid removing any stands of sagebrush except for what is essential for the mine expansion. Sagebrush provides vital habitat for many sagebrush obligate species and is difficult to restore once removed.
- Facilitate the monitoring of the affected Greater sage-grouse lek. We recommend coordinating with the landowner to continue to allow access for Department personnel to conduct lek monitoring while the mine is in operation or until the lek is determined to be unoccupied.
 - If Department staff are unable to access the site for lek monitoring, we recommend the project's environmental consultant conduct annual lek monitoring.

Avoid disturbance to wintering mule deer – The project site is located within mule deer crucial winter range habitat, which is delineated as such because the use of that habitat is a determining factor in a population’s ability to maintain itself long-term. Big game crucial winter range is considered a vital habitat per the Wyoming Game and Fish Commission [Mitigation Policy](#) (2016) and the Department is directed to recommend no loss of habitat function for crucial winter range. Human activity and industrial/ground-disturbing activity can impact the foraging behavior, stress levels, and energy reserves in big game individuals, particularly during the winter when mortality risk is already high. This can cause increased energy demands, increased winter mortality, and decreased fawn productivity, potentially impacting the viability of local populations. Therefore, the Department recommends:

- Restricting all ground-disturbing activity and other project-related activity, and minimizing traffic and human presence, at the site between November 15 and April 30.
- If this is not feasible, we recommend:
 - Performing all initial topsoil removal at the mine site outside the November 15 – April 30 Timing Limitation Stipulation period.
 - Creating a travel management plan to reduce impacts to wintering big game and submitting it to the Department for review.
 - We recommend including measures for minimizing traffic loads, encouraging carpooling of personnel, avoiding traffic for one hour after dawn and one hour before dusk, and implementing 25 mph speed limits on project roads.

Protect nesting raptors and other migratory birds – The proposed project site and surrounding area contains nesting habitat for raptors. Federal law prohibits the take of raptors, including causing the destruction or abandonment of eggs and young. Raptors can require up to a 1-mile spatial buffer from construction activities during nesting. Additionally, sagebrush-obligate migratory birds and other bird species likely nest in the project area in shrubs, grass, and/or conifers. To avoid losses of birds or occupied nests, the Department recommends:

- Conducting raptor nest surveys in and within 1 mile of the project prior to new surface disturbing activities, if habitat clearing and construction activity is occurring during the breeding season (approximately February 1 – July 31)
- Implementing the U.S. Fish and Wildlife Service (Service) seasonal and spatial buffers for occupied raptor nests. The Service’s breeding season dates and recommendations are located at: <https://www.fws.gov/project/wyoming-ecological-services-field-office-raptor-guidance>.
- Conducting ground clearance surveys for active migratory bird nests, if ground-disturbing activities are planned between April 1 and July 31. If nests are located or other evidence of nesting is detected, we recommend a protective buffer (in consultation with the Department and the Service) be implemented until the young fledge or the nest is no longer occupied, in order to avoid avian take as a result of construction activities.

- Consulting with the Service to avoid take of migratory birds.

Minimize impacts to bat roosts and habitat – A number of SGCN bats may occur in and around the project area. Bats use both live and dead snag trees to roost in during the day, and some species also form maternity (pup bearing and rearing) roosts in trees. To minimize impacts to sensitive bat populations in the project area, the Department recommends:

- Avoiding the removal of any live or dead snag trees that are not essential for the quarry expansion.
- Covering or netting ponds that contain oily wastes or other wastes to exclude use by bats.

Prevent the spread of invasive annual grasses – Invasive annual grasses (IAGs) can cause significant harm to the ecosystem when introduced. Ground-disturbing activities can create an environment that facilitates establishment by unwanted plants. They significantly reduce the quality of wildlife habitat and their presence increases the probability of catastrophic wildfire. The potential economic impacts to the State of Wyoming are severe, and once these species become established, eradication is difficult and costly. Prevention of establishment remains the best way to keep Wyoming's habitats free of IAGs.

The most significant known threat to Wyoming is from cheatgrass, medusahead, and ventenata. To prevent the spread of IAGs, we recommend the following:

- Preventing introduction and establishment by cleaning vehicles and equipment prior to movement to a new location in order to minimize the potential for transporting seeds.
- Working with landowners and land managers to develop and implement a plan to assess, treat, and monitor for invasive plants at the project scale and in the adjacent landscape where they are present.
- Working with the [Laramie County Weed & Pest Control District](#) to implement and fund long-term plans for successful restoration of disturbed sites. Additional information on prevention and treatment options for IAGs can be found at <https://www.invasivegrasses.com>.

Aquatic Recommendations:

Protect riparian and wetland habitat – The perennial South Chugwater Creek runs along the northwestern portion of the project's North Hill site. Its tributary, Ricker Creek, is located along the western portion of both the South Hill and North Hill sites, and fresh emergent wetlands are found along the western portions of the North Hill and South Hill sites. These creeks and wetland habitat are surrounded by steep topography. The project boundary provided to the Department indicates that mining activities may be planned adjacent to the steep stream banks, raising concerns about potential runoff and sedimentation concerns. These creeks are known to contain brown and

brook trout as well as a number of native fish species. The riparian and wetland areas also serve as potential habitat for the federally-threatened Preble's meadow jumping mouse, nesting raptors and other migratory birds, and reptiles and amphibians, including a number of potential SGCN. As such, the Department recommends:

- Mapping all perennial and ephemeral riparian and wetland habitat in and in the immediate vicinity of the project area.
- Maintaining a 500-foot buffer around all perennial and ephemeral riparian and wetland habitat.

Protect watershed and fishery quality – In addition to maintaining appropriate buffers around riparian and wetland habitat as discussed above, the proponent should incorporate other Best Management Practices (BMPs) to protect watershed and fishery quality in this area. Sediment from construction activities, mining activities on surfaces cleared of vegetation, and stockpiles of materials, as well as pollutant runoff, can enter nearby waterways and negatively impact water quality and habitat for aquatic wildlife. The Department recommends:

- Incorporating sufficient overflow capacity into sedimentation ponds so that storm water concentrated flow during extreme precipitation events does not overflow onsite storage ponds.
- Incorporating BMPs to control erosion and prevent sediment from reaching watersheds, including but not limited to:
 - Preserving existing vegetation wherever possible.
 - Properly containing stockpiles of materials and locating them away from riparian areas, wetlands, or areas of potential storm water concentrated flow.
 - Incorporating revegetation, silt fences, siltation berms, rock chuck dams, and other erosion control measures to prevent sedimentation from cleared surfaces and materials piles.
 - Cleaning, fueling, and maintaining vehicles and equipment at designated areas away from aquatic resources or areas of potential storm water concentrated flow.

Prevent the spread of aquatic invasive species – Aquatic invasive species (AIS) are organisms that are not native to Wyoming and can cause significant harm to an ecosystem when introduced. Harmful impacts can occur to municipal water supplies, fishing and boating-related recreation, agriculture, aquaculture, and other commercial activities. The potential economic impacts to the State of Wyoming could be severe if these non-native species are introduced into our water systems. Once these organisms become established in a waterbody, there is very little that can be done to remove them. Prevention is the best way to keep a water body safe from AIS.

The most significant known threat to Wyoming is from zebra and quagga mussels based on their proximity and demonstrated impacts in neighboring states. Other AIS include New Zealand mudsnail, Asian carp, rusty crayfish, and several species of aquatic plants.

Sonny Pourchot
February 12, 2026
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The spread of AIS from one body of water to another is a violation of Wyoming state statute (WS § 23-1-102 & §§ 23-4-201 through 205) and Wyoming Game and Fish Commission Regulation. To prevent the spread of AIS, the following is required:

- Equipment that was in contact with a water positive for zebra/quagga mussels (currently none in Wyoming) within the last 30 days is required to undergo inspection by an authorized inspector prior to contacting a Wyoming water.
- From March through November, all water hauling equipment and watercraft entering the state by land must be inspected before contacting a water of the state.
- Equipment used in any Wyoming water that contains AIS, must be Cleaned, Drained and Dried before use in another water. Wyoming waters with AIS can be found at: <https://experience.arcgis.com/experience/fbcb43d51e945cf8ab6eb0fcfe70d00>.
- When equipment that has been in contact with any Wyoming water is moved from one 4th level watershed (8-digit Hydrological Unit Code) to another within Wyoming, it must be Cleaned, Drained and Dried. Specific guidance is available at: <https://wgfd.wyo.gov/watercraft-inspection-information>.

Thank you for the opportunity to comment. If you have any questions or concerns, please contact Lauren Throop, Habitat Protection Biologist, at (307) 721-1396.

Sincerely,



Will Schultz
Habitat Protection Supervisor

WS/lt

cc: U.S. Fish and Wildlife Service
Chris Wichmann, Wyoming Department of Agriculture
Melissa Bautz, Brierley Associates
Amber Travsky, Real West Consulting

Permit Notes

Permit Number: PZ-26-00011

Parcel Number: 17690610000100

Submitted: 01/30/2026

Site Address: UNKNOWN

Technically Complete: 02/03/2026

Applicant: Bautz, Melissa
 Owner: FARTHING RANCH COMPANY

Laramie County, WY 00000

Approved:
 Issued:

Project Description:

The purpose of this project is to mine aggregate from the granite in the North Hill and South Hill's on the following parcels: 176961000100, 18700530000200 and 18691910000200 on the Farthing Ranch Company's property in Laramie County. The mined granite will be crushed and processed onsite, then hauled (Via truck) via Hwy 211 to Cheyenne and northern Colorado. Currently, the above-described mining is occurring via a Limited Mining Operation (LMO) issued by the Wyoming Department of Environmental Quality, Land Quality Division. The currently approved LMO is #1696. The project owner, L.G. Everist, Inc., is in the process of converting LMO #1696 into a Large Mine Permit. The LMO authorizes a maximum disturbance of 15 acres. The forthcoming Large Mine Permit application will affect up to 400 acres over the life-of-mine, which is expected to be 62 years.

<u>Begin Date</u>	<u>End Date</u>	<u>Permit Area</u>	<u>Subject</u>	<u>Note Type</u>	<u>Note Text</u>	<u>Created By</u>
02/04/2026	02/04/2026	Application	PZ-26-00011	GENERAL	No concerns noted	CONSERVATIONDI STRICT@LARAMIE COUNTYWY.GOV
02/06/2026		Workflow	GIS REVIEW	GENERAL	Address of 3380 Horse Creek RD was assigned to the quarry in March of 2025. It will likely work for the the work on the North Hill and South Hill. The address may not work for the future load out site, but that will need to be handled at that time.	CAMBIA.MCCOLLO M@LARAMIECOU NTYWY.GOV
02/10/2026	02/10/2026	Application	PZ-26-00011	GENERAL	Ensure that access and egress standards are meet for emergency services through the LCLUR.	MATTHEW.BUTLE R@LARAMIECOUN TYWY.GOV
02/11/2026		Workflow	WYDOT REVIEW	GENERAL	1. The ITE trip gen Land Use 110 is for a broad range of possible industries. This is an existing operation that should provide numbers from their current operation and a description of how these changes are to affect traffic volumes both on a daily basis and during the peak hours. 2. Developer should be aware that additional heavy truck volume may impact how WYDOT manages roadway preservation. In the event of rapid roadway degradation, weight restrictions could be applied to mitigate further damage. It is recommended that L.G. Everist continue to monitor load weights strictly to mitigate the risk of such restrictions.	TAYLOR.MCCORT @LARAMIECOUN TYWY.GOV
02/11/2026	02/11/2026	Application	PZ-26-00011	GENERAL	WAPA has no conflict with this project	ROGERS@LARAMI ECOUNTYWY.GOV
02/12/2026		Application	PZ-26-00011	GENERAL	1. There are water well permits associated with this property. P217623.0W and P221804.0W are located in the area of the South Hill but do not appear to be related to this project. However, P219224.0W, P220734.0W and P222890.0W are affiliated with the quarry. The latter two mentioned permits are subject to cancellation if the proper paperwork has not been filed by their expiration dates of 12/31/2026 and 12/31/2027, respectively. 2. This project anticipates using water from the North Platte Basin or its tributaries and is subject to the Platte	SUE.KINSLEY@LA RAMIECOUNTYWY .GOV

Permit Notes

River Recovery Implementation Program (Program). Any water use associated with this project will be reviewed in accordance with the Program and mitigation of that use may be required if certain criteria are met. 3. An approved permit from the State Engineer's Office is required prior to the drilling of any water well, including groundwater that has been exposed to the surface by an excavation such as a pit, as defined in W.S. 41-3-901(a)(ii). The procurement of the necessary and appropriate State Engineer water right permit allows the applicant to attempt to develop a water supply adequate to meet their proposed needs and is no guarantee that any water will be physically available. 4. If any new wells are proposed, they must be constructed in accordance with the State Engineer's Office Rules and Regulations, Part III, Water Well Minimum Construction Standards. 5. With few exceptions, new wells must be constructed by a Wyoming-licensed water well drilling contractor, and pumps must be installed by a Wyoming-licensed pump installation contractor. 6. Any well not to be used must be properly plugged and abandoned as outlined in the above-referenced rules and regulations. 7. Any wells developed for uses that do NOT fall within the definition of domestic or stock use require adjudication by the Board of Control.

02/12/2026	02/12/2026	Application	PZ-26-00011	GENERAL	Please see the attached recommendations for conditions of permit from the Wyoming Game and Fish Department. Thank you!	WYGAMEFISHDEPT@LARAMIECOUNTY.WY.GOV
02/13/2026		Workflow	ENGINEERS REVIEW	GENERAL	The Transportation Assessment Worksheet indicates a possible average daily traffic volume of 166 vehicles/day. The applicant has indicated that on occasion, they may experience a peak of 200 vehicles per day. Since this is not the average daily traffic volume, but a peak day volume, I believe a Traffic Impact Study is not warranted. However, since this site enters a WYDOT controlled and maintained roadway, WYDOT will have the final say with regards to the necessity of a Traffic Impact Study.	SCOTT.LARSON@LARAMIECOUNTY.WY.GOV
02/17/2026		Workflow	PUBLIC WORKS REVIEW	GENERAL	<ol style="list-style-type: none"> 1. All comments from the review engineer shall be addressed and resolved appropriately. 2. Any work taking place within the boundaries of the designated floodplain and/or floodway will require an approved Floodplain Development Permit through the Laramie County Planning and Development office. 3. Internal roadways on the site shall comply with the needs of emergency services. 	MOLLY.BENNETT@LARAMIECOUNTY.WY.GOV

Permit Notes

03/04/2026	03/04/2026	Application	PZ-26-00011	GENERAL	We have not had additional conversations with the proponent or consultants following the submittal of our Department's recommendations for this project. We are pleased to see that the proponent plans to follow all recommendations from commenting agencies, including buffering all perennial and ephemeral wetlands by 500 feet, providing a transportation plan to the Department for review, performing all habitat and vegetation removal outside of the mule deer crucial winter range timing stipulation period November 15 - June 30, abiding by all requirements per the Governor's Sage-grouse Executive Order such as removal of vegetation outside of the March 15 - June 30 timing stipulation period, etc. We request the proponent contact the Department ASAP if you have any concerns with your ability to adhere to these measures, thank you.	WYGAMEFISHDEP T@LARAMIECOUN TYWY.GOV
03/05/2026		Workflow	ENGINEERS REVIEW	GENERAL	2nd Review - No additional comments.	SCOTT.LARSON@ LARAMIECOUNTY WY.GOV
03/05/2026	03/05/2026	Application	PZ-26-00011	GENERAL	2nd Review - No additional comments	MATTHEW.BUTLE R@LARAMIECOUN TYWY.GOV
03/06/2026		Application	PZ-26-00011	GENERAL	Additional Comment: It appears the refile for test well permit P221199 for FARTHING LG EVERIST SUPPLY WELL NO 3 is P222890, under the same name. The applicant's comments indicated P222890 was not affiliated with the quarry, but with Farthing Ranch.	SUE.KINSLEY@LA RAMIECOUNTYWY .GOV
03/06/2026		Workflow	ENGINEERS REVIEW	GENERAL	3rd Review - No additional comments.	SCOTT.LARSON@ LARAMIECOUNTY WY.GOV
03/09/2026	03/09/2026	Application	PZ-26-00011	GENERAL	We are pleased to see that the proponent plans to follow all recommendations from WGFD, including buffering all perennial and ephemeral wetlands by 500 feet, providing a transportation plan to the Department for review, performing all habitat and vegetation removal outside of the mule deer crucial winter range timing stipulation period November 15 - June 30, abiding by all requirements per the Governor's Sage-grouse Executive Order such as removal of vegetation outside of the March 15 - June 30 timing stipulation period, and all others provided.	WYGAMEFISHDEP T@LARAMIECOUN TYWY.GOV
03/10/2026		Workflow	PUBLIC WORKS REVIEW	GENERAL	All previous comments have been acknowledged and/or addressed. No further comments.	MOLLY.BENNETT @LARAMIECOUNTY WY.GOV

Permit Notes

03/10/2026

Workflow

WYDOT REVIEW GENERAL

On a typical day at the HCRQ during 2025, there were:

- 4 employees traveling from Cheyenne to the Horse Creek site and 1 employee (Plant Manager) stayed on-site in a trailer and utilized the private roads on the property. The 4 coming to and from the site came in before the haul trucks start coming in and leave after the last truck left. These 4 spend the entire day on the site and travel in their personal vehicles ranging from cars to pickups. The Plant Manager can leave and come back to the site at any point in the day if he needs to get parts, etc. and drives a pick-up.
- Our Area Production Manager (APM) and or I (Nick Lulic) may visit the site randomly at any time during the day. I may go up every 2 weeks and the APM may go up every second or third day. We both drive pickups.
- Our Equipment Manager (EM) and or our mechanics go up as required depending on breakdowns. I'd estimate out of this group, one of them going up on average once a week (not all of them would go once a week, i.e. one person per week out of this group). The EM drives a pickup, and the mechanics drive a mechanic's truck.

Going forward, when the large mine is approved, LGE expects the above continuing however, we will likely have 3 more employees driving personal vehicles going up there for 3 weeks and then not for 2 weeks and repeating this cycle for 7 months (April thru October). They too would come in before the haul trucks start and leave after the haul trucks are done. Two of these employees should not be required beyond November.

In summary:

A maximum of 7 LGE employees could be traveling to/from the site daily. However, the average is ~5 LGE employees traveling to/from the site daily. That translates to a maximum of 14 daily trips (one trip there, one trip back) per day. And an average of 10 daily trips (one trip there, one trip back).

None of the trips driven by LGE employees are expected to occur during the peak truck traffic time (6am-7am). This is because the employees arrive onsite before the haul trucks arrive in the morning.

1. Thank you for updating your expected traffic numbers to more accurately reflect your current and planned operations. The number of peak hour vehicles does not warrant traffic study at this time. However, while the heavy truck loads are the most important impact, please also provide the number of daily trips from employees traveling to and from the site and add any of these trips that are concurrent with the peak truck hour.

TAYLOR.MCCORT
@LARAMIECOUNT
YWY.GOV

2. Additional heavy truck volume may impact how WYDOT manages roadway preservation. In the event of rapid roadway degradation, weight restrictions could be applied to mitigate further damage. It is recommended that L.G. Everist continue to monitor load weights strictly to mitigate the risk of such restrictions.

Permit Notes

Permit Number: PZ-26-00011

Parcel Number: 17690610000100

Submitted: 01/30/2026

Site Address: UNKNOWN

Technically Complete: 02/03/2026

Applicant: Bautz, Melissa
Owner: FARTHING RANCH COMPANY

Laramie County, WY 00000

Approved: 03/12/2026
Issued:

Project Description:

The purpose of this project is to mine aggregate from the granite in the North Hill and South Hill's on the following parcels: 176961000100, 18700530000200 and 18691910000200 on the Farthing Ranch Company's property in Laramie County. The mined granite will be crushed and processed onsite, then hauled (Via truck) via Hwy 211 to Cheyenne and northern Colorado. Currently, the above-described mining is occurring via a Limited Mining Operation (LMO) issued by the Wyoming Department of Environmental Quality, Land Quality Division. The currently approved LMO is #1696. The project owner, L.G. Everist, Inc., is in the process of converting LMO #1696 into a Large Mine Permit. The LMO authorizes a maximum disturbance of 15 acres. The forthcoming Large Mine Permit application will affect up to 400 acres over the life-of-mine, which is expected to be 62 years.

<u>Begin Date</u>	<u>End Date</u>	<u>Permit Area</u>	<u>Subject</u>	<u>Note Type</u>	<u>Note Text</u>	<u>Created By</u>
02/04/2026	02/04/2026	Application	PZ-26-00011	GENERAL	No concerns noted	CONSERVATIONDI STRICT@LARAMIE COUNTYWY.GOV
02/06/2026		Workflow	GIS REVIEW	GENERAL	Address of 3380 Horse Creek RD was assigned to the quarry in March of 2025. It will likely work for the the work on the North Hill and South Hill. The address may not work for the future load out site, but that will need to be handled at that time.	CAMBIA.MCCOLLO M@LARAMIECOU NTYWY.GOV
02/10/2026	02/10/2026	Application	PZ-26-00011	GENERAL	Ensure that access and egress standards are meet for emergency services through the LCLUR.	MATTHEW.BUTLE R@LARAMIECOUN TYWY.GOV
02/11/2026		Workflow	WYDOT REVIEW	GENERAL	1. The ITE trip gen Land Use 110 is for a broad range of possible industries. This is an existing operation that should provide numbers from their current operation and a description of how these changes are to affect traffic volumes both on a daily basis and during the peak hours. 2. Developer should be aware that additional heavy truck volume may impact how WYDOT manages roadway preservation. In the event of rapid roadway degradation, weight restrictions could be applied to mitigate further damage. It is recommended that L.G. Everist continue to monitor load weights strictly to mitigate the risk of such restrictions.	TAYLOR.MCCORT @LARAMIECOUN WYWY.GOV
02/11/2026	02/11/2026	Application	PZ-26-00011	GENERAL	WAPA has no conflict with this project	ROGERS@LARAMI ECOUNTYWY.GOV
02/12/2026		Application	PZ-26-00011	GENERAL	1. There are water well permits associated with this property. P217623.0W and P221804.0W are located in the area of the South Hill but do not appear to be related to this project. However, P219224.0W, P220734.0W and P222890.0W are affiliated with the quarry. The latter two mentioned permits are subject to cancellation if the proper paperwork has not been filed by their expiration dates of 12/31/2026 and 12/31/2027, respectively. 2. This project anticipates using water from the North Platte Basin or its tributaries and is subject to the Platte	SUE.KINSLEY@LA RAMIECOUNTYWY .GOV

Permit Notes

River Recovery Implementation Program (Program). Any water use associated with this project will be reviewed in accordance with the Program and mitigation of that use may be required if certain criteria are met. 3. An approved permit from the State Engineer's Office is required prior to the drilling of any water well, including groundwater that has been exposed to the surface by an excavation such as a pit, as defined in W.S. 41-3-901(a)(ii). The procurement of the necessary and appropriate State Engineer water right permit allows the applicant to attempt to develop a water supply adequate to meet their proposed needs and is no guarantee that any water will be physically available. 4. If any new wells are proposed, they must be constructed in accordance with the State Engineer's Office Rules and Regulations, Part III, Water Well Minimum Construction Standards. 5. With few exceptions, new wells must be constructed by a Wyoming-licensed water well drilling contractor, and pumps must be installed by a Wyoming-licensed pump installation contractor. 6. Any well not to be used must be properly plugged and abandoned as outlined in the above-referenced rules and regulations. 7. Any wells developed for uses that do NOT fall within the definition of domestic or stock use require adjudication by the Board of Control.

02/12/2026	02/12/2026	Application	PZ-26-00011	GENERAL	Please see the attached recommendations for conditions of permit from the Wyoming Game and Fish Department. Thank you!	WYGAMEFISHDEPT@LARAMIECOUNTY.WY.GOV
02/13/2026		Workflow	ENGINEERS REVIEW	GENERAL	The Transportation Assessment Worksheet indicates a possible average daily traffic volume of 166 vehicles/day. The applicant has indicated that on occasion, they may experience a peak of 200 vehicles per day. Since this is not the average daily traffic volume, but a peak day volume, I believe a Traffic Impact Study is not warranted. However, since this site enters a WYDOT controlled and maintained roadway, WYDOT will have the final say with regards to the necessity of a Traffic Impact Study.	SCOTT.LARSON@LARAMIECOUNTY.WY.GOV
02/17/2026		Workflow	PUBLIC WORKS REVIEW	GENERAL	<ol style="list-style-type: none"> 1. All comments from the review engineer shall be addressed and resolved appropriately. 2. Any work taking place within the boundaries of the designated floodplain and/or floodway will require an approved Floodplain Development Permit through the Laramie County Planning and Development office. 3. Internal roadways on the site shall comply with the needs of emergency services. 	MOLLY.BENNETT@LARAMIECOUNTY.WY.GOV

Permit Notes

03/04/2026	03/04/2026	Application	PZ-26-00011	GENERAL	We have not had additional conversations with the proponent or consultants following the submittal of our Department's recommendations for this project. We are pleased to see that the proponent plans to follow all recommendations from commenting agencies, including buffering all perennial and ephemeral wetlands by 500 feet, providing a transportation plan to the Department for review, performing all habitat and vegetation removal outside of the mule deer crucial winter range timing stipulation period November 15 - June 30, abiding by all requirements per the Governor's Sage-grouse Executive Order such as removal of vegetation outside of the March 15 - June 30 timing stipulation period, etc. We request the proponent contact the Department ASAP if you have any concerns with your ability to adhere to these measures, thank you.	WYGAMEFISHDEPT@LARAMIECOUNTY.WY.GOV
03/05/2026		Workflow	ENGINEERS REVIEW	GENERAL	2nd Review - No additional comments.	SCOTT.LARSON@LARAMIECOUNTY.WY.GOV
03/05/2026	03/05/2026	Application	PZ-26-00011	GENERAL	2nd Review - No additional comments	MATTHEW.BUTLER@LARAMIECOUNTY.WY.GOV
03/06/2026		Application	PZ-26-00011	GENERAL	Additional Comment: It appears the refile for test well permit P221199 for FARTHING LG EVERIST SUPPLY WELL NO 3 is P222890, under the same name. The applicant's comments indicated P222890 was not affiliated with the quarry, but with Farthing Ranch.	SUE.KINSLEY@LARAMIECOUNTY.WY.GOV
03/06/2026		Workflow	ENGINEERS REVIEW	GENERAL	3rd Review - No additional comments.	SCOTT.LARSON@LARAMIECOUNTY.WY.GOV
03/09/2026	03/09/2026	Application	PZ-26-00011	GENERAL	We are pleased to see that the proponent plans to follow all recommendations from WGFD, including buffering all perennial and ephemeral wetlands by 500 feet, providing a transportation plan to the Department for review, performing all habitat and vegetation removal outside of the mule deer crucial winter range timing stipulation period November 15 - June 30, abiding by all requirements per the Governor's Sage-grouse Executive Order such as removal of vegetation outside of the March 15 - June 30 timing stipulation period, and all others provided.	WYGAMEFISHDEPT@LARAMIECOUNTY.WY.GOV
03/10/2026		Workflow	PUBLIC WORKS REVIEW	GENERAL	All previous comments have been acknowledged and/or addressed. No further comments.	MOLLY.BENNETT@LARAMIECOUNTY.WY.GOV

Permit Notes

03/10/2026	Workflow	WYDOT REVIEW GENERAL	<p>1. Thank you for updating your expected traffic numbers to more accurately reflect your current and planned operations. The number of peak hour vehicles does not warrant traffic study at this time. However, while the heavy truck loads are the most important impact, please also provide the number of daily trips from employees traveling to and from the site and add any of these trips that are concurrent with the peak truck hour.</p> <p>2. Additional heavy truck volume may impact how WYDOT manages roadway preservation. In the event of rapid roadway degradation, weight restrictions could be applied to mitigate further damage. It is recommended that L.G. Everist continue to monitor load weights strictly to mitigate the risk of such restrictions.</p>	TAYLOR.MCCORT@LARAMIECOUNTY.WY.GOV
03/12/2026	Workflow	PLANNING AND ZONING REVIEW GENERAL	Applicant has satisfied all agency review comments. Nothing further at this time.	SONNY.HOOPS@LARAMIECOUNTY.WY.GOV
03/12/2026	Workflow	WYDOT REVIEW GENERAL	<p>Melissa,</p> <p>Thanks for your quick update on the traffic volumes. Based on what you said the peak hour traffic will not increase because they are not concurrent with the peak truck so the peak hour trips will remain at 24 veh/hr. On average your total daily trips along Horsecreek will increase from 78 to 88 veh/day. From WYDOT's perspective this still not warrant a traffic study and the existing access should be sufficient to handle this traffic volume/distribution.</p> <p>Thanks,</p> <p>Taylor McCort, PE District 1 Traffic Engineer 307.745.2117 307.369.6955</p>	SONNY.HOOPS@LARAMIECOUNTY.WY.GOV



LARAMIE COUNTY LAND USE REGULATIONS

Transportation Assessment Worksheet

The following transportation assessment worksheet shall be completed in association with 5-6-103

Project: Horse Creek Rock Quarry By: Melissa Bautz (Agent)
 Date: Jan-30, 2026 Contact: mbautz@BrierleyAssociates.com
 Owner/Developer: L.G. Everitt, Inc. Phone: (307) 330-7629
 Property Address or Legal Description (lot, block, subdivision): _____
 Legal Description: T18 R70 E 1/2 sec 31, S 1/2 sec 32 AND T18 R69 E 1/2 Sec 6, E 1/4 NE 1/4 sec 5
 Existing Zoning: LU - Land Use Change to: n/a
 Existing Land Use: Lu - Land use Proposed: n/a
 Above changes if applicable.

Applicant email: mbautz@brierleyassociates.com

All Developments

Provide the following information, to the best of your knowledge, for all projects:

1. Provide existing Land Use and Proposed Land Use for this site.
 - a. Traffic counts need to be included in here... if not existing developer must provide current traffic counts on adjacent public roadways.
 - b. Description of existing Land Use: (If none, use Vacant) If using Peak Hours, multiply by a Rate of 7.44 *current Limited Mining Operation*

Type	ITE Code	Land Use	Unit	Time Period	Rate	Size	Trips/Day
LU	110	General Industrial	Acres	Daily	51.80	1 acre/yr	25
Total:							

- c. Description of proposed Land Use: (If none, use Vacant) If using Peak Hours, multiply by a Rate of 7.44

Type	ITE Code	Land Use	Unit	Time Period	Rate	Size	Trips/Day
LU	110	General Industrial	Acres	Daily	51.80	3.2 Acres/year	166
Total:							

New Land Use: Trips/Day
 Increase (+)/Decrease (-): +141

1. Traffic Impact Study - Criteria I	
2. Traffic Impact Study - Criteria II	
3. Traffic Impact Study - Criteria III	
4. Traffic Impact Study - Criteria IV	
5. No Traffic Impact Study Required	n/a

This was waived for existing operation (the LMO #1696)

b. Standards for TIS

Traffic impact studies shall utilize the Institute of Transportation Engineers (ITE) trip generation rates unless better information is available and approved by the County. If there is no available current data regarding existing traffic counts on existing roadways, traffic counts will be required to be obtained when a TIS is required.

Sonny Pourchot

From: Melissa Bautz <mbautz@brierleyassociates.com>
Sent: Tuesday, March 17, 2026 9:43 AM
To: Sonny Pourchot
Subject: RE: drainage

Understood. Here's a bit more information about the "Drainage Plan"
LGE has another consultant working on the Horse Creek Project who is currently evaluating all of the surface and subsurface hydrology for the proposed mine footprint. This is part of the Appendix D6 for the LQD permit. This section of the LQD Permit Application cannot be completed until we conduct the 4 quarters of baseline monitoring, which is ongoing. We will have the final version of Appendix D6 (Hydrology) by June 1, 2026, which is the date that we plan to submit the Mine Permit application to LQD.

Thanks,
Melissa

**BRIERLEY
ASSOCIATES**
Creating Space Underground

Melissa L. Bautz, PG | Project Geologist
Office: 307-343-1148 | Cell: 307-330-7629
mbautz@brierleyassociates.com
1482 Commerce Dr. Unit A
Laramie, WY 82070
www.brierleyassociates.com | [LinkedIn](#) | [YouTube](#)

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From: Sonny Pourchot <Sonny.Pourchot@laramiecountywy.gov>
Sent: Tuesday, March 17, 2026 8:21 AM
To: Melissa Bautz <mbautz@brierleyassociates.com>
Subject: RE: drainage

Hi Melissa,

Thank you for these. A drainage report is written by a hydrology engineer to determine if your site has adequate mitigation requirements in place to keep the natural flow of water moving and/or if you need detention ponds to help with mitigation. Most commercial projects are required to have them, but again, your operation is already in use. It was just another attorney thing. No worries.

Kind Regards,

Ms. Sonny M. Pourchot

Associate Planner
Laramie County Planning and Development

3966 Archer Pkwy
Cheyenne, WY 82009
Office: 307-633-4521



From: Melissa Bautz <mbautz@brierleyassociates.com>
Sent: Monday, March 16, 2026 3:50 PM
To: Sonny Pourchot <Sonny.Pourchot@laramiecountywy.gov>
Cc: Mila Brown <mbrown@brierleyassociates.com>
Subject: RE: drainage

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Sonny:

I'm not sure what a Drainage Report is.

We developed flowline maps to create the basis for the project's SWPPP. Those flowline maps are attached.

We were planning to submit these with the Site Plan.

Melissa

**BRIERLEY
ASSOCIATES**
Creating Space Underground

Melissa L. Bautz, PG | Project Geologist
Office: 307-343-1148 | Cell:307-330-7629
mbautz@brierleyassociates.com
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From: Sonny Pourchot <Sonny.Pourchot@laramiecountywy.gov>
Sent: Monday, March 16, 2026 3:40 PM
To: Melissa Bautz <mbautz@brierleyassociates.com>
Subject: drainage

Hi Melissa,

I swear this is the last question. Do you have a drainage report for this project?

Kind Regards,

Ms. Sonny M. Pourchot

Associate Planner

Laramie County Planning and Development

3966 Archer Pkwy

Cheyenne, WY 82009

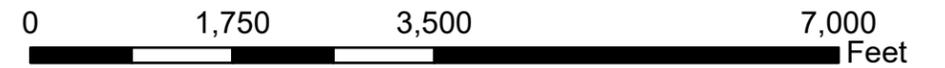
Office: 307-633-4521





Horse Creek Quarry 2026 Boundaries

- Boundary - Proposed Large Mine Permit
- Reserves - North Hill Outline V3
- Reserves - South Hill Outline V3
- Flow Lines



*Imagery sourced from ESRI: World Imagery

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CLIENT L.G. EVERST INC.	TITLE HORSE CREEK ROCK QUARRY SWPPP USGS LiDAR	MAP 1
PROJECT NAME OR NUMBER 121327-008	REPORT HORSE CREEK ROCK QUARRY SWPPP	DATE 3/6/2026



Horse Creek Quarry 2026 Boundaries

- Boundary - Proposed Large Mine Permit
- Reserves - North Hill Outline V3
- Reserves - South Hill Outline V3
- Flow Lines



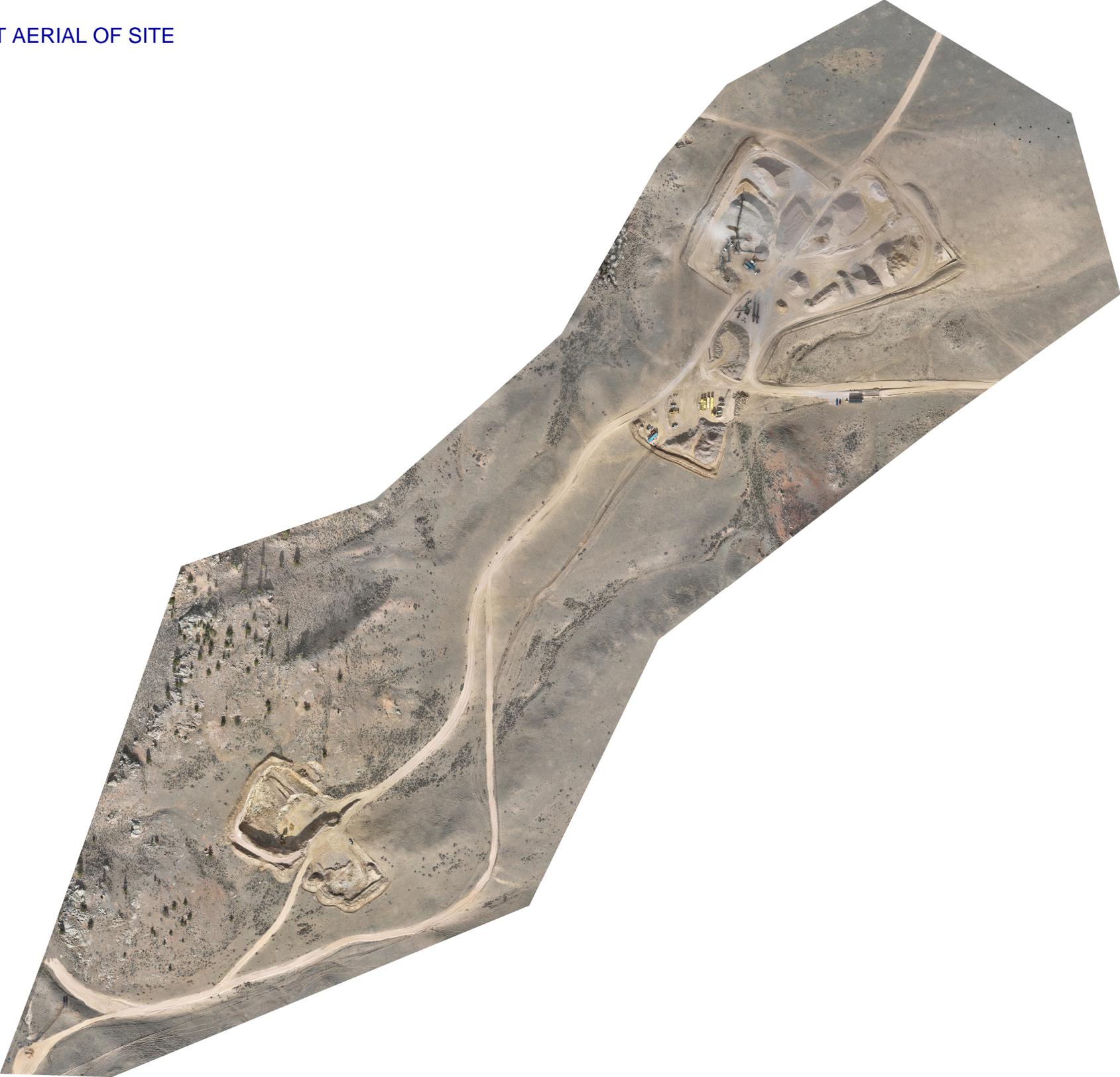
*Imagery sourced from ESRI: World Imagery

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CLIENT L.G. EVERST INC.	TITLE HORSE CREEK ROCK QUARRY SWPPP USGS ORTHO	MAP 2
PROJECT NAME OR NUMBER 121327-008	REPORT HORSE CREEK ROCK QUARRY SWPPP	DATE 3/6/2026

APPLICANT AERIAL OF SITE



RESOLUTION # _____

A RESOLUTION FOR A CLASS C CONDITIONAL USE PERMIT FOR “HORSE CREEK ROCK QUARRY EXPANSION”, LOCATED IN A PORTION OF LAND SITUATED IN THE E ½ SECTION 31, S ½ SECTION 32, T18N, R70W, AND E ¼ NE ¼ SECTION 5, E ½ SECTION 6, T18N, R69W, OF THE 6TH P.M., LARAMIE COUNTY, WY

WHEREAS, Wyoming State Statutes §18-5-101 to 18-5-107; §18-5-201 to 18-5-208; §18-5-301 to 18-5-315 authorize Laramie County, in promoting the public health, safety, morals and general welfare of the county, to regulate the use of land through zoning in unincorporated Laramie County; and

WHEREAS, the Laramie County Board of Commissioners have adopted the 2025 Laramie County Land Use Regulations; and

WHEREAS, this application meets the criteria for a Class C Conditional Use Permit pursuant to section 2-3-102(d)(iii) of the 2025 Laramie County Land Use Regulations; and

WHEREAS, this application meets the criteria for commercial projects pursuant to section 3-1-109 of the 2025 Laramie County Land Use Regulations; and

WHEREAS, this application meets the criteria for quarries pursuant to section 3-1-112(c) of the 2025 Laramie County Land Use Regulations; and

WHEREAS, this application is in conformance with section 2-4-104 of the 2025 Laramie County Land Use Regulations governing the LU – Land Use Zone District.

NOW THEREFORE BE IT RESOLVED BY THE LARAMIE COUNTY BOARD OF COUNTY COMMISSIONERS, as follows:

The Laramie County Board of Commissioner’s finds that:

- a. This application meets the criteria for a Class C Conditional Use Permit pursuant to section 2-3-102(d)(iii) of the 2025 Laramie County Land Use Regulations.
- b. This application meets the criteria for commercial projects pursuant to section 3-1-109 of the 2025 Laramie County Land Use Regulations.
- c. This application is in conformance with section 2-4-104 of the 2025 Laramie County Land Use Regulations governing the LU – Land Use Zone District.

and the Board of Commissioners approves a Class C Conditional Use Permit for the “Horse Creek Rock Quarry Expansion,” located in a portion of land situated in the E ½ Section 31, S ½ Section 32, T18N, R70W, and E ¼ NE ¼ Section 5, E ½ Section 6, T18N, R69W, of the 6th P.M., Laramie County, WY, as shown on the attached exhibits labeled “EXHIBIT A” and “EXHIBIT B” with the following conditions:

- 1) **Comply with and provide a copy of the approved Department of Environmental Quality permit.**

PRESENTED, READ, AND ADOPTED, this _____ day of _____, 2026.

LARAMIE COUNTY BOARD OF COMMISSIONER’S

Gunnar Malm, Chairman

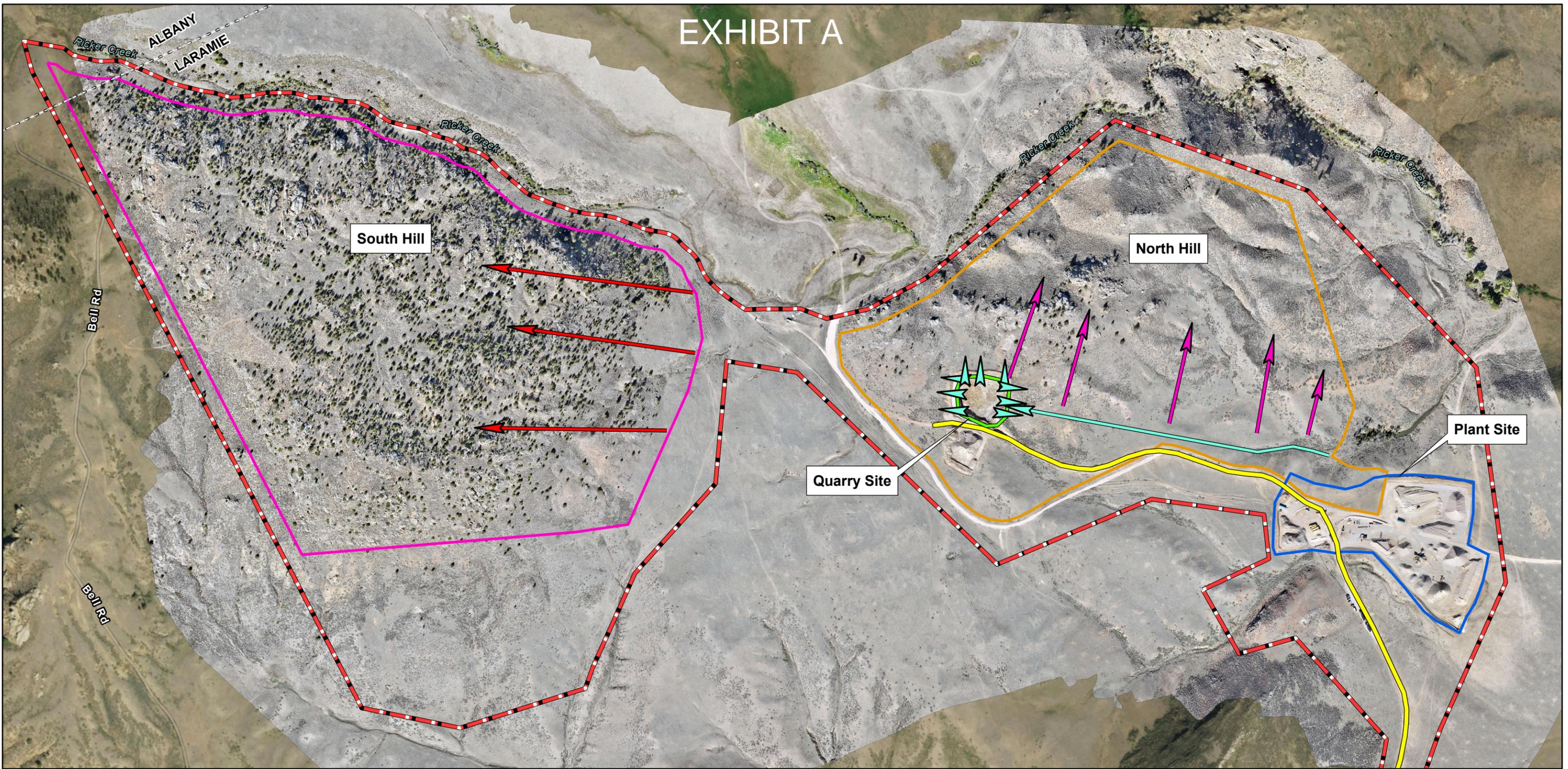
ATTEST:

Debra Lee, Laramie County Clerk

Reviewed and approved resolution only as to form:

Laramie County Attorney’s Office

EXHIBIT A



- Mine Progression**
- Progression and Expansion through 2029
 - Progression and Expansion through 2059
 - Progression and Expansion 2053 through 2089
 - Quarry Site - 3.6 Acres
 - Plant Site - 15 Acres
 - Access Road Project - 3.4 miles
 - County Line

- Horse Creek Quarry 2026 Boundaries**
- Boundary - Permit Boundary - 563 Acres
 - Reserves - North Hill - 90 Acres
 - Reserves - South Hill Outline - 139 Acres

Life of Mine: 62 years
Average affected acreage/year: 3.2 acres

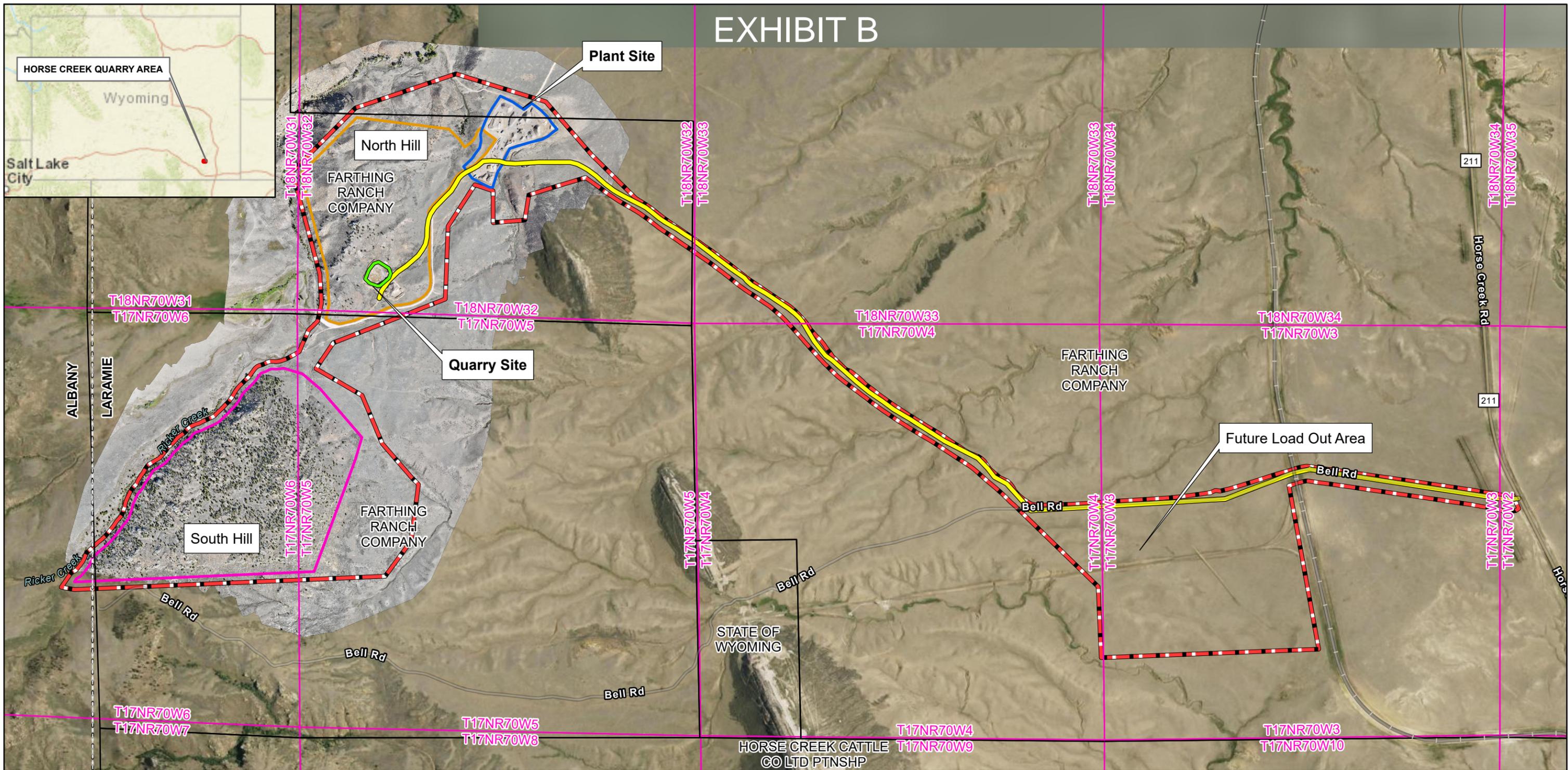


*Imagery sourced from ESRI: World Imagery



CLIENT L.G. EVERIST, INC.	TITLE HORSE CREEK ROCK QUARRY CONCEPT PLAN DETAIL	MAP 3
PROJECT NAME OR NUMBER 121327-008	REPORT HORSE CREEK ROCK QUARRY CONCEPT PLAN FOR LARAMIE COUNTY PLANNING & ZONING	DATE 1/29/2026

EXHIBIT B



- Horse Creek Quarry 2026 Boundaries
- Boundary - Permit Boundary - 563 Acres
- Reserves - North Hill - 90 Acres
- Reserves - South Hill - 139 Acres
- County Line
- Laramie County Parcels
- PLSS
- Plant Site - 15 acres
- Quarry Site - 3.6 acres
- Access Road - 3.4 miles

Expected Life of Mine: 62 years
Average affected acreage/year: 3.2 acres



*Imagery sourced from ESRI: World Imagery

**This work product represents only generalized locations of features, objects or boundaries and should not be relied upon as being legally authoritative for the precise location of any feature, object or boundary"

CLIENT L.G. EVERIST, INC.	TITLE HORSE CREEK ROCK QUARRY CONCEPT PLAN OVERVIEW MAP (PLSS)	MAP 2
PROJECT NAME OR NUMBER 121327-008	REPORT HORSE CREEK ROCK QUARRY CONCEPT PLAN FOR LARAMIE COUNTY PLANNING & ZONING	DATE 1/29/2026