

# STATE OF COLORADO

## DIVISION OF RECLAMATION, MINING AND SAFETY

Department of Natural Resources

1313 Sherman St., Room 215  
Denver, Colorado 80203  
Phone: (303) 866-3567  
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December 31, 2013

Craig Walker  
Craig J. Walker Revocable Trust  
420 E. 58<sup>th</sup> Ave. Ste. 200  
Denver, CO 80216

John W. Hickenlooper  
Governor

Mike King  
Executive Director

Loretta E. Pineda  
Director

**RE: Mary's Mountain Gravel Pit, DRMS File No. M-2003-068  
Follow-up on an unresolved problem**

Dear Mr. Walker:

The above-mentioned site has had a problem cited in a July 26, 2013 inspection report that, according to Division of Reclamation, Mining and Safety (Division) records has not yet been resolved. According to the Division's records, the following problem was to be resolved on or before **September 26, 2013**. Listed below is the description and the corrective action for the problem. **Please resolve the problem and provide evidence of such resolution on or before January 31, 2014.**

Please note that if the corrective action is not properly addressed, and evidence provided to the Division by the date provided above, the listed problem could be escalated to the level of possible violation and may then be referred to the Mined Land Reclamation Board for further action.

### **Problem:**

1. The mine identification sign was not posted at the entrance of the mine site. This is a problem for failure to post a mine identification sign as required by Section 3.1.12(1) of the rule.

### **Corrective action:**

1. The operator shall, at the entrance of the mine site, post a sign which shall be clearly visible from the access road with the following: the name of the operator, a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board; and the permit number. The operator shall submit photo documentation that a proper sign has been posted by the corrective action date.

If you need additional information please contact me at the Division of Reclamation, Mining and Safety, 1313 Sherman St., Room 215 Denver, CO 80203, by telephone at 303-866-3567 extension 8131, or by email at [tyler.odonnell@state.co.us](mailto:tyler.odonnell@state.co.us).

Sincerely,

A handwritten signature in cursive script that reads "Tyler O'Donnell".

Tyler O'Donnell  
Environmental Protection Specialist

Enclosure: Inspection Report

Certified Mail: 7012 3460 0000 6384 5016

CC: Tom Kaldenbach, DRMS




**COLORADO DIVISION OF RECLAMATION, MINING AND SAFETY  
MINERALS PROGRAM INSPECTION REPORT**

**PHONE: (303) 866-3567**

The Division of Reclamation, Mining and Safety has conducted an inspection of the mining operation noted below. This report documents observations concerning compliance with the terms of the permit and applicable rules and regulations of the Mined Land Reclamation Board.

<b>MINE NAME:</b> Mary's Mountain Gravel Pit	<b>MINE/PROSPECTING ID#:</b> M-2003-068	<b>MINERAL:</b> Sand and gravel	<b>COUNTY:</b> Huerfano
<b>INSPECTION TYPE:</b> Monitoring	<b>INSPECTOR(S):</b> Tyler V. O'Donnell	<b>INSP. DATE:</b> July 26, 2013	<b>INSP. TIME:</b> 11:30
<b>OPERATOR:</b> Craig J. Walker Revocable Trust	<b>OPERATOR REPRESENTATIVE:</b> Ken Lutz	<b>TYPE OF OPERATION:</b> 110c - Construction Limited Impact	

<b>REASON FOR INSPECTION:</b> Normal I&E Program	<b>BOND CALCULATION TYPE:</b> Complete Bond	<b>BOND AMOUNT:</b> \$32,555.00
<b>DATE OF COMPLAINT:</b> NA	<b>POST INSP. CONTACTS:</b> None	<b>JOINT INSP. AGENCY:</b> None
<b>WEATHER:</b> Cloudy	<b>INSPECTOR'S SIGNATURE:</b> 	<b>SIGNATURE DATE:</b> August 27, 2013

**The following inspection topics were identified as having Problems or Possible Violations. OPERATORS SHOULD READ THE FOLLOWING PAGES CAREFULLY IN ORDER TO ASSURE COMPLIANCE WITH THE TERMS OF THE PERMIT AND APPLICABLE RULES AND REGULATIONS. If a Possible Violation is indicated, you will be notified under separate cover as to when the Mined Land Reclamation Board will consider possible enforcement action.**

**INSPECTION TOPIC:** Reclamation Success

**PROBLEM/POSSIBLE VIOLATION:** Problem: The operator has failed to execute the completion of the reclamation requirements of C.R.S. 34-32.5-116 (4)(q)(I) in a reasonable diligent manner.

**CORRECTIVE ACTIONS:** The operator must demonstrate that all reclamation has been completed except for final seeding by the corrective action due date. The Division will be conducting a follow-up inspection shortly after the corrective action due date.

**CORRECTIVE ACTION DUE DATE:** 5/26/14

**INSPECTION TOPIC:** Signs & Markers

**PROBLEM/POSSIBLE VIOLATION:** Problem: The mine identification sign was not posted at the entrance of the mine site. This is a problem for failure to post a mine identification sign as required by Section 3.1.12(1) of the rule.

**CORRECTIVE ACTIONS:** The operator shall, at the entrance of the mine site, post a sign which shall be clearly visible from the access road with the following: the name of the operator, a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board; and the permit number. The operator shall submit photo documentation that a proper sign has been posted by the corrective action date.

**CORRECTIVE ACTION DUE DATE:** 9/26/13

## OBSERVATIONS

This was a normal routine monitoring inspection conducted by Tyler O'Donnell of the Division of Reclamation, Mining and Safety (Division). Ken Lutz, the mine operator's representative, was present during the inspection. The Mary's Mountain Gravel Pit is located approximately 15 miles southwest of Walsenburg Colorado. The Mary's Mountain Gravel Pit is permitted as a sand and gravel pit. The approved permit area is 9.9 acres. The approved post-mining land use is rangeland.

At the time of the inspection the sky was cloudy. No mining equipment was operational or present at the time of the inspection. There were erosion features on the highwall. There was also plant growth coving portions of the disturbed area, this growth appeared to be volunteer vegetation. Based on observations made during the inspection, the erosion of the highwall and the plant growth suggest this site has been inactive for a period of time.

### Available of Records:

The Division's records indicate that the Candas are the Inspection contact and the permitting contact. If the operator would like to update the Inspection contact and the permitting contact they may do so in a letter addressed to the Division.

### Backfilling and Grading:

No backfilling and grading has been conducted on the site. The site has a highwall which is approximately 550 feet long and ranges in height between 20 and 25 ft.

### Financial Warranty:

The reclamation cost estimate for this pit was updated with this inspection. It was found that the current bond amount is adequate to cover the cost of reclamation.

### Hydrologic Balance:

The pit excavation is located on a side slope of a hill. There appeared to be no significant impacts to the prevailing hydrologic balance.

### Gen. Compliance With Mine Plan:

The operation appeared to be following the approved mine plan. All mining activity appeared to be within the permit boundaries.

### Roads:

The access road was in good condition.

### Recl Plan/Comp:

This site has not yet been reclaimed. The last annual report indicates the site has not been operational since 2003. This is a problem for failure to complete the reclamation requirements of C.R.S. 34-32.5-116 (4) (q)(I) in a reasonable diligent manner. This will be cited as a problem in this inspection report and will require corrective action.

Revegetation:

There were annual weeds and a few thistles observed during the inspection. There was plant growth on the stockpiles and very little vegetation growth elsewhere in the disturbed area. The growth appeared to be volunteer vegetation.

Erosion/Sedimentation:

There was evidence of erosion on the mining highwall.

Signs and Markers:

The mine identification sign was not posted at the entrance of the mine site. This will be cited as a problem in this inspection report and will require corrective action.

Topsoil:

Topsoil was stockpiled on the top of the highwall. The topsoil stockpile parallels the highwall.



## PHOTOGRAPHS

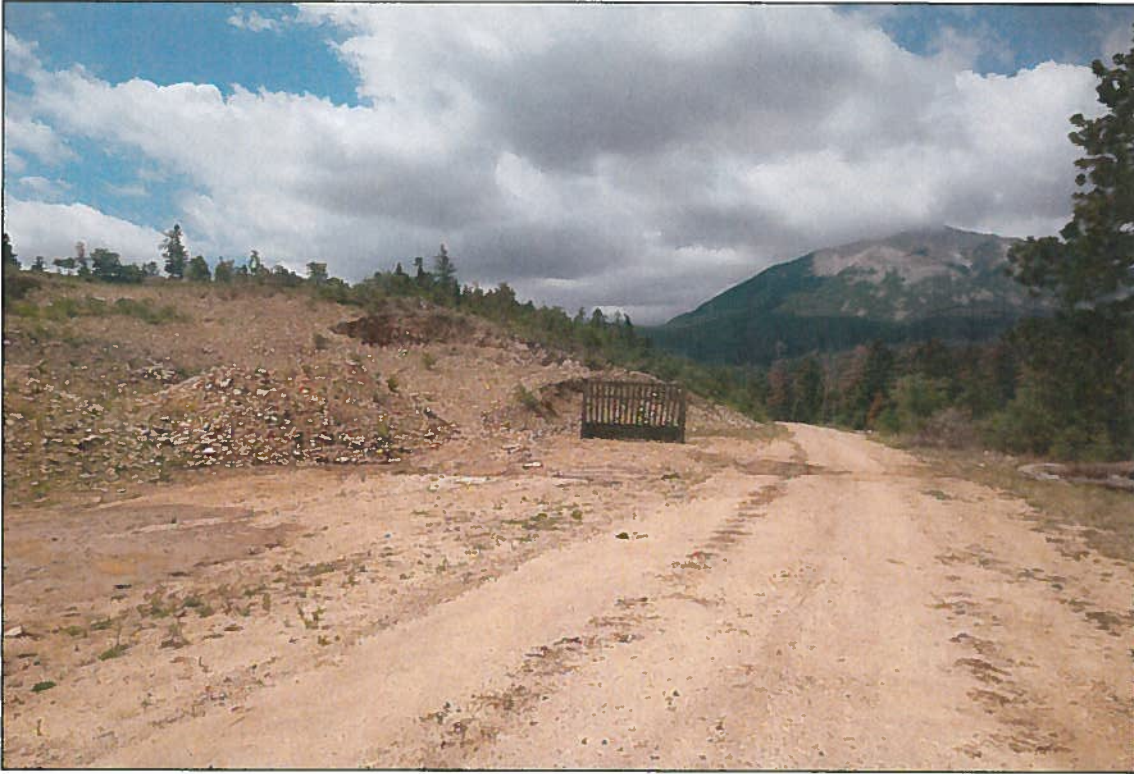


**Photo 1:** View looking south, mining highwall in the background with erosion features.



**Photo 2:** View looking southeast, mining highwall in the background with erosion features.





**Photo 3:** View looking west/southwest, stockpiles in the left side of the photo.



**Photo 4:** View looking east from within the pit.

### GENERAL INSPECTION TOPICS

The following list identifies the environmental and permit parameters inspected and gives a categorical evaluation of each

(AR) RECORDS----- <u>Y</u>	(FN) FINANCIAL WARRANTY----- <u>Y</u>	(RD) ROADS----- <u>Y</u>
(HB) HYDROLOGIC BALANCE----- <u>Y</u>	(BG) BACKFILL & GRADING----- <u>Y</u>	(EX) EXPLOSIVES----- <u>NA</u>
(PW) PROCESSING WASTE/TAILING---- <u>NA</u>	(SF) PROCESSING FACILITIES----- <u>NA</u>	(TS) TOPSOIL----- <u>Y</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>Y</u>	(FW) FISH & WILDLIFE----- <u>Y</u>	(RV) REVEGETATION---- <u>Y</u>
(SM) SIGNS AND MARKERS----- <u>Y</u>	(SP) STORM WATER MGT PLAN---- <u>NA</u>	(SB) COMPLETE INSP---- <u>NA</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>NA</u>	(SC) EROSION/SEDIMENTATION--- <u>Y</u>	(RS) RECL PLAN/COMP-- <u>PB</u>
(AT) ACID OR TOXIC MATERIALS----- <u>Y</u>	(OD) OFF-SITE DAMAGE----- <u>Y</u>	(ST) STIPULATIONS----- <u>NA</u>

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

#### Inspection Contact Address

Craig Walker  
Craig J. Walker Revocable Trust  
420 E. 58<sup>th</sup> Ave. Ste. 200  
Denver, CO 80216

Enclosure

CC: Tom Kaldenbach, DRMS