



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.

MINE NAME: County Line Pit	MINE/PROSPECTING ID#: M-1987-016	MINERAL: Sand and gravel	COUNTY: Lincoln
INSPECTION TYPE: Monitoring	INSPECTOR(S): Amy Eschberger	INSP. DATE: February 5, 2015	INSP. TIME: 09:00
OPERATOR: Lincoln County	OPERATOR REPRESENTATIVE: John DeWitt and Mark McHone	TYPE OF OPERATION: 110c - Construction Limited Impact	

REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: None	BOND AMOUNT: \$0.00
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
WEATHER: Clear	INSPECTOR'S SIGNATURE: <i>Amy Eschberger</i>	SIGNATURE DATE: March 12, 2015

GENERAL INSPECTION TOPICS

This list identifies the environmental and permit parameters inspected and gives a categorical evaluation of each. No problems or possible violations were noted during the inspection. The mine operation was found to be in full compliance with Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials and/or for Hard Rock, Metal and Designated Mining Operations. Any person engaged in any mining operation shall notify the office of any failure or imminent failure, as soon as reasonably practicable after such person has knowledge of such condition or of any impoundment, embankment, or slope that poses a reasonable potential for danger to any persons or property or to the environment; or any environmental protection facility designed to contain or control chemicals or waste which are acid or toxic-forming, as identified in the permit.

(AR) RECORDS----- <u>Y</u>	(FN) FINANCIAL WARRANTY----- <u>NA</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>Y</u>	(SF) PROCESSING FACILITIES----- <u>NA</u>	(TS) TOPSOIL----- <u>N</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>Y</u>	(FW) FISH & WILDLIFE----- <u>N</u>	(RV) REVEGETATION---- <u>Y</u>
(SM) SIGNS AND MARKERS----- <u>N</u>	(SP) STORM WATER MGT PLAN---- <u>Y</u>	(SB) COMPLETE INSP---- <u>N</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>Y</u>	(SC) EROSION/SEDIMENTATION--- <u>Y</u>	(RS) RECL PLAN/COMP-- <u>Y</u>
(AT) ACID OR TOXIC MATERIALS----- <u>NA</u>	(OD) OFF-SITE DAMAGE----- <u>N</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

OBSERVATIONS

This was a normal monitoring inspection of the County Line Pit (Permit No. M-1987-016) conducted by Amy Eschberger of the Division of Reclamation, Mining and Safety (Division). Mr. John DeWitt and Mr. Mark McHone, representatives of the Operator, Lincoln County, were present during the inspection. This site is located approximately 25 miles north of Limon, Colorado, just south of the northern boundary of Lincoln County. The landowners of the affected land are Charles and Elaine Covington. The site is accessed by a gated entrance off of Co Rd 4d. It should be noted here that a site permitted by another Operator, the Covington #5 Pit (Permit No. M-2012-005) is located just 0.4 miles south of this site, and is accessed by the same gated entrance and haul road.

This is a 110c operation permitted for 9.9 acres to extract sand and gravel from the streambed of Vega Creek for county road maintenance. Vega Creek is an ephemeral streambed that only experiences flows during high runoff periods associated with heavy thunderstorms or prolonged periods of rain. Removal of material occurs in an eastward direction. Mined material is stockpiled on the east bank of the creek. The only areas to be disturbed besides the creek bed are the stockpile area and the areas cut into the creek bank for equipment access. The approved Reclamation Plan includes grading all disturbed areas to a gradient of 3H:1V or flatter, and revegetating all but the creek bed, which will be graded smooth. The approved post-mining land use is rangeland.

It should be noted here that two small screening stockpiles were left just north of the permit area by previous CDOT operations. According to the Acreage Reduction request (AR-01) that was approved by the Division on 05/21/2001, this northern portion (approximately 4.2 acres) which was undisturbed by the permitted operation was released from the permit area, and the stockpiles were left at the request of the landowner. This acreage reduction also released approximately 2.1 acres that were undisturbed by the operation from the southern portion of the permit area. The acreage reduction reduced the permit area from 9.9 acres to approximately 3.6 acres. Soon afterward, the Operator submitted a permit Amendment (AM-01; approved 07/12/2001) to add approximately 6.3 acres to the permit area, which brought the total acreage back to 9.9 acres. The acreage reduction and Amendment together reconfigured the permit boundary from a 180 foot wide x 2,400 foot long rectangle, oriented north-south, to a 520 foot wide x 832 foot long rectangle, also oriented north-south (according to the maps included with the Amendment). However, after comparing current and historical aerial images of the site with the approved site maps, it appears that the permit boundary was not actually oriented north-south, but approximately 20-22° northwest-southeast.

Mr. DeWitt recently notified the Division of this inconsistency after he attempted to replace the permit boundary markers. This mistake in the permit boundary orientation appears to have gone unnoticed by both County and Division staff throughout the years, perhaps because no more than the approved 9.9 acres were disturbed, and the permit area appeared to be rectangular in shape, as approved. Without any GPS coordinates or map contours on the approved maps, it is difficult to determine where exactly the permit boundaries were intended to be. Recently, Mr. DeWitt resurveyed the areas disturbed by the operation (in reference to the approved maps), and obtained GPS coordinates for what appeared to be the permit boundary. The Division allowed the Operator to submit this information in a Technical Revision (TR-04; received on 02/12/2015) in efforts to update the Mining Plan map and Reclamation Plan Map, and also make any associated changes to the Reclamation Plan. The permit area will remain 9.9 acres, and no new landowners or structure agreements are required. This revision is currently under review by the Division and has a decision date of 03/16/2015.

At the time of the inspection, the weather was clear, sunny, and cool, and the ground was dry. The creek bed was dry besides a few puddles left from a recent storm event. No permit sign was posted at the site entrance as required by Rule 3.1.12(1). However, since the inspection was conducted, the Operator has submitted

photographic evidence to the Division showing that a permit sign has been posted as required. No mining activities were occurring during the inspection. According to the Operator, the site has not been actively mined since 2010. However, since that time, the Operator has been hauling off from stockpiled material. For the record, the Division approved a Technical Revision (TR-03) on 04/05/2013 that allowed the operation to enter intermittent status since mining activities occur less than 180 days per year at this site. As of the recent inspection, the material stockpiles had been removed from the site. The Operator intends to continue active mining of the creek bed soon after TR-04 is approved.

The Division inspected the land located north of the permit area that was released with the approval of AR-01. This area includes the two small stockpiles left for use by the landowner. This area is well-vegetated with native grasses and stable, and appears to have been undisturbed for a very long time (Photos 1-3). The Division also inspected the land located south of the permit area that was released with the approval of AR-01. This area is also well-vegetated with native grasses and stable (Photo 4). The creek banks upstream (northward) and downstream (southward) from the mined portion of the creek appear to be preserved and do not show any evidence of erosion at this time.

The Division also observed the disturbed portion of the creek where mining activities have occurred. There are a few shallow depressions along approximately 200 feet of the creek length where material was extracted, and two main trenches that appear to have been cut into the west bank at some time between 2006 and 2011, according to available historical aerial images of the site (Photos 5 and 6). Some native grasses and forbs have volunteered across the disturbed area. This portion of the creek appears to be stable at this time. However, as active mining resumes, the Operator should continue to maintain bank stability and keep from altering the natural alignment of the creek. The Operator originally held a Section 404 Permit from the Department of the Army (DA) for this site. However, according to a letter the Division received from the DA on 07/13/2001, this permit was revoked due to a Supreme Court ruling that eliminated their jurisdiction over this type of project.

This concludes the inspection.

PHOTOGRAPHS



Photo 1. View looking southwest from access road, showing northern portion of original permit area that was released with AR-01.



Photo 2. View looking north at small material stockpile left by previous CDOT operation that remains north of the current permit area. This portion of the original permit area was released with AR-01.



Photo 3. View looking south at other small material stockpile left by previous CDOT operation that remains north of the current permit area. This portion of the original permit area was released with AR-01.



Photo 4. View looking northwest from south of permit area, showing portion of creek just downstream from the mining operation.



Photo 5. View looking south from east creek bank, showing portion of the creek mined by this operation. Some water remains pooled up in the depression (at right) from recent storm.



Photo 6. View looking southwest from east creek bank, showing mined portion of creek. Note trenches cut into west bank.

Inspection Contact Address

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