



**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> Walsh Pit No. 2	<b>MINE/PROSPECTING ID#:</b> M-1977-479	<b>MINERAL:</b> Sand and gravel	<b>COUNTY:</b> Baca
<b>INSPECTION TYPE:</b> Monitoring	<b>INSPECTOR(S):</b> Amy Eschberger	<b>INSP. DATE:</b> November 20, 2014	<b>INSP. TIME:</b> 08:00
<b>OPERATOR:</b> Baca County	<b>OPERATOR REPRESENTATIVE:</b> Jason Freiburger and Race Chenoweth	<b>TYPE OF OPERATION:</b> 112c - Construction Regular Operation	

<b>REASON FOR INSPECTION:</b> Normal I&E Program	<b>BOND CALCULATION TYPE:</b> None	<b>BOND AMOUNT:</b> NA
<b>DATE OF COMPLAINT:</b> NA	<b>POST INSP. CONTACTS:</b> None	<b>JOINT INSP. AGENCY:</b> None
<b>WEATHER:</b> Clear	<b>INSPECTOR'S SIGNATURE:</b> <i>Amy Eschberger</i>	<b>SIGNATURE DATE:</b> July 8, 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>Y</u>	(TS) TOPSOIL----- <u>Y</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>Y</u>	(SP) STORM WATER MGT PLAN---- <u>Y</u>	(SB) COMPLETE INSP---- <u>Y</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>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

## **OBSERVATIONS**

This was a normal monitoring inspection of the Walsh Pit No. 2 (Permit No. M-1977-479) conducted by Amy Eschberger of the Division of Reclamation, Mining and Safety (Division). Mr. Jason Freiburger and Mr. Race Chenoweth represented the operator, Baca County during the inspection. The site is located approximately 2.5 miles northwest of Walsh, CO, on land owned by the county. Access to the site is off of Co Rd Ff. The site is bisected by Bear Creek which flows east when carrying water. Dry Creek joins Bear Creek in the southeastern portion of the permit area. Both creeks only hold water during big storm events. The approved post-mining land use is rangeland.

This is a 112c operation permitted for 80 acres to mine sand and gravel for use in county road maintenance. The maximum mining depth is approximately 35-40 feet. The maximum allowed disturbance at any time is the entire permitted area of 80 acres (as of TR-02 approved on 01/21/2011). The operation maintains approximate 3H:1V slopes as material is extracted. This operation began mining in the northwestern portion of the site (north of Bear Creek), and continued in the southwestern portion of the site (south of Bear Creek). Mining continues eastward as the western portions are reclaimed. The site includes several areas of pre-law disturbance which have been reclaimed to varying degrees (mainly the northeastern, southwestern, and far northwestern portions of the permit area). Much of the pre-law disturbance was backfilled to roughly 3H:1V slopes and may have been seeded. Native grasses, some forbs, shrubs, and perennial weeds are now establishing across much of these areas (**Photo 1**). This operation may later redisturb the northeastern reclaimed area.

At the time of the inspection, the weather was clear, cool and sunny, and the ground was dry. No water was observed in Bear Creek or Dry Creek (**Photos 2 and 3**). A permit identification sign was posted at the eastern site entrance off of Co Rd Ff (**Photo 4**). This sign includes the permit number and operator name; however, pursuant to Rule 3.1.12(1), it should also include a statement that the permit was issued by the Colorado Mined Land Reclamation Board (MLRB). Because the sign has weathered making it hard to read, the Division recommends the operator replace this sign, making sure to include the required information listed above. The permit boundary was delineated by Co Rd Ff to the north, a pre-existing dirt road to the east (used for mine access), and metal posts for the southern and western corners. The mine was not active during the inspection; however, screening equipment and a few small trucks were stored in the processing area located north of Bear Creek (**Photo 5**). The county has been processing and hauling off from stockpiled material every year, which is in compliance with its intermittent status.

The Division estimates that approximately 35 acres have been disturbed by this operation (see enclosed Google Earth image of site), which is in compliance with the maximum allowed disturbance. Current disturbance includes the processing and stockpiling area with several material stockpiles of various sizes located north of Bear Creek (**Photo 6**; also see **Photo 5**), a stockpiling area (**Photos 7 and 8**) and most recent active pit (**Photo 9**) located south of the creek, and topsoil berms stored along the edges of disturbance. The topsoil berms appeared to be stable with some vegetative cover. A total of approximately 8.82 acres of the western portions of the disturbed area are in reclamation. The northwestern area was recently graded to near flat and requires seeding (**Photos 10 and 11**). Reclamation of the southwestern area began in 2011, and vegetative cover is establishing in this area (mentioned in 2<sup>nd</sup> paragraph above; **Photo 12**). A large sand stockpile is stored in the southern pit area (see **Photos 7 and 8**). Active mining last occurred just east of this stockpile (see **Photos 7 and 9**). All mined slopes are 3H:1V or flatter and appear to be stable with some vegetative cover, showing no evidence of erosion.

Mine staff maintain a dirt haul road that crosses Bear Creek to connect the northern portion of the permit area to the southern portion (**Photo 13**). The creek washed into the southwestern portion of the site during a major storm event many years ago. Because of this, the operator constructed earthen berms adjacent to the creek banks

to keep the creek from flooding the pit again. These berms are approximately 10-20 feet in height, and are regularly maintained by the county. According to Mr. Freiburger and Mr. Chenoweth, the berms were almost breached again during storm events in spring of 2014, and they had to be raised another 2-3 feet. The Division recommends the operator continue to monitor the stability and effectiveness of these berms, and work to minimize any disturbance of the creek bottom.

The approved reclamation plan calls for grading all mined slopes to 3H:1V or flatter, replacing a minimum of 6 inches of topsoil on disturbed areas, and revegetating the site to rangeland. The pre-existing road that enters the southern portion of the pit from the east will not be reclaimed. The main access road on the northwestern portion of the pit will be reclaimed.

No problems were observed on site at the time of the inspection.

**PHOTOGRAPHS**



**Photo 1.** View looking south from Co Rd Ff, showing reclaimed northeastern portion of permit area.



**Photo 2.** View looking northeast at Bear Creek, which was dry during the inspection.





**Photo 3.** View looking south at Dry Creek, which was dry during the inspection.

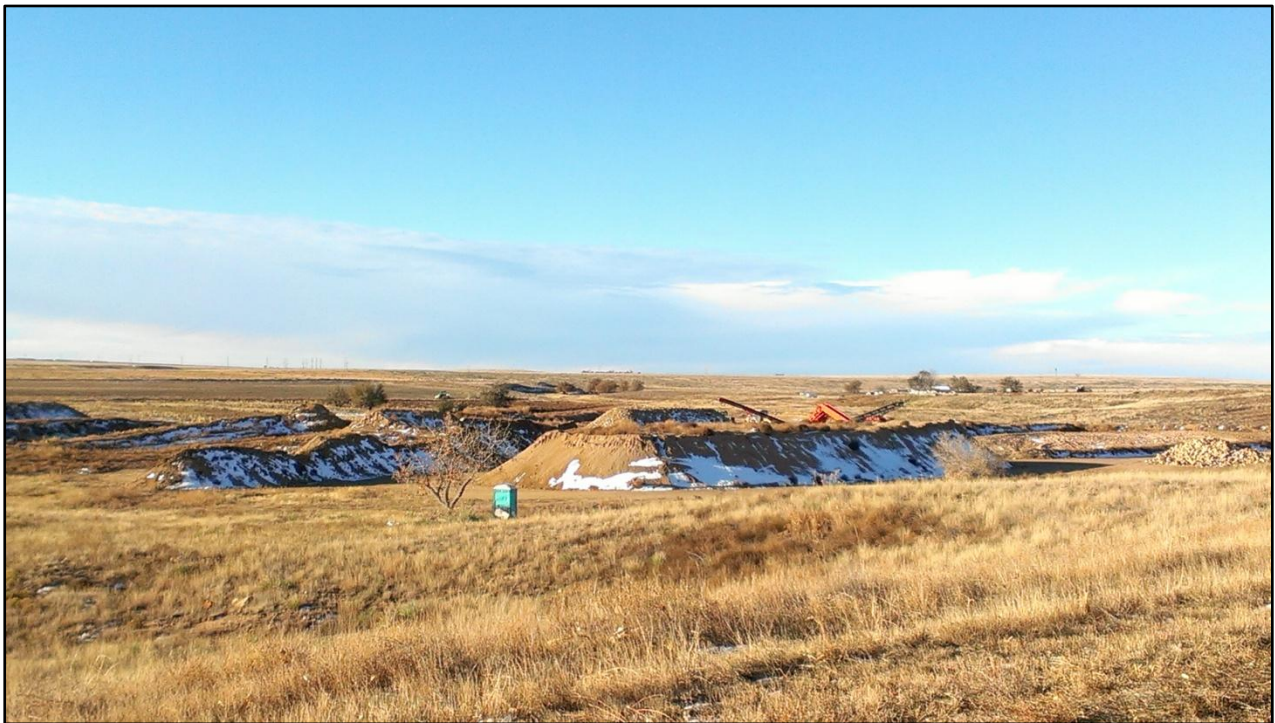


**Photo 4.** View of permit sign posted at northeastern entrance to site off of Co Rd Ff. This sign is hard to read and should be replaced, including the permit number, operator name, and a statement that the permit was issued by the CO MLRB.





**Photo 5.** View of processing area located north of Bear Creek in northwestern portion of site.

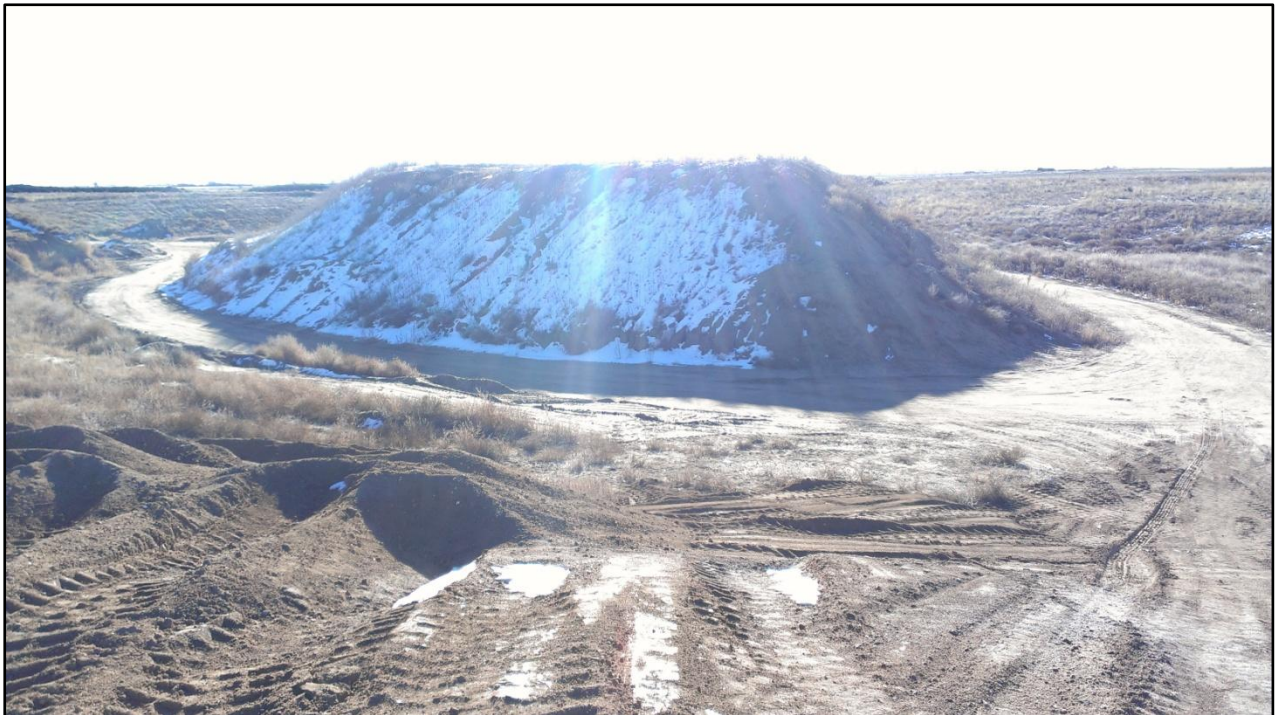


**Photo 6.** View looking southwest from Co Rd Ff, showing northwestern portion of permit area where material is processed and stockpiled.





**Photo 7.** View looking northwest from southeastern edge of disturbance, showing stockpiling and mining area located south of Bear Creek. Note large sand stockpile in background (at left).



**Photo 8.** View looking south, showing large sand stockpile stored south of Bear Creek.





**Photo 9.** View looking east, showing area of most recent mining located south of Bear Creek. Note highwall approximately 10-15 feet in height with 3H:1V slopes and some vegetative cover.



**Photo 10.** View looking southeast across northwestern portion of permit area (near main entrance) that is in reclamation.





**Photo 11.** View looking southwest across northwestern portion of permit area (near Bear Creek) that is in reclamation.



**Photo 12.** View looking southwest across southwestern portion of permit area that is in reclamation.



**Photo 13.** View looking northwest from south bank of Bear Creek, showing haul road constructed across creek bed to access southern portion of site.

**Inspection Contact Address**

Glen Ausmus  
Baca County  
741 Main St., Suite 1  
Springfield, CO 81073

Enclosure(s): Google Earth image of site

CC: Cindy Parsons  
Baca County Administrator  
741 Main St., Suite 1  
Springfield, CO 81073

Wally Erickson, DRMS



# M1977-479 / Walsh Pit No. 2 / Baca County

Red Line = 80 acres = Approved Permit Boundary

Blue Line = 34.5 acres = Disturbed Areas (as of 11/20/2014 inspection)

Green Line = 8.82 acres = Areas In Reclamation

M1977-479

