



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: Argo Gravel Pit	MINE/PROSPECTING ID#: M-1978-267	MINERAL: Sand and Gravel	COUNTY: Otero
INSPECTION TYPE: Monitoring	INSPECTOR(S): Amy Eschberger and Wally Erickson	INSP. DATE: September 29, 2015	INSP. TIME: 10:45
OPERATOR: Otero County	OPERATOR REPRESENTATIVE: Lex Nichols and Darren Garcia	TYPE OF OPERATION: 112c - Construction Regular Operation	

REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: None	BOND AMOUNT: N/A
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
WEATHER: Clear	INSPECTOR'S SIGNATURE: <i>Amy Eschberger</i>	SIGNATURE DATE: October 16, 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>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>	(SW) STORM WATER MGT PLAN---- <u>Y</u>	(CI) 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 courtesy inspection of the Argo Gravel Pit (Permit No. M-1978-267) conducted by Amy Eschberger and Wally Erickson of the Division of Reclamation, Mining and Safety (Division) at the request of the operator, to assess reclamation completed at the site. Mr. Lex Nichols and Mr. Darren Garcia represented the operator, Otero County during the inspection. The site is located approximately 2.25 miles southwest of Manzanola, Colorado in Otero County. The main site entrance is near the intersection of Co Rd JJ.5 and Co Rd 9. Both surface and subsurface rights of the affected land are owned by Otero County. The approved post-mining land use for the site is rangeland.

This is a 112c operation permitted for 229 acres to mine sand and gravel for use in county road construction and maintenance. The site lies in the High Plains Area of the Arkansas River Valley, between the Smith Arroyo and the Apishapa River. The operation is mining approximately 10-15 feet off the tops of several gravelly terrace ridges. The permit area is bisected by the Rocky Ford Highline Canal which runs northwest-southeast across the middle of the site. This is a phased operation, which began mining in the eastern half of the permit area (east of the canal; Phase 1). Phases 2 and 3 are located west of the canal and have not yet been disturbed by the operation. According to the approved mining plan map, a temporary haul road will be constructed across the canal to access Phases 2 and 3 when the time comes. In the eastern half of the site, one of the ridges (not included in the permit area) has structures (two water tanks, a building, and a fence) owned by Valley Water Company and a power line owned by Southeast Colorado Power Association. Structure agreements for these structures were submitted with the permit Amendment that was approved on 7/18/2000 (Revision No. AM-01). With approval of AM-01, the permit area was increased from 18.49 acres to 230 acres. On 6/12/2007, the Division approved the release of one acre of undisturbed land in the eastern half of the permit area (Revision No. AR-01) for use by a wireless company to construct a radio tower. This acreage reduction decreased the permit area to the current 229 acres.

At the time of the inspection, the weather was partly cloudy and breezy. No standing water was observed on site. A permit sign was posted at the main site entrance off of Co Rd JJ.5 (**Photo 1**). This sign includes the operator name as required; however, the permit number (M-1983-188) is not correct. Per Rule 3.1.12(1), a permit sign should include the operator name, the permit number, and a statement that the permit was issued by the CO Mined Land Reclamation Board (which could be abbreviated on the sign as "issued by CO MLRB"). To be fully compliant, the Division recommends the operator replace the sign with one that includes these required items, at a minimum. The permit boundary was clearly delineated by fencelines and roads (for the eastern boundary and a portion of northern boundary). The site was not active during the inspection, and no equipment was stored on site. According to the operator, mining of Phase 1 was completed in 2004 or 2005. The county was only hauling off stockpiled material between 2005 and 2008 (which is considered mining activity by the Division). The Division estimates that approximately 42 acres have been disturbed by the operation, all of which have been in various stages of reclamation since mining was completed. This amount of disturbance is in compliance with the approved maximum allowed disturbed acreage at any time, which is 50 acres.

The Division had conducted another courtesy inspection of this site on 02/28/2014. In that report, the Division noted that much of the disturbed land had been backfilled and/or graded to slopes of 3H:1V or flatter. However, some portions had slopes of approximately 2H:1V, which would require more grading work. The report also noted that disturbed areas had very little vegetative growth. During this inspection, the operator indicated that additional grading work had been completed, topsoil was replaced at an average depth of 6 inches, and disturbed areas were drill seeded with the approved seed mixture and power-mulched. Mr. Nichols estimated that the county seeded approximately 18 acres in Fall of 2014.

During the inspection, the Division observed that all disturbed areas had been graded to slopes of 3H:1V or

flatter as required by the approved reclamation plan. The far western portion of the disturbed area (mined first) appeared to have a good establishment of grasses, with some areas including native forbs, sand sagebrush, broom snakeweed, yucca, and prickly pear cactus (**Photos 2-5**). Some annual weeds were also present, but they did not appear to be hindering the growth of desired vegetation. The rest of the disturbed area was off to a great start, with some grass growth observed. However, the mined ridge located just west of the ridge with the water tanks had some areas where vegetation was a bit sparse (**Photos 6-9**). The Division estimates that approximately 2.8 acres on this ridge may need interseeding. The southern portion of the ridge showed a better establishment of grasses (**Photos 10-13**). On the mined ridge located east of the ridge with the water towers (most recently mined), the desired vegetation was much sparser (**Photos 14-24**). The vegetation present in this area consisted primarily of Russian thistle and wild sunflowers, with some small patches of grass present in areas. The Division estimates that approximately 5 acres in this area may need interseeding. Therefore, the total acreage requiring additional revegetation efforts is estimated to be approximately 7.8 acres (see enclosed Google Earth image of site with Division markings).

The operator would like to release portions of the eastern half of the permit area which have been reclaimed according to the approved reclamation plan. At this time, the Division would approve the release of particular portions of this area. However, the remaining permit area would need to be contiguous (at least on this side of Co Rd 9), and include enough space for access and movement of equipment (if needed). Please refer to the enclosed Google Earth image of the site, where the Division has drawn a potential revised permit area. Because the county owns the affected land and wants to keep the access road after reclamation, the Division would allow the current access road to be released with the adjacent land. However, if this road is to be reclaimed, it will need to be included in the permit area after the acreage reduction. If the operator chooses the revised permit area option offered by the Division, the new permit area would be reduced to 177 acres (160 acres to the west and 17 acres to the east). In this case, an acreage reduction may be submitted for the release of 52 acres (229 acres – 177 acres). When considering the acreage reduction, the operator should keep in mind that the new permit boundary will need to be properly delineated per Rule 3.1.12(2). Therefore, the Division recommends keeping the shape of the permit boundary as simple as possible. **If the operator submits the acreage reduction request (see enclosed form) within 60 days of this inspection, the Division will be able to approve the reduction without conducting another inspection.**

No problems were observed during the inspection.

PHOTOGRAPHS



Photo 1. View of permit sign posted at main entrance to site off of Co Rd JJ.5. This sign includes the operator name as required. However, it has the wrong permit number, and no statement that the permit was “issued by the CO MLRB”.



Photo 2. View looking northwest across ridge top in western portion of disturbed area, showing good vegetative cover.



Photo 3. View looking east across ridge top in western portion of disturbed area, showing good vegetative cover.



Photo 4. View looking southwest across western portion of disturbed area (south of radio tower), showing good vegetative cover.



Photo 5. View looking west across western portion of disturbed area (south of radio tower), showing good vegetative cover.



Photo 6. View looking east across portion of ridge (west of ridge with water tanks), showing some areas with sparse grass growth (in foreground) that may require interseeding.



Photo 7. View looking south across portion of ridge (west of ridge with water tanks), showing some areas with sparse grass growth (in foreground) that may require interseeding.



Photo 8. View looking north across portion of ridge (west of ridge with water tanks), showing some areas with sparse grass growth (in foreground) that may require interseeding.



Photo 9. View looking east across portion of ridge (west of ridge with water tanks), showing some areas with sparse grass growth (in foreground) that may require interseeding. However, this particular area may only require another growing season, as grass growth is more prominent here than on other portions of the ridge.



Photo 10. View looking south across southern portion of ridge (west of ridge with water tanks), showing good establishment of grasses.



Photo 11. View looking west across southern portion of ridge (west of ridge with water tanks), showing good establishment of grasses.



Photo 12. View looking northeast across southern portion of ridge (west of ridge with water tanks), showing good establishment of grasses.



Photo 13. View looking southeast across southern portion of ridge (west of ridge with water tanks), showing good establishment of grasses.



Photo 14. View looking east across eastern ridge (east of ridge with water tanks), showing sparse vegetative cover consisting primarily of weeds. This area may require reseeding.



Photo 15. View looking south across eastern ridge (east of ridge with water tanks), showing sparse vegetative cover consisting primarily of weeds. This area may require reseeding.



Photo 16. View looking west across eastern ridge (east of ridge with water tanks), showing sparse vegetative cover consisting primarily of weeds. This area may require reseeding.



Photo 17. View looking northwest across eastern ridge (east of ridge with water tanks), showing sparse vegetative cover consisting primarily of weeds. This area may require reseeding.



Photo 18. View looking north across eastern ridge (east of ridge with water tanks), showing sparse vegetative cover consisting primarily of weeds. This area may require reseeding.



Photo 19. Close-up view of ground on eastern ridge (east of ridge with water tanks), showing some small patches of grass present in this area.



Photo 20. View looking west across eastern ridge (east of ridge with water tanks), showing sparse vegetative cover consisting primarily of weeds. This area may require reseeding.



Photo 21. View looking east across eastern ridge (east of ridge with water tanks), showing sparse vegetative cover consisting primarily of weeds. This area may require reseeding.



Photo 22. View looking northeast across eastern ridge (east of ridge with water tanks), showing sparse vegetative cover consisting primarily of weeds. This area may require reseeding.



Photo 23. View looking south across eastern ridge (east of ridge with water tanks), showing sparse vegetative cover consisting primarily of weeds. This area may require reseeding.



Photo 24. View looking west across eastern ridge (east of ridge with water tanks), showing sparse vegetative cover consisting primarily of weeds. This area may require reseeding.

Inspection Contact Address

Lex Nichols
13 W. 3rd St., Room 208
La Junta, CO 81050

Enclosure(s): Google Earth image of site showing disturbed area and areas that may require interseeding
Google Earth image of site showing potential revised permit area after acreage reduction
Acreage Reduction request form

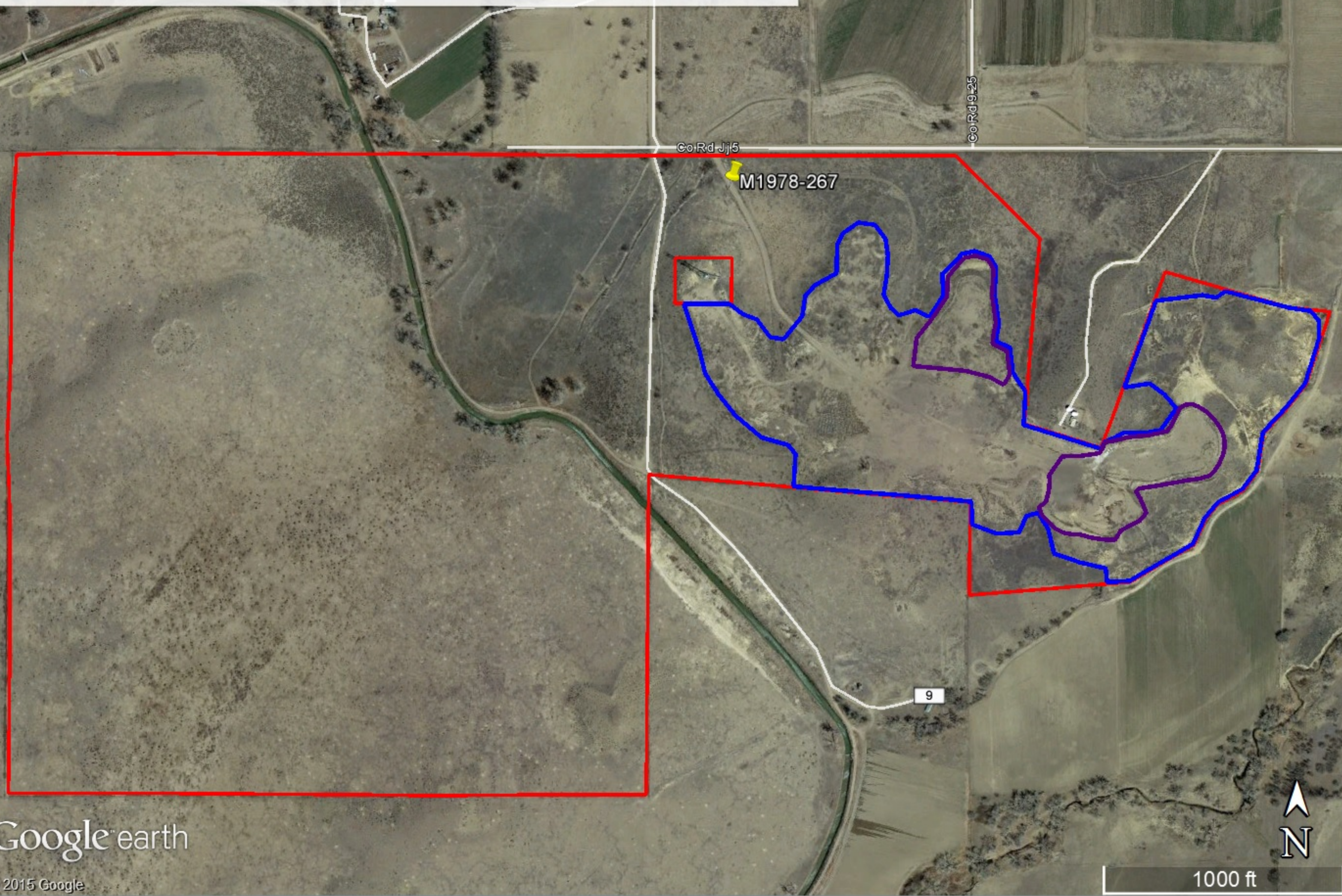
CC: Wally Erickson, DRMS

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Red Outline = 229 acres = Approved Permit Area

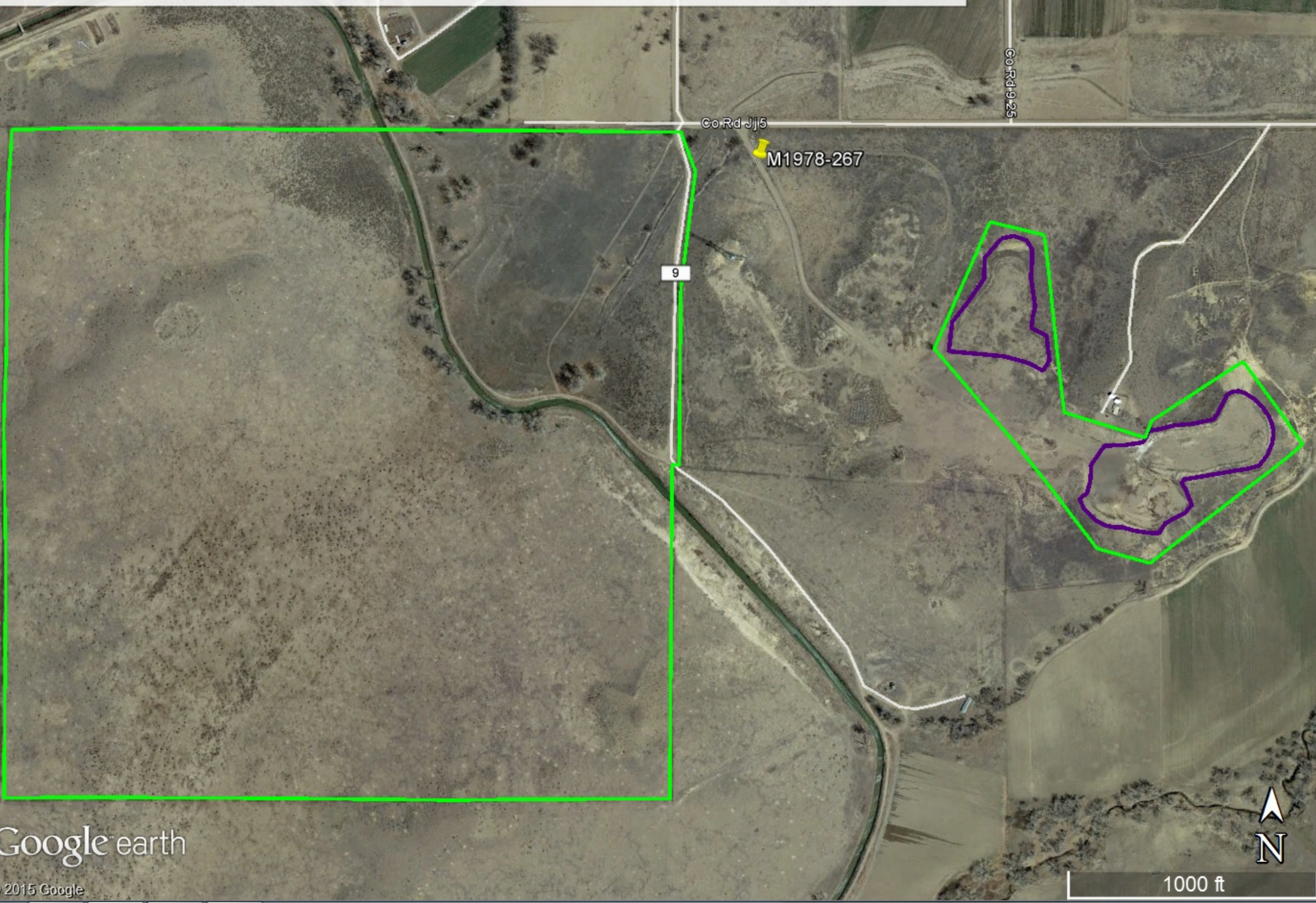
Blue Outline = 41.5 acres = Disturbed Area

Purple Areas = 7.8 acres = Approximate Total Area to be Interseeded (2.8 acres + 5 acres)



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Green Outline = 177 acres = Potential New Permit Area (160 acres + 17 acres) after Reclaimed Areas Released
Purple Outline = 7.8 acres = Approximate Total Area to be Interseeded (2.8 acres + 5 acres)





COLORADO DIVISION OF RECLAMATION, MINING AND SAFETY

1313 Sherman Street, Room 215, Denver, Colorado 80203 ph(303) 866-3567

REQUEST FOR FULL OR PARTIAL RELEASE OF PERMIT AREA/SURETY REDUCTION

Please indicate if you are requesting:

FULL/FINAL RELEASE OF ENTIRE PERMITTED AREA (per Rule 4.17) _____

ACREAGE REDUCTION (PARTIAL RELEASE per Rule 4.17) _____

I wish to release _____ acres at this time.

You will need to submit with this request: a map showing the acreage to be released from the current permit and updated mining and reclamation plan maps that will accurately depict the new permit boundary if the release is approved.

SURETY (Bond) REDUCTION (per Rule 4.14) _____

If you are requesting a surety (bond) reduction you will need to include with this request a new estimate of the actual cost to reclaim the site based on what it would cost an independent contractor to complete reclamation, including unit costs for reclamation activities as appropriate to the operation to comply with the provisions of Rule 3.1 and the Permit's approved Reclamation Plan.

File No.: M- _____ Site Name: _____

County: _____

Permittee: _____

Permittee Address: _____

Operator (If Other than Permittee): _____

Permittee Representative: _____

Certified Mail# _____

In accordance with Rule 4.17.1(2) the Operator shall include the names, addresses and phone numbers of all owners of record to the affected land. Please attach additional sheets for this information if required.

Continue on following page..

In accordance with Rule 4.17.1(4), if requesting a full or partial acreage release the Operator or their agent MUST sign that they have complied with the following statement: “All applicable portions of the Reclamation Plan requirements have been satisfied in accordance with these Rules and all applicable requirements under the Act.”

Signature of Permittee, Operator or their authorized agent

Date

Important: In accordance with Rules 4.14.2(a) and 4.17.1(3) This release request must be submitted to the Division via certified mail and separate from any other correspondence to the Division.