


**COLORADO**Division of Reclamation,
Mining and Safety

Department of Natural Resources

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.

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| MINE NAME: Lehr Gravel Pit | MINE/PROSPECTING ID#: M-1983-213 | MINERAL: Sand and gravel | COUNTY: Weld |
| INSPECTION TYPE: Monitoring | INSPECTOR(S): Peter S. Hays | INSP. DATE: June 30, 2016 | INSP. TIME: 10:00 |
| OPERATOR: Weld County | OPERATOR REPRESENTATIVE: Clay Kimmi | TYPE OF OPERATION: 112c - Construction Regular Operation | |

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| REASON FOR INSPECTION: Surety Release Requested | 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:  | SIGNATURE DATE: July 9, 2016 |

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 approved reclamation plan states all roads will be reclaimed during final reclamation. The site entrance road from WCR 120 is shared with L.G. Everist Materials (Everist), which operates a mine site north of the Lehr Pit. The Operator stated Everist is using the road and would like to leave the road for continued use accessing their mine site. Failure to follow the approved reclamation plan, or the current reclamation plan needs to be updated and clarified pursuant to C.R.S. 34-32.5-116 (1). The Operator must follow the approved reclamation plan or provide sufficient information to describe or identify how the Operator intends to conduct reclamation.

CORRECTIVE ACTIONS: The Operator shall submit a Technical Revision, with the required \$216 revision fee, to update and clarify the current approved reclamation plan to reflect existing and proposed activities by the corrective action date.

CORRECTIVE ACTION DUE DATE: 8/08/16

INSPECTION TOPIC: Revegetation

PROBLEM/POSSIBLE VIOLATION: Problem: There are state-listed noxious weeds present on site. This is a problem for failure to employ weed control methods for state listed noxious weed species within the permitted area, and to reduce the spread of weeds to nearby areas as required by Section 3.1.10(6) of the Rule.

CORRECTIVE ACTIONS: The Operator shall implement the approved weed control plan and provide proof of the

treatment measures to the Division. If a weed control plan is not already in place, the Operator shall develop a weed control and management plan in accordance with Section 3.1.10(6) of the Rule. This plan should be developed in consultation with the county extension agency, or weed control district office and should include specific control measures to be applied, a schedule for when control measures will be applied and a post-treatment monitoring plan. This weed control plan shall be submitted to the Division as a Technical Revision to the approved plan with the appropriate Technical Revision fee of \$216.00 by the corrective action date.

CORRECTIVE ACTION DUE DATE: 8/08/16

OBSERVATIONS

The Lehr Gravel Pit was inspected by Peter Hays with the Division of Reclamation, Mining and Safety (Division/DRMS) in response to a final performance warranty release request (SL-01) filed by the Operator on June 1, 2016. Mr. Clay Kimmi was present during the inspection. The Division is required by Rule 4.17.2 to inspect the lands and reclamation described in the request to determine if the Permittee has complied with all applicable requirements within 60 days after receiving the notice.

The Division will deny the final performance warranty release request (SL-01) based on the observations from this inspection.

The site is an 112c operation with 36.45 acres of total disturbance. Mining activities ended at the site in 2012. The site is in final reclamation. The approved post-mining land use is rangeland. The final grading was completed in 2012 and the site was seeded in 2013. The site was last inspected by the Division on June 27, 2014. No reclamation activities have been conducted since the last inspection.

The site entrance road from WCR 120 is shared with L.G. Everist Materials (Everist), which owns the land and operates a mine site north of the Lehr Pit. The approved reclamation plan states all roads will be reclaimed. The Operator stated Everist is using the road and would like to leave the road for continued use accessing their mine site. As cited as a problem, Weld County must submit a technical revision to change the approved reclamation plan to leave the road pursuant to Rule 1.9, with the required \$216 fee. The technical revision should include a map indicating the location of the access road and a signed letter on Everist letterhead stating they want the access road to remain at the site.

The topsoil stockpile in the northern portion of the site was regraded and reseeded by the Operator since the last inspection. The stockpile was stable and well-vegetated. The stockpile may remain on the site as part of final reclamation and will eventually be used for reclamation of the access road.

The approved reclamation plan seed mixture consists of sideoats grama, blue grama and little bluestem. The site vegetation consisted of crested wheatgrass, downy brome, foxtail barley, kochia and yellow sweet clover. The approved reclamation grass species were not observed. It appears the approved seed mix was not used to revegetate the site. The Operator will be required to interseed the site with the approved mixture or submit a technical revision to change the seed mixture with justification for changing the mixture prior to any future release request considerations by the Division.

Noxious weeds including Downy brome, hoary cress and musk thistle were observed on the site. Downy brome (cheatgrass), a List C Colorado Noxious Weed, was observed along the access road, the north, south and west pit slopes and on the pit floor. Hoary Cress (whitetop) and musk thistle, List B Colorado Noxious

weeds were observed on the pit floor. As cited as a problem, the Operator shall implement the weed control plan for the site to control the spread of noxious weeds. The Operator stated the county weed sprayer would treat the site soon.

The site appeared stable and no erosion features were observed during the inspection. All regraded slopes appeared to be 4H:1V or less. No standing water was observed on the pit floor.

Photographs taken during the inspection are attached.

PHOTOGRAPHS



Lehr Pit mine sign



Looking NW at cheatgrass patch along access road



Looking west from topsoil stockpile



Looking southwest from topsoil stockpile



Looking south from topsoil stockpile



Looking west at cheatgrass patch on north slope



Looking south from NW corner of site at cheatgrass on west slope



Looking SE from NW corner of site



Looking east from NW corner of site



Looking east at cheatgrass and crested wheatgrass on south slope



Looking east at southeast corner of pit floor



Looking at large cheatgrass patch at east end of the south slope

GENERAL INSPECTION TOPICS

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

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

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