


**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.

MINE NAME: Rothe Sand & Gravel Pit	MINE/PROSPECTING ID#: M-1995-017	MINERAL: Sand and gravel	COUNTY: Logan
INSPECTION TYPE: Monitoring	INSPECTOR(S): Jared L. Ebert	INSP. DATE: December 19, 2016	INSP. TIME: 11:45
OPERATOR: City of Sterling	OPERATOR REPRESENTATIVE: Donald J. Saling and George Good	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: 	SIGNATURE DATE: January 4, 2017

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: Hydrologic Balance

PROBLEM/POSSIBLE VIOLATION: Problem: The Division has no evidence that the operator has a valid well permit, substitute water supply plan, or approved water augmentation plan for the exposed groundwater at the site. This is a problem related to 34-32.5-116(4)(h) of the Colorado Revised Statutes and 3.1.6(1)(a) of the Construction Materials Rules and Regulations governing injury to existing water rights.

CORRECTIVE ACTIONS: The operator shall demonstrate that the operation is in compliance with the Office of the State Engineer (SEO), show evidence that the operator is taking measures to bring the site into compliance with the SEO, or backfill the pits to at least two feet above the groundwater surface by the corrective action date specified.

CORRECTIVE ACTION DUE DATE: 2/10/17

INSPECTION TOPIC: Reclamation Success

PROBLEM/POSSIBLE VIOLATION: Problem: Two pits with exposed ground water have been created at this site. This is cited as a problem for failure to follow the approved reclamation plan 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 an Amendment to the permit, with the required \$827 amendment 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: 4/17/17

OBSERVATIONS

This was a monitoring inspection of the Rothe Sand and Gravel Pit, operated by the City of Sterling, DRMS Permit No. M-1995-017. I, Jared Ebert of the Colorado Division of Reclamation, Mining and Safety conducted the inspection. Mr. Donald Saling and George Good with the City of Sterling accompanied me during the inspection. The weather was clear and cold at the time of the inspection.

Backfilling and Grading:

Please see the Reclamation Success section of this report regarding the reclaimed pit slopes.

Hydrologic Balance:

Two pits contain exposed ground water at the site. The approved mining and reclamation plan does not allow for long term exposed ground water. This issue is cited as a problem at the beginning of this report.

Roads:

The access road to the site was graded and maintained.

Reclamation Success:

At the northern end of the permit area, two small open water pits have been created. The affected land surrounding the pits are vegetated with grasses and trees. The side slopes of the pits vary in angle. However, portions of the pit slopes above and likely below the water line appear to have a steep 1:1 or 2:1 angle. The operator will need to grade the pit slopes to a 3:1 angle both 5 feet above and 10 feet below the waterline in accordance with Rule 3.1.5(7). Mr. Salang indicated that the City of Sterling would like to create a park/recreation area within the permit area. The City plans to expand the eastern most pond and connect the two ponds in the middle. Mr. Saling provided me a map at the inspection that depicts their proposed plan. This map is included at the end of this report as an attachment. It was discussed with Mr. Saling that they would need to file an Amendment to their current permit to revise their mining and reclamation plan to account for this proposed activity. At this time, the site have not been reclaimed in accordance with the approved reclamation plan, this issue is cited as a problem at the beginning of this report.

The southern end of the permit area has been graded to blend in with the surrounding area and has been revegetated.

Revegetation:

The reclaimed area is vegetated with grasses, forbs and trees. The area appears stable.

Signs and Markers:

The mine entrance sign was in place and the permit boundary was marked.

PHOTOGRAPHS



Figure 1. Western most pond, south end looking north.



Figure 2. Eastern most pond, south end looking north.



Figure 3. From the south end of the ponds looking south at the southern permit area.

GENERAL INSPECTION TOPICS

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

(AR) RECORDS----- <u>NA</u>	(FN) FINANCIAL WARRANTY----- <u>NA</u>	(RD) ROADS----- <u>Y</u>
(HB) HYDROLOGIC BALANCE----- <u>PB</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>N</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>N</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>	(CI) 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>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

Inspection Contact Address

Donald J. Saling
City of Sterling
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Sterling, CO 80751-0400

Enclosure: 1.) Draft Figure 1, City of Sterling Rothe Fishing Pond As-Is and Potential Surface Area.

CC: George Good and Donald Saling, Via-email

R52W

T8N

Sec. 33

South Platte River

Phase	Total Surface Area (ac)	Est. Net Evap. (ac-ft)
Existing	0.76	2.43
Expansion A	0.83	2.66
Expansion B	1.07	3.42
Expansion C	1.34	4.29

Note: Surface Areas shown in map and table represent listed phase in addition to previous phases. For example, Expansion B includes Existing and Expansion A areas.
Net Evaporation (ac-ft) equal to the Surface Area (ac) * 3.2 ft.



DRAFT FIGURE 1

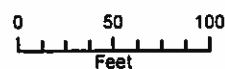
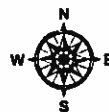
City of Sterling
Rothe Fishing Pond
As-Is and Potential Surface Area
Aerial Photo: 2013

Date: 12/15/2016 | Job No. 7011.28

Legend

Rothe Gravel Pit

- Existing
- Expansion A
- Expansion B
- Expansion C



Data Source: CDOT, USGS, BLM, Google Earth

Colorado

