



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: Proctor Pit	MINE/PROSPECTING ID#: M-2009-054	MINERAL: Gravel and sand	COUNTY: Otero
INSPECTION TYPE: Surety Release Inspection	INSPECTOR(S): Amy Eschberger	INSP. DATE: May 11, 2017	INSP. TIME: 10:30
OPERATOR: All-Rite Paving & Redi-Mix, Inc.	OPERATOR REPRESENTATIVE: Jodi Schreiber, Herb Pearson	TYPE OF OPERATION: 112c - Construction Regular Operation	
REASON FOR INSPECTION: Surety Release Requested	BOND CALCULATION TYPE: Partial Bond	BOND AMOUNT: \$72,550.00	
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None	
WEATHER: Cloudy	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: May 22, 2017	

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>Y</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>NA</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>	(SP) STORM WATER MGT PLAN---- <u>N</u>	(CI) COMPLETE INSP---- <u>Y</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>NA</u>	(SC) EROSION/SEDIMENTATION--- <u>N</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 inspection of the Proctor Pit (Permit No. M-2009-054) was conducted by Amy Eschberger of the Division of Reclamation, Mining and Safety (Division) in response to a full release request (Revision No. SL-1) submitted by the operator on April 24, 2017. The operator was represented during the inspection by Jodi Schreiber and Herb Pearson. The site is located approximately 4 miles southwest of Rocky Ford, Colorado. Access to the site is from the north via Co Rd EE. The affected land is owned by Dwight E. and Julie A. Proctor.

This is a 112c operation permitted for 51 acres to mine sand and gravel for use in construction and road maintenance (see enclosed Google Earth image of site). This permit replaced a Special 111c permit (M-2004-055). The site is situated on a gravel terrace overlooking the Arkansas River Valley to the north. The operation excavated approximately 12 feet from the top of the terrace, working generally north to south through the permit area. Any available topsoil was salvaged for reclamation use. However, the operation was approved to import additional topsoil for reclamation if needed. The approved reclamation plan calls for grading all disturbed land to slope gradients of 4H:1V, replacing 3-5 inches of topsoil, and revegetating the site with a native grass mixture recommended by the local Soil Conservation District for rangeland use. The pit floor is to be sloped at approximately 1% grade to the north to allow for positive drainage. The approximately 2,500 feet long access road is to be reclaimed to rangeland with the rest of the disturbed land.

At the time of the inspection, it was cloudy and the ground was very wet from a recent rainstorm. The Division observed standing water and minor flooding throughout the region. The Division believes the water retained in the reclaimed pit during the inspection can be attributed to the storm event that had just ended the morning of the inspection. A permit sign was posted at the main site entrance, and the permit boundary was delineated with white posts. The site was not active at the time of the inspection, as it has been in reclamation since 2014 (**Photos 1-21 and 27-30**). In the Division's last inspection report from February 18, 2015, it was noted that much of the required earthwork had been completed except for some minor grading along the edges of the pit and topsoil replacement. During the current inspection, the Division observed that all disturbed slopes had been graded to 4H:1V or flatter. According to the operator, topsoil was replaced at a depth of 6 inches or more, 2 tons per acre of straw mulch was applied and crimped into the soil, and the disturbed land was drill-seeded. The seeding took place in Fall of 2016. The Division observed a fairly good vegetative cover across the site, including native grasses, forbs, and some nuisance weeds (mainly Russian thistle). There were some portions of the site, mainly along the edges of the pit, that exhibited sparser vegetative cover. Depending on how much of the planted grass seed germinates this spring, the operator may need to reseed these areas.

Overall, the site appeared to be stable, except for an erosion feature that was observed at the northwestern edge of the pit. In this area, it appeared that the recent storm had created a large gully along the edge of the pit (**Photos 22-26**), where the pit floor is higher in elevation than the adjacent land. The gully was approximately 2-3 feet in depth, and had a small sediment fan at its base. Per Rule 3.1.6(3), all surface areas of the affected land, including spoil piles, shall be stabilized and protected so as to effectively control erosion. Therefore, the operator will need to repair the erosion damage, stabilize the slope, and work to revegetate this area in accordance with the approved reclamation plan.

The reclamation work completed at the site is commendable. However, the Division is unable to approve a full release of the site at this time, and must deny Revision No. SL-1. The Division recommends the operator repair the erosion damage as described above, and continue to monitor revegetation results to determine whether additional seeding will be needed.

During the inspection, the Division discussed with Mrs. Schreiber the possibility of submitting a Surety Reduction request. Because the operator has completed additional reclamation work since the last bond estimate was calculated, the operator may submit a Surety Reduction request to remove costs associated with the completed tasks. The current bond posted in the amount of \$72,550.00 includes costs for importing and spreading growth media, and revegetating the disturbed land (currently 26.4 acres). Considering the reclamation work that has been completed at the site, the Division would only need to retain costs for minor grading (erosion repair) and reseeding. If the operator submits photo documentation showing the erosional damage has been repaired, the Division could remove costs for minor grading from the required financial warranty. If the operator submits a Surety Reduction request (see enclosed form) within 60 days of this inspection, the Division will not need to re-inspect the site in order to recalculate the required financial warranty.

PHOTOGRAPHS



Photo 1. View looking west from eastern edge of reclaimed pit.



Photo 2. View looking south across eastern edge of reclaimed pit.



Photo 3. View looking north across eastern edge of reclaimed pit.



Photo 4. View looking west across southern edge of reclaimed pit.



Photo 5. View looking west across southern edge of reclaimed pit.



Photo 6. View looking north from southern edge of reclaimed pit.



Photo 7. View looking east across southern edge of reclaimed pit.



Photo 8. View looking west across southern edge of reclaimed pit.



Photo 9. View looking northwest from southern edge of reclaimed pit.



Photo 10. View looking east across southern edge of reclaimed pit.



Photo 11. View looking west across southern edge of reclaimed pit.



Photo 12. View looking north from southern edge of reclaimed pit.



Photo 13. View looking southeast from western edge of reclaimed pit.



Photo 14. View looking east from western edge of reclaimed pit.



Photo 15. View looking north from western edge of reclaimed pit.



Photo 16. View looking northeast from western edge of reclaimed pit.



Photo 17. View looking south across western edge of reclaimed pit.



Photo 18. View looking southeast from northwestern edge of reclaimed pit.



Photo 19. View looking south from northwestern edge of reclaimed pit.



Photo 20. View looking southwest from northwestern edge of reclaimed pit.



Photo 21. View looking southeast from northwestern edge of reclaimed pit.
Note water pooled up on pit floor due to recent storm event.



Photo 22. View of large gully present at northwestern edge of reclaimed pit.



Photo 23. View of large gully present at northwestern edge of reclaimed pit.



Photo 24. View of large gully present at northwestern edge of reclaimed pit.
Note sediment fan formed at base of gully.



Photo 25. View of large gully present at northwestern edge of reclaimed pit.



Photo 26. Closer view of sediment fan formed at base of gully present at northwestern edge of reclaimed pit.



Photo 27. View looking southeast from northern edge of reclaimed pit.



Photo 28. View looking south from northeastern edge of reclaimed pit.



Photo 29. View looking west from northeastern edge of reclaimed pit.



Photo 30. View looking west from eastern edge of reclaimed pit.

Inspection Contact Address

Jodi Schreiber
All-Rite Paving & Redi-Mix, Inc.
P.O. Box 165
Canon City, CO 81215

Enclosure: Google Earth image of site
Surety Reduction request form

CC: Wally Erickson, DRMS

M2009-054 / Proctor Pit / All-Rite Paving & Redi-Mix, Inc.

Red Outline = 51 acres = Approved Permit Area
Blue Outline = 26.4 acres = Disturbed Area (including 2 acre access road)
(Image data from 3/19/2016)





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.