



**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.

<b>MINE NAME:</b> The Rise Above	<b>MINE/PROSPECTING ID#:</b> M-2014-054	<b>MINERAL:</b> Gemstones	<b>COUNTY:</b> El Paso
<b>INSPECTION TYPE:</b> Monitoring	<b>INSPECTOR(S):</b> Timothy A. Cazier	<b>INSP. DATE:</b> September 21, 2017	<b>INSP. TIME:</b> 13:00
<b>OPERATOR:</b> Amanda Adkins Anderson & Travis Anderson	<b>OPERATOR REPRESENTATIVE:</b> Amanda Adkins	<b>TYPE OF OPERATION:</b> 110(2) - Hard Rock Limited Impact	

<b>REASON FOR INSPECTION:</b> Normal I&E Program	<b>BOND CALCULATION TYPE:</b> Partial Bond	<b>BOND AMOUNT:</b> \$5,900.00
<b>DATE OF COMPLAINT:</b> NA	<b>POST INSP. CONTACTS:</b> U.S.Forest Service	<b>JOINT INSP. AGENCY:</b> U.S.Forest Service
<b>WEATHER:</b> Clear	<b>INSPECTOR'S SIGNATURE:</b> 	<b>SIGNATURE DATE:</b> October 2, 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.**

### GENERAL INSPECTION TOPICS

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

(AR) RECORDS----- <b>PB</b>	(FN) FINANCIAL WARRANTY----- <u>Y</u>	(RD) ROADS----- <u>NA</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>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>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>Y</u>

Y = Inspected and found in compliance / N = Not inspected / NA = Not applicable to this operation / **PB** = Problem cited / PV = Possible violation cited

## **PROBLEMS/POSSIBLE VIOLATIONS**

**INSPECTION TOPIC:** Availability Of Records

**PROBLEM/POSSIBLE VIOLATION:** Problem: The operation does not have the appropriate permit, license, or approval from the Forest Service, pursuant to C.R.S. 34-32-115(4)(c)(I).

**CORRECTIVE ACTIONS:** The Permittee shall submit documentation/correspondence from the US Forest Service (USFS), on USFS letterhead, which demonstrates the Permittee is in compliance with the USFS (such as an approved USFS NOI). If the Permittee needs more time to complete the corrective action, the Permittee shall submit an extension request and documentation/correspondence from the USFS, on USFS letterhead, which acknowledges the Permittee is in the process of gaining compliance with the USFS.

**CORRECTIVE ACTION DUE DATE:** 1/15/18

## **OBSERVATIONS**

This was a joint inspection with the US Forest Service (USFS) and was conducted as part of the regular monitoring program. The Permittee, Ms. Amanda Adkins was present during the inspection. Messrs. Jeff Hovermale and Sergio Perez represented the USFS. The claim site is located in the SW1/4 of Section 12 near Cameron Cone south of Manitou Springs, east of Pike's Peak. An arrangement was made with a Crystal Park resident and the USFS to access the site via Crystal Park from Manitou Springs. The Permittee actively worked the site during the inspection.

Availability of Records: Annual fees are paid through February 2017. This was the first DRMS site inspection. The approved post-mine land use is forestry. While on site, Mr. Hovermale stated the Notice of Intent (NOI) filed with the USFS had expired at the end of 2016. The DRMS considers the approved USFS NOI to be the source of legal right to enter for the purpose of mining and reclamation on lands managed by the USFS. As such, **the expired USFS NOI is cited as a Problem on page 1 and 2 of this report.**

Backfilling and Grading: Sufficient backfill material appeared to be available for the observed hand dug trenches.

Complete Inspection: The entire permit area was inspected. With the exception of the expired USFS NOI, no problems were cited.

Excess Spoil and Dev. Waste: Overburden/spoil piles were generally on the downgradient side of the dig sites (see **Photo 1**). Generally speaking, it is better to have the spoil piles on the uphill side of the dig so eroded material does not get washed off site, but rather into the pit for containment. However, given the coarse nature of the spoil material and the relatively flat terrain, not downhill erosion was observed.

Financial Warranty: The \$5,900 bond held by the Division is adequate for the observed disturbance.

Hydrologic Balance: No standing water was observed in the pit and no exposed groundwater was observed.

Gen. Compliance with Mine Plan: The operation appeared to be in compliance with the approved mine plan. The disturbed area was estimated to be less than 1,200 square feet, based on the following estimated dig

observations and doubling the area to account for the spoil piles:

Dig Name	Approx. Length (ft)	Approx. Width (ft)	Approx. Depth (ft)	Approx. Surface area (sq. ft.)
North Pocket ( <b>Photo 6</b> )	15	8	6	120
Shrew Pocket	6	8	2	48
Inactive Dig	6	18	6	108
Short Cut Pit ( <b>Photo 7</b> )	30	10	4	300

The relative location of the dig sites are shown of the enclosed **Post Inspection Map**.

Off-site Damage: There did not appear to be any offsite damage. However, the DRMS and the USFS agreed better marking the dig areas with safety fencing would be a good idea given this is an area frequented by the general public. It would also assist in delineating the permit area which is to be no more than 1.0 acres. The USFS and DRMS recommend using light weight T-posts to assist in delineating the mine permit area.

Reclamation Success: Two dig sites were identified as being in reclamation (Shrew Pocket and the unnamed dig site). Ms. Adkins explained her reclamation process involves backfilling most of the dig (see **Photo 2**), then allows this backfill to settle (typically for one season), then placing the coarser rock on top followed by topsoil, then seeding. She has also transplanted some trees (see **Photo 3**). Given that no mechanized equipment is allowed in the area, the DRMS concedes this approach is acceptable. Mr. Hovermale indicated dividing bunch grass and transplanting portions would be acceptable as well.

Revegetation: No noxious weeds were observed.

Sediment Control: No erosion problems were observed, but Mr. Hovermale made suggestions to improve the quality of the very limited topsoil by separating it from the overburden prior to digging and using natural materials or silt fence to keep this light weight material from eroding away prior to replacing it after backfilling the dig areas.

Signs and Markers: A permit sign was posted at each of the two active dig sites (see **Photos 4 and 5**). As mentioned above, more boundary markers would be helpful around both the active sites and those in reclamation.

Permit Stipulations: There are no open permit stipulations.

Topsoil: To date, any effort to segregate the thin topsoil (generally less than one inch of A horizon) has not succeeded. Mr. Hovermale indicated he would provide Ms. Adkins with additional steps she could implement to preserve the topsoil.

Please contact Tim Cazier (303)866-3567 ext. 8169 or email at [tim.cazier@state.co.us](mailto:tim.cazier@state.co.us) if you have any questions regarding this report.



## **PHOTOGRAPHS**



Photo 1. Overburden/spoil piles downgradient side of dig site (looking north).



Photo 2. Backfilled Shrew Pit, awaiting settling (looking north).



**PHOTOGRAPHS (cont.)**



Photo 3. Transplanted tree (unnamed dig site) Permit sign.



Photo 4. Permit sign (North Pocket).



**PHOTOGRAPHS (cont.)**



Photo 5. Permit sign (Short Cut Pit).



Photo 6. Active dig site (North Pocket).



**PHOTOGRAPHS (cont.)**



Photo 7. Active dig site (Short Cut Pit).

**Inspection Contact Address**

Amanda Adkins  
P.O. Box 31268  
Colorado Springs, CO 80911

Enclosure




CC: DRMS file  
Jeff Hovermale, USFS





# M-2014-054 2017 Post Inspection Map


Satellite Imagery from 6/9/2017  
GPS data collected 9/21/2017

## Legend

-  - Active Dig
-  M-14-54 Approx. Permit Boundary
-  Reclamation

 North Pocket - Active Dig

 Shrew Pocket - In Reclamation

 Dig in Reclamation

Short Cut Pit - Active Dig 