


**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: Longmont Distel Operations	MINE/PROSPECTING ID#: M-1989-029	MINERAL: Sand and gravel	COUNTY: Weld
INSPECTION TYPE: Surety-Related Inspection	INSPECTOR(S): Peter S. Hays	INSP. DATE: August 14, 2018	INSP. TIME: 10:00
OPERATOR: Aggregate Industries - WCR, Inc.	OPERATOR REPRESENTATIVE: Christine Felz	TYPE OF OPERATION: 112c - Construction Regular Operation	

REASON FOR INSPECTION: Priority	BOND CALCULATION TYPE: Complete Bond	BOND AMOUNT: \$1,483,800.00
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
WEATHER: Clear	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: August 21, 2018

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: Revegetation

PROBLEM: Russian olive trees are present within or have volunteered into the permit area and are becoming established. This is a problem for failure to employ weed control methods for a state listed noxious weed species within the permitted area, and to reduce the spread of weeds to nearby areas as required by Rule 3.1.10(6).

CORRECTIVE ACTIONS: The Operator shall implement the existing weed control plan and provide evidence of the Russian olive tree removal and stump treatment in the requested release area by the corrective action date.

CORRECTIVE ACTION DUE DATE: 9/13/18

OBSERVATIONS

The Longmont Distel Operations site was inspected by Peter Hays with the Division of Reclamation, Mining and Safety (Division/DRMS) in response to an acreage reduction request (AR-01) and surety reduction request (SR-01) submitted by the Operator on July 2, 2018. The acreage and surety reduction requests were considered filed by the Division on July 2, 2018. The Division is required by Rule 4.17.2 to inspect the site within 60-days from the filed date to determine if the Permittee has complied with all applicable requirements of the Reclamation Plan. The decision due date for approval of the acreage and surety reductions is

September 13, 2018 pursuant to Rule 4.17.2(5). Mrs. Christine Felz with Aggregate Industries - WCR, Inc. and Mr. Dan Wolford with the City of Longmont were present during the inspection.

The Operator submitted the acreage reduction request (AR-01) for the western portion of the permit boundary; including the Peschel parcel, the Sherwood parcel and the northwest portion of the Bigelow parcel. The acreage reduction request is for 119 acres, which would reduce the permitted acreage from 712 to 593 acres. The Operator requested an associated financial warranty reduction (SR-01) with the acreage reduction request to reduce the financial warranty by \$267,084.00. The required financial warranty would be reduced from \$1,483,800.00 to \$1,216,716.00. The Division received comments from the Division of Water Resources (DWR) on July 12, 2018. The DWR letter did not contain any concerns regarding the acreage reduction request. A copy of the DWR comment letter is attached. The approved post-mining land use for the site is rangeland.

Peschel Parcel

The northwest portion of the Peschel parcel was heavily impacted when the pit captured the St. Vrain River in 2013. The permit was amended in 2016 to revise the Reclamation Plan to incorporate the captured river through the mine site. The City of Longmont, property owner, worked with FEMA to fund the repair and restoration costs for portions of the site. The two (2) repaired sections of riverbank, north side of the access road to the Peschel residence and near the eagle nest, were stable and establishing vegetation, mainly forbs and annual weeds. The root wads structure constructed near the eagle's nest shoreline was stable and appeared to be working as designed. The parcel contained small patches of annual and noxious weeds; including kochia, Canada thistle, common mullein and downy brome, but overall the vegetation was well-established with a diverse mix of native grass species and consistent with the surrounding rangeland areas. The observed noxious and annual weeds will be monitored and controlled by the City as part of the operation of the parcel as open space.

The southern half of the Peschel parcel was relatively unaffected by the 2013 flood event compared to the north half of the parcel. The south portion of the parcel was well-vegetated by native grasses and forbs, including wetland species and cottonwood trees along the pond banks and wetland areas. As cited as a problem above, several clusters of Russian olive trees were located in the south half of the parcel. The Operator will be required to remove the trees and treat the stumps to prevent the spread of the trees on the site and provide evidence the work has been completed by the corrective action date. **The Division will deny the requested acreage reduction and surety reduction requests unless evidence of the completed Russian olive tree removal is provided to the Division by the corrective action date.**

The northeast portion of the Peschel parcel consists of a former silt pond and unmined upland areas. The vegetation was well-established with a diverse mix of grass species and is consistent with the surrounding rangeland areas. A few small patches of Canada thistle were observed which will be monitored and controlled by the City as part of the operation of the parcel as open space. The access road to the parcel from the pedestrian bridge was vegetated with kochia and forbs and appeared stable.

Sherwood Parcel

The Sherwood parcel was impacted by the 2013 river capture event resulting in the erosion of the bike trail embankment. The embankment was repaired as part of the FEMA restoration work. The repaired slope was stable, covered by jute netting and vegetated with reclamation seed mix forbs and annual weeds. Russian olive trees and Canada thistle were observed south of the St. Vrain River. As cited as a problem above, the

Operator will be required to remove the Russian olive trees and treat the stumps to prevent the spread of the trees on the site and provide evidence the work has been completed by the corrective action date. The northern half of the parcel consists of the braided channels of the St. Vrain River. Overall, the parcel was well-vegetated with a diverse mix of native grass species, stable and consistent with the surrounding rangeland areas.

Bigelow Parcel – northwest

The northwest portion of the Bigelow parcel did not appear to have been disturbed by mining activity. The parcel contains two small lakes, the City of Longmont Sandstone Ranch visitor's center and a historic barn. The site vegetation was well-established with a diverse mix of native grass species. The site appeared to be well maintained by the City.

Based on the observations from this inspection, the acreage reduction request to remove 119 acres from the permit boundary and the surety reduction request are acceptable pending verification of the Russian olive tree removal by the corrective action date.

Photographs taken during the inspection and an inspection map created following the inspection are attached.

Inspection Contact Address

Mrs. Christine Felz
Aggregate Industries - WCR, Inc.
1687 Cole Blvd., Ste. 300
Golden, CO 80401

Enclosures – Division of Water Resources Comment Letter, Inspection Map

PHOTOGRAPHS



View of northwest Peschel parcel from southwest corner looking north



View of northwest Peschel parcel from river bank looking southwest



View of northwest Peschel parcel from the repaired slope looking northwest



View of south Peschel parcel from southwest corner looking northeast



View of south Peschel parcel from north side looking south



View of south Peschel parcel from southeast corner looking west



View of south Peschel parcel from southeast corner looking northwest



View of Sherwood parcel from south side looking northwest



View of Sherwood parcel from south side looking north



View of Sherwood parcel from south side looking east



View of repaired bike path embankment in the Sherwood parcel looking north



View of the Sherwood parcel from oil and gas well looking northwest



View of the Sherwood parcel from oil and gas well looking west



View of root wads structure in the northeast Peschel parcel looking north



View of the northeast Peschel parcel from the east side looking west



View of the northeast Peschel parcel from the middle looking east



View of northwest Bigelow parcel from the east side looking west



View of northwest Bigelow parcel from the southwest corner looking northeast at barn and visitor's center

GENERAL INSPECTION TOPICS

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








(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>N</u>
(PW) PROCESSING WASTE/TAILING---- <u>N</u>	(SF) PROCESSING FACILITIES----- <u>N</u>	(TS) TOPSOIL----- <u>Y</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>	(RS) RECL PLAN/COMP-- <u>Y</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>N</u>	(SC) EROSION/SEDIMENTATION--- <u>N</u>	(ST) STIPULATIONS----- <u>N</u>
(AT) ACID OR TOXIC MATERIALS----- <u>N</u>	(OD) OFF-SITE DAMAGE----- <u>N</u>	

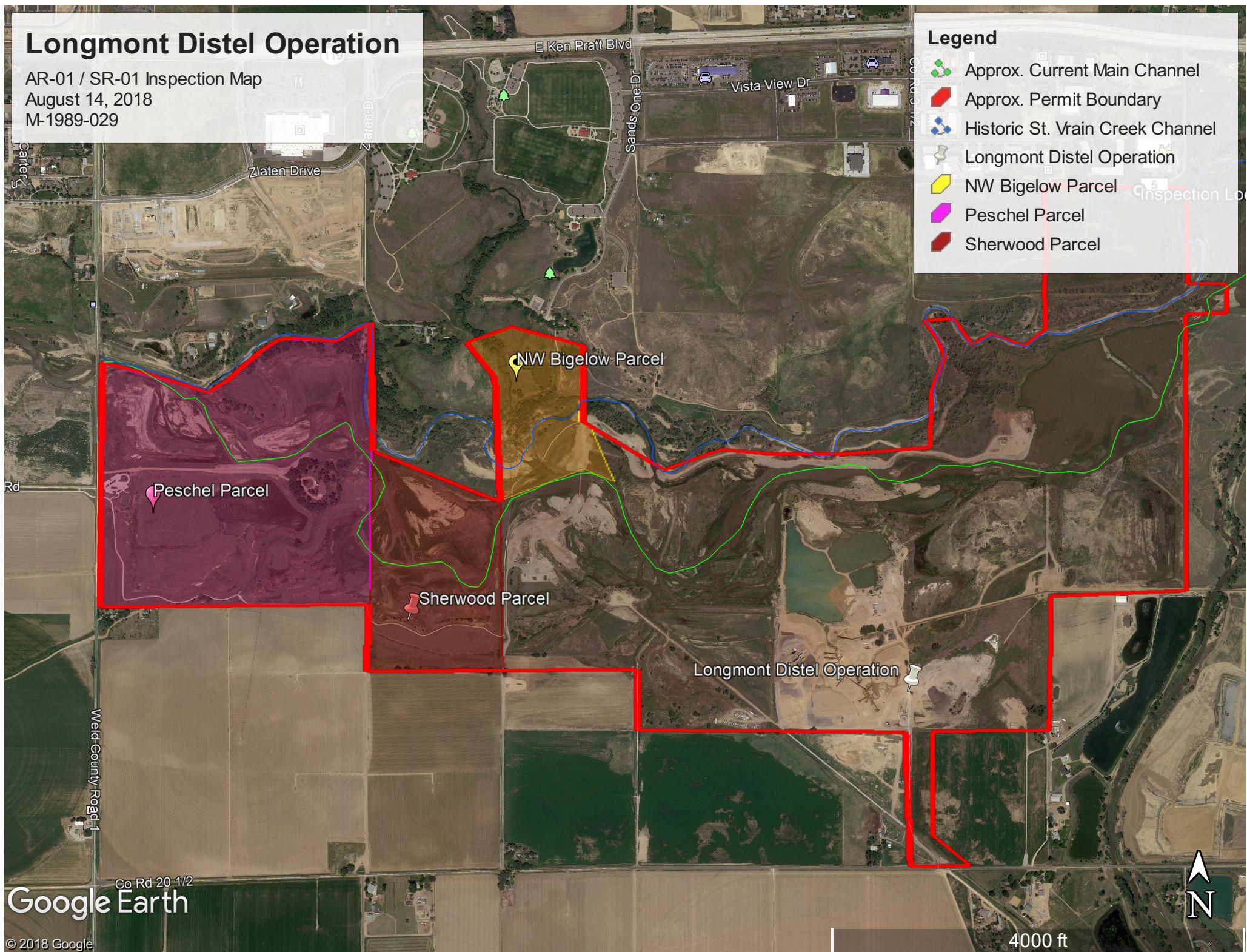
Y = Inspected and found in compliance / N = Not inspected / NA = Not applicable to this operation / PB = Problem cited / PV = Possible violation cited

Longmont Distel Operation

AR-01 / SR-01 Inspection Map
August 14, 2018
M-1989-029

Legend

-  Approx. Current Main Channel
-  Approx. Permit Boundary
-  Historic St. Vrain Creek Channel
-  Longmont Distel Operation
-  NW Bigelow Parcel
-  Peschel Parcel
-  Sherwood Parcel






COLORADO
Division of Water Resources
Department of Natural Resources

1313 Sherman Street, Room 821
Denver, CO 80203

Response to Reclamation Permit Partial Acreage Release Request Consideration

DATE: July 12, 2018
TO: Peter S. Hays, Environmental Protection Specialist (peter.hays@state.co.us)
CC: Division 1 Office, District 5 & 6 Water Commissioners
FROM: Sarah Brucker, P.E. 
RE: Distel Pit, File No. M-1989-029 - SR01
Applicant/Operator: Aggregate Industries - WCR, Inc.; 970-396-5252
Sections 7, 8, 17 & 18, Twp 2 North, Rng 68 West, 6th P.M., Weld County

COMMENTS: The applicant has requested a partial acreage release for approximately 119 acres of the Distel Pit, generally located on the western and northwestern portion of the site. Approximately 593 acres will remain within the permit boundary.

The City of Longmont has assumed the augmentation responsibilities for lagged and future depletions from evaporation from open water surface areas and consumptive use by wetlands vegetation at the Distel Pit site under their plan for augmentation decreed in case no. 2009CW271. The plan for augmentation projected that the Distel Pit site would contain 64.0 acres of free water surface area (ponds and streams) and 63.7 acres of new wetlands after reclamation; however, the augmentation plan will replace actual out-of-priority depletions from the actual surveyed areas of free water surface and new wetlands at the site.

This office has no concerns regarding the requested partial acreage release. You or the applicant may contact the State Engineer's Office with any questions.

