


**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: Pueblo West Pit	MINE/PROSPECTING ID#: M-1977-573	MINERAL: Sand and gravel	COUNTY: Pueblo
INSPECTION TYPE: Monitoring	INSPECTOR(S): Patrick Lennberg	INSP. DATE: November 28, 2018	INSP. TIME: 10:00
OPERATOR: Continental Materials Corporation	OPERATOR REPRESENTATIVE: Brandon Heser, Bruce Humphries, and Bill Pope	TYPE OF OPERATION: 112c - Construction Regular Operation	

REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: None	BOND AMOUNT: \$343,323.00
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
WEATHER: Clear	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: December 11, 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: Gen. Compliance With Mine Plan**PROBLEM/POSSIBLE VIOLATION:** Problem: Failure to follow approved reclamation plan, or current reclamation plan needs to be updated and clarified pursuant to C.R.S. 34-32.5-116 (1). The operator must follow 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:** 1/10/19

OBSERVATIONS

The Pueblo West Pit site was inspected by Patrick Lennberg and Elliott Russell with the Division of Reclamation, Mine and Safety (Division/DRMS). The inspection was completed to assess the state of reclamation of mined finger of land along the Arkansas River that has not been released by the Division. The land is currently owned by the Division of Natural Resources – Division of Parks and Wildlife (CPW). The site was previously inspected by the Division on March 14, 2016. Mr. Brandon Hesser, Mr. Bruce Humphries and Mr. Bill Pope with Transit Mix Concrete were present during the inspection.

The site is an 112c Construction Materials permit for 127.75 acres for the mining of sand and gravel. The Division currently holds a financial warranty in the amount of \$343,323.00, which appeared adequate to reclaim the current site disturbance. A mine sign and boundary markers were observed as required by Rule 3.1.12. The site has had several changes made to the permit to increase the permitted area and then later to reduce the permitted area. The site is in final reclamation. Currently, the permit area has been reduced to the clay lined reservoir and the surrounding lands, absent the land owned by CPW. The clay lined reservoir passed the State Engineer's Leak Test and was approved in September 2006. The reservoir was first filled to capacity earlier this year.

The finger lake area is approximately 10 acres in size and was mined and backfilled in the late 1990's and early 2000's. During mining they were required to maintain a minimum of a 50 foot buffer to the property line which resulted in approximately 4.4 acres of disturbance. The area was backfilled to allow it to become an emergent wetland (Annual Report March 22, 2001). Since that time vegetative cover has consisted of annual weeds and some native volunteer species. There are many Russian olive trees and tamarisk trees throughout the area. These are List B Noxious Weeds Species by the Colorado Department of Agriculture which requires suppression not eradication. The area maybe acting as a localized sink as its vegetation closely mimics vegetation that is found outside the mined area. Evidence of wildlife was very common through this area, there were numerous well-travelled paths that animals use as a travel corridor paralleling the river.

The Division recommends the Operator contact CPW to get their input on the reclamation efforts of the finger lake area. If CPW is satisfied with the reclamation efforts then the Operator can seek release of the area. The Operator will be required to complete the acreage release process, pursuant to Rule 4.17.

The remaining portion of the site was mowed the week prior to Thanksgiving this year as part of ongoing weed control efforts. The site did not receive much precipitation throughout the year, which resulted in slow plant growth and only required mowing once. Getting vegetation established as part of reclamation has not been successful to date. The Operator submitted a technical revision (TR-05), approved in early November, to revise the seed mixture including slow release fertilizer. The area to be seeded is from the reservoir banks to the property line. Koshia was noted to be very common throughout the area.

The reservoir was first filled to capacity in June of this year. Within the reservoir there is an island of topsoil that has not been seeded or had any vegetation established to date. The current reclamation plan map for the site does not indicate an island in the reservoir and is being cited as a problem in this inspection report. The Operator will need to revise the reclamation plan map to reflect existing conditions by submitting a Technical Revision. The lack of vegetation has resulted in some erosional rills on the topsoil pile. The Operator stated that they are planning on getting a hand crew and/or a rototiller on the island to begin revegetation.

Additionally, on the east side of the island the slope is near a 1H:1V grade and at the waterline water erosion has created a vertical slope. There was abundant wildlife seen using the lake especially on and around the island where the island provides some shelter and where the water gets shallower on the west side of the island.

With the difficulty getting vegetation to grow at the site the Division wonders if the topsoil island could be better used in getting vegetation established for final reclamation.

The Operator spoke about an acreage release now that the reservoir has been filled. The release would be for the area of the lake at high water leaving only the area around the lake and the topsoil island needing reclamation. The Operator will be required to complete the acreage release process, pursuant to Rule 4.17.

Photographs taken during the inspection are attached.

Please contact Patrick Lennberg (303)866-3567 ext. 8114 or email at patrick.lennberg@state.co.us if you have any questions regarding this report.

Inspection Contact Address

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Colorado Springs, CO 80903

CC: Michael Cunningham, DRMS

PHOTOGRAPHS



Photo 1: Mine permit sign



Photo 2: Finger lake area looking east, mowed area is approximate property line.



Photo 3: Low area that was mined and backfilled



Photo 4: Bermed and area to the left is 50' buffer and to the right is the lower mined area.



Photo5: Russian olive tree established in mined area

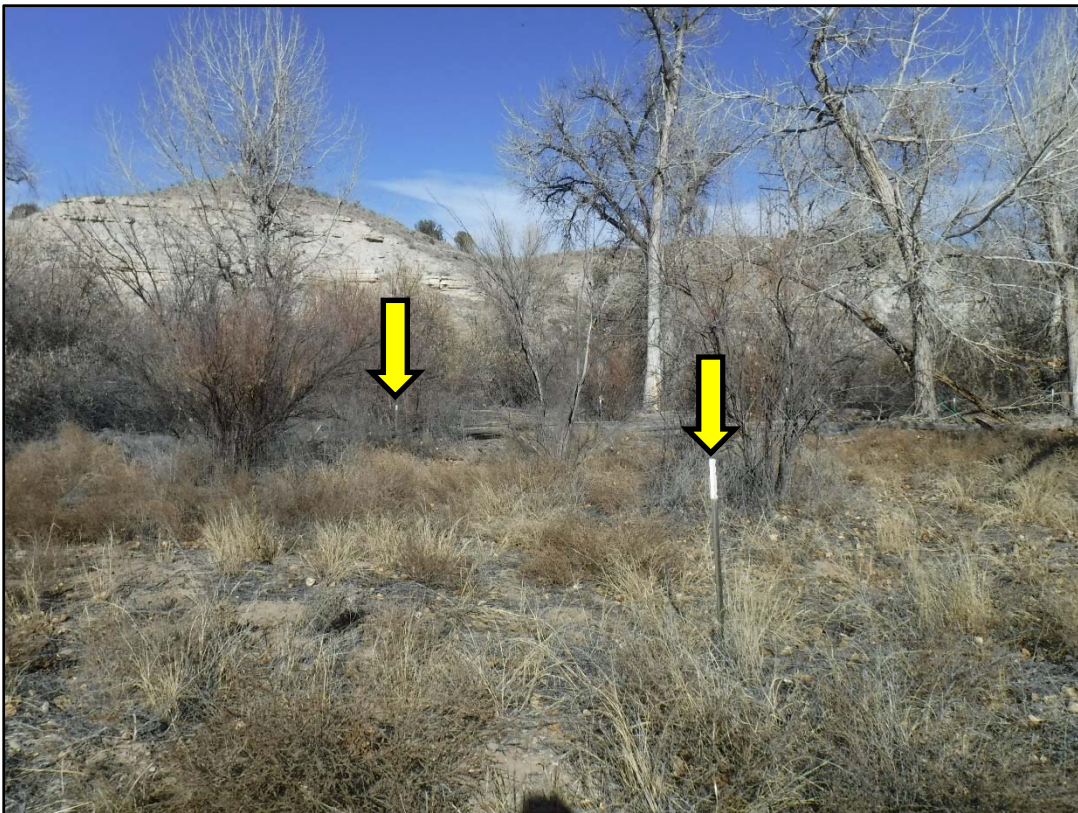


Photo 6: T-posts marking property boundary and 50' buffer



Photo 7: Vegetation conditions outside the property boundary adjacent to finger lake area to the north



Photo 8: Topsoil island showing erosion on the east side



Photo 9: West side area of topsoil island that is shallow and contain abundant water fowl

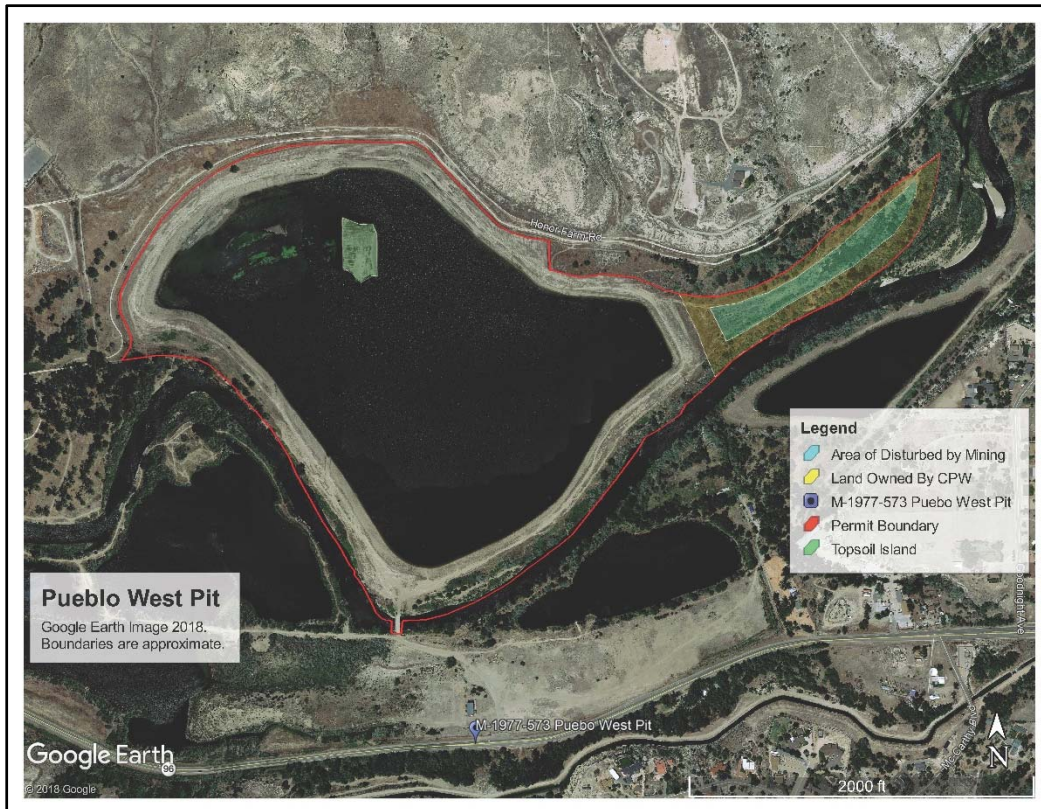


Photo 10: Overview of Pueblo West Pit

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>N</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>Y</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>PB</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>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