




## 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> AFS - Bennett Pit	<b>MINE/PROSPECTING ID#:</b> M-2001-038	<b>MINERAL:</b> Sand and borrow material construction	<b>COUNTY:</b> Adams
<b>INSPECTION TYPE:</b> Preoperation Inspection	<b>INSPECTOR(S):</b> Jared L. Ebert	<b>INSP. DATE:</b> April 9, 2019	<b>INSP. TIME:</b> 09:00
<b>OPERATOR:</b> Albert Frei & Sons Inc.	<b>OPERATOR REPRESENTATIVE:</b> Ben Frei	<b>TYPE OF OPERATION:</b> 112c - Construction Regular Operation	

<b>REASON FOR INSPECTION:</b> Pre-operation Inspection	<b>BOND CALCULATION TYPE:</b> None	<b>BOND AMOUNT:</b> \$110,860.00
<b>DATE OF COMPLAINT:</b> NA	<b>POST INSP. CONTACTS:</b> None	<b>JOINT INSP. AGENCY:</b> None
<b>WEATHER:</b> Cloudy	<b>INSPECTOR'S SIGNATURE:</b> 	<b>SIGNATURE DATE:</b> April 16, 2019

### 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>NA</u>	(FN) FINANCIAL WARRANTY----- <u>Y</u>	(RD) ROADS----- <u>N</u>
(HB) HYDROLOGIC BALANCE----- <u>Y</u>	(BG) BACKFILL & GRADING----- <u>N</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>N</u>
(SM) SIGNS AND MARKERS----- <u>Y</u>	(SP) STORM WATER MGT PLAN----- <u>NA</u>	(RS) RECL PLAN/COMP-- <u>N</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>NA</u>	(SC) EROSION/SEDIMENTATION--- <u>Y</u>	(ST) STIPULATIONS----- <u>Y</u>
(AT) ACID OR TOXIC MATERIALS----- <u>Y</u>	(OD) OFF-SITE DAMAGE----- <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 was a pre-operation inspection for the AFS - Bennett Pit, Division of Reclamation, Mining and Safety (DRMS or Division) permit number M-2001-038, operated by Albert Frei & Sons, Inc. (AFS). I, Jared Ebert with DRMS conducted the inspection. Mr. Ben Frei with AFS accompanied me during the inspection.

This is currently 47.75 acre 112c mining operation located about 4.5 miles north of the Town of Bennett, Colorado in Adams County. On February 13, 2019 the Division received an Amendment application (AM01) to increase the size of the permit area by 60.13 acres for a total proposed permit area of 107.88 acres. AFS also is proposing to revise the mining and reclamation plan to account for mining within the expanded area. The AM01 application was deemed complete and filed on February 21, 2019. DRMS has received multiple objections to the proposed AM01 application requiring a hearing for consideration of the application before the Mined Land Reclamation Board (Board). The Division has scheduled this hearing to occur during the May 22 and 23, 2019 Board meeting, however this hearing may be continued to a later date at the request of the applicant.

The 60.13 acre expansion area was the focus of this inspection. The AM01 application proposes to expand operation both north and south of the current pit area into land owned by Henderson Aggregates, LTD. The northern portion of the expanded area was observed. This area appears to have been used as a pasture where several native grass species were observed, however annual species such as cheatgrass and kochia were prevalent throughout the north expansion area. The north expansion area has a gentle slope with slight southeastern aspect. The southern portion of the expansion area also appears to have been used as a pasture; however, the slope was steeper with a prevalent eastern aspect. It appears an old abandoned ditch with no defined inlet or outlet is located within the south area that runs from north to south. Several trees have established within the ditch area. The south area appears less developed with greater prevalence of native species. The Exhibit C-1 map included with the AM01 application accurately depicts the permanent man-made structures within 200 feet of the proposed affected land. Other than a few trees observed in the abandoned ditch area, riparian vegetation was not observed in the expansion area. Overall, the expansion area appears to be high, dry pasture/rangeland in nature.

The Division conducted an inspection of the site on September 5, 2018 and it appears the operation is proceeding in the same manner as observed during that inspection.

### **Acid And Toxic Materials:**

As approved in Technical Revision No. 1, AFS has imported inert material into the site. Concrete rubble, asphalt fragments and other inert fill materials were observed in the northwestern portion of the pit area.

### **Financial Warranty:**

The Division increased the required financial warranty at the site after the last inspection. AFS has submitted the additionally required warranty and the site is adequately bonded.

### **Hydrologic Balance:**

The pit was dry during the inspection and it appears the disturbance from the operation drains into the pit area.

Signs and Markers:

The mine identification sign was in place and the required notification sign for the AM01 application was observed at the site entrance.

Topsoil:

Topsoil has been stripped and stockpiled on the east side of the operation. AFS had recently graded and configured the pile with gentle side slopes and according to Mr. Frei, the stockpile was seeded the day before this inspection.

**PHOTOGRAPHS**



Figure 1. From the northeast corner of the expansion area looking south.



Figure 2. From the northeast corner of the expansion area looking southwest.





Figure 3. From the west side of the north area looking south.



Figure 4. From the northwest corner of the southeast portion of the expansion area looking south.



Figure 5. From the northwest corner of the proposed south expansion are looking southeast.



Figure 6. From the south end of the south expansion area looking north.





Figure 7. From the southeast corner of the south expansion area looking north. Kiowa Creek to the east.



Figure 8. From the northeast corner of the south expansion area looking south.



Figure 9. AM01 Notice Sign

**Inspection Contact Address**

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Enclosure

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