


**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: Higgins Pit II	MINE/PROSPECTING ID#: M-2012-013	MINERAL: Borrow material	COUNTY: Lincoln
INSPECTION TYPE: Preoperation Inspection	INSPECTOR(S): Patrick Lennberg	INSP. DATE: April 26, 2019	INSP. TIME: 07:00
OPERATOR: Smithburg Family Partnership, LLLP	OPERATOR REPRESENTATIVE: None	TYPE OF OPERATION: 112c - Construction Regular Operation	

REASON FOR INSPECTION: Preoperation Inspection	BOND CALCULATION TYPE: Complete Bond	BOND AMOUNT: \$106,380.00
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
WEATHER: Clear	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: May 2, 2019

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: Signs & Markers

PROBLEM/POSSIBLE VIOLATION: The affected area boundary markers are missing or incorrectly placed. This is a problem for failure to maintain boundary markers around the affected area as required by Section 3.1.12(2) of the rule.

CORRECTIVE ACTIONS: The operator shall conduct a survey and replace the boundary markers in the correct location(s). The operator shall provide proof to the Division that this has been done by submitting photos of placed markers along with GPS coordinates of the markers by the corrective action date.

CORRECTIVE ACTION DUE DATE: 6/01/19

OBSERVATIONS

The Higgins Pit II was inspected by Patrick Lennberg with the Division of Reclamation, Mining and Safety (Division/DRMS). The inspection was completed as a pre-operation inspection related to AM-02 to expand the permit by 17.86 acres to the west. The site was previously inspected by the Division on August 24, 2017 during a routine inspection. Arrangements were made to meet the operator's representative at the mine but the representative failed to show up. The weather was windy, and the sky was clear.

The Higgins Pit II is located 2.5 miles north of Genoa, CO off of Co Rd 28. The pit is a 112c operation is currently permitted for 52.66 acres for the removal of sand and gravel. AM-02 would expand the permit to a total of 70.52 acres. The site is surrounded by pastureland and the post-mining land use is pastureland. A mine sign was observed as required by Rule 3.1.12.

During the inspection an effort was made to locate the permit boundary markers both for the amendment area as well as the permit area and they could not be located. The failure to maintain permit boundary markers is being cited as a problem in this report. The operator will be required to submit photo documentation along with GPS coordinates of installed boundary markers by the date indicated above.

The amendment area is currently pasture land that is characterized by native grass, cacti, and some yucca. The area is accurately depicted on maps within in the amendment application. No other issues were noted during the inspection. There were no objections have been received by the Division during the first public comment period that ended on April 3rd but due to an error in that publication and second notice had to be published. The second public comment period ends on May 8th. The Division will not make a formal decision until after the public comment period closes.

The financial warranty was calculated as part of this inspection and the current bond amount held by the Division was determined to be adequate at this time.

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

John Higgins
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27451 CR 3H
Genoa, CO 80818

CC: Michael Cunningham, DRMS

PHOTOGRAPHS



Photo 1: Mine sign at entrance off of County Road 28



Photo 2: Access road to current pit area



Photo 3: Product stockpile



Photo 4: Topsoil stockpile along the northern permit boundary



Photo 5: Looking to the south across the current pit area



Photo 6: Looking west from the current permit boundary at the amendment area



Photo 7: Proposed amendment area looking north



Photo 8: Proposed amendment area looking northeast



Photo 9: Proposed amendment area looking southeast



Photo 10: Proposed amendment area looking south along the proposed western boundary

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>N</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>Y</u>	(FW) FISH & WILDLIFE----- <u>N</u>	(RV) REVEGETATION---- <u>N</u>
(SM) SIGNS AND MARKERS----- <u>PB</u>	(SP) STORM WATER MGT PLAN---- <u>N</u>	(RS) RECL PLAN/COMP-- <u>N</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