


**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: West Pit	MINE/PROSPECTING ID#: M-1983-130	MINERAL: Sand and gravel	COUNTY: Elbert
INSPECTION TYPE: Surety Release Inspection	INSPECTOR(S): Patrick Lennberg	INSP. DATE: May 15, 2019	INSP. TIME: 10:30
OPERATOR: Elbert County	OPERATOR REPRESENTATIVE: Ralph Lewis	TYPE OF OPERATION: 110c - Construction Limited Impact	

REASON FOR INSPECTION: Surety Related	BOND CALCULATION TYPE: None	BOND AMOUNT: \$0.00
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
WEATHER: Clear	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: May 20, 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: Availability Of Records**PROBLEM/POSSIBLE VIOLATION:** The Division does not have a current valid Legal Right of Entry for the mining operation as required by Rule 6.3.7.**CORRECTIVE ACTIONS:** The operator shall provide the Division with a signed and notarized Legal Right-to-Enter, and proof of land ownership by the corrective action date.**CORRECTIVE ACTION DUE DATE:** 6/19/19

OBSERVATIONS

The West Pit was inspected by Patrick Lennberg with the Division of Reclamation, Mining and Safety (Division/DRMS). The inspection was completed as part of full acreage release request, submitted in accordance with Rule 4.17, received by the Division on April 24, 2019. The site was previously inspected by the Division on February 17, 2017 as part of the Division's routine monitoring program. Ralph Lewis with Elbert County accompanied me during the inspection. The weather was calm, and the sky was clear.

The West Pit is a 110c operation permitted for 9 acres to mine sand and gravel for use in county road construction and maintenance. The maximum allowed disturbed area at any time is 9 acres. The site is located 8.5 miles northeast of Rush, CO and is accessed from the east off of Co Rd 137. The approved post-mining land use is rangeland.

The approved reclamation plan includes grading all disturbed slopes to 3H:1V or flatter, replacing topsoil at a minimum depth of 6 inches, and revegetating the site with a native grass mixture. The Division approved Technical Revision No. 1 (TR-1) on 12/1/1995 to allow for a stock water pond to remain at the bottom of the pit for reclamation. The Division received a letter from the landowner requesting the pond remain for watering livestock.

The Division sent notice of the release request to the Elbert County Commissioners, the Double E Conservation District, and the landowner. The Division did not receive any comments from the noticed parties. However, the notice sent to the land owner was returned to the Division the day before the inspection. It was at that time that, upon addition permit review, the Division determined that the land owner on file, Les West, sold the land to Bob Thurston in December 1997. Therefore the Division determine that the Operator did not have an up to date Legal Right of Entry to site as required by Rule 6.3.7 and is being cited as a problem in this report.

The Operator seeded and hydro-mulched the disturbed area late last year. The seeded plants are growing well and the area is filling in nicely. However, it is too soon to determine if the vegetation meets the requirements of Rule 3.1.10(1) which in part states "...establish a diverse, effective, and long-lasting vegetative cover that is capable of self-regeneration...without continued dependence on irrigation, soil amendments or fertilizer, and is at least equal in extent of cover to the natural vegetation of the surrounding area". Based on observations made during this inspection the request for release will not be approved. The Division recommends at least another two full growing seasons before the Operator seeks another release request.

The Division was able to GPS all permit boundary markers. All areas affected by mining is well within the permit boundaries.

The Division currently holds no financial warranty because it is a county operation.

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

Ralph Lewis
Elbert County
215 Comanche St.
Kiowa, CO 80117

CC: Michael Cunningham, DRMS

GENERAL INSPECTION TOPICS

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

(AR) RECORDS----- PB	(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>Y</u>	(FW) FISH & WILDLIFE----- <u>N</u>	(RV) REVEGETATION---- <u>Y</u>
(SM) SIGNS AND MARKERS----- <u>N</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

PHOTOGRAPHS



Photo 1: Mine sign at entrance off of County Road 39



Photo 2: Typical permit boundary marker



Photo 3: Mine area that was seeded and hydro-mulched at the end of last year, looking north



Photo 4: Looking south down the revegetated slope



Photo 5: Looking east at the revegetated slope



Photo 6: Typical growth of recently planted vegetation



Photo 7: Typical native vegetation growth outside of mine area



Photo 8: Looking west across the revegetated area.