



# 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.

<b>MINE NAME:</b> Fountain Colony Pit	<b>MINE/PROSPECTING ID#:</b> M-1987-171	<b>MINERAL:</b> Sand and gravel	<b>COUNTY:</b> El Paso
<b>INSPECTION TYPE:</b> Surety-Related Inspection	<b>INSPECTOR(S):</b> Timothy A. Cazier	<b>INSP. DATE:</b> June 11, 2019	<b>INSP. TIME:</b> 10:20
<b>OPERATOR:</b> Kiewit Western Company	<b>OPERATOR REPRESENTATIVE:</b> Misty Gothard & Jenn Bradtmueller	<b>TYPE OF OPERATION:</b> 112c - Construction Regular Operation	
<b>REASON FOR INSPECTION:</b> Surety Related	<b>BOND CALCULATION TYPE:</b> Complete Bond	<b>BOND AMOUNT:</b> \$200,000.00	
<b>DATE OF COMPLAINT:</b> NA	<b>POST INSP. CONTACTS:</b> None	<b>JOINT INSP. AGENCY:</b> None	
<b>WEATHER:</b> Clear	<b>INSPECTOR'S SIGNATURE:</b> 	<b>SIGNATURE DATE:</b> June 12, 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>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>NA</u>
(PW) PROCESSING WASTE/TAILING---- <u>Y</u>	(SF) PROCESSING FACILITIES----- <u>Y</u>	(TS) TOPSOIL----- <u>Y</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>Y</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>NA</u>	(RS) RECL PLAN/COMP-- <u>Y</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>Y</u>	(SC) EROSION/SEDIMENTATION--- <u>Y</u>	(ST) STIPULATIONS----- <u>Y</u>
(AT) ACID OR TOXIC MATERIALS----- <u>NA</u>	(OD) OFF-SITE DAMAGE----- <u>Y</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 inspection was initiated by a request for temporary cessation. The Permittee (Kiewit Western) was represented by Ms. Misty Gothard and Jenn Bradtmueller during the inspection. The Fountain Colony Pit access road entrance is located off Charter Oak Ranch Road from Exit 128 on I-25, Near Fountain CO. This is a 112c sand and gravel mine. It was not operating at the time of the inspection.

**Availability of Records:** Annual fees are paid through May 2019. Question No. 4, regarding whether processing or hauling activity at the site had commenced, was incorrectly answered as "No"; thereby resulting in the e-permitting system not asking about other disturbance and reclamation activity status. Ms. Gothard indicated she would contact our e-permitting specialist to get it corrected. The approved post-mine land use is Industrial/Commercial (with grazing backup) per the 2001 Amendment 1 (AM-01) application form. There are no open infractions. Both the surface and minerals are privately owned.

**Backfilling and Grading:** Backfill and grading of highwalls appeared to have been adequate for the purpose of final reclamation. The Kiewit representatives stated the well vegetated stockpile adjacent to the road north of the product stockpile was overburden. Given the status of the vegetation, this overburden stockpile may suffice as growth media if needed elsewhere on site.

**Financial Warranty:** The \$200,000 bond held by the Division is adequate for the observed mine disturbance as the major earthwork has been accomplished. Some areas such as the current product stockpile location (see **Photo 1**), former equipment staging area (see **Photo 2**), and the current milled asphalt storage area (see **Photo 3**) will likely need disking, ripping and/or additional growth media for final reclamation. A **reclamation cost summary sheet** for the revegetation and mobilization is attached. The current surplus should be adequate for the potential additional reclamation work.

**Fish and Wildlife:** No impact to wildlife was observed. Cattle (see **Photo 4**) were observed south of the remaining product stockpile during the inspection.

**Hydrologic Balance:** No standing water was observed in the pit and no exposed groundwater was observed.

**Gen. Compliance with Mine Plan:** The operation appeared to be in compliance with the approved mine plan. Google Earth was used to measure the disturbed area, which was estimated to be approximately 137 acres (including access roads on the south end of the permit area), based on June 9, 2016 satellite imagery (see attached **Post Inspection Map**).

**Off-site Damage:** The operation appeared to be confined to the permit boundary, based on site observations and Google Earth review.

**Roads:** Haul and access roads did not appear to be a source of sediment that could be tracked offsite as the last mile of the road to Charter Oak Ranch Road is paved.

**Reclamation Success:** Subsequent to the DRMS 2017 inspection Nicole Hapl indicated she was still looking for documentation of removal of the concrete pads approved under technical revision 2 (TR-02) around 2003. Ms. Gothard and Bradtmueller stated they would follow-up on the status of the concrete pads.

**Revegetation:** Efforts to treat the tamarisk (a.k.a. salt cedar) cited as a problem during the 2017 inspection appears to be succeeding. The plants are still present (see **Photos 5 and 6**), but very few show signs of leafing out. Site representatives stated their weed management contractor was on site about a month ago and make periodic visits to monitor the tamarisk. They also indicated the future plan is to remove the plants and mulch the areas to make it easier to spot new tamarisk growth.

Sediment Control: Only minor erosion rills were observed and no BMPs were needed at the time of the inspection.

Support Facilities On-site: No equipment or support facilities were observed during the inspection.

Signs and Markers: The permit sign was properly posted (see **Photo 7**). The site is fenced to delineate the permit boundary.

Permit Stipulations: There are no open permit stipulations.

Storm Water MGT Plan: No oil or fuel spills observed. Ms. Gothard stated the stormwater management plan is kept at Kiewit's main office.

Topsoil: Ms. Gothard and Bradtmueller stated all salvaged topsoil had been placed for reclamation.

Please contact Tim Cazier (303)866-3567 ext. 8169 or email at [tim.cazier@state.co.us](mailto:tim.cazier@state.co.us) if you have any questions regarding this report.

## **PHOTOGRAPHS**



Photo 1. Current product stockpile (looking NE from access road).



**PHOTOGRAPHS (cont.)**



Photo 2. Former equipment staging area, likely needing growth media (looking south).

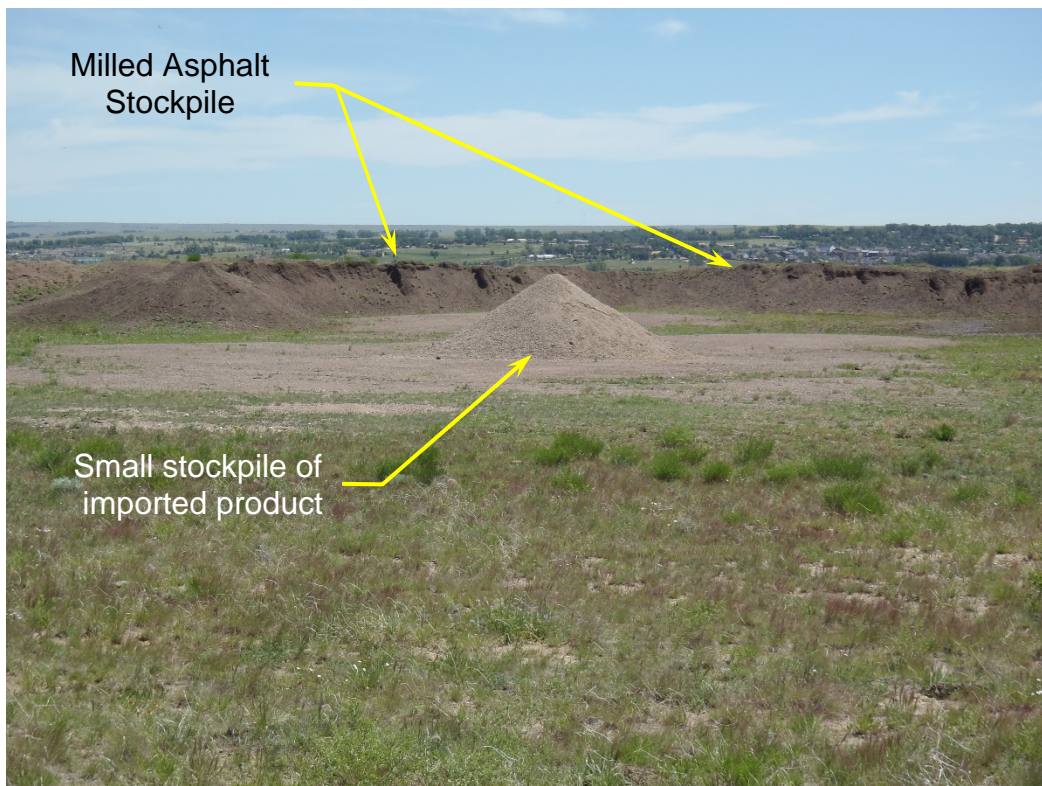


Photo 3. Milled asphalt stockpile (Looking NE from paved access road).



**PHOTOGRAPHS (cont.)**

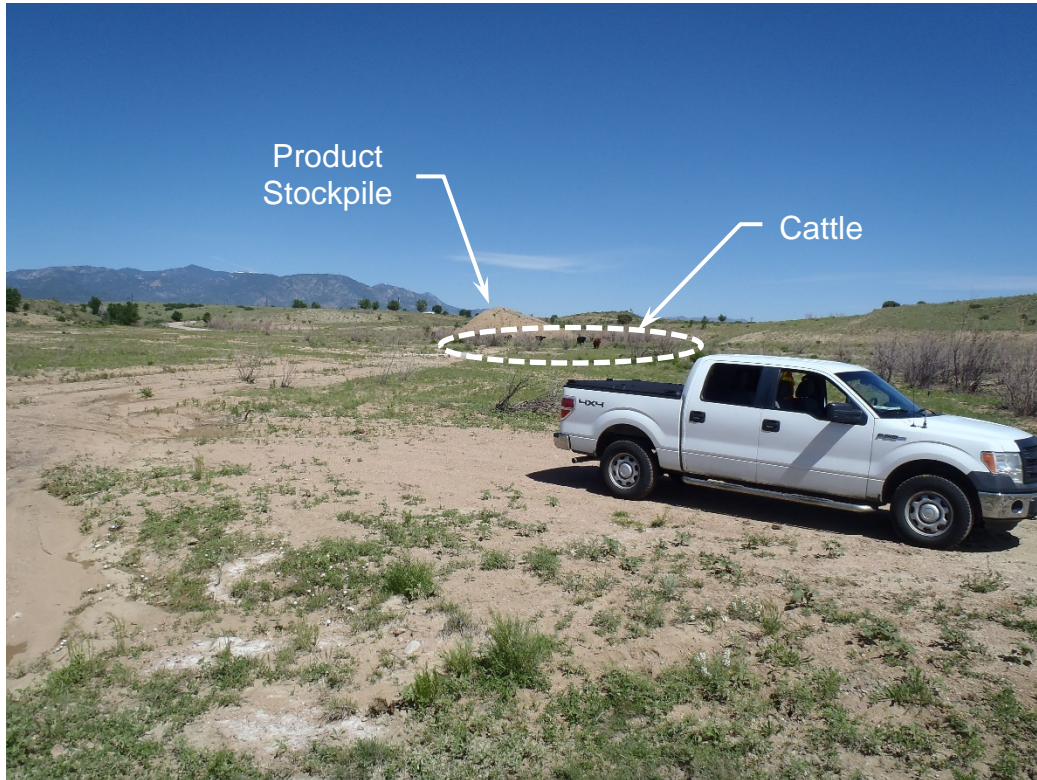


Photo 4. Current product stockpile (looking NNW from north sediment pond).



Photo 5. Treated tamarisk near middle sediment pond (looking west).



**PHOTOGRAPHS (cont.)**



Photo 6. Treated tamarisk in south sediment pond (looking NW).



Photo 7. Permit sign (at entrance).

**Inspection Contact Address**

Daniel Leone  
Kiewit Western Company  
3527 Wabash Street  
Colorado Springs, CO 80906

Attachments: Reclamation Cost Summary Sheet  
Post Inspection Map

ec: DRMS file  
Misty Gothard, Kiewit  
Jenn Bradtmueller, Kiewit

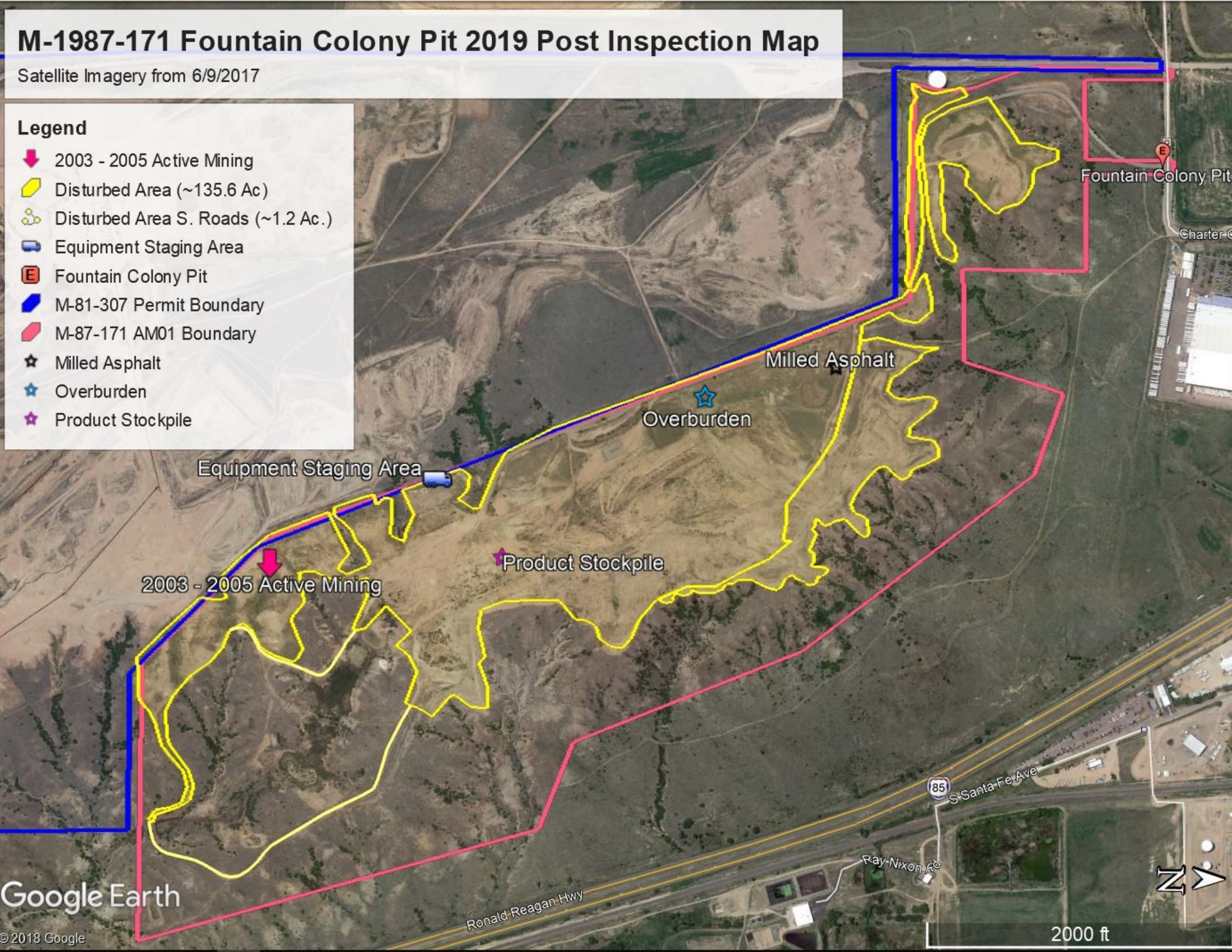


# M-1987-171 Fountain Colony Pit 2019 Post Inspection Map

Satellite Imagery from 6/9/2017

## Legend

- 2003 - 2005 Active Mining
- Disturbed Area (~135.6 Ac)
- Disturbed Area S. Roads (~1.2 Ac.)
- Equipment Staging Area
- Fountain Colony Pit
- M-81-307 Permit Boundary
- M-87-171 AM01 Boundary
- Milled Asphalt
- Overburden
- Product Stockpile





## COST SUMMARY WORK

Task description: Cost Summary

Site: Fountain Colony Pit

Permit Action: 2019 Update

Permit/Job#: M1987171

### PROJECT IDENTIFICATION

Task #: 000

State: Colorado

Abbreviation: None

Date: 6/10/2019

County: El Paso

Filename: M171-000

User: TC1

Agency or organization name: DRMS

### TASK LIST (DIRECT COSTS)

Task	Description	Form Used	Fleet Size	Task Hours	Cost
010	revegetate 136.8 acres	REVEGE	1	125.00	\$121,832
040	004 MOB/DEMOB	MOBILIZE	1	1.50	\$652
<b><u>SUBTOTALS:</u></b>				<b>126.5</b>	<b>\$122,484</b>

### INDIRECT COSTS

#### OVERHEAD AND PROFIT:

Liability insurance: 2.02

Total = \$2,474

Performance bond: 1.05

Total = \$1,286

Job superintendent: 63.25

Total = \$4,620

Profit: 10.00

Total = \$12,248

TOTAL O & P = \$20,629

CONTRACT AMOUNT (direct + O & P) = \$143,113

#### LEGAL - ENGINEERING - PROJECT MANAGEMENT:

Financial warranty processing (legal/related costs): \$0

Total = \$0

Engineering work and/or contract/bid preparation: 4.25

Total = \$6,082

Reclamation management and/or administration: 5.00

\$7,156

CONTINGENCY: 0.00

Total = \$0

TOTAL INDIRECT COST = \$33,867

**TOTAL BOND AMOUNT (direct + indirect) = \$156,351**