




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: Leone Huerfano Gravel Pit	MINE/PROSPECTING ID#: M-2010-004	MINERAL: Gravel and sand	COUNTY: Huerfano
INSPECTION TYPE: Monitoring	INSPECTOR(S): Patrick Lennberg	INSP. DATE: June 24, 2020	INSP. TIME: 07:30
OPERATOR: Leone Sand & Gravel LLC	OPERATOR REPRESENTATIVE: Frank Leone, Jr.	TYPE OF OPERATION: 112c - Construction Regular Operation	
REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: Complete Bond	BOND AMOUNT: \$61,000.00	
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None	
WEATHER: Foggy	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: July 1, 2020	

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>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>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

OBSERVATIONS

The Leone Huerfano Gravel Pit was inspected by Patrick Lennberg with the Division of Reclamation, Mining and Safety (Division/DRMS). The inspection was completed as part of the Division's routine monitoring inspection program. The site was previously inspected by the Division on January 14, 2016 as part of the Division's routine monitoring. Frank Leone Jr, the Operator, and his son, Wayne, accompanied me for part of the inspection. There was a miscommunication and the inspection began sooner than the Operator had been told. The weather was clear and cool.

The Leone Huerfano Gravel Pit is located in Huerfano County approximately 11 miles northwest of Walsenburg, Colorado. The entrance to the pit is at the junction of County Road (CR) 611 and CR 611.1. It should be noted that while CR 611.1 is designated as a road it is more of a two track path that eventually fades into the surrounding landscape. The pit is a 185.67-acre 112c Construction Materials Reclamation Permit with a maximum allowed disturbance of 22.5 acres. The primary commodity being mined at the site is sand and gravel. The approved post-mining land use is rangeland. The mine site was surrounded by the following land uses: rural residential, agricultural, and rangeland. A mine sign was observed as required by Rule 3.1.12.

During the permit review process prior to the inspection it was noted that the land had changed ownership and was now owned by the Huerfano County Water Conservancy and there was a question if the Operator had a current Legal Right of Entry. The Operator stated they were aware that the land was under new ownership and the original terms of the lease were still in full force as the lease is auto-renewing.

Activity at the pit is still in the initial Phase 1 area of 22.5 acres and to date has disturbed an estimated 17 acres. Progress appears to be moving from the processing area west. In talking with the Operator they have discovered that there is more resources deeper than originally anticipated. Currently the approved mining plan calls for mining depths of 12 to 18 feet. The Operator, now, has determined that there is minable material as deep as 35 feet and wants to extract that material. It was discussed that a Technical Revision (TR) would be needed to update the Mine Plan to reflect the new conditions at the site and allow for mining as deep as 35 feet. A TR form is included with this inspection report. Because the Operator is planning on changing the approved mine plan it was agreed that the bond would be evaluated when the TR was submitted. If the TR is not submitted in a timely fashion the bond will be evaluated separately.

Currently, there is approximately 850 feet of highwall at the site that ranges in height from a few feet to 18 feet. There is a highwall that spans the width of the pit that trends from the NW to the SE approximately 400 feet and averages 15 feet in height. Another highwall borders the southern disturbance limit and averages 10 feet in height and is approximately 400 feet long. The western limit of the disturbed area has been sloped to 3H:1V or shallower. Other slopes around the pit area are sloped similarly and are stable with no excessive erosion noted. There is a buffer being maintained around the power poles that are located through the pit area.

There appears to be adequate stockpiles of topsoil to reclaim the site. The stockpiles have some volunteer vegetation establishing on them and wind erosion does not appear to be a problem. The Operator is encouraged to seed the stockpiles to build up the seed bank in the piles and aid in reclamation in the future. In addition seeding of the stockpiles will help against weed infestations. In the disturbed areas there was volunteer vegetation comprised of native vegetation, native grasses and a few annual weeds. No noxious

weeds were observed during the inspection.

In the processing area there are several stockpiles of processed material as well as a pile of concrete rubble that will be crushed and blended into the processed material. All above ground fuel storage tanks either had adequate secondary containment or were double walled tanks.

The Division was able to GPS several of the permit boundary markers, mostly on the east side of the permit area. The permit area is within a larger fenced area that markers the property boundary.

The Division is not evaluate the financial warranty at this time and will evaluate the warranty during the TR review process.

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

Frank Leone, Jr.
Leone Sand & Gravel LLC
2400 E Main Street
Trinidad, CO 81082

Attachment: Technical Revision Form

cc: Jared Ebert, DRMS

ec: Frank Leone, Jr., Leone Sand & Gravel LLC, leonesrg@live.com

PHOTOGRAPHS



Photo 1: Mine sign at entrance to site off of CR 611



Photo 2: Haul road leading to main processing area, scale house to the center left of photo



Photo 3: Stockpiles of processed material



Photo 4: Topsoil material along northern perimeter of permit boundary



Photo 5: Typical permit boundary marker, northern boundary



Photo 6: Southeastern permit boundary marker looking towards main processing area



Photo 7: Main processing area



Photo 8: Highwalls at the site, southern-most highwall in background



Photo 9: Graded buffer around utility pole



Photo 10: Western-most area that has been graded to a 3H:1V or shallower



Photo 11: CR 611.1 looking west from the corner of Phase 1





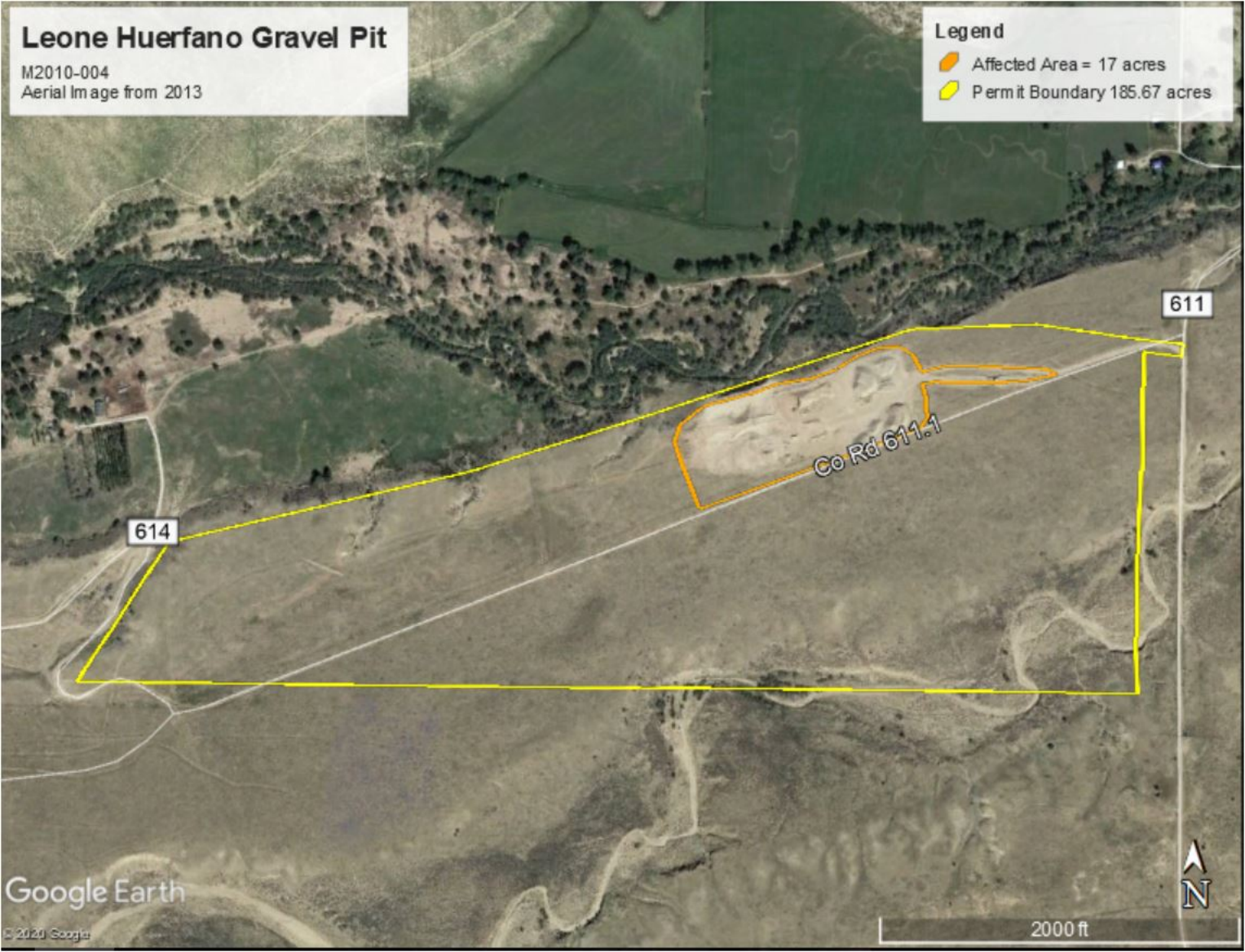
Photo 12: Area where deeper mineable material has been located

Leone Huerfano Gravel Pit

M2010-004
Aerial Image from 2013

Legend

-  Affected Area = 17 acres
-  Permit Boundary 185.67 acres





COLORADO DIVISION OF RECLAMATION, MINING AND SAFETY

1313 Sherman Street, Room 215, Denver, Colorado 80203 ph(303) 866-3567

REQUEST FOR TECHNICAL REVISION (TR) COVER SHEET

File No.: M- _____ Site Name: _____

County _____ TR# _____ (DRMS Use only)

Permittee: _____

Operator (If Other than Permittee): _____

Permittee Representative: _____

Please provide a brief description of the proposed revision: _____

As defined by the Minerals Rules, a Technical Revision (TR) is: “a change in the permit or application which does not have more than a minor effect upon the approved or proposed Reclamation or Environmental Protection Plan.” The Division is charged with determining if the revision as submitted meets this definition. If the Division determines that the proposed revision is beyond the scope of a TR, the Division may require the submittal of a permit amendment to make the required or desired changes to the permit.

The request for a TR is not considered “filed for review” until the appropriate fee is received by the Division (as listed below by permit type). Please submit the appropriate fee with your request to expedite the review process. After the TR is submitted with the appropriate fee, the Division will determine if it is approvable within 30 days. If the Division requires additional information to approve a TR, you will be notified of specific deficiencies that will need to be addressed. If at the end of the 30 day review period there are still outstanding deficiencies, the Division must deny the TR unless the permittee requests additional time, in writing, to provide the required information.

There is no pre-defined format for the submittal of a TR; however, it is up to the permittee to provide sufficient information to the Division to approve the TR request, including updated mining and reclamation plan maps that accurately depict the changes proposed in the requested TR.

Required Fees for Technical Revision by Permit Type - Please mark the correct fee and submit it with your request for a Technical Revision.

<u>Permit Type</u>	<u>Required TR Fee</u>	<u>Submitted</u> (mark only one)
110c, 111, 112 construction materials, and 112 quarries	\$216	<input type="checkbox"/>
112 hard rock (not DMO)	\$175	<input type="checkbox"/>
110d, 112d(1, 2 or 3)	\$1006	<input type="checkbox"/>