




**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> PVRE Pit #1	<b>MINE/PROSPECTING ID#:</b> M-2017-009	<b>MINERAL:</b> Sand and gravel	<b>COUNTY:</b> Logan
<b>INSPECTION TYPE:</b> Monitoring	<b>INSPECTOR(S):</b> Brock Bowles	<b>INSP. DATE:</b> July 15, 2020	<b>INSP. TIME:</b> 10:00
<b>OPERATOR:</b> Platte Valley Real Estate, LLC	<b>OPERATOR REPRESENTATIVE:</b> Dan Long and Tyler Chamberlain	<b>TYPE OF OPERATION:</b> 110c - Construction Limited Impact	

<b>REASON FOR INSPECTION:</b> Normal I&E Program	<b>BOND CALCULATION TYPE:</b> Complete Bond	<b>BOND AMOUNT:</b> \$46,200.00
<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> August 3, 2020

**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:** Gen. Compliance With Mine Plan

**PROBLEM/POSSIBLE VIOLATION:** Problem: The Division has no evidence that the operator has a valid approved water augmentation plan for the exposed groundwater at the site. This is a problem related to 34-32.5-116(4)(h) of the Colorado Revised Statutes and 3.1.6(1)(a) of the Construction Materials Rules and Regulations governing injury to existing water rights.

**CORRECTIVE ACTIONS:** The operator shall submit a Technical Revision, with the required \$216 revision fee, to document that the operation has a valid approved water augmentation plan for the exposed groundwater at the site that and is in compliance with the Office of the State Engineer.

**CORRECTIVE ACTION DUE DATE:** 9/03/20

**INSPECTION TOPIC:** Sediment Control

**PROBLEM/POSSIBLE VIOLATION:** Problem: The topsoil stockpile is staged on the east bank of the pit. Wave action from the water in the pit will erode the eastern bank, just below the topsoil stockpiles. This situation fails to protect topsoil from erosion pursuant to C.R.S. 34-32.5-116(4)(g).

**CORRECTIVE ACTIONS:** A technical revision needs to be submitted with a plan to protect the eastern

shoreline and the topsoil stockpiles from wave action erosion.

**CORRECTIVE ACTION DUE DATE:** 9/03/20

**INSPECTION TOPIC:** Topsoil

**PROBLEM/POSSIBLE VIOLATION:** Problem: The topsoil stockpiles do not have established vegetation on them and are therefore susceptible to erosion. Rule 3.1.9(1) states if topsoil is not replaced into the backfill area within a time short enough to avoid deterioration of the topsoil, vegetative cover or other means shall be employed so that the topsoil is protected from erosion.

**CORRECTIVE ACTIONS:** The operator shall seed the stockpiles with the seed mix that was submitted as part of the approved reclamation plan. The Operator shall demonstrate compliance by submitting seed tags, a bill of sale or photographs of seeding activities.

**CORRECTIVE ACTION DUE DATE:** 10/30/20

### **OBSERVATIONS**

This inspection was conducted by Brock Bowles of the Division of Reclamation, Mining and Safety (Division). Dan Long and Tyler Chamberlain (Operator) were present for the inspection. The PVRE Pit is located on the southern municipal boundary of Sterling, Colorado. The site is an active 110c operation with 9.9 acres permitted and the post-mining land use is general agriculture. At the time of the inspection it was cool, cloudy, with a few scattered showers and the ground was damp.

The mine identification sign was in place and had information required by Rule 3.1.12. The permit boundary markers were in place. No mining was taking place at the time of this inspection but sand processing equipment was on site.

No noxious weeds were noted on site. No fuel spills were noted on the site or in the pit water. An overburden stockpile was located in the southwest corner of the permit area. The overburden pile appears to be stable.

The mine pit contained water. In the May 15, 2017 adequacy response letter, PVRE committed to not exposing ground water until a permanent plan for augmentation has been obtained for the entire project area. PVRE provided documents to the Division when asked. It is unclear if the provided documents meet the applicable Colorado water laws as required by Rule 3.1.6(1)(a). These documents need to be reviewed by the Office of the State Engineer **and** incorporated into the mining permit. To accomplish this, the operator shall submit a technical revision, with the required \$216 revision fee, to document that the operation has a valid approved water augmentation plan for the exposed groundwater at the site that and is in compliance with the Office of the State Engineer. The Technical Revision needs to be submitted to the Division within 30 days of this report.

The topsoil stockpile is staged on the east bank of the pit, which contains water. Wave action from the water in the pit will erode the eastern bank, just below the topsoil stockpiles. A technical revision needs to be submitted with a plan to protect the shoreline and the topsoil piles from wave action erosion. A single technical revision can be submitted to address both items listed in this report.

Topsoil was stockpiled on the east side of the pit between the pit and the permit boundary. The topsoil pile does not have an adequate vegetative cover to provide stabilization as required by Rule 6.3.3(b). The vegetation is mostly comprised of annuals which do not have the same erosion control qualities as perennial vegetation. A vegetative cover needs to be established on the topsoil piles. The currently approved reclamation seed mix can be applied to the topsoil piles. The due date for this action was set for October 30 because the best time to seed is usually the fall.

## PHOTOGRAPHS



Mine entrance sign along Jack's Lane on the northwest corner of the permit area.



Permit marker on southeast corner. The pile in background is off-permit and belongs to City of Sterling.





Topsoil stockpile between the eastern permit boundary and the mine pit, looking north.



Sand processing equipment on west side of pit, looking west.

### **GENERAL INSPECTION TOPICS**

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

(AR) RECORDS----- <u>N</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>N</u>
(PW) PROCESSING WASTE/TAILING---- <u>N</u>	(SF) PROCESSING FACILITIES----- <u>N</u>	(TS) TOPSOIL----- <b><u>PB</u></b>
(MP) GENL MINE PLAN COMPLIANCE- <b><u>PB</u></b>	(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>N</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>N</u>	(SC) EROSION/SEDIMENTATION--- <b><u>PB</u></b>	(ST) STIPULATIONS----- <u>N</u>
(AT) ACID OR TOXIC MATERIALS----- <u>N</u>	(OD) OFF-SITE DAMAGE----- <u>N</u>	

Y = Inspected / N = Not inspected / NA = Not applicable to this operation / PB = Problem cited / PV = Possible violation cited

#### **Inspection Contact Address**

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