



## COLORADO

Division of Reclamation,  
Mining and Safety

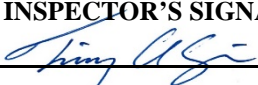
Department of Natural Resources

### 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> Snyder Quarry	<b>MINE/PROSPECTING ID#:</b> M-1977-210	<b>MINERAL:</b> Limestone (general)	<b>COUNTY:</b> El Paso
<b>INSPECTION TYPE:</b> Monitoring	<b>INSPECTOR(S):</b> Timothy Cazier, P.E.	<b>INSP. DATE:</b> January 21, 2021	<b>INSP. TIME:</b> 11:35
<b>OPERATOR:</b> Continental Materials Corporation	<b>OPERATOR REPRESENTATIVE:</b> Jerald Schnabel	<b>TYPE OF OPERATION:</b> 112c - Construction Regular Operation	

<b>REASON FOR INSPECTION:</b> Normal I&E Program	<b>BOND CALCULATION TYPE:</b> None	<b>BOND AMOUNT:</b> \$340,000.00
<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> February 3, 2021

**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:** Off-site Damage

**PROBLEM/POSSIBLE VIOLATION:** Problem 1: It was discovered during a recent survey that Section monuments were moved by the Bureau of Land Management in 1984, modifying the permit boundary. This change was outside the control of the Permittee and the necessary mitigation/reclamation has been completed.

**CORRECTIVE ACTIONS:** The Permittee is required to provide the DRMS with a revised permit boundary map reflecting the change in section monuments by the corrective action due date.

**CORRECTIVE ACTION DUE DATE:** 3/08/21

**INSPECTION TOPIC:** Revegetation

**PROBLEM/POSSIBLE VIOLATION:** Problem 2: There are state-listed noxious weeds (knapweed) present on site. This is a problem for failure to employ weed control methods for state listed noxious weed species within the permitted area, and to reduce the spread of weeds to nearby areas as required by Section 3.1.10 (6) of the rule.

**CORRECTIVE ACTIONS:** Implement the approved weed control plan and provide proof to the DRMS that this has been done by the corrective action date.

**CORRECTIVE ACTION DUE DATE:** 3/31/21

## **OBSERVATIONS**

This site visit was conducted as a regular monitoring inspection in addition to an application for a succession of Operator to transfer the permit from Continental Materials Corp. to the City of Colorado Springs received on January 11th. The \$144 fee was not included with the application. Nonetheless, consideration of this application was factored into this inspection. The Permittee (Continental Materials) was represented by Mr. Jerry Schnabel during the inspection. The Snyder Quarry is accessed from Black Canyon Rd and is located approximately 1 mile north of Manitou Springs. It was not operating at the time of the inspection.

### **Mine Plan Summary:**

#### **AM-04 (approved 9/9/1994) Phase WP (Pit) Mining**

##### **A. Sequence**

1. Only limited mining should be done in Phase WP before Phase AP is completed. The intent of the plan is to complete the most visible mining first and then mine the Hole at the base of the backslope.
2. Mining should proceed basically from north to south. Mining should proceed downward until either the Saguache Sandstone is encountered or the bottom of the hole becomes too narrow to go any deeper.
3. To maximize the depth of extraction, the maximum width at the top of the Pit should be established early in the process followed by working downward into the deposit.

##### **B. Backfilling**

1. The entire phase must be backfilled to the elevations shown on the Reclamation Plan Map.
2. The width of the Pit along a north-south line should be kept as narrow as possible by backfilling behind the mining area. By backfilling closely behind the mining the amount of waste that must be stored to fill the mining area can be limited which reduces the bond amount required by the law.
3. Access in and out of the Pit should be across backfilled areas of the Pit.

**TR-03 (approved 5/11/2009):** Changed mining direction to mining southward from the north boundary. Control of final bench elevations and configuration is more easily accomplished mining north to south. Reclamation is also implemented directly behind the mining because as the mining progresses down the valley reclamation would be immediately implemented as each area is finished. To reduce shock from blasting, benches will only be about 20 feet high rather than the originally expected 30 foot benches. Bench steps will be 30 to 40 feet wide which is excellent for the reestablishment of vegetation. Most if not all of the future disturbance will not extend far beyond the eastern edge of the existing north to south road corridor.

To facilitate access to the north and for haulage, a two lane road will be constructed within the existing north-south road corridor. As mining progresses southward the existing road will be eliminated unless Cedar Heights wishes to utilize the road as a "backdoor" access. It is currently understood that the road is one emergency escape route in case of wildfire.

### **Reclamation Plan Summary:**

#### **AM-04 (approved 9/9/1994) Creation and Reclamation of individual benches:**

Sequence to be performed in creating a bench that can be reclaimed according to the plan.

1. Prior to trimming the bench to the final width as designed by the Bench Geometry Model, the bench must be backfilled with limestone waste to a slope of 3:1.
2. Topsoil is then placed on the backfill slope.
  - a. Soil depth should be a minimum of 6" where only grasses and legumes are to be planted.
  - b. Where trees are to be planted (most benches) the soil depth should not be less than one foot.
  - c. Woody material (branches, logs, etc.) should be left in the soil, but do not count in the thickness requirement. The thickness requirement is for actual soil material, exclusive of woody material.
3. Trim the bench to the final width (toe of the backfilled area). Do not trim back into the backfilled area.
4. If funds are available for rock staining (an Enhanced Reclamation action) then stain the backwall before revegetation.
5. Revegetate according to the Reclamation Plan

**TR-03 (approved 5/11/2009):** Based on the 4/24/2009 adequacy response: "The reclamation plan prepared in 1994 specifically states that the sediment basins will be allowed to fill at the end of the operation and will be turned into wetland or near wetland units."

The shop building is to remain. (Based on the 4/24/2009 adequacy response: "The building is an asset and so long as it can continue with utility after the reclamation of the rest of the site, along with the roads, it seems unreasonable to require the company to destroy their asset.")

**Availability of Records:** Annual fees are paid through May 2020. The previous inspection was on January 30, 2018. The approved post-mine land use is wildlife habitat. There were no open infractions prior to the inspection. Both the surface and minerals are privately owned. DRMS records indicate the last mining activity

occurred in May 2020.

Acid And Toxic Materials: No acid or toxic materials are involved in this operation.

Backfilling and Grading: Two pits in the Phase WP area: one in the north (see **Photo 1**) and one in the south (see **Photos 2 and 3**) still require additional backfill. Based on the approved reclamation plan, there is up to 25 feet of backfill available near where the process plant was (see **Photo 4**) and more to the north in the vicinity of the north-south access road (see **Photo 5**). The site has not been mined to full extent of the approved mine plan. As such, there are some highwalls still configured as "pre-final benches" (reference AM-04 Exhibit D, p. 11) as shown in **Photo 6**. These benches are not wide enough to achieve the required overall slope approved in AM-04, nor for placing backfill for the purpose of establishing vegetation on the benches. The pit floor in the north end of the Phase AP area was not visited during this inspection, but based on the 2018 inspection, some highwall benching and/or backfilling will be necessary for the east facing highwall on the north end (see **Photos 7 and 8**). There is also an angle of repose slope on the west side of the north-south access road (see **Photo 9**) that is too steep to revegetate and does not meet the grades in the approved reclamation plan. Depending on whether this road is to remain (the approved plan leaves that up to local needs), it may be graded to flatter slopes, but likely would eliminate the road. The DRMS understands a possible change to the post mine land use may be forthcoming after approval of the pending succession of operator (SO) application. If this is the case, a revision will be required to the permit. If at the same time, the new Permittee has different reclamation plans, those could be part of the same revision. Both the existing Permittee and the potential Successor should be aware of the Mined Land Reclamation Board's Policy No. 30 regulating the Factor of Safety for highwall stability (<https://www.colorado.gov/pacific/drms/minerals-program-policies-and-guidance-documents>).

Excess Spoil and Dev. Waste: No overburden piles were observed.

Explosives: DRMS records indicate blasting has not occurred since 2013.

Financial Warranty: The \$340,000 bond held by the DRMS was last reviewed in 2009 and will need to be revisited if the pending SO application is not approved. As the pending Successor of the permit is the City of Colorado Springs, a bond will not be required if the SO is approved.

Fish and Wildlife: No impact to wildlife was observed

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. The maximum allowed disturbed area is 68 acres. DRMS records indicate the current disturbance is just under 50 acres.

Off-site Damage: Mr. Schnabel explained that during the survey conducted in coordination with the City of Colorado Springs related to the pending SO, it was discovered that the Bureau of Land Management moved some section monuments in 1984. Portions of the approved permit boundary was based on the original location of these monuments. As a result of the monument relocation, Mr. Schnabel indicated about 30 acres of the original permit area actually belong to the landowner to the west. Mr. Schnabel further explained the landowner has been notified and compensated for the material removed during mining. The area disturbed by mining in this area now outside the permit boundary has been considered reclaimed since the approval of AM-04 in 1994. As this boundary change was outside the control of the Permittee, the mitigation, and reclamation

required by the DRMS have been completed; the only remaining corrective action is the submittal of a revised permit boundary map to the DRMS. **Problem 1 cited on page 1 of this report is issued to track the submittal of a revised permit boundary map.**

**Processing Waste:** No processing waste was observed.

**Roads:** Haul and access roads did not appear to be a source of sediment that could be tracked offsite. Both the site access road and the access road between the south end and north end had been regraded since the previous inspection.

**Right of Entry:** CMC owns the site and minerals. Legal right of entry will need to be demonstrated for the City of Colorado Springs prior to approval of the SO.

**Reclamation Success:** Concurrent reclamation has been completed in the west area, now outside the permit boundary (see **Photo 10**) and is in progress on the south side of the visual berm.

**Revegetation:** Knapweed (probably Diffuse) was observed near the shop (see **Photo 11**) and on the north-south access road (see **Photo 12**). **Knapweed is a noxious weed List B species not cited as Problem 2 on page 1 of this report.**

**Sediment Control:** No erosion problems were observed and no BMPs were needed at the time of the inspection.

**Support Facilities On-site:** The screen plant had been removed from the site. The only equipment observed on site was a man-lift parked next to the shop (see **Photo 11**).

**Signs and Markers:** The permit sign was properly posted (see **Photo 13**) and boundary markers were observed to delineate the permit boundary (see **Photo 14**).

**Permit Stipulations:** A records review determined three of the permit stipulations mentioned in previous inspection reports could be terminated as they are no longer relevant. The remaining stipulations are as follows:

**Stipulation No. 3:** Permittee will perform all practices deemed necessary to control discharges and sediments when positive drainage is created by the removal of the outlet berm on the east side during final reclamation.

**Stipulation No. 4:** Before release will be granted, the stability and final disposition of the access road will be addressed in accordance with all current applicable requirements.

**Stipulation No. 7:** The operator shall establish a vegetation density value of 35 trees and 35 shrubs per acre within the Phase II affected area prior to financial warranty release (Revision Approval AM-03, recommitted to in AM-04).

**Storm Water MGT Plan:** No oil or fuel spills were observed. The majority of the stormwater drains to the two pits in the Phase WP area and infiltrates.

**Structures:** A power line was observed to the shop (see **Photo 15**) which runs along the site access road (see **Photo 16**). Mr. Schnabel was uncertain as to whether the line is owned by CMC or Black Hills Energy. If the powerline is owned by the utility company, a structures damage compensation agreement is required and will be required by the permit Successor. As stated above under the TR-03 Reclamation Plan summary, the shop is to remain post reclamation as an asset. The shop is in a significant state of disrepair (see **Photo 17**), including a gaping hole on the north side of the building. Given the state of the building, the DRMS will require significant renovations in order to consider it an asset. Without these renovations, the DRMS will require demolition of the



shop prior to reclamation liability release.

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. North pit in Phase WP area (looking NW).



**PHOTOGRAPHS (cont.)**



Photo 2. West side of south pit in Phase WP area (looking north).



Photo 3. East side of south pit in Phase WP area (looking north).



**PHOTOGRAPHS (cont.)**



Photo 4. Available backfill near former processing area (looking SE).



Photo 5. Available backfill/growth media near north-south access road (looking east).



**PHOTOGRAPHS (cont.)**



Photo 6. Pre-final benches on north end of Phase WP pit.



Photo 7. East highwall in north/Phase AP pit (looking SW from crest).



**PHOTOGRAPHS (cont.)**



Photo 8. 2018 inspection photo of east highwall in north/Phase AP pit (looking NE from pit floor).



Photo 9. Angle of repose slope on west side of north-south access road (looking east).



**PHOTOGRAPHS (cont.)**



Photo 10. Reclaimed benches on west side, now outside permit boundary (looking north).



Photo 11. Shop Building (knapweed circled).



**PHOTOGRAPHS (cont.)**



Photo 12. Knapweed in north-south access road.



Photo 13. Permit sign at entrance.



**PHOTOGRAPHS (cont.)**



Photo 14. West side repositioned boundary markers (looking north, arrows point to 4 markers).



Photo 15. Overhead powerline near shop (looking SW).



**PHOTOGRAPHS (cont.)**



Photo 16. Overhead powerline along site access road (looking NW).



Photo 17. Interior of shop (note gaping hole on right).

### 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>N</u>	(RD) ROADS----- <u>Y</u>
(HB) HYDROLOGIC BALANCE----- <u>Y</u>	(BG) BACKFILL & GRADING----- <u>Y</u>	(EX) EXPLOSIVES----- <u>Y</u>
(PW) PROCESSING WASTE/TAILING---- <u>Y</u>	(SF) PROCESSING FACILITIES----- <u>NA</u>	(TS) TOPSOIL----- <u>Y</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>Y</u>	(FW) FISH & WILDLIFE----- <u>Y</u>	(RV) REVEGETATION---- <b><u>PB</u></b>
(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>Y</u>	(OD) OFF-SITE DAMAGE----- <b><u>PB</u></b>	

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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