




**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> Hofacker Property Borrow	<b>MINE/PROSPECTING ID#:</b> M-2021-013	<b>MINERAL:</b> Unknown commodity	<b>COUNTY:</b> Larimer
<b>INSPECTION TYPE:</b> Preoperation Inspection	<b>INSPECTOR(S):</b> Timothy Cazier, P.E.	<b>INSP. DATE:</b> March 5, 2021	<b>INSP. TIME:</b> 08:20
<b>OPERATOR:</b> Ames Construction, Inc.	<b>OPERATOR REPRESENTATIVE:</b> Damien Chavarria & Steve Lange	<b>TYPE OF OPERATION:</b> 111 - Construction by Government Agency	
<b>REASON FOR INSPECTION:</b> Preoperation Inspection	<b>BOND CALCULATION TYPE:</b> None	<b>BOND AMOUNT:</b> \$22,500.00	
<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> March 9, 2021	

**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>NA</u>	(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>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>NA</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>NA</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>Y</u>	(SC) EROSION/SEDIMENTATION--- <u>Y</u>	(ST) STIPULATIONS----- <u>NA</u>
(AT) ACID OR TOXIC MATERIALS----- <u>N</u>	(OD) OFF-SITE DAMAGE----- <u>NA</u>	

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

## **OBSERVATIONS**

This was a pre-operation inspection conducted by Tim Cazier (DRMS) for the 111 application submitted to the Division on February 19, 2021. The Applicant, Ames Construction (Ames) was represented by Messrs. Damien Chavarria & Steve Lange. The site is accessed from I-25 Exit 281, near the intersection of Owl Canyon Rd and CR5J (~3 miles north of Wellington).

**Availability of Records:** According to the application, both the surface and minerals are privately owned.

**Backfilling and Grading:** The submitted application commits to mining at 3H:1V or flatter. Site representatives confirmed this is the intent. Mr. Lange stated access ramps aligned with the proposed exit and entrance would be the last material mined, leaving no ramps at final reclamation.

**Excess Spoil and Dev. Waste:** No overburden piles are planned.

**Explosives:** No blasting is planned.

**Financial Warranty:** The \$22,500 bond submitted with the application and held by the DRMS is consistent with the required \$2,500 per acre for 111 applications. The DRMS will make a final determination as whether that is sufficient once all the adequacy issues submitted to Ames Construction on March 1 are addressed.

**Fish and Wildlife:** No impact to wildlife is expected.

**Hydrologic Balance:** Based on submitted grading plans, no stormwater or groundwater is expected to be captured in the pit. There is a drainage ditch (see **Photos 1 and 2**) on the west side of the pit paralleling CR 5J. Mr. Lange stated Ames would place two 24-inch CMPs in the ditch to allow stormwater to pass through the entrance and exit roads to the pit.

**Gen. Compliance with Mine Plan:** The application proposes a maximum disturbance area of 8.7 acres. Based on GPS data collected from survey stake locations (see **Photo 3**) using a Trimble handheld Juno 3B GPS unit during the inspection, there is 8.75 acres within the survey boundary (see attached **Post Inspection Map**). Given the accuracy of handheld GPS units, the difference of 0.05 acres, amounting to 0.5% in area confirms the 8.7 acres proposed by the Applicant.

**Processing Waste:** No processing waste is planned.

**Right of Entry:** An agreement to mine the proposed site was submitted with the application to secure the required right of entry.

**Revegetation:** A small amount of what appeared to be knapweed (see **Photo 4**) was observed on the south end of the site. This is a noxious weed List B species. As the applicant has not initiated mining operations, this was not cited as a problem. However, should the application be approved, the Operator should submit via technical revision and implement a weed control program.

**Sediment Control:** The land owner has constructed an erosion control ditch (see **Photo 5**) about 230 feet from the south side of the proposed permit boundary (see attached **Post Inspection Map**). This will be mined through and will not be replaced. Site representatives stated they would use silt fence to protect the irrigation ditch (see **Photo 6**) belonging to North Poudre Irrigation Co. on the south end from site sediment.

**Signs and Markers:** The notice was properly posted (see **Photo 7**) and survey stakes were observed to delineate the permit boundary (see **Photo 8**).

**Topsoil:** Site representatives stated they plan to salvage 8 inches of topsoil for reclamation.

**Structures:** Structures observed within 200 feet of the staked permit boundary include:

- the home, east shop and south garage belonging to Mr. Hofacker (identified in Exhibit L of the application);
- two powerlines: one on the east side paralleling the north segment of the southbound I-25 off ramp), and one crossing CR5J near the proposed south pit entrance/exit owned by Poudre Valley REA;
- a street lamp near the I-25 off ramp, probably owned by CDOT;
- the CDOT right of way fence (see **Photo 9**);
- the irrigation ditch and box culvert (see **Photo 10**) owned by North Poudre Irrigation Co.;
- CR 5J (see **Photo 11**), owned by Larimer County;
- I-25; and
- the fence on the west side of CR 5J, likely owned by John Scot/Paulette Kay Maxwell (see **Photo 11**).

With the exception of Mr. Hofacker's buildings, all of these structures are identified on the attached **Post Inspection Map**; and with the exception of the streetlamp and the Maxwell fence, all were identified either prior to, or during the inspection. The Maxwell fence and I-25 streetlamp were not included in the March 1, 2021 Preliminary Adequacy Review letter, but will also need structure damage compensation agreements.

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. Drainage ditch west of site along CR 5J (looking NE from below proposed south site entrance).



**PHOTOGRAPHS (cont.)**



Photo 2. Drainage ditch west of site along CR 5J (looking SW from proposed north site entrance).



Photo 3. Typical permit boundary survey stake (note GPS at stake base).



**PHOTOGRAPHS (cont.)**



Photo 4. Knapweed (Likely diffuse), observed near south side of site.



Photo 5. Existing erosion control ditch (looking NW from east side of site).



**PHOTOGRAPHS (cont.)**



Photo 6. Irrigation ditch (looking NW from SE corner of site).



Photo 7. Required public notice (on post at entrance to Hofacker residence).



**PHOTOGRAPHS (cont.)**



Photo 8. Survey stake at NE corner (note CDOT right of way fence on left).



Photo 9. CDOT ROW fence and powerline on SE side of site (looking NNE).



**PHOTOGRAPHS (cont.)**



Photo 10. Irrigation ditch (looking SE from SW corner of site, box culvert circled).



Photo 11. County Road 5J & Maxwell fence on right (looking SW from north site entrance).



**Inspection Contact Address**

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Enclosure

ec: Amy Eschberger, DRMS  
Brock Bowles, DRMS  
DRMS file  
Kirk Bergstrom, Ames Construction  
Damien Chavarria, Ames Construction



# M-2021-013 Hofacker Property Borrow Post Inspection Map

Satellite Imagery from 7/17/2019  
GPS data collected 3/5/2021

## Legend

- CDOT ROW Fence
- M-21-013 200-ft Offset
- M-21-13 Ditch North Crest
- M-21-13 Permit Boundary
- Point\_generic - Survey Stake
- Powerline
- Streetlight

Box culvert

Existing Erosion  
Control Ditch

Maxwell  
fence

8.75 Acres  
(per GPS data)

Google Earth

© 2021 Google



500 ft

