




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: Gunnison River Gravel Pits	MINE/PROSPECTING ID#: M-2009-048	MINERAL: Sand and gravel	COUNTY: Mesa
INSPECTION TYPE: Monitoring	INSPECTOR(S): Amy Yeldell	INSP. DATE: March 17, 2021	INSP. TIME: 09:00
OPERATOR: CW Construction, LLC	OPERATOR REPRESENTATIVE: Cody Weaver and Kevin McClain	TYPE OF OPERATION: 112c - Construction Regular Operation	
REASON FOR INSPECTION: Priority	BOND CALCULATION TYPE: Complete Bond	BOND AMOUNT: \$91,664.00	
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: DRMS	JOINT INSP. AGENCY: None	
WEATHER: Clear	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: March 22, 2021	

GENERAL INSPECTION TOPICS

(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>N</u>	(SF) PROCESSING FACILITIES----- <u>Y</u>	(TS) TOPSOIL----- <u>N</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>PB</u>	(FW) FISH & WILDLIFE----- <u>Y</u>	(RV) REVEGETATION---- <u>Y</u>
(SM) SIGNS AND MARKERS----- <u>PB</u>	(SP) STORM WATER MGT PLAN---- <u>NA</u>	(RS) RECL PLAN/COMP-- <u>Y</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>N</u>	(SC) EROSION/SEDIMENTATION--- <u>N</u>	(ST) STIPULATIONS----- <u>Y</u>
(AT) ACID OR TOXIC MATERIALS----- <u>NA</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

The following inspection topic(s) were identified as having a **Problem (PB)**, which includes correction actions and a deadline whereby the Operator must demonstrate compliance with the conditions of the Permit and the requirements of the Act and Rules. Failure to address the corrective actions by the deadline may cause the Division to escalate the Problem to a **Possible Violation (PV)** and schedule the issue for formal hearing before the Mined Land Reclamation Board (Board).

INSPECTION TOPIC: Gen. Compliance With Mine Plan

PROBLEM/POSSIBLE VIOLATION: Problem: The site is utilizing off-site fill without prior approval by the Division per 3.1.5(9) of the Rule.

CORRECTIVE ACTIONS: The Operator shall revise the mine plan to allow for the use of imported materials. Provide a notarized affidavit, stating that the fill is, in fact, inert and addressing all requirements pursuant to Rule 3.1.5(9), which describes the intended use of inert/off-site fill. This information shall be submitted in the form of a Technical Revision with the required \$216 revision fee by the corrective action date.

CORRECTIVE ACTION DUE DATE: 5/24/21

INSPECTION TOPIC: Signs & Markers

PROBLEM/POSSIBLE VIOLATION: Problem: The mine identification sign posted at the entrance of the mine site displayed the incorrect Operators name. This is a problem for failure to post a mine identification sign as required by Section 3.1.12(1) of the rule. The Operator shall, at the entrance of the mine site post a sign, which shall be clearly visible from the access road, with a minimum size equaling one hundred and eighty-seven (187) square inches, such as eleven (11) inches in height and seventeen (17) inches in width, with appropriate font size, with the following: the name of the Operator, a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board; and the permit number.

CORRECTIVE ACTIONS: The Operator shall, replace or revise the mine sign to state the correct Operators name. The operator shall submit photo documentation that a proper sign has been posted by the corrective action date.

CORRECTIVE ACTION DUE DATE: 5/24/21

OBSERVATIONS

This inspection was conducted in response to the succession of operator request that was approved on November 20, 2020. The inspection was conducted by Amy Yeldell of the Colorado Division of Reclamation, Mining and Safety (Division). Cody Weaver and Kevin McClain, represented CW Construction, LLC and were present for the inspection. The Gunnison River Gravel Pits is a 112c permitted site that includes a total of 29.97.

The site was active at the time of the inspection. The gate was open and unlocked. The scale house has been removed from site but the scale remains in place and in use. Adjacent to the scale was an area with stockpiled recycled gravel. This was originally permitted for an asphalt plant and is 3 acres.

The name on the mine sign has not been updated since the approval of SO-2 and still displays Whitewater Building Materials Corporation as the Operator. This is cited as an inspection problem pursuant to Rule 3.1.12.

The Operator shall update the mine sign to reflect the current operator and provide the Division with photo documentation by the corrective action date listed on page 2 of this inspection report.

Significant changes have been made since the Divisions previous inspection. Pit 1 (north) which is 4.9 acres, has been completely mined out. This was done under Whitewater (previous operator). All slopes in this area have been graded to 3H: 1V or less. A portion of the pit is inundated, approximately 3.5 surface acres. Approximately 20 linear feet of slope is exposed. The slopes have been hydroseeded however vegetation has not yet begun to emerge. Diligent noxious weed management is encouraged to facilitate reclamation success. Cement barriers are in place to separate the access road from reclaimed areas.

Pit 5 (south) is currently being mined. A berm has been erected 110 feet off the river according to Cody Weaver in order to maintain the minimum 100 feet buffer. Wood lath staking was also observed to delineate the permit boundary. This area is 10.5 acres.

The area north of the previously existing pit is being used to stockpile mined material. Trucks were observed being loaded and material being hauled off site. The existing pit has significant rilling but slopes remain contoured to a 3H: 1V. Little vegetation is present on these slopes and the bottom of the pit is inundated. As mining progresses it is likely that this pit will be expanded so additional grading is not necessary at this time.

To the south of the existing pit is another processing area within the greater Pit 5. A mobile plant was observed but it was not running at the time of the inspection. Only screening operations are taking place, no crushing or washing. Fuel is stored in a portable tank with built in secondary containment. Miscellaneous equipment and supplies were neatly stored on the west side of the stockpile area. Several large stockpiles are located throughout this area. The majority of the stockpiled material was still in the form of pit run which had yet to be processed. Stockpiles were on average 15 feet tall.

The southernmost portion of Pit 5 is actively being mined. This pit has near vertical walls approximately 15 feet tall. The bottom of the pit is inundated and water depth is estimated to be 15-5 feet deep according to Kevin McClain. Approximately 1 surface acre of water is exposed with about 900 linear feet of highwall requiring contouring.

Imported woody debris is stockpiled to the south and west of the new pit. The Operator is reminded that if woody debris is buried whole it could result in voids once it degrades leading to settling issues later on. Material should either be broken down if buried or placed whole above grade to provide micro-niches for plants and animals.

During the inspection trucks were observed importing material. In addition to the large stockpile of asphalt by the scale there are a few other small piles of cement and asphalt located within the Pit 5 area. This permit is not approved for the import of inert fill. This is cited as an inspection problem. In order to import material the operator must provide the office with notice per Rule 3.1.5 (9). The notice shall include but is not limited to: a narrative that describes the approximate location of the proposed activity; the approximate volume of inert material to be backfilled; a signed affidavit certifying that the material is clean and inert, as defined in Rule 1.1(20); the approximate dates the proposed activity will commence and end, however, such dates shall not be an enforceable condition; an explanation of how the backfilled site will result in a post-mining configuration that is compatible with the approved post-mining land use; and a general engineering plan states how the material will be place and stabilized in a manner to avoid unacceptable settling and voids." Please submit this notice in the form of a Technical Revision (TR) with the required revision fee of \$216. Alternatively the Operator may submit a written commitment to no longer import inert material until a TR is submitted and approved.

Future mining plans were briefly discussed. In 2011 under AR-1, 28.33 acres were removed from the permit boundary. Pits 2, 3, and 4 were released. The current permit boundary is 29.97 acres and includes only Pits 1 and 5, the scale area and the access roads. If the Operator would like additional phases to be incorporated into the permit this must be done through the amendment process. Permitting additional lands could also require additional water rights to be secured. Currently under TR-2, the substitute water supply plan only covers Pits 1 and 5.

The Division currently requires a financial warranty amount of \$88,767 for this site. In an effort to ensure the Financial Warranty adequately, reflects the actual current cost of fulfilling the requirements of the approved reclamation plan the Division has updated the reclamation cost estimate and found it to be sufficient.

Responses to this inspection report should be directed to: Amy Yeldell at the Division of Reclamation, Mining and Safety, 1313 Sherman St., Room 215, Denver, CO 80203. Direct contact can be made by phone at 303-866-3567 Ext 8183 or via email at amy.yeldell@state.co.us

Inspection Contact Address

Cody Weaver and Kevin McClain
CW Construction, LLC
825 21 1/2 RD
Grand Junction, CO 81505

Enclosures:

10 Photos
Reclamation Cost Estimate 2021-03

CC:

Travis Marshall, Senior EPS, Grand Junction DRMS

PHOTOGRAPHS









Imported material. Mobile screen plant.



Imported woody debris stored on site



COST SUMMARY WORK

Task description: March 2021 Inspection

Site: Gunnison River Gravel Pits

Permit Action: 2021-03

Permit/Job#: M2009048

PROJECT IDENTIFICATION

Task #: ACY

State: Colorado

Abbreviation: None

Date: 3/22/2021

County: Mesa

Filename: M048-000

User: ACY

Agency or organization name: DRMS

TASK LIST (DIRECT COSTS)

Task	Description	Form Used	Fleet Size	Task Hours	Cost
01a	Substitute Water Supply Plan	NA	1	0.00	\$12,404
02a	Pit 1-Reveg Failure	REVEGE	1	4.00	\$979
03a	Pit 5-Regarde highwalls	DOZER	2	44.32	\$21,806
03b	Pit 5-Rip Stockpile area	RIPPER	2	6.23	\$3,331
05c	Pit 5-Topsoil application	DOZER	2	27.29	\$13,425
05d	Pit 5-Reveg	REVEGE	1	20.00	\$17,047
10a	Initial Mob	MOBILIZE	1	3.06	\$4,018
10b	Second Mob	MOBILIZE	1	3.06	\$1,500
<u>SUBTOTALS:</u>				107.96	\$74,510

INDIRECT COSTS

OVERHEAD AND PROFIT:

Liability insurance: 2.02

Total = \$1,505

Performance bond: 1.05

Total = \$782

Job superintendent: 53.98

Total = \$3,754

Profit: 10.00

Total = \$7,451

TOTAL O & P = \$13,493

CONTRACT AMOUNT (direct + O & P) = \$88,003

LEGAL - ENGINEERING - PROJECT MANAGEMENT:

Financial warranty processing (legal/related costs): \$500

Total = \$500

Engineering work and/or contract/bid preparation: 0.00

Total = \$0

Reclamation management and/or administration: 5.00

\$4,400

CONTINGENCY: 0.00

Total = \$0

TOTAL INDIRECT COST = \$18,393

TOTAL BOND AMOUNT (direct + indirect) = \$92,903