




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: Lyons Pit	MINE/PROSPECTING ID#: M-2021-018	MINERAL: Gravel	COUNTY: Fremont
INSPECTION TYPE: Preoperation Inspection	INSPECTOR(S): Timothy Cazier, P.E.	INSP. DATE: July 21, 2021	INSP. TIME: 14:30
OPERATOR: Mountain Valley Excavating LLC	OPERATOR REPRESENTATIVE: Ed & Vi Lyons	TYPE OF OPERATION: 110c - Construction Limited Impact	
REASON FOR INSPECTION: Preoperation Inspection	BOND CALCULATION TYPE: Complete Bond	BOND AMOUNT: No Bond Held	
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: U.S.BLM	JOINT INSP. AGENCY: U.S.BLM	
WEATHER: Cloudy	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: November 4, 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>Y</u>	(FN) FINANCIAL WARRANTY-----	<u>Y</u>	(RD) ROADS-----	<u>Y</u>
(HB) HYDROLOGIC BALANCE-----	<u>NA</u>	(BG) BACKFILL & GRADING-----	<u>NA</u>	(EX) EXPLOSIVES-----	<u>NA</u>
(PW) PROCESSING WASTE/TAILING----	<u>NA</u>	(SF) PROCESSING FACILITIES-----	<u>NA</u>	(TS) TOPSOIL-----	<u>Y</u>
(MP) GENL MINE PLAN COMPLIANCE-	<u>NA</u>	(FW) FISH & WILDLIFE-----	<u>NA</u>	(RV) REVEGETATION----	<u>Y</u>
(SM) SIGNS AND MARKERS-----	<u>Y</u>	(SP) STORM WATER MGT PLAN----	<u>N</u>	(RS) RECL PLAN/COMP--	<u>NA</u>
(ES) OVERBURDEN/DEV. WASTE-----	<u>NA</u>	(SC) EROSION/SEDIMENTATION---	<u>Y</u>	(ST) STIPULATIONS-----	<u>Y</u>
(AT) ACID OR TOXIC MATERIALS-----	<u>NA</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 inspection was conducted as a pre-operation inspection by Tim Cazier (DRMS) for a recently approved mine reclamation permit. The Permittee (Mountain Valley Excavating, a.k.a. MVE) was represented by Ed and Vi Lyons during the inspection. Ms. Amber Sanderson (BLM) was also present for the inspection. The SH 69 Gravel Pit is accessed from State Hwy 69 and is located approximately 1.8 miles south of US 50. This is a 110c sand and gravel mine. Operations have not yet begun as the DRMS is awaiting submittal of the financial warranty and the Permittee is pursuing other permits required prior to us and the BLM issuing the respective permits.

Availability of Records: Annual fees are not due until one year after the permit is issued. As the DRMS is awaiting the submittal of the financial warranty, the permit is not yet issued. The approved post-mine land use is recreation. Both the surface and minerals are managed by the BLM.

Financial Warranty: The DRMS is awaiting the submittal of a \$24,022 bond.

Roads: The site was accessed via existing two-track roads (see **Photo 1**) that are not in the permit boundary. MVE has proposed a new, more direct access road from Hwy 69 (see **Photos 2 and 3**).

Right of Entry: The DRMS has discussed the right to enter for both surface and mineral access for this site with the BLM. It is our understanding that the Lyons Quarry NEPA EA has been signed, thereby providing the right of entry to the surface, but that a BLM issued mineral material contract is required prior to any disturbance (including right to enter for mineral access). [MVE must provide the DRMS with a copy of the mineral material contract prior to initiating any disturbance on site.](#)

Revegetation: No noxious weeds were observed.

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

Signs and Markers: The notice was properly posted (see **Photo 4**) at the proposed new entrance.

Permit Stipulations: There are no permit stipulations.

Topsoil: Topsoil in the proposed mine area (see **Photo 5**) was observed to be considerably less than 18 inches as indicated by the soils report submitted with the application.

Structures: No additional structures were observed within 200 feet of the affected area besides those identified and addressed during the permit review process.

Please contact Tim Cazier (303)866-3567 ext. 8169 or email at tim.cazier@state.co.us if you have any questions regarding this report.

PHOTOGRAPHS



Photo 1. Existing two-track road from near NW corner of permit area (looking SW).



Photo 2. Proposed new access from Hwy 69 (looking NW from RR grade near NW permit corner).

PHOTOGRAPHS (cont.)



Photo 3. Proposed new access from Hwy 69 (looking west towards Hwy 69).



Photo 4. Notice at proposed site entrance (looking east).

PHOTOGRAPHS (cont.)



Photo 5. Area to be mined - essentially treed area, note bare soil between grassed and treed areas (looking SE from railroad grade on the NW corner of permit area).

Inspection Contact Address

Ed & Vi Lyons
Mountain Valley Excavating LLC
228 County Road 251
Westcliffe, CO 81252

ec: DRMS file
Amber Sanderson, BLM