




**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> Western Slope Flagstone Quarry No. 2	<b>MINE/PROSPECTING ID#:</b> M-1996-076	<b>MINERAL:</b> Gravel	<b>COUNTY:</b> Mesa
<b>INSPECTION TYPE:</b> Surety-Related Inspection	<b>INSPECTOR(S):</b> Lucas West	<b>INSP. DATE:</b> January 24, 2022	<b>INSP. TIME:</b> 13:55
<b>OPERATOR:</b> Rudolph Fontanari	<b>OPERATOR REPRESENTATIVE:</b> Rudolph and Brett Fontanari	<b>TYPE OF OPERATION:</b> 112c - Construction Regular Operation	
<b>REASON FOR INSPECTION:</b> High Priority	<b>BOND CALCULATION TYPE:</b> None	<b>BOND AMOUNT:</b> \$163,251.00	
<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> January 31, 2022	

**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>N</u>	(FN) FINANCIAL WARRANTY----- <u>N</u>	(RD) ROADS----- <u>Y</u>
(HB) HYDROLOGIC BALANCE----- <u>N</u>	(BG) BACKFILL & GRADING----- <u>Y</u>	(EX) EXPLOSIVES----- <u>N</u>
(PW) PROCESSING WASTE/TAILING---- <u>N</u>	(SF) PROCESSING FACILITIES----- <u>N</u>	(TS) TOPSOIL----- <u>N</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>Y</u>	(FW) FISH & WILDLIFE----- <u>N</u>	(RV) REVEGETATION---- <u>N</u>
(SM) SIGNS AND MARKERS----- <u>N</u>	(SP) STORM WATER MGT PLAN---- <u>N</u>	(RS) RECL PLAN/COMP-- <u>Y</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>N</u>	(SC) EROSION/SEDIMENTATION--- <u>N</u>	(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

## **OBSERVATIONS**

This inspection was conducted in response to the Operator's Request for an evaluation of the affected lands. The request was received on January 11, 2022. The Western Slope Flagstone Quarry No. 2 is an active 112c operation that includes 138.75 permitted acres. The site is located approximately three miles northeast of Palisade, CO and can be accessed from I-70 or Rapid Creek Road. Rudy and Brett Fontanari were present during the inspection. The Division currently holds \$163,251.00 in Financial Warranty for the site, which was previously determined to be insufficient to conduct reclamation of the site. The observations made during this inspection will also be used to update the Reclamation Cost Estimate. Thirteen Photos accompany this report to illustrate the current site conditions.

The main focus of this inspection was to observe the status of the affected lands as they relate to the pending Financial Warranty Calculation. Specifically, the North West Pit located in the Northern Mining Area, the North Irrigation Area and Middle Irrigation Area located to the east of the Middle Mine Area.

**Northern Mining Area:** The Northwest Pit area is located in the northern section of the Permit Area, near where the east access road reaches the top of the Mesa. Utilizing the marked "Topsoil" stockpile located adjacent to the pit, the Operator has mostly backfilled the pit, sloping the pit floor to the north. The backfilled pit floor can be seen in Photo One and Two. Along the west edge of the pit, approximately 50 linear feet of the backfilled area has been graded (sloped) to match the adjacent undisturbed topography. In that 50 foot area additional topdressing will be required to make the slope sufficiently blend and achieve the final grade. This area has been graded at approximately a 3H: 1V slope. This area can be seen in Photo Three. Just south of the blended area, approximately 75 linear feet of the backfill is at a 2H: 1V slope and requires minor grading and blending to achieve the final reclamation topography. This area can be seen in Photo Four. The southwest corner of the pit was left at a near vertical highwall to allow for future mining to proceed to the south. There are two highwalls in this area, one on the south face and one on the west. The south highwall increases from east to west, and ranges in height from 6 feet to 12 feet at its highest point, and is approximately 50 linear feet. The highwall on the west face is approximately 20 feet tall at its highest point, and 30 feet long. The south highwall can be seen in Photo Five, and the west highwall in Photo Six. On site discussions with the Operator indicate that no additional topsoil was placed on the backfilled or sloped areas and no seeding had been done.

Adjacent to the North West Pit, the North Eastern Pit remains in the same condition as previous inspections, no reclamation work has been conducted in the North Eastern Pit Area. Since the labeled topsoil stockpile was used to backfill the North West Pit, material will need to be hauled from the south end of the Permit Area for backfilling and topsoil replacement of the North Eastern Pit.

**Northern Irrigation Area:** In the Northern Irrigation Area, there were a series of five irrigation risers installed on an underground main line that were within the Permit Area. Leading away from the risers in a generally easterly direction were a series of ditches used as water conveyances. All irrigation infrastructure including the main line and risers, north of the #8 riser, as identified by the Division has been removed. The approximate linear foot of main line that was removed is around 1200 feet within the Permit Boundary. Evidence of the removal by way of pipe segments laid on the ground can be seen in Photo Seven. All of the ditches associated with the risers have been backfilled, examples of the backfilled ditches can be seen in Photos Eight and Nine. The footprint of the mainline was observed as it passes through the Permit Area. The

northern reaches of the footprint have been graded, with minimal excess material left on the surface. Approximately 250 – 300 linear feet of the area requires no finish grading or additional dirt work. An example of this area can be seen in Photo Ten. The remaining 900 – 950 linear feet of the footprint of the mainline has resulted in backfill material and large rocks remaining on the surface. The approximate depth of this material ranges from 6 to 18 inches deep moving from the north to the south of the footprint. This area can be seen in Photo Eleven. On site discussions with the Operator indicate the rocky material will be pushed from its current location, to the west, to create a small berm along the edge of the mesa. The remaining work to be done in the Top Mesa Area includes pushing the material to create the berm, finish grading of the footprint of the irrigation mainline and seeding of the appropriate areas.

**Middle Irrigation Area:** In the Middle Irrigation Area, a series of 12 irrigation risers supported by an underground main line were installed, 7 of those risers being within the Permit Area to be removed. As of the date of the inspection, all 12 risers and the main line have been removed. The main line was estimated at 1800 linear feet. The footprint of the main line has been backfilled and rough graded. Photo Twelve shows an example of the southern reaches of the main line footprint. Photo Thirteen shows an example of the northern reaches of the main line footprint. Discussions with the Operator indicate that the remaining reclamation to be conducted in this area is final grading, disking of the disturbed area, seeding and mulching.

**Conclusion:** Based on the observations made during this inspection, the Operator has completed approximately 85% of the required work. The remaining tasks that need to be conducted are per the stipulated agreement; 1) Finish grading of the slopes on the western pit of the Northern Mining Area, 2) Seeding of the western pit of the Northern Mining Area slopes, 3) Finish grading the main distribution line footprint of the Northern Irrigation Area, 4) Topsoil placement on the main line footprint of the Northern Irrigation Area, 5) Disking and/or ripping of the backfilled area on the Northern Irrigation Area to sufficiently grade and roughen soils for seedbed preparation, 6) Seeding all of affected areas within the Northern Irrigation Area 7) Finish grading of the main line footprint in the Middle Irrigation Area, 8) Disking and/or ripping the affected areas of the Middle Irrigation Area, 9) Topsoil placement of all affected areas within the Middle Irrigation Area and 10) Seeding of those areas within Middle Irrigation Area.

The main pit, scale house area and support area of the site were not observed during this inspection. Of the inspected areas, the site was in good condition and free from excessive trash and debris. All backfilled areas showed no immediate signs of settling or slumping, and no evidence of significant erosion was noted.

All responses to this report should be directed to Lucas West at the Colorado Division of Reclamation, Mining and Safety at Room 215, 1001 E 62nd Ave, Denver, CO 80216. Direct contact can be made at the Division's Grand Junction Field Office, by phone at 303-866-3567 Ext. 8187 or by email at [lucas.west@state.co.us](mailto:lucas.west@state.co.us).

## **PHOTOGRAPHS**



Photo One: View south, showing the backfilled area of the West Pit. The pit was backfilled with an adjacent stockpile that was labeled as "Topsoil".

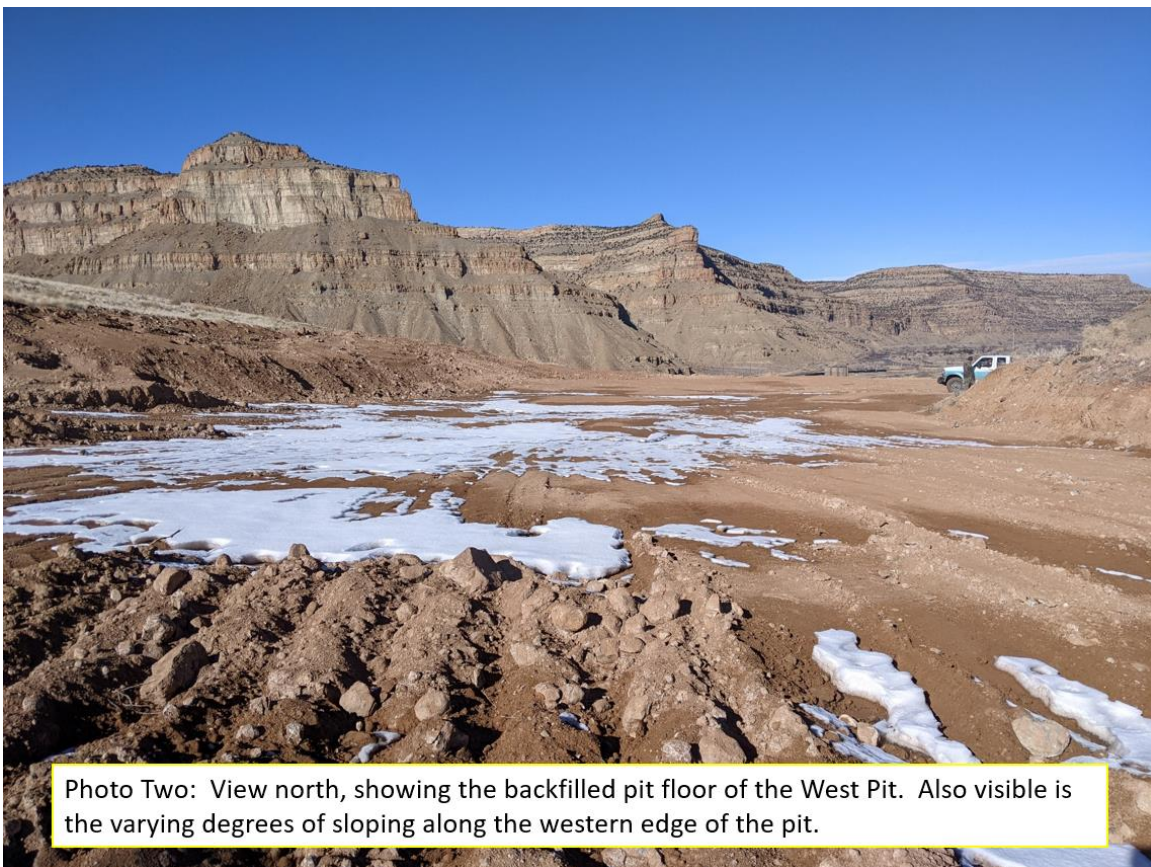


Photo Two: View north, showing the backfilled pit floor of the West Pit. Also visible is the varying degrees of sloping along the western edge of the pit.



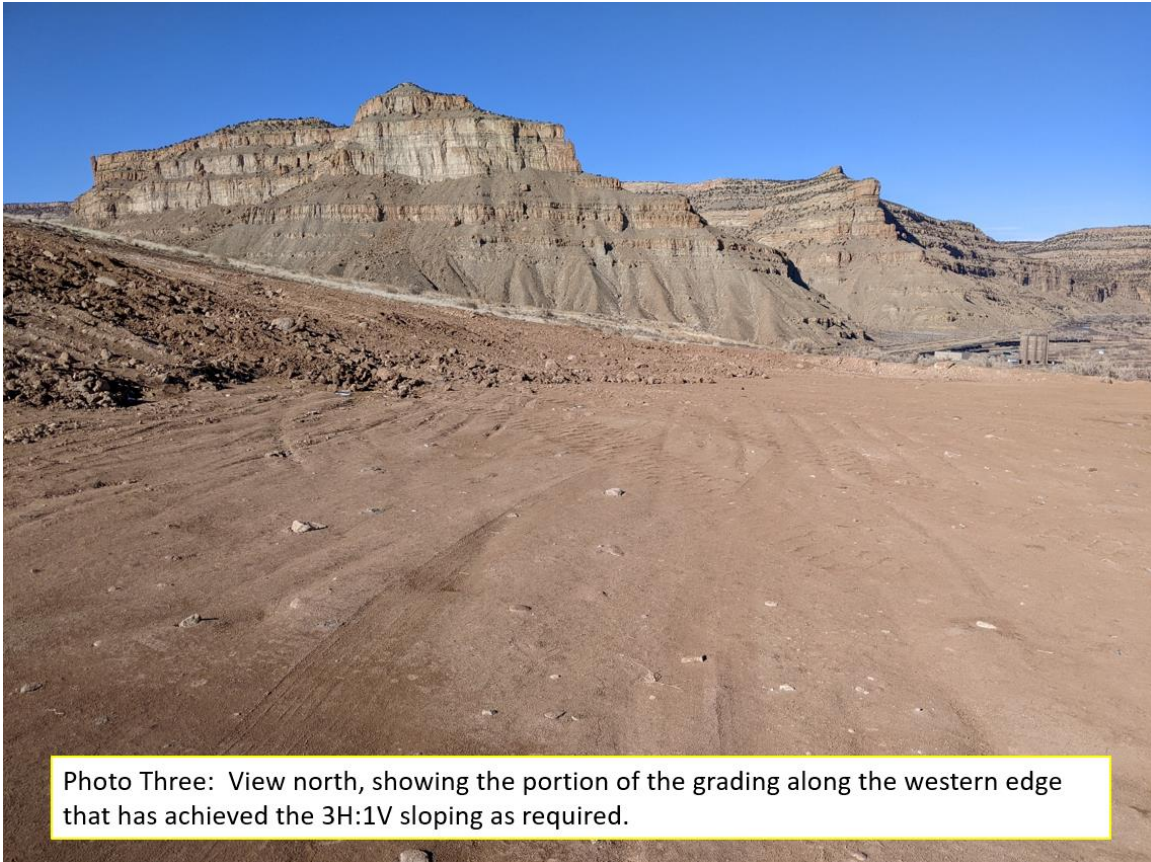


Photo Three: View north, showing the portion of the grading along the western edge that has achieved the 3H:1V sloping as required.



Photo Four: View southwest, showing the area along the west edge of the West Pit Area that has been graded to approximately a 2H:1V. This area requires finish grading prior to topsoil placement and seeding.









Photo Seven: View north, showing evidence of irrigation infrastructure removal on the Top Mesa Area. This pipe is scattered along the entire footprint and should be disposed of.

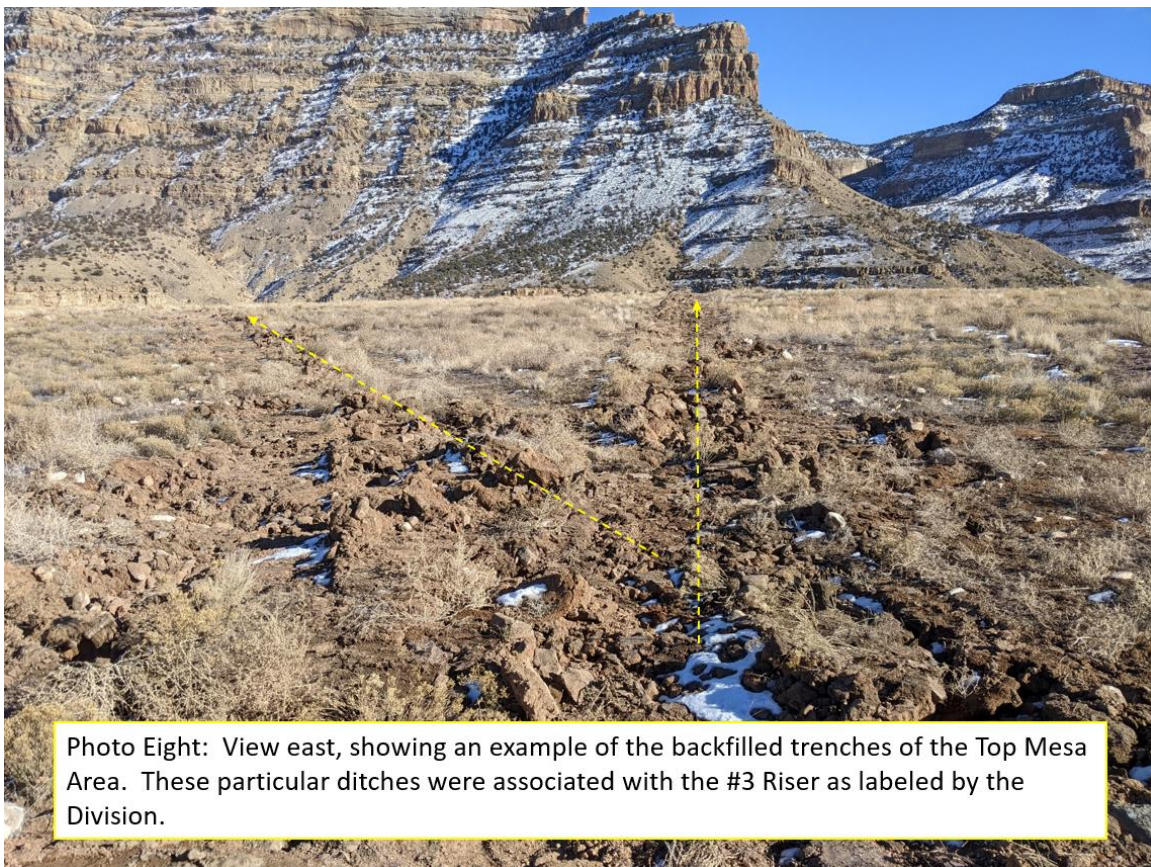


Photo Eight: View east, showing an example of the backfilled trenches of the Top Mesa Area. These particular ditches were associated with the #3 Riser as labeled by the Division.





Photo Nine: View east, showing another example of the backfilled trenches, associated with the #5 riser as labeled by the Division.



Photo Ten: View southwest, showing the northern reaches of the main line footprint located in the Top Mesa Area. This area only requires discing or grading prior to seeding.



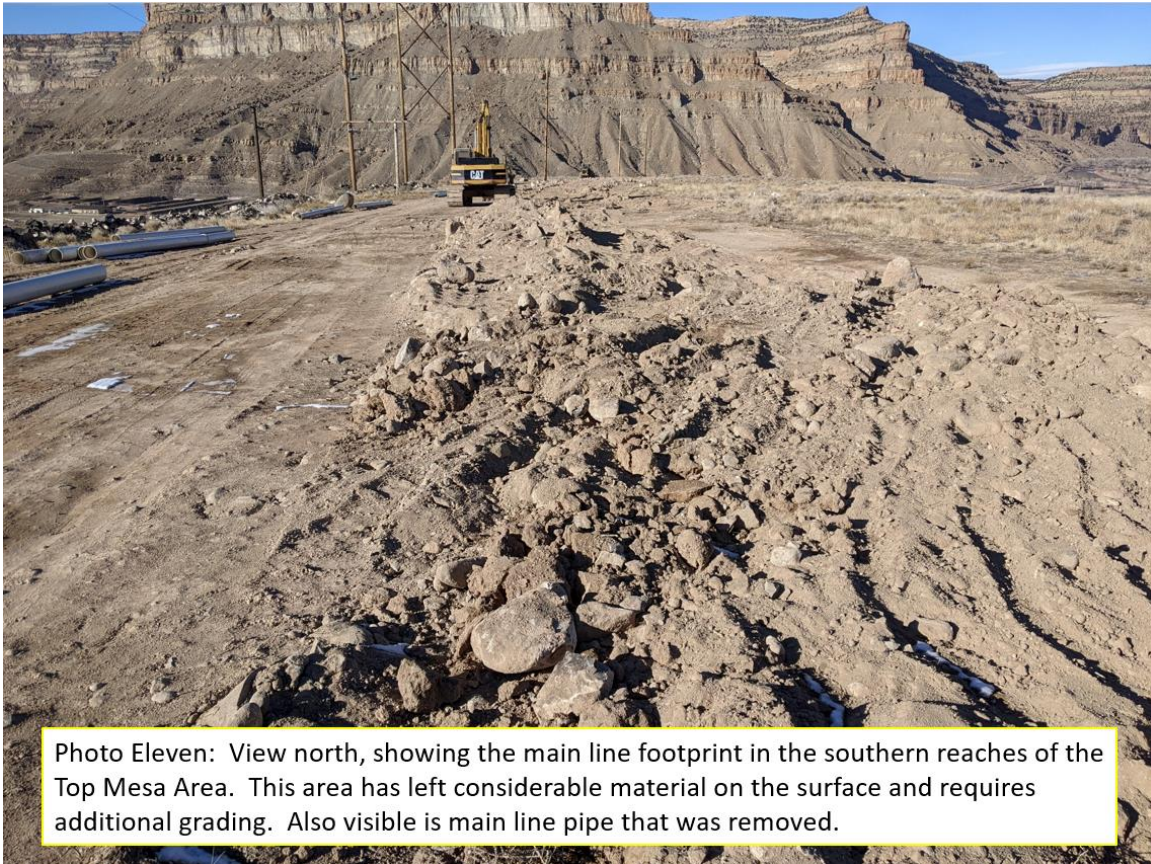






Photo Thirteen: View north, showing the northern reaches of the mainline footprint in the Middle Mine Area. Conversations with the Operator indicate that Finish grading, discing or ripping, topsoil placement and seeding remains for the entire mainline footprint.

**Inspection Contact Address**

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