




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: OakBrush Hill Gravel	MINE/PROSPECTING ID#: M-2021-064	MINERAL: Aggregate, gravel and sand	COUNTY: Archuleta
INSPECTION TYPE: Monitoring	INSPECTOR(S): Lucas West	INSP. DATE: January 25, 2022	INSP. TIME: 11:50
OPERATOR: C & J Gravel Products, Inc.	OPERATOR REPRESENTATIVE: Hank Boeschert	TYPE OF OPERATION: 112c - Construction Regular Operation	
REASON FOR INSPECTION: Citizen Complaint	BOND CALCULATION TYPE: None	BOND AMOUNT: No Bond Held	
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None	
WEATHER: Clear	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: February 9, 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>N</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>N</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>N</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>Y</u>	

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

OBSERVATIONS

This inspection was conducted by the Colorado Division of Reclamation, Mining and Safety (Division) in response to several public complaints. The site is known as the Oakbrush Hill Gravel Pit, and currently has a Permit Application for a 112(c) Reclamation Permit under review by this office. The site is located approximately 3.8 Miles North of Pagosa Springs, CO just off Piedra Road (CR600), and lies entirely on private property. No Financial Warranty has been set for the site due to the application being under review and a decision has not been rendered. Nine photos accompany this report to illustrate the current site conditions.

Between January 20 and 21, 2022 the Division received a total of 3 citizen complaints alleging that mining operations had commenced prior to a permit being issued and that material was leaving the property. The applicant had been given permission to begin excavating and processing for private use on the property as detailed in the enclosed email, dated July 30, 2021. Authorization for excavation and processing of gravel for private use was also granted by Archuleta County. On Friday January 21, 2022, in response to the complaints, the Division contacted the applicant and gave them a verbal Cease and Desist until such time as the investigation could be conducted. The Division inspection was conducted on Tuesday January 25, 2022. As listed on Page One of this report, Hank Boeschert of C & J Gravel Products, Inc. was present and represented the Applicant. Also present was Nathan and Gareth Barton of Wasteline Inc., a consultant for the Applicant.

Access to the site is a locked gate off Piedra Road providing access to the private property. The entrance area can be seen in Photo One. The access road leads approximately 2,500 feet into the property leading to the area of excavation. Evidence of material being placed on the road to mitigate muddy conditions was observed, and examples can be seen in Photos Two and Three. During the inspection, conversations with the Applicant confirm that approximately 600 tons of material had been laid on the road, using the front end loader on site. No Dump or haul trucks were used in this activity. Evidence of dump or haul truck traffic was not observed on the road. All tracks observed appear to be from standard sized pickup trucks. The proper notice signs for the pending application were posted on the gate, at the entrance to the site as is required for the application process. The access road winds along the base of the ridge, turning south leading to the area of excavation.

The area of excavation was observed, but was not active at the time of the inspection in accordance with the verbal Cease and Desist given to the Applicant. An aerial image of the whole area can be seen in Photo Four. Equipment present included an excavator, front end loader, crusher with conveyors and stackers, support trailers including a self-contained diesel gen-set, skid steer and other equipment. Examples of the equipment present can be seen in Photos Five and Six. The area being excavated is currently a small footprint, containing two "benches" referred to as the upper and lower highwalls respectively. The highwalls are approximately 20 feet tall, with a length of approximately 60 linear feet in a general crescent shape. The area of excavation can be seen in Photos Seven and Eight. The highwalls appeared stable at the time of the inspection and no evidence of settling, slumping or erosion was noted. Just up gradient from the highwall, native soil material has been stripped back and stockpiled. The stockpiles were covered in snow, but appeared stable and in good condition at the time of the inspection. A larger area of approximately 2-3 acres had trees and vegetation removed in preparation for excavation. The harvested trees have been stockpiled on the property for later use. Evidence of wildlife traffic was observed by way of tracks in the snow of the area that has been cleared.

The crusher area was orderly, and free from trash and debris. The conveyors and stackers lead to a large stockpile of crushed three inch material. Based on visual observations and conversations with the Applicant the estimated volume of material crushed is approximately 15,000 tons. The stockpile can be seen in Photo Nine. The volume of stockpiled material appeared to be consistent with the void volume of the area of excavation. The stockpile appeared stable at the time of the inspection and was in good condition. The pit floor contained some standing water from melting snow, and no evidence of groundwater, seeps or springs being encountered was noted.

Based on the observations made during this inspection such as the lack of evidence of dump or haul truck traffic, volumetric estimations of the stockpile matching the area of excavation and general condition of the site, the Division has determined that no material left the property. The Applicant is operating in accordance with their approvals granted from the Division as well as Archuleta County. The complaints received appear to be inaccurate. Verbal approval to continue excavation and crushing operations were granted to the Applicant at the conclusion of this inspection, and affirmation was provided that no material may leave the site until such time as a decision is rendered for the pending Application, file number M-2021-064, and a permit is issued by the Division. Also, during the inspection, several loaded gravel trucks, not associated with this project were observed on Piedra Road heading northbound to an unrelated construction site located north of the property.

All responses to this report should be directed to Lucas West at the Colorado Division of Reclamation, Mining and Safety's Active Mines Program at Room DRMS, 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.

Inspection Contact Address

Hank Boeschert
C & J Gravel Products, Inc.
27661 Highway 160-E
Durango, CO 81301

Enclosure: Email Correspondence, 7/30/2021

CC: Travis Marshall, DRMS
Dustin Czapla, DRMS
John Gilliland, C & J Gravel Products, Inc.
Cesar Valenzuela, C & J Gravel Products, Inc.
Nathan Barton, Wasteline, Inc.
Gareth Barton, Wasteline, Inc.

PHOTOGRAPHS



Photo One: View northeast, showing the gate and entrance area of the private road just off Piedra Road. Also visible is the Notice of County Planning Hearing posted on the gate.



Photo Two: View northeast, showing the lower reaches of the access road. Evidence of application of crushed rock can be seen, however no evidence of dump or haul truck traffic was observed.







Photo Seven: View southwest, showing the lower highwall within the area of excavation. This highwall is approximately 20 feet tall and 40 linear feet long. The lower highwall appeared stable at the time of the inspection.



Photo Eight: View west, showing the upper highwall of the area of excavation. This highwall is also approximately 20 feet tall, with approximately 60 linear feet exposed. The upper highwall was also stable at the time of the inspection.

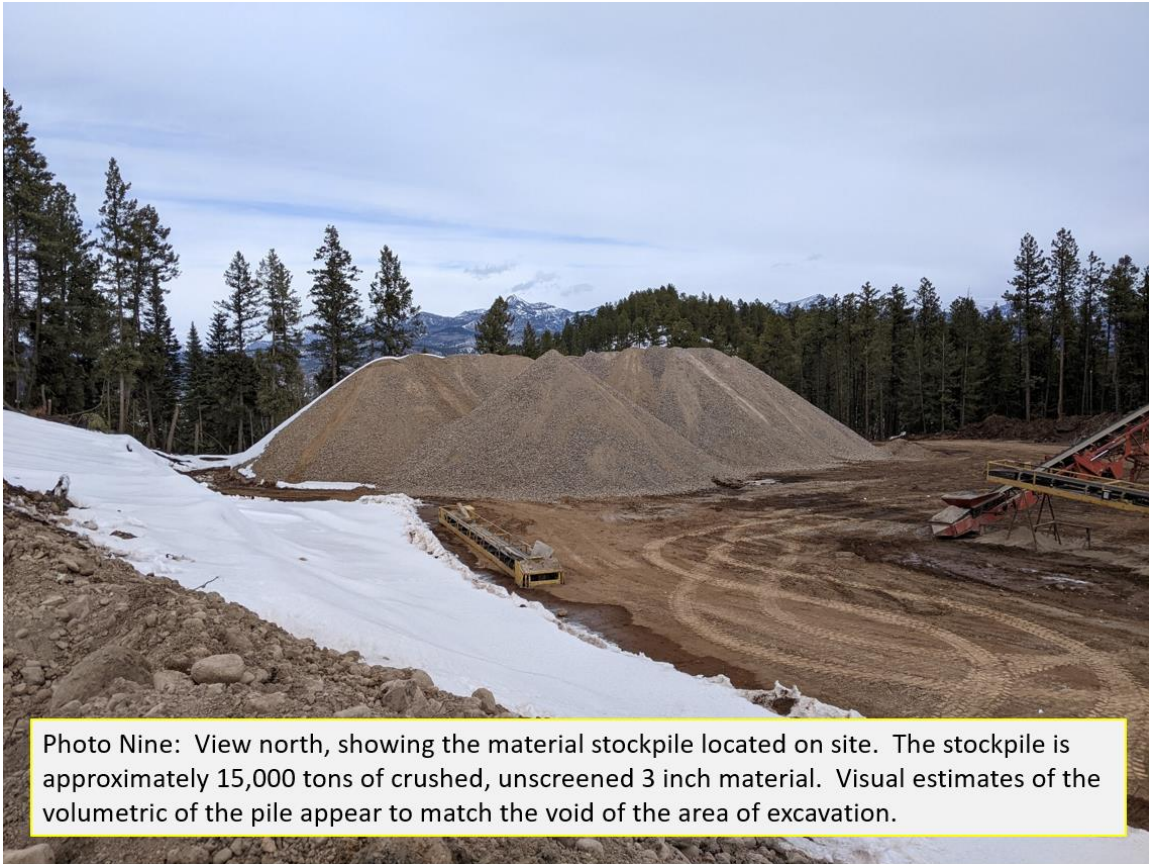


Photo Nine: View north, showing the material stockpile located on site. The stockpile is approximately 15,000 tons of crushed, unscreened 3 inch material. Visual estimates of the volumetric of the pile appear to match the void of the area of excavation.

STATE OF
COLORADO

West - DNR, Lucas <lucas.west@state.co.us>

Dutton Ranch construction materials operation

5 messages

Wasteline Four Corners <wasteline.84532@gmail.com>

Fri, Jul 30, 2021 at 9:05 PM

To: pflowers@archuletacounty.org

Cc: John Gilleland <johnnyg@cjgravel.com>, Lucas West - DNR <lucas.west@state.co.us>, nbarton@wastelineinc.net, wasteline.81321@gmail.com

Please find attached the letter providing information on the proposed excavation and processing of construction materials for internal ranch use on the Dutton Ranch.

Please let me know if you have any questions.

Nathan

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Deborah A Barton, Executive Officer, MOLO, CBA

Nathan A Barton, Comptroller and Engineering Manager, CE, PE, DEE

WASTELINE, INC.

PO Box 88, Cortez, CO 81321-0088 (970) 564-1380

PO Box 3471, Rapid City, SD 57709-3471 (605) 348-0244

Email: nbarton@wastelineinc.net, wasteline.84532@gmail.com

Environmental engineering services in the Four Corners, the Dakotas, Wyoming, the Eastern Plains and elsewhere.

Air quality, water quality, land quality (including mining and site planning), solid waste, hazardous materials/wastes, emergency response, quality assurance and management assistance for environmental compliance, NEPA/ASTM environmental assessments, and training in environmental protection, safety and health (MSHA/OSHA)

2 attachments**2021-0730 Dutton Ranch Archuleta County.pdf**

451K

**Att 1 Dutton Ranch LOA.pdf**

63K

West - DNR, Lucas <lucas.west@state.co.us>

Mon, Aug 2, 2021 at 9:21 AM

To: Wasteline Four Corners <wasteline.84532@gmail.com>

Cc: pflowers@archuletacounty.org, John Gilleland <johnnyg@cjgravel.com>, nbarton@wastelineinc.net, wasteline.81321@gmail.com

Nathan,

Thanks for sending this over, as I have discussed with you and John the internal pit operations to serve the ranch will not require a permit through the Division so you are all clear to get started! I will be watching for the 112c application to come in when you are ready and we can go through the process and get it permitted for commercial sales. Let me know if you need anything else from the Division but at this time you are good to go. Thanks again,

Lucas

Lucas West

Environmental Protection Specialist

Minerals Program, Grand Junction Field Office



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

P 303.866.3567 Ext. 8187 | F 970.241.1516 | C 303.919.2997

101 S. 3rd St., Suite 301, Grand Junction, CO 81501

lucas.west@state.co.us | <https://drms.colorado.gov/>

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Pamela Flowers <pFlowers@archuletacounty.org>

Tue, Aug 3, 2021 at 10:38 AM

To: Wasteline Four Corners <wasteline.84532@gmail.com>

Cc: John Gilleland <johnnyg@cjgravel.com>, Lucas West - DNR <lucas.west@state.co.us>, "nbarton@wastelineinc.net" <nbarton@wastelineinc.net>, "wasteline.81321@gmail.com" <wasteline.81321@gmail.com>

Attached is the Determination Letter regarding your request for gravel operations on the Dutton Ranch.

Let me know if you have any further questions on this project.

PAMELA S. FLOWERS

Development Director

Archuleta County Development Services

1122 HWY 84 | PO Box 1507

Pagosa Springs, CO 81147

P (970) 264-8381 | F (970) 264-3338

www.archuletacounty.org

All communication to and from this e-mail address may be subject to public disclosure in accordance with the Colorado Open Records Act C.R.S. 24-72-201.

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Dutton Ranch Gravel Determination Letter, Parcel 569906100003, 210803.pdf
150K

Wasteline Four Corners <wasteline.84532@gmail.com>

Tue, Aug 3, 2021 at 11:46 AM

To: Pamela Flowers <pFlowers@archuletacounty.org>

Cc: John Gilleland <johnnyg@cjgravel.com>, Lucas West - DNR <lucas.west@state.co.us>, "nbarton@wastelineinc.net" <nbarton@wastelineinc.net>, "wasteline.81321@gmail.com" <wasteline.81321@gmail.com>

Thank you! We will start on the CUP application as soon as we get the application package from you. I assume it can all be sent to me electronically.

Nathan

[Quoted text hidden]

Wasteline Four Corners <wasteline.84532@gmail.com>

Tue, Aug 3, 2021 at 11:47 AM

To: John Gilleland <johnnyg@cjgravel.com>, Hank Boschert <hankthetank365@yahoo.com>, Cesar Valenzuela <cesar@cjgravel.com>, Lucas West - DNR <lucas.west@state.co.us>, Beth Ochsenreiter <Beth@cjgravel.com>

Good to go! We need to be sure and keep track of hours and tons and locations.

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Dutton Ranch Gravel Determination Letter, Parcel 569906100003, 210803.pdf

150K