




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: Nyholt Pit (aka Mann)	MINE/PROSPECTING ID#: M-1982-147	MINERAL: Sand and gravel	COUNTY: Adams
INSPECTION TYPE: Monitoring	INSPECTOR(S): Patrick Lennberg	INSP. DATE: March 3, 2022	INSP. TIME: 11:00
OPERATOR: Adams County	OPERATOR REPRESENTATIVE: Marc Pedrucci and Don Summers	TYPE OF OPERATION: 112c - Construction Regular Operation	

REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: None	BOND AMOUNT: \$0.00
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
WEATHER: Clear	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: March 16, 2022

The following inspection topics were identified as having Problems or Possible Violations. OPERATORS SHOULD READ THE FOLLOWING PAGES CAREFULLY IN ORDER TO ASSURE COMPLIANCE WITH THE TERMS OF THE PERMIT AND APPLICABLE RULES AND REGULATIONS. If a Possible Violation is indicated, you will be notified under separate cover as to when the Mined Land Reclamation Board will consider possible enforcement action.

INSPECTION TOPIC: Mine Sign

PROBLEM: The mine identification sign was not posted at the entrance of the mine site. 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, at the entrance of the mine site, post a sign which shall be clearly visible from the access road 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. The operator shall submit photo documentation that a proper sign has been posted by the corrective action date.

CORRECTIVE ACTION DUE DATE: 4/30/22

OBSERVATIONS

The Nyholt Pit (aka Mann Lakes) was inspected by Patrick Lennberg and Nikie Gagnon with the Division of Reclamation, Mining and Safety (Division/DRMS). The inspection was completed as part of the Division's routine monitoring inspection program. The site was previously inspected by the Division on August 17, 2018 as part of Acreage Reduction Request (AR-2). A representative from Adams County, Permittee, Marc Pedrucci and a representative from the Operator, Todd Creek Village Metropolitan District (Todd Creek), Don Summers accompanied us during the inspection. Miles Buescher with Adams County also was present during the inspection. The weather was sunny.

The Nyholt Pit is a 112c operation that is permitted for 258.07 acres with 257.4 acres approved to be affected. The permit is on property owned by Adams County and is located in Adams County. The site entrance is located approximately 0.7 miles north from the intersection of 120th Ave and Park Blvd along the east side of Park Blvd. The approved post-mining land use a combination of developed water resources and recreation. A mine sign was not posted at the mine entrance pursuant to Rule 3.1.12 and has been cited as a problem in this report.

The mine was not active at the time of inspection. The site consists of three water resource ponds and a public trail system around the perimeter of the lakes. Currently, two of the three lakes, Lakes 2 and 3, are full and functioning as designed. Lake 1 is not yet complete. The Operator indicated there was a slope failure in the northeast corner of the reservoir that still requires repair and there is to be additional rip-rap placement along the shoreline for erosion control. The slope failure was due to contractor negligence but the slurry wall was not compromised. The Operator stated repairs would be made later this year along with the addition of permanent pumping infrastructure to regulate the lake level. All three Lakes have passed leak testing with DWR with the most recent approval for Lake 1 coming in 2015. If the Operator performs another leak test and receives approval, a copy of the approval letter should be forwarded to the Division to include into the permit file.

As noted above a mine sign was not posted at the primary mine entrance. The primary mine entrance leads to stockpile area located between Lakes 1 and 3. The area is being utilized by both Todd Creek and Adams County to store stockpiles of various material from both onsite and off-site sources. It is the intent of both the Operator and Permittee to reclaim the area when the repairs are completed, spread topsoil/growth medium and seed the area.

During the inspection the Division recommended the Permittee seek release reclaimed areas around and including Lake 2 and Lake 3. Release of the areas could be accomplished by submitting an Acreage Reduction, attached, for the areas. After release the remaining permit area would include the stockpile area and Lake 1.

The Division currently holds no financial warranty because it is a county operation.

Photographs taken during the inspection are attached.

Please contact Patrick Lennberg (303)866-3567 ext. 8114 or email at patrick.lennberg@state.co.us if you have any questions regarding this report.

Inspection Contact Address

Marc Pedrucci
Adams County
9755 Henderson Rd.
Brighton, CO 80601

Attachment: Mineral Release Request Form

cc: Jared Ebert, DRMS
Nikie Gagnon, DRMS

ec: Marc Pedrucci, Adams County, MPedrucci@adcogov.org
Miles Buescher, Adams County, MBuescher@adcogov.org

PHOTOGRAPHS



Photo 1: Looking west across the north end of Lake 1, slope failure center foreground of photo



Photo 2: Looking southwest at the slope failure



Photo 3: Looking north across the slope failure, repairs due to begin later this year



Photo 4: Looking southwest across Lake 1



Photo 5: Looking at the southern end of Lake 1



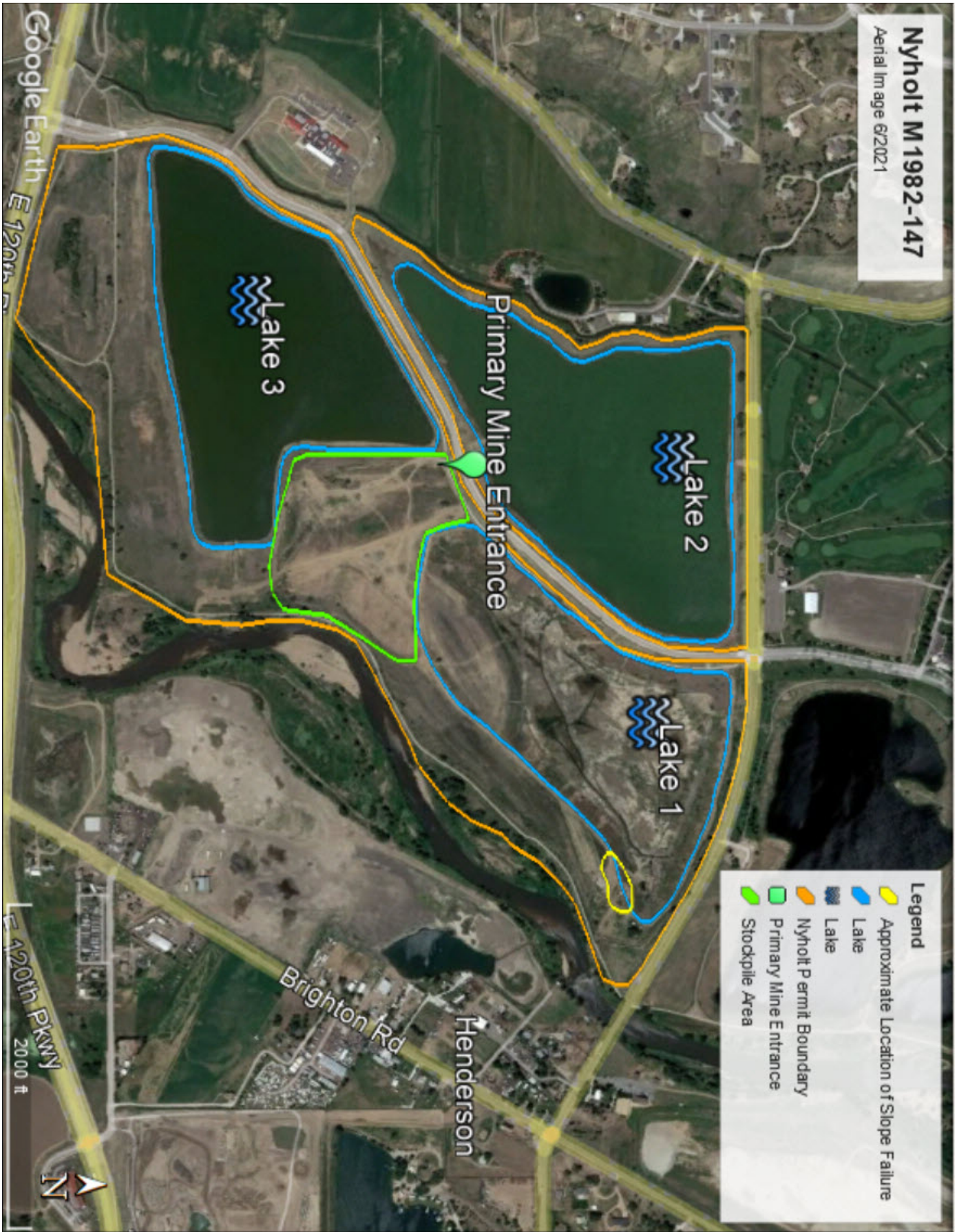
Photo 6: Stockpiles in the stockpile area



Photo 7: Stockpiles in the stockpile area



Photo 8: Stockpiles in the stockpile area



GENERAL INSPECTION TOPICS

The following list identifies the environmental and permit parameters inspected and gives a categorical evaluation of each

(AR) RECORDS----- <u>N</u>	(FN) FINANCIAL WARRANTY----- <u>N</u>	(RD) ROADS----- <u>Y</u>
(HB) HYDROLOGIC BALANCE----- <u>Y</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>Y</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>Y</u>	(FW) FISH & WILDLIFE----- <u>N</u>	(RV) REVEGETATION---- <u>Y</u>
(SM) SIGNS AND MARKERS----- <u>PB</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

Attachments



COLORADO

**Division of Reclamation,
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

REQUEST FOR FULL OR PARTIAL RELEASE OF PERMIT AREA/SURETY REDUCTION

Please indicate if you are requesting:

FULL/FINAL RELEASE OF ENTIRE PERMITTED AREA (per Rule 4.17)

ACREAGE REDUCTION (PARTIAL RELEASE per Rule 4.17)

I wish to release _____ acres at this time.

You will need to submit with this request: a map showing the acreage to be released from the current permit and updated mining and reclamation plan maps that will accurately depict the new permit boundary if the release is approved.

SURETY (Bond) REDUCTION (per Rule 4.14)

If you are requesting a surety (bond) reduction you will need to include with this request a new estimate of the actual cost to reclaim the site based on what it would cost an independent contractor to complete reclamation, including unit costs for reclamation activities as appropriate to the operation to comply with the provisions of Rule 3.1 and the Permit's approved Reclamation Plan.

File No.: M _____

Site Name: _____

County: _____

Permittee: _____

Permittee Address: _____
(Street Address)

(City) (State) (Zip)



Operator (If Other than Permittee): _____

Permittee Representative: _____

Certified Mail # _____

In accordance with Rule 4.17.1(2) the Operator shall include the names, addresses and phone numbers of all owners of record to the affected land. Please attach additional sheets for this information if required.

<u>Name</u>	<u>Address</u>	<u>Phone Number</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

In accordance with Rule 4.17.1(4), if requesting a partial acreage release the Operator or their agent MUST sign that they have complied with the following statement: “All applicable portions of the Reclamation Plan requirements have been satisfied in accordance with these Rules and all applicable requirements under the Act.”

Signature of Permittee, Operator or their authorized agent Date

Important: In accordance with Rules 4.14.2(a) and 4.17.1(3) This release request must be submitted to the Division via certified mail and separate from any other correspondence to the Division.