




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: Miller Gravel Pit	MINE/PROSPECTING ID#: M-1982-112	MINERAL: Sand and gravel	COUNTY: Elbert
INSPECTION TYPE: Monitoring	INSPECTOR(S): Amy Eschberger	INSP. DATE: March 24, 2022	INSP. TIME: 10:00
OPERATOR: Schmidt Construction Company	OPERATOR REPRESENTATIVE: Mark Heifner	TYPE OF OPERATION: 112c - Construction Regular Operation	
REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: Partial Bond	BOND AMOUNT: \$146,646.00	
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None	
WEATHER: Clear	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: April 18, 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>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>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>N</u>
(SM) SIGNS AND MARKERS----- <u>Y</u>	(SP) STORM WATER MGT PLAN---- <u>Y</u>	(RS) RECL PLAN/COMP-- <u>Y</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>N</u>	(SC) EROSION/SEDIMENTATION--- <u>Y</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 was a courtesy inspection of the Miller Gravel Pit (Permit No. M-1982-112) conducted by Amy Eschberger of the Division of Reclamation, Mining and Safety to assess reclamation completed at the site. The site is located approximately 13 miles north of Elizabeth, CO in Elbert County. The site can be accessed from the west via Hunt Circle, which intersects Co Rd 21. The site can also be accessed from the south via Co Rd 174. It should be noted, the southern permit boundary of this site is located directly adjacent to a 110c permit called the Big R Pit (Permit No. M-1988-052), which is operated by Colorado Farms LLC. The operator was represented during the inspection by Mark Heifner. **Photos 1-22** taken during the inspection are included with this report.

This is a 112c operation permitted for 69.2 acres to mine sand and gravel (see enclosed Google Earth image of site). In December 2018, the landowner at the time, Colorado Farms LLC decided not to renew the mining lease and allowed the operator continued right of entry only for reclamation activities. Therefore, no mining activities have occurred since that time. The operator continued selling off stockpiled material and removing equipment through 2019/2020. The site has been in final reclamation since 2020.

The approved post-mining land use for the site is rangeland. The approved reclamation plan calls for grading all disturbed slopes to 3H:1V or flatter, replacing a minimum depth of 6 inches of topsoil on disturbed land, and revegetating the land with two separate seed mixes, one for the pit floor (alfalfa and western wheatgrass) and one for pit slopes (alfalfa, cicer milkvetch, western wheatgrass, streambank wheatgrass, and green needlegrass). The private dirt road that crosses the permit area will be relocated during mining, and will remain after reclamation for use by the landowner. Any fences located within the permit area will be removed or relocated as needed during mining and reclamation.

During the Division's last inspection of the site, conducted on February 3, 2021, final reclamation was underway. The processing plant and all product stockpiles had been removed from the pit floor, and the disturbed area was being graded and retopsoiled. A large topsoil stockpile still remained in the northern portion of the site. The operator had begun backfilling the wash pond located at the northwestern edge of the permit area. At the time, the operator had hoped to complete all earthwork by the end of March 2021 and to seed the site that spring.

During the current inspection, all reclamation earthwork was completed. All disturbed slopes have been backfilled and graded to 3H:1V or flatter and all disturbed lands have been retopsoiled. The wash pond has been completely backfilled, eliminating the need for permanent augmentation. The Division observed the eastern edge of the permit area where a low-lying area in which the realigned access road passes through was brought up to a higher grade in order to prevent future flooding of this area. According to the operator, all reclamation earthwork was completed in Fall of 2021. The initial seeding was not completed at that time due to the dry conditions. Therefore, the operator intends to seed the site in early April of this year. Some annual weeds (primarily wild sunflowers) are volunteering into the southern portion of the disturbed area. No significant erosion issues were observed, just some minor rilling along the southern pit slopes. The previously reclaimed eastern portion of the southern pit wall now has a good establishment of grasses.

The operator has done a great job with the reclamation grading. As revegetation efforts are underway, the operator should continue to monitor the site and address any erosion or weed issues that might arise during this period. The site will be eligible for release once the land has been revegetated in such a way as to establish a diverse, effective, and long-lasting vegetative cover that is capable of self-regeneration without continued dependence on irrigation, soil amendments or fertilizer, and is at least equal in extent of cover to the natural vegetation of the surrounding area in accordance with Rule 3.1.10(1).

The Division estimates a total of 43.7 acres have been disturbed by the operation. The southeastern portion of the site, approximately 19 acres in size, was never mined by the operation. This area continues to be used by the landowner for storage of various equipment and materials. Because the operator did not disturb this area, it does not require reclamation. The remaining 6.5 acres within the permit area (69.2 acres – 43.7 acres – 19 acres) consist of the access road and peripheral undisturbed areas.

The required financial warranty for this site was increased to \$146,646.00 in 2017 to cover approximately 64 acres of disturbance. Given the significant amount of reclamation work completed at the site since that time, the currently held financial warranty is considered sufficient for completing reclamation of the site in accordance with the approved reclamation plan. Currently, the only reclamation work remaining is revegetation of the disturbed lands.

It should be noted, the Division was informed by Peter Veillon on January 25, 2022 that his company, Lakeport CF, LLC took title to the property on December 31, 2020 and are the current legal owners of the affected lands. While the operator had not been notified of this change in ownership, after being informed of such by the Division, they were able to secure an access agreement with the new landowner. A copy of this agreement was provided to the Division on March 16, 2022. Therefore, this issue was resolved prior to the inspection.

This concludes the report.

Any questions or comments regarding this inspection report should be forwarded to Amy Eschberger at the Colorado Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203, via telephone at 303-866-3567, ext. 8129, or via email at amy.eschberger@state.co.us.

PHOTOGRAPHS



Photo 1. View looking north across northern portion of disturbed area which has been graded and retopsoiled. This area will be seeded this spring.



Photo 2. View looking northeast across northern portion of disturbed area which has been graded and retopsoiled. This area will be seeded this spring.



Photo 3. View looking east across northern slope of disturbed area which has been graded to 3H:1V or flatter and retopsoiled. This area will be seeded this spring.



Photo 4. View looking west across northern slope of disturbed area which has been graded to 3H:1V or flatter and retopsoiled. This area will be seeded this spring.



Photo 5. View looking southwest across northern portion of disturbed where wash pond has been backfilled and the area graded and retopsoiled. This area will be seeded this spring.



Photo 6. View looking southeast across eastern edge of disturbed area that was raised to prevent future flooding of the realigned access road. This area (besides the access road) was retopsoiled and will be seeded this spring.



Photo 7. View looking north across eastern edge of disturbed area that was raised to prevent future flooding of the realigned access road. This area (besides the access road) was retopsoiled and will be seeded this spring.



Photo 8. View looking south/southeast at realigned access road (resurfaced with crushed asphalt) which will remain for reclamation.



Photo 9. View looking south across southern portion of disturbed area which has been graded and retopsoiled, and will be seeded this spring. Note reclaimed eastern portion of southern pit wall (in foreground) with good grass establishment.



Photo 10. View looking southwest across reclaimed eastern portion of southern pit wall with good grass establishment.



Photo 11. View looking northeast across central portion of southern pit wall which has been graded to 3H:1V or flatter and retopsoiled. This area will be seeded this spring.



Photo 12. View looking north across southern portion of disturbed area which has been graded and retopsoiled. This area will be seeded this spring.



Photo 13. View looking southwest across central portion of southern pit wall which has been graded to 3H:1V or flatter and retopsoiled. This area will be seeded this spring.



Photo 14. View looking northwest across southern portion of disturbed area which has been graded and retopsoiled. This area will be seeded this spring. Note annual weeds volunteering into this area.



Photo 15. View looking southwest across western portion of southern pit wall which has been graded to 3H:1V or flatter and retopsoiled. This area will be seeded this spring.



Photo 16. View looking east across southwestern corner of southern pit wall which has been graded to 3H:1V or flatter and retopsoiled. This area will be seeded this spring.



Photo 17. View looking south across western pit wall which has been graded to 3H:1V or flatter and retopsoiled. This area will be seeded this spring. Note annual weeds volunteering into this area.



Photo 18. View looking east across western pit wall which has been graded to 3H:1V or flatter and retopsoiled. This area will be seeded this spring. Note annual weeds volunteering into this area.



Photo 19. View looking southeast across western pit wall which has been graded to 3H:1V or flatter and retopsoiled. This area will be seeded this spring. Note annual weeds volunteering into this area.



Photo 20. View looking southeast across southern portion of disturbed area which has been graded and retopsoiled. This area will be seeded this spring.



Photo 21. View looking south across landowner's storage area located south of pit which was not disturbed by operation, and therefore, will not be reclaimed.



Photo 22. View looking southeast across landowner's storage area located south of pit which was not disturbed by operation, and therefore, will not be reclaimed.

Inspection Contact Address

Scott Davis
Schmidt Construction Company
2635 Delta Drive
Colorado Springs, CO 80910

Encl: Google Earth image of site

CC: Mark Heifner, operator's consultant
Michael Cunningham, DRMS

M-1982-112 / Miller Gravel Pit / Schmidt Construction Company / 112c

Red outline = 69.2 acres = Approved permit area (location approximated based on permit maps)
Purple outline = 43.7 acres = Approximate disturbed area (after reclamation earthwork completed)
(Image data from 6/10/2021)

