



COLORADO


Division of Reclamation,
Mining and Safety

Department of Natural Resources

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: Hale Pit aka Earl's Pit	MINE/PROSPECTING ID#: M-1981-121	MINERAL: Sand and gravel	COUNTY: El Paso
INSPECTION TYPE: Surety-Related Inspection	INSPECTOR(S): Timothy Cazier, P.E.	INSP. DATE: May 4, 2022	INSP. TIME: 10:45
OPERATOR: Atticus Land, LLC	OPERATOR REPRESENTATIVE: Jake Decoto	TYPE OF OPERATION: 110c - Construction Limited Impact	
REASON FOR INSPECTION: Surety Related	BOND CALCULATION TYPE: Complete Bond	BOND AMOUNT: \$17,570.00	
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None	
WEATHER: Cloudy	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: May 26, 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>N</u>	(EX) EXPLOSIVES----- <u>NA</u>
(PW) PROCESSING WASTE/TAILING---- <u>Y</u>	(SF) PROCESSING FACILITIES----- <u>Y</u>	(TS) TOPSOIL----- <u>Y</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>NA</u>	(FW) FISH & WILDLIFE----- <u>Y</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>Y</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>N</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>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 Tim Cazier (DRMS) as part of a surety reduction request. The Permittee (Atticus Land, LLC) was represented by Mr. Jake Decoto during the inspection. The purpose of this inspection was to determine if the previously observed highwalls had been adequately re-sloped to 3H:1V or flatter. The Hale Pit site entrance is located at the intersection of Spencer Rd and McClelland Rd, approximately five miles southeast of Peyton, CO. This is a 110c sand and gravel mine and is in final reclamation.

Availability of Records: Annual reports are current, having been filed through July 2021. The previous inspection was on September 10, 2021. The approved post-mine land use is general agriculture. There are no open infractions.

Backfilling and Grading: Backfilling and grading of the slopes requiring attention during the previous inspection were observed to have been adequately sloped (see **Photos 1, 2 and 3**).

Excess Spoil and Dev. Waste: No overburden piles were observed.

Financial Warranty: The DRMS currently holds a \$17,570 bond. The grading/earthwork appears to be adequate as discussed above. A revised reclamation cost estimate for revegetation is included as Attachment A. [Please review the estimate and provide any comments, or acceptance as is by June 2, 2022.](#) If the estimate is acceptable, the DRMS will approve the requested surety reduction.

Fish and Wildlife: No impact to wildlife was observed.

Hydrologic Balance: No standing water was observed in the pit and no exposed groundwater was observed.

Off-site Damage: The operation appeared to be confined to the permit boundary, based on Google Earth review and site observations.

Processing Waste: No processing waste was observed.

Roads: No roads are present within the permit boundary.

Right of Entry: The land is owned by the Permittee.

Reclamation Success: All highwalls were observed to be sloped to 3H:1V or flatter. Mr. Decoto stated he plans to broadcast seed the slopes this spring. The broadcast method is intended to avoid additional disturbance outside the relatively smaller areas needing seeding.

Revegetation: No noxious weeds were observed.

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

Support Facilities On-site: No equipment was observed on site.

Signs and Markers: The previous permittee's sign was still posted at the site entrance (see **Photo 4**). [The sign should be replaced to reflect the new Permittee's name.](#) The DRMS has defined requirements (reference Rule 3.1.12) for permit signs since the previous Permittee posted the permit sign. These are as follows:

- (1) At the entrance of the mine site the Operator shall 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:
 - a) the name of the Operator and the operation name;
 - b) a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board; and

c) the permit number.

Example signs are shown in **Figure 1**. The previous Permittee did not place boundary markers as recommended in the previous inspection report. The site was in temporary cessation with the permit boundary expected to be expanded, so this was not cited as a problem at the time. As the site is now in final reclamation, with only revegetation remaining to be completed; and only in areas well inside the approved permit boundary, placing markers is not considered critical at this time. For reference, Atticus Land should be aware the southwest corner of the permit boundary is 200 feet east of McClelland Road and 200 feet north of the fence on the south side of the property. The southeast permit boundary corner is 660 feet east of the southwest corner and 200 feet north of the aforementioned south property fence. The permit boundary is square with the northwest and northeast corners being 660 feet north of their respective southern corners.

Permit Stipulations: There are no permit stipulations.

Storm Water MGT Plan: No oil or fuel spills observed.

Structures: No structures are within 200 feet of the permit boundary.

Post Inspection Meeting: I informed Mr. Decoto I would recommend approval of the surety reduction request and that the DRMS would revise the reclamation bond estimate to include only the revegetation of the recently regraded area and the mobilization of the equipment necessary to complete the revegetation task.

Please contact Tim Cazier (303)328-5229 or email at tim.cazier@state.co.us if you have any questions regarding this report.

PHOTOGRAPHS



Photo 1. Regraded north west and central highwalls (looking west).

PHOTOGRAPHS (cont.)



Photo 2. Completed grading of northeast highwall (looking north).



Photo 3. Regraded north central highwall (looking NW).

PHOTOGRAPHS (cont.)



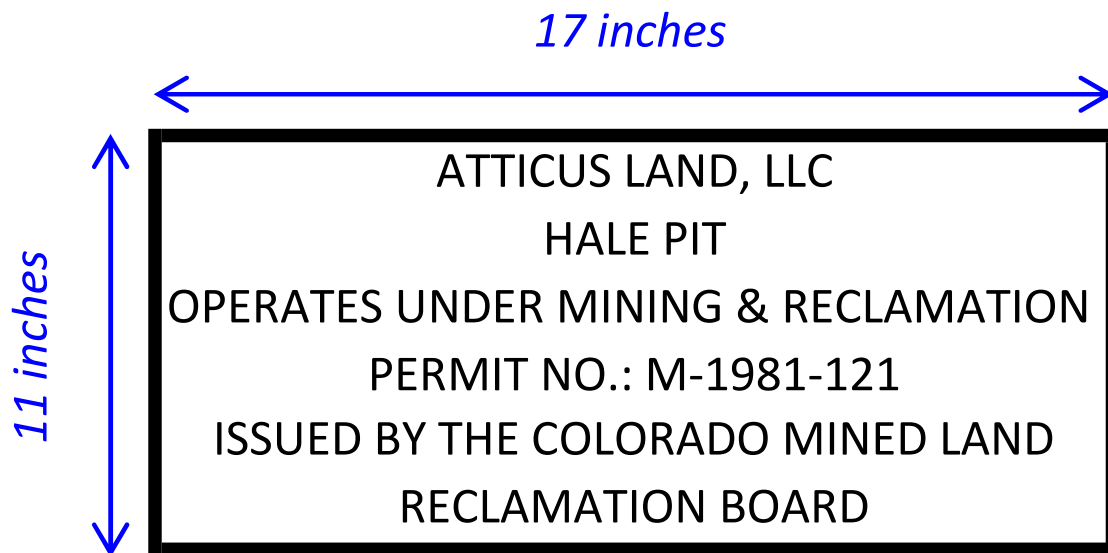
Photo 4. Permit sign (with previous Permittee's name).

Inspection Contact Address

Jake Decoto
Atticus Land, LLC
PO Box 88010
Colorado Springs, CO 80908

Enclosures: Example Permit Signs
Revised Reclamation Cost Estimate

ec: DRMS file



OR

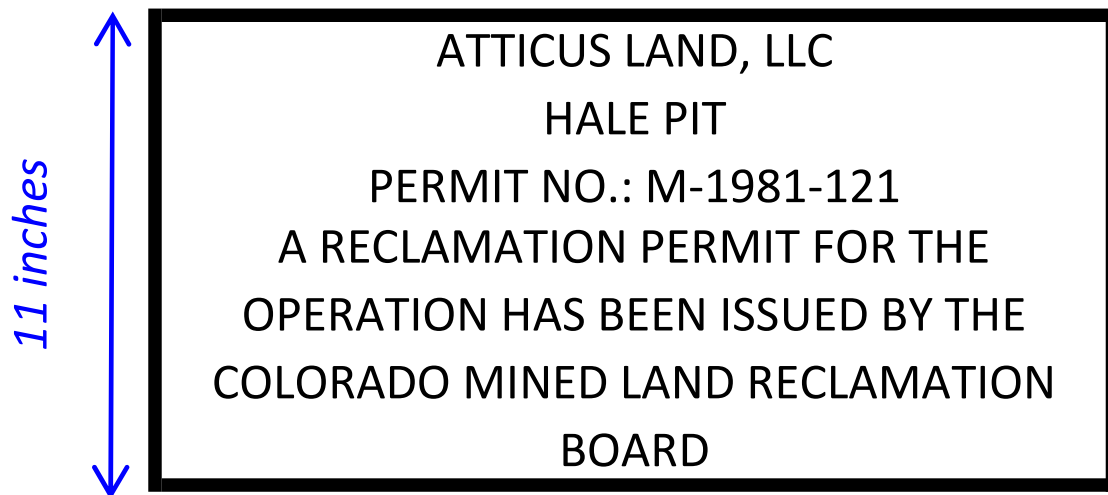


Figure 1. Example Permit Signs

ATTACHMENT A

COST SUMMARY WORK

Task description: Cost Summary for Remaining Reclamation Tasks

Site: Hale Pit aka Earl's Pit

Permit Action: SL-01

Permit/Job#: M1981121

PROJECT IDENTIFICATION

Task #: 000

State: Colorado

Abbreviation: None

Date: 5/25/2022

County: El Paso

Filename: M121-000

User: TC1

Agency or organization name: DRMS

TASK LIST (DIRECT COSTS)

Task	Description	Form Used	Fleet Size	Task Hours	Cost
004	Reveg Disturbed Area (~1 ac)	REVEGE	1	12.00	\$1,548
005	Mob/Demob Equipment from CS	MOBILIZE	1	3.00	\$1,456
<u>SUBTOTALS:</u>				15	\$3,004

INDIRECT COSTS

OVERHEAD AND PROFIT:

Liability insurance: 2.02

Total = \$61

Performance bond: 1.05

Total = \$32

Job superintendent: 7.50

Total = \$540

Profit: 10.00

Total = \$300

TOTAL O & P = \$933

CONTRACT AMOUNT (direct + O & P) = \$3,937

LEGAL - ENGINEERING - PROJECT MANAGEMENT:

Financial warranty processing (legal/related costs): \$0

Total = \$0

Engineering work and/or contract/bid preparation: 4.25

Total = \$167

Reclamation management and/or administration: 5.00

\$197

CONTINGENCY: 0.00

Total = \$0

TOTAL INDIRECT COST = \$1,297

TOTAL BOND AMOUNT (direct + indirect) = \$4,301

REVEGETATION WORKTask description: Reveg Disturbed Area (~1 ac)Site: Hale Pit aka Earl's PitPermit Action: SL-01Permit/Job#: M1981121**PROJECT IDENTIFICATION**Task #: 004State: ColoradoAbbreviation: NoneDate: 5/25/2022County: El PasoFilename: FilenameUser: TC1Agency or organization name: DRMS**FERTILIZING****Materials**

Description	Units / Acre	Unit	Cost / Unit	Cost /Acre
Ammonium nitrate, 33-0-0	52.00	pound	\$0.36	\$18.72
Triple superphosphate, 0-46-0	52.00	pound	\$0.46	\$23.92
			Total Fertilizer Materials Cost/Acre	\$42.64

Application

Description	Cost /Acre
Truck whirlwind spreader (MEANS 32 01 90.13 0140)	\$16.12
Total Fertilizer Application Cost/Acre	\$16.12

TILLING

Description	Cost /Acre
Chisel plowing {DMG}	\$96.50
Total Tilling Cost/Acre	\$96.50

SEEDING

Seed Mix	Rate –PLS LBS / Acre	Seeds per SQ. FT	Cost /Acre
Crested Wheatgrass - Nordan	10.00	45.91	\$39.00
Sideoats Grama - Vaughn	9.00	29.55	\$75.38
Pubescent Wheatgrass - Luna	14.00	28.93	\$47.60
Totals Seed Mix	33.00	104.38	\$161.98

Application

Description	Cost /Acre
Drill Seeding (DRMS Survey Cost)	\$232.00
Total Seed Application Cost/Acre	\$232.00

MULCHING and MISCELLANEOUS

Materials

Description	Units / Acre	Unit	Cost / Unit	Cost /Acre
Straw, delivered {MEANS 31 25 14.16 1200}	2.00	TON	\$307.02	\$614.04
Total Mulch Materials Cost/Acre				\$614.04

Application

Description	Cost /Acre
Power mulcher (MEANS 32 91 13.16 0350)	\$106.29
Total Mulch Application Cost/Acre	\$106.29

NURSERY STOCK PLANTING

Common Name	No / Acre	Type and Size	Planting Cost	Fertilizer Pellet Cost	Cost /Acre
					\$
Totals Nursery Stock Cost / Acre					\$0.00

JOB TIME AND COST

No. of Acres:	1	Cost /Acre:	\$1,269.57
Estimated Failure Rate:	25%	Cost /Acre*:	\$1,114.31
*Selected Replanting Work Items:	SEEDING,MULCHING		
Initial Job Cost:	\$1,269.57		
Reseeding Job Cost:	\$278.58		
Total Job Cost:	\$1,548		
Job Hours:	12.00		

EQUIPMENT MOBILIZATION/DEMOBILIZATIONTask description: **Mob/Demob Equipment from CS**Site: **Hale Pit aka Earl's Pit**Permit Action: **SL-01**Permit/Job#: **M1981121****PROJECT IDENTIFICATION**Task #: **005**State: **Colorado**Abbreviation: **None**Date: **5/25/2022**County: **El Paso**Filename: **Filename**User: **TC1**Agency or organization name: **DRMS****EQUIPMENT TRANSPORT RIG COST**Shift basis: **1 per day**Cost Data Source: **CRG Data**Truck Tractor Description: **GENERIC ON-HIGHWAY TRUCK TRACTOR, 6X4, DIESEL POWERED,
400 HP (2ND HALF, 2006)**Truck Trailer Description: **GENERIC FOLDING GOOSENECK, DROP DECK EQUIPMENT
TRAILER (25T, 50T, AND 100T)****Cost Breakdown:**

Available Rig Capacities	0-25 Tons	26-50 Tons	51+ Tons
Ownership Cost/Hour:	\$21.28	\$37.94	\$47.67
Operating Cost/Hour:	\$26.55	\$50.48	\$56.21
Operator Cost/Hour:	\$20.54	\$20.54	\$20.54
Helper Cost/Hour:	\$0.00	\$23.53	\$23.53
Total Unit Cost/Hour:	\$68.37	\$132.49	\$147.95

NON ROADABLE EQUIPMENT:

Machine Description	Weight/ Unit (TONS)	Owner ship Cost/hr/ unit	Haul Rig Cost/hr/unit	Fleet Size	Haul Trip Cost/hr/ fleet	Return Trip Cost/hr/ fleet	DOT Permit Cost/ fleet
Drill/Broadcast Seeder with Tractor	25.00	\$7.98	\$68.37	1	\$76.35	\$68.37	\$250.00
Power Mulcher (Bowie LD-90)	6.00	\$14.98	\$68.37	1	\$83.35	\$68.37	\$250.00
Subtotals:					\$159.70	\$136.74	\$500.00

ROADABLE EQUIPMENT:

Machine Description	Total Cost/hr/ unit	Fleet Size	Haul Trip Cost/hr/ fleet	Return Trip Cost/hr/ fleet
Subtotals:			\$0.00	\$0.00

EQUIPMENT HAUL DISTANCE and Time

Nearest Major City or Town within project area region:	<u>COLORADO SPRINGS</u>	
Total one-way travel distance:	<u>25.00</u>	miles
Average Travel Speed:	<u>50.00</u>	mph

Total Non-Roadable Mob/Demob Cost *	<u>\$1,456.14</u>
** two round trips with haul rig:	
Total Roadable Mob/Demob Cost **	<u>\$0.00</u>
** one round trip, no haul rig:	

Transportation Cycle Time:

	Non-Roadable Equipment	Roadable Equipment
Haul Time (Hours):	<u>0.50</u>	<u>0.50</u>
Return Time (Hours):	<u>0.50</u>	<u>0.50</u>
Loading Time (Hours):	<u>0.25</u>	<u>NA</u>
Unloading Time (Hours):	<u>0.25</u>	<u>NA</u>
Subtotals:	<u>1.50</u>	<u>1.00</u>

JOB TIME AND COST

Total job time:	<u>3.00</u>	Hours
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Total job cost:	<u>\$1,456</u>
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