




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: Avery Construction Pit	MINE/PROSPECTING ID#: M-1979-010	MINERAL: Sand and gravel	COUNTY: Chaffee
INSPECTION TYPE: Preoperation Inspection	INSPECTOR(S): Lucas West	INSP. DATE: August 15, 2022	INSP. TIME: 11:09
OPERATOR: ACA Products, Inc.	OPERATOR REPRESENTATIVE: Blake Bennetts	TYPE OF OPERATION: 112c - Construction Regular Operation	
REASON FOR INSPECTION: Pre-operation Inspection	BOND CALCULATION TYPE: Complete Bond	BOND AMOUNT: \$291,550.00	
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None	
WEATHER: Clear	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: August 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>N</u>	(FN) FINANCIAL WARRANTY----- <u>N</u>	(RD) ROADS----- <u>N</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>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 as part of the Application Amendment Process as a Pre-Operational inspection for the Avery Pit Expansion Area detailed in Amendment 3. This Amendment proposes to expand the Permitted Area for the Avery Construction Pit. The Avery Construction Pit is an active 112(c) Operation located approximately one mile south of Buena Vista, Colorado at 8,000 feet in elevation. Public Access to the currently permitted area is controlled by a series of fences and lockable gates. The current Permit Area consists of 131.36 Acres, and the Amendment Application details the addition of 107.1 Acres. The proposed new total area would be 238.46 Acres. The Division currently holds \$291,550.00 in financial warranty for the site. At the conclusion of the Amendment Process, should the Division approve the application, a Reclamation Cost Estimate Update will be performed and any increase will be provided to the Operator at the time of decision. Five Photos accompany this report to illustrate the site conditions.

The proper Mine Identification Signage was posted at the entrance to the site, and the proper notification signage was posted at the proposed location of the expansion. The sign at the expansion area can be seen in Photo One. The application details the addition of 107.1 Acres of land adjacent to the existing pit area to the southeast, on the south side of Gregg Drive. The current land use of the expansion area is pastureland, and is proposed to be reclaimed as pastureland. The mining plan details the use of traditional highwall mining methods to a maximum pit depth of 30 to 40 feet. The mining area will inset within the property and permit boundary, surrounded by a visual impact berm. An example of the type of berm to be constructed can be seen in Photo Two. All mined material will be processed in the main Pit area on the north side of Gregg Drive. The reclamation plan details reclaiming the side slopes to a 3H:1V configuration with revegetation of the pit floor and side slopes.

The expansion area is currently undisturbed and bordered on the north by Gregg Drive and the west by County Road 321. The area is well vegetated and dominated by native grassland and shrub species. Photos Three through Five show the current state of the proposed area. The area exhibits positive drainage and shows no signs of impounding storm water. No state listed noxious weeds were observed and signs of settling slumping or erosion was noted in the area.

The overall footprint of the expansion area is in excellent condition and currently undisturbed. The Division is awaiting response from the Operator related to the Division's Adequacy Review dated August 9, 2022. Once the response is received the Division will render a Decision of the Amendment Application. All responses to this report should be directed to Lucas West at the Colorado Division of Reclamation, Mining and Safety at Room 215, 1001 East 62nd Ave, Denver, CO 81201. 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

Blake Bennetts
ACA Products, Inc.
P.O. Box 1887
Buena Vista, CO 81211

CC: Travis Marshall, DRMS

PHOTOGRAPHS



Photo One: View south, showing a portion of the undisturbed expansion area, as well as the proper notification signage posted at the site.

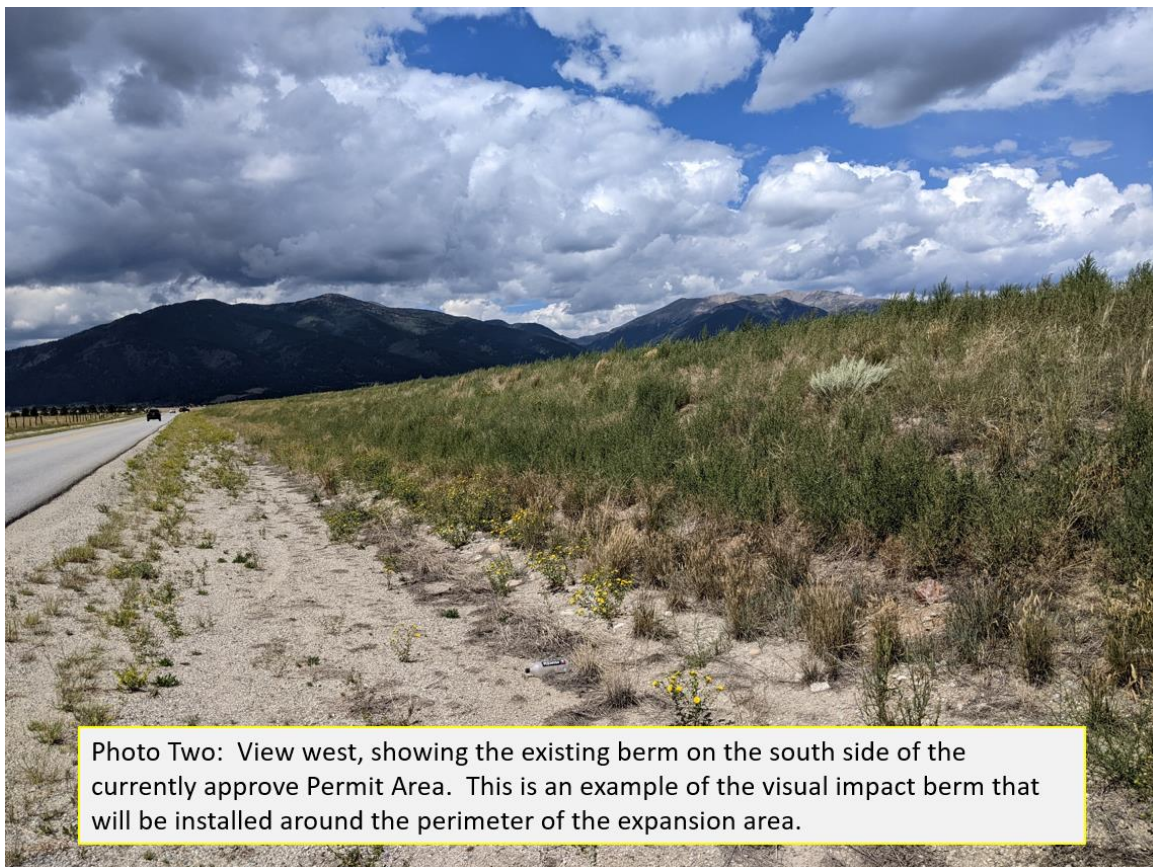


Photo Two: View west, showing the existing berm on the south side of the currently approve Permit Area. This is an example of the visual impact berm that will be installed around the perimeter of the expansion area.



Photo Three: View west, along the northern extent of the proposed expansion area along Gregg Drive. The entire area is undisturbed and well vegetated.



Photo Four: View east, showing another portion of the undisturbed area of the proposed expansion. This area specifically shows the abandoned Johnson Ditch that will be removed as part of the mining activities.

Photo Five: View northeast, showing a close of representative view of the vegetative cover present on the undisturbed area. The vegetative cover is dense, diverse and in good condition.

