




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: Simla Highway Pit	MINE/PROSPECTING ID#: M-1995-095	MINERAL: Gravel	COUNTY: El Paso
INSPECTION TYPE: Monitoring	INSPECTOR(S): Timothy Cazier, P.E.	INSP. DATE: May 4, 2022	INSP. TIME: 13:50
OPERATOR: Hill Top Gravel LLC	OPERATOR REPRESENTATIVE: Blake Tope	TYPE OF OPERATION: 110c - Construction Limited Impact	
REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: Partial Bond	BOND AMOUNT: \$14,462.00	
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None	
WEATHER: Cloudy	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: September 2, 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>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>Y</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>Y</u>	(RS) RECL PLAN/COMP-- <u>Y</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>Y</u>	(SC) EROSION/SEDIMENTATION--- <u>Y</u>	(ST) STIPULATIONS----- <u>Y</u>
(AT) ACID OR TOXIC MATERIALS----- <u>Y</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 in response to a request from the Permittee. The Permittee (Hill Top Gravel) was represented by Mr. Blake Tope during the inspection. The Simla Highway Pit is accessed from Co Rd 125 (Simla Hwy) and is located approximately three miles south of Simla. This is a 110c gravel mine. It was not operating at the time of the inspection, but recent activity was noted.

Mine & Reclamation Plan Summary: This site has a complicated mining and reclamation plan. The Permittee from 2002 to mid-2018 began reclaiming the site in 2015 to reduce the bond with an intent to complete reclamation for the whole site. The following summarizes permit revisions beginning in 2015:

- **AR-1**, approved April 2015 – Acreage Release of a 1.18-acre “L” shaped area in the NE corner of the permit, reducing the permit area to 8.72 acres (red shaded area on **Figure 1**)
- **SI-1**, approved August 2015 – Surety Increase to update the financial warranty from 2003 when the permit was expanded to 9.9 acres;
- **TR-1**, approved March 2018 – Technical Revision allowing the southern access road to remain after final reclamation;
- **SR-1**, approved May 2018 – Surety Reduction decreasing bonded area to one acre and retaining additional bond for four seeded acres, assuming a 25% failure rate (*the equivalent of re-seeding one acre*);
 - *As part of the SR-1 reduction, the DRMS approved a one-acre area in the north central area of the permit area as a permanent shallow sediment pond that did not require to be revegetated. The shallow pond was and is expected to be able to infiltrate any accumulated stormwater within 72 hours. No earthwork was required for the pond to meet final reclamation configuration.*
- **AR-2**, approved May 2018 – Acreage Release of a 0.83-acre “L” shaped area in the SE corner of the permit (magenta shaded area on **Figure 1**) where the access road is to remain per TR-1, reducing the permit area to 7.89 acres;
- **SO-2**, approved August 2018 – Succession of Operator transferring the Permit to James Shelton. The one-acre allowed disturbed area was marked by four corner posts;
- **SO-3**, approved February 2019 – Succession of Operator transferring the Permit to Hill Top Gravel;
- **TR-2**, approved December 2021 – Technical Revision to increase the allowed disturbed area by one acre (0.73 acres in the NW corner of the 7.89 acre permit and 0.17 acres near the south end of the permit area [*in a previously reclaimed, yet not released area*] for salvaged topsoil from the expanded disturbed area.

Hill Top Gravel has been working on expanding the pit area while limiting re-disturbance of previously reclaimed areas within the 7.89 acre permit. It should be noted the DRMS Rules consider all area within 110c permits to be affected area, for which a bond is required. However, special circumstances surrounding the SR-1 and SO-2 allowed this practice to be temporarily suspended. The DRMS is working with the Permittee to restore this bonding practice. See **Figure 1** for delineated areas.

Availability of Records: Annual reports are current, having been filed through July 2022. The previous inspection was on February 26, 2019. The approved post-mine land use is rangeland. There are no open infractions. Both the surface and minerals are privately owned.

Acid And Toxic Materials: No acid or toxic materials are involved in this operation.

Backfilling and Grading: The permit assumes the site is primarily mined at a 3H:1V slope in order to limit the bond and not require a significant task to flatten working highwalls for reclamation. However, the bond does

include a minor earthwork task to move 400 cubic yards to flatten a small amount of working highwall (*reference SI-1 bond estimation*). Sufficient backfill material appeared to be available for the small active highwall (see **Photo 1**) on the north within the TR-2 expansion area.

Excess Spoil and Dev. Waste: Overburden is not separated from topsoil (see Topsoil section below).

Financial Warranty: The \$14,462 bond held by the DRMS was last updated in December 2021 and included 5.65 acres of reseeding. This amount is adequate for the observed mine disturbance.

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.

Gen. Compliance with Mine Plan: The operation appeared to be in compliance with the approved mine plan at the time of the inspection. The maximum allowed disturbed area for the purpose of bonding is 2.65 acres (which includes the one-acre sediment pond as long as no grading is involved). An additional bond is held for four acres that have been revegetated, but are still in the permit [*assuming a 25% failure rate – or for one equivalent acre of seeding*]]. There is a short segment between the sediment pond and the new active mining area that is not technically covered under the TR-2 approval (see **Photo 2** dashed redline on **Figure 1**). As neither the new active mine area or the topsoil stockpile have reached their approved maximum area (shown on **Figure 1**), there is sufficient bond. [However, future permit revisions should be sure to incorporate haul/access roads.](#)

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: Haul and access roads did not appear to be a source of sediment that could be tracked offsite.

Right of Entry: Mr. Tope is the owner of Hill Top Gravel (Permittee) and West Wood LLC (landowner).

Reclamation Success: No reclamation has been initiated.

Revegetation: No seeding beyond that completed prior to SR-1 has been done. No noxious weeds were observed.

Sediment Control: Only minor erosion was observed (see **Photo 3**) and no BMPs were needed at the time of the inspection.

Support Facilities On-site: A Cat 624H loader and a Case dozer were observed on site (see **Photo 4**).

Signs and Markers: Mr. Tope explained the permit sign had been shot up and a new one was on order. [Please send the DRMS a phot of the new sign properly posted.](#) The affected area boundaries were well marked (see **Photos 1** and **4**).

Permit Stipulations: There are no permit stipulations.

Storm Water MGT Plan: No oil or fuel spills observed. Stormwater drains to the pit and infiltrates.

Topsoil: A topsoil stockpile is in the south end of the pit (see **Photo 3**).

Structures: An engineering evaluation was accepted by the DRMS for the Simla Hwy as a structure damage compensation agreement could not be obtained from El Paso County. This evaluation assumes no excavation disturbance within 50 feet of the highway and working slopes will be 3H:1V or flatter.

Post Inspection Meeting: The DRMS brought an outdated map to the inspection. This initiated some discussion regarding the new mining area on the north end and the DRMS agreed to review this upon returning to the office and retrieving the current map subsequent to the inspection. Figure 1 shows the results of the post inspection review of the disturbances at the time of the inspection. The only area not technically within the TR-2 approved disturbance is the access road between the sediment pond and the new mining area. This area is very small, well within the permit area and with minimal impact to the bond – as observed at the time of the inspection. The DRMS is concerned about the potential of creating significant disturbance not covered by the currently held bond, if the area south of the TR-2 approved new mining area (blue line on Figure 1) and north of the two field markers used to draw the light blue dashed line on Figure 1 get mined. The Permittee should contact the DRMS prior to mining this area.

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. Active working area on north end of pit (looking north, note numerous boundary markers).

PHOTOGRAPHS (cont.)



Photo 2. Small access road shown on Figure 1 as a dashed red line.

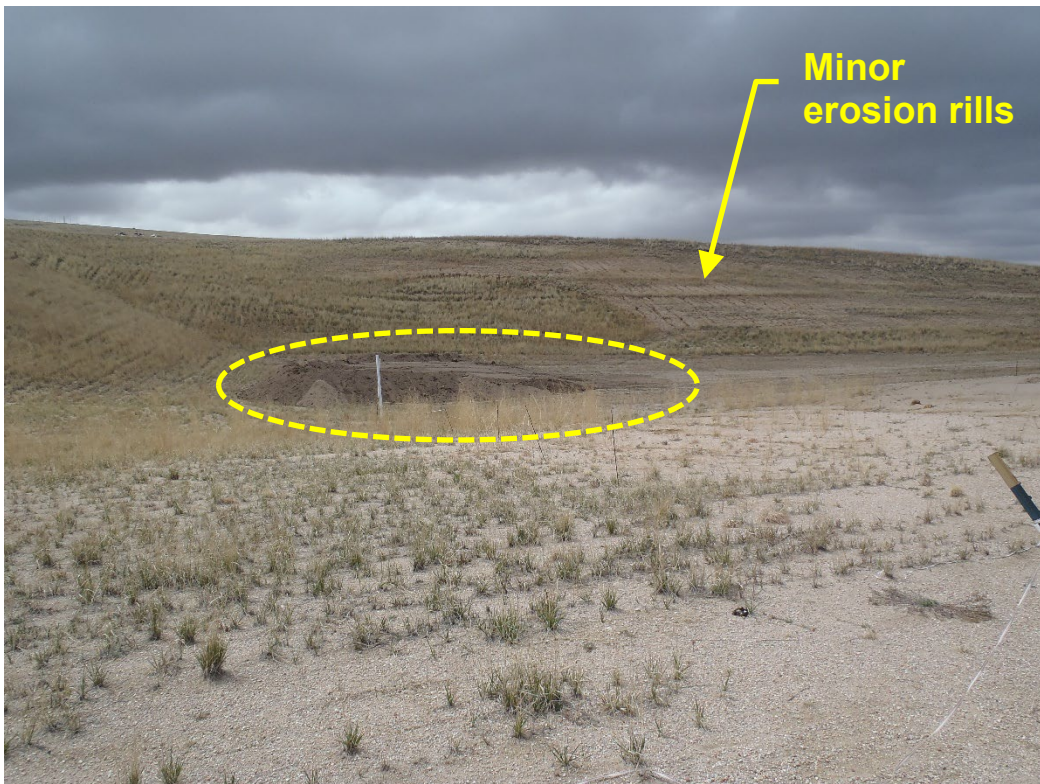


Photo 3. Temporary topsoil stockpile (circled, south end, looking west, note minor erosion).

PHOTOGRAPHS (cont.)



Photo 4. Cat 624H loader and a Case dozer (looking south, note white boundary markers and revegetated east facing slopes).

Inspection Contact Address

Blake Tope
Hill Top Gravel LLC
21225 Scott Rd
Calhan , CO 80808

Enclosure: Figure 1

ec: DRMS file

Figure 1. Simla Highway Pit, Post 2022 Inspection

Satellite imagery from 6/13/2017 (most recent available)

