



**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.

<b>MINE NAME:</b> Daniels Sand Pit 2	<b>MINE/PROSPECTING ID#:</b> M-1973-007-SG	<b>MINERAL:</b> Sand and gravel	<b>COUNTY:</b> El Paso
<b>INSPECTION TYPE:</b> Monitoring	<b>WEATHER:</b> Clear	<b>INSP. DATE:</b> November 3, 2022	<b>INSP. TIME:</b> 09:00
<b>OPERATOR:</b> Aggregate Industries - WCR, Inc.	<b>OPERATOR REPRESENTATIVE:</b> Neil Whitmer, Wyatt Webster, Grant Smith	<b>TYPE OF OPERATION:</b> 112c - Construction Regular Operation	
<b>REASON FOR INSPECTION:</b> Normal I&E Program	<b>BOND CALCULATION TYPE:</b> Partial Bond	<b>BOND AMOUNT:</b> \$1,038,500.00	
<b>DATE OF COMPLAINT:</b> NA	<b>POST INSP. CONTACTS:</b> None	<b>JOINT INSP. AGENCY:</b> None	
<b>INSPECTOR(S):</b> Timothy Cazier, P.E. Amber Michels	<b>INSPECTOR'S SIGNATURE:</b> 	<b>SIGNATURE DATE:</b> February 2, 2023	

**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>N</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 by Tim Cazier and Amber Michels (DRMS) as part of our regular monitoring program. Present for the inspection were Messrs. Neil Whitmer, Wyatt Webster, and Grant Smith. The Daniels Sand Pit 2 is accessed from Bradley Road just west of South Academy Blvd, about one mile from I-25 in Colorado Springs. This is a 112c sand mine and was active during the time of the inspection.

**Availability of Records:** Annual reports are current, having been filed through January 2023, stating the last mining activity was the day the report was submitted. The previous inspection was on November 5, 2020. The approved post-mine land use is wildlife habitat. There are no open infractions. Both the surface and minerals are privately owned.

**Acid And Toxic Materials:** No acid or toxic materials were observed in the permit area.

**Backfilling and Grading:** Sufficient backfill material appeared to be available. There is a tall berm (see **Photo 1**) on the west side of the old wash pond. Site representatives this berm may be in the CDOT right-of-way for Academy Blvd. [The ownership of this berm needs to be determined in order to finalize the reclamation grading approach: push down from the crest, or truck material from elsewhere on site and backfill.](#) The east side of the berm, facing the old wash pond is sloughing and is not stable. However, offsite impacts are negligible as the elevation on the wash pond side and the Academy Blvd. side are about the same as can be seen from a photo taken during the December 12, 2016 inspection (see **Photo 2**).

**Financial Warranty:** The \$1,038,500 bond held by the DRMS was last evaluated in 2019 and included 267.4 acres of reseeded. This amount is adequate for the observed mine disturbance.

**Fish and Wildlife:** No impact to wildlife was observed.

**Hydrologic Balance:** Standing water was observed in the active pit (see **Photo 3**). This is expected due to the sandy nature of the native material, when the adjacent Fountain Mutual Ditch is flowing, as it was at the time of the inspection (see **Photo 4**). The ponded water is not considered groundwater.

**Gen. Compliance with Mine Plan:** The operation appeared to be in compliance with the approved mine plan. The maximum allowed disturbed area is 286.12 acres (based on the approval of AR-2 in 2018). Google Earth was used to measure the disturbed area, which was approximately 233 acres, based on 2022 imagery. Site representatives indicated there was about a year and half left in the mine life. As such, the mine is actively flattening the highwalls (see **Photos 4** and **5**). The stated plan was to finish mining towards the east end of the active pit.

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

**Processing Waste:** Processing waste consists of fines, which are used for backfill.

**Roads:** Haul and access roads did not appear to be a source of sediment that could be tracked offsite. Road side ditches were clean. Vehicle tracking BMPs were adequate.

**Right of Entry:** The Permittee owns the site.

Reclamation Success: The Permittee is performing concurrent reclamation as backfill continues in the west sediment basin (see **Photo 6**) where it is nearly complete. Highwalls in the west (see **Photo 3**) and north sides (see **Photo 5**) of the main pit are being flattened for final reclamation. The highwall between the new wash pond and the Fountain Mutual Ditch (see **Photo 7**) was flattened as part of a 2020 complaint inspection and subsequent corrective action. The Permittee submits monthly status reports on the stability of this flattened highwall. As such, the DRMS is aware this slope has required periodic repair for erosion as the Permittee is experiencing a challenge in getting vegetation established on this south facing slope.

Revegetation: Site representatives indicated they had not seeded any areas at the time of the inspection. Volunteer vegetation appeared well established on the surface of the old wash pond (see **Photo 8**). No noxious weeds were observed.

Sediment Control: No erosion problems that might result in offsite impact were observed and no BMPs were needed at the time of the inspection. The aforementioned slope between the new wash pond and the Fountain Mutual Ditch continues to be monitored for erosion that may impact the ditch.

Support Facilities On-site: Conveyors were observed in multiple locations. A loader and a D8 dozer were also observed.

Signs and Markers: The permit sign was properly posted (see **Photo 9**) and boundary markers were observed to be consistent with previous inspections.

Permit Stipulations: There is one open stipulation (to be adhered to during the duration of mining): at no time during mining phases of the operation will any vertical portion of the highwall exceed 35 feet from the topsoil-stripped ground line to the top of the sloughed sand.

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

Topsoil: The topsoil stockpile NE of the main pit (see **Photo 10**) was being moved and placed along the crest of the west end of the active pit to accommodate final mining and for reclamation.

Structures: No new structures were observed within 200 feet of the affected area.

Post Inspection Meeting: A close out meeting was held at the crest of the slope above the augmentation pond (see **Photo 11**) as this slope presents a challenge. The slope is vegetated (volunteer succession), but is too steep for final reclamation (see **Photo 12**). Mr. Smith indicated he thought there was enough room at the toe of this slope to flatten it without impacting the augmentation pond, which will remain after reclamation. The other item discussed was the aforementioned berm between the old wash pond and Academy Blvd. No problems or possible violations were cited.

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

## PHOTOGRAPHS



Photo 1. Old wash pond berm – vertical side (note sloughing [arrows], looking south).



Photo 2. Berm (arrows) between old wash pond & Academy Blvd (12/7/16 photo, looking NW).

**PHOTOGRAPHS (cont.)**



Photo 3. Main pit: standing water [circled] and highwall flattening [arrow] (looking SW from east end).



Photo 4. Fountain Mutual Ditch (flowing) and flattening NE higwalls (looking ENE).

**PHOTOGRAPHS (cont.)**



Photo 5. Flattening north highwalls in main pit (looking west).



Photo 6. Backfilling west sediment basin (looking west from SE corner of backfill).

**PHOTOGRAPHS (cont.)**



Photo 7. Flattened highwall between Fountain Mutual Ditch and new wash pond (Looking SW).



Photo 8. Established volunteer vegetation on old wash pond (looking NE from west side).

**PHOTOGRAPHS (cont.)**



Photo 9. Permit sign at entrance off Bradley Road.



Photo 10. Topsoil stockpile being moved (NW of main pit, looking east).

**PHOTOGRAPHS (cont.)**

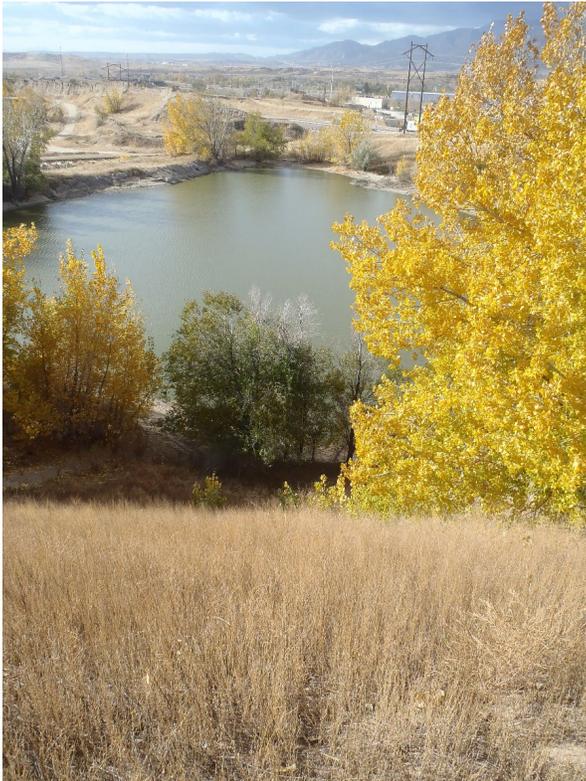


Photo 11. Augmentation Pond (looking SW from crest of slope).



Photo 12. Steep slope above Augmentation Pond (looking NW).

**Inspection Contact Address**

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