



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: Fetcher/Vale Pit	MINE/PROSPECTING ID#: M-2002-119	MINERAL: Sand and gravel	COUNTY: Routt
INSPECTION TYPE: Monitoring	WEATHER: Clear	INSP. DATE: May 3, 2023	INSP. TIME: 09:30
OPERATOR: Elam Construction, Inc.	OPERATOR REPRESENTATIVE:	TYPE OF OPERATION: 112c - Construction Regular Operation	
REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: Partial Bond	BOND AMOUNT: \$248,199.00	
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None	
INSPECTOR(S): Hunter Ridley	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: May 15, 2023	

The following inspection topics were identified as having Problems or Possible Violations. OPERATORS SHOULD READ THE FOLLOWING PAGES CAREFULLY IN ORDER TO ASSURE COMPLIANCE WITH THE TERMS OF THE PERMIT AND APPLICABLE RULES AND REGULATIONS. If a Possible Violation is indicated, you will be notified under separate cover as to when the Mined Land Reclamation Board will consider possible enforcement action.

INSPECTION TOPIC: Hydrologic Balance

PROBLEM/POSSIBLE VIOLATION: Problem: The site is improperly impounding surface drainage/runoff.

CORRECTIVE ACTIONS: Corrective action will require submitting evidence to the Division that the impounded stormwater has been released to the natural drainage system by the corrective action due date.

CORRECTIVE ACTION DUE DATE: 7/14/23

INSPECTION TOPIC: Hydrologic Balance

PROBLEM/POSSIBLE VIOLATION: Problem: The site's sediment pond dam has been damaged and is not functioning per the approved plan.

CORRECTIVE ACTIONS: Corrective action will require submitting evidence to the Division that the pond dam has been repaired by the corrective action due date. The Division also requires the operator to submit a separate TR which redesigns the pond to avoid reoccurrence of the issue.

CORRECTIVE ACTION DUE DATE: 7/14/23

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>Y</u>
(HB) HYDROLOGIC BALANCE----- <u>Y</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>Y</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>Y</u>	(FW) FISH & WILDLIFE----- <u>Y</u>	(RV) REVEGETATION---- <u>N</u>
(SM) SIGNS AND MARKERS----- <u>Y</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>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 inspection was conducted by Hunter Ridley as part of the Colorado Division of Reclamation, Mining and Safety (Division) normal monitoring program. The Fetcher / Vale Pit is a 112c permitted site that includes a total of 31.5 permitted acres of which approximately 21 are currently disturbed. It is located 1 mile west of Clark, CO in Routt County and can be accessed from Routt CR 62. Jim Doody, representing the Operator Elam Construction, Inc., was not present during the inspection. However, the Division conducted a follow-up phone conversation with the representative. Photographs taken at the site during this inspection are included at the end of this report.

Amendment 1 (AM1) has been approved by the Division since the last inspection in 2018. AM1 approved the northward expansion of the pit, adding an additional 8 acres, increasing the permit to its current 33.3 acres. Active mining in this expansion area has begun. The expansion area and the active highwall was not accessible due to wet and muddy conditions. The site representative stated that a loader is contained in this expansion area.

The mine identification sign (Photo 2) and affected area boundary markers are in place and in compliance with Rule 3.1.12. A fence delineates the permit boundaries. A scale and scale house are located on the entrance road (Photo 1). Aggregate materials are processed on site in the late summer, August through November, using a portable crusher/screener. The pit floor is approximately 40 feet deep. The site was not active at the time of inspection.

Material stockpiles are located in various places throughout the open pit area (Photo 19). Material is mined in highwalls and 2:1 slopes. These mined areas are located around the south, west, and north sides of the pit (Photos 14-18). A small sediment pond is located in the southeast corner of the pit (Photos 5-9). To the north is the active vertical highwall area. Muddy conditions prevented up close inspection of this area (Photo 17, 18). Grizzly bars and two fuel tanks stored in lined, secondary containment are located in the northeastern of the pit (Photo 11).

Heavy winter precipitation and recent rapid snowmelt have made pit conditions wet and muddy. However, snowmelt is running downslope towards an approved sediment pond located in the southwest of the permit boundary. Recent flooding as a result of this snowmelt has also caused major flooding across Routt County, and has caused erosional damage to the mine access road (Photo 3). While most snowmelt puddles across the site are shallow, the areas behind the grizzly bars was noted to be impounding several inches of water (Photo 13). Various stockpiles around this area are blocking the natural drainage of this water. Pursuant to State Engineer (Division of Water Resources) statutes, all impounded storm water must be released o the natural drainage system within 72 hours of the event. Therefore, under Rule 3.1.6(1)(a), the Division is citing a problem for failing to comply with applicable Colorado water laws and regulations governing injury to existing water rights. Corrective action will require submitting evidence to the Division that the impoundment has been pumped by the corrective action due date.

The sediment pond located in the southeast corner of the site has been damaged during the winter season. Likely due to snowplowing, the dam surrounding the pond has been breached and water from the sediment pond was noted to be flowing into the ditch on CR 62 (Photos 6, 7, 8). This pond is currently approved for sediment capture and any impounded water shall be allowed to seep back into the natural drainage. As of the inspection date, the pond is currently operating outside of the approved plan. Therefore, the Division is citing a problem for failure to minimize impacts to the prevailing hydrologic balance and for failure to prevent any unauthorized release of pollutants to the surface drainage system. Corrective action will require submitting evidence to the Division that the operator has repaired the broken dam by the corrective action due date. To avoid reoccurrence of this issue, the Division also requires the operator to submit a TR which redesigns the pond. A design change could be as simple as moving the pond further back from the county road or constructing a larger berm along CR 62. However, it will ultimately be up to the operator to propose a preferred design change.

Unmined acreage within the permit boundary serves as buffer zones and topsoil/overburden stockpile areas. The largest of these topsoil and overburden piles are located to the west and to the south, atop the mined slopes (Photo 20). Several of these slopes show signs of deep erosional features (Photos 10, 15, and 16). The post mining land use approved in the original permit is Rangeland. Sufficient quantities of topsoil material will be available on site for reclamation, and enough topsoil will be salvaged in order to be distributed over the disturbed areas during reclamation at a depth of no less than 8 inches. Topsoil piles are currently vegetated. Several Sandhill cranes were observed in these unmined areas of the site.

The Division currently holds a financial warranty amount of \$248,199.00 for this site. The bond was last updated post pre-operation inspection for AM1 in 2018. In an effort to ensure the Financial Warranty adequately reflects the actual current cost of fulfilling the requirements of the approved reclamation plan, the Division has updated the reclamation cost estimate. The Division has found the current bond to be adequate. No violations were noted during this inspection.

Responses to this inspection report should be directed to: Hunter Ridley at the Division of Reclamation, Mining and Safety, 1313 Sherman St., Room 215, Denver, CO 80203. Direct contact can be made by phone at 720-868-7757 or via email at hunter.ridley@state.co.us.

PHOTOGRAPHS



Photo 1: Scale and scale house located at the mine entrance.



Photo 2: Mine sign posted at the entrance to the pit off CR62.



Photo 3: View east of CR62, scale and scale house are visible to the south. Road shows erosional damage from recent flooding.



Photo 4: Culvert located to the north, just before the mine sign, carries water under the road to Cottonwood Gulch. Culvert was clean and functioning properly.



Photo 5: View west at the entrance to the mine site.



Photo 6: Sediment pond located to the southeast.



Photo 7: Water is flowing through the dam surrounding the sediment pond and draining to a ditch along CR62.



Photo 8: View north of sediment pond and break in the dam which is allowing water to flow into the ditch along CR62. See above problem citation.



Photo 9: View east of the sediment pond to which all site surface water drains.

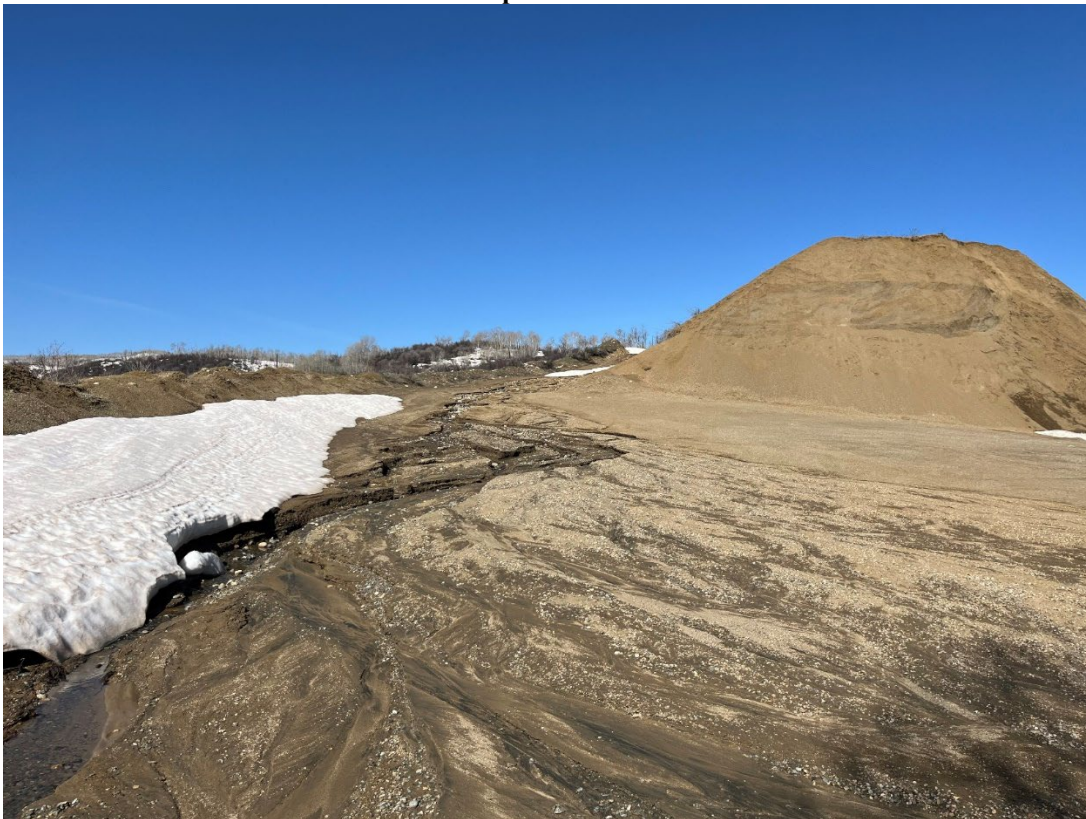


Photo 10: View north of the western pit boundary. Deeply incised erosional features are seen coming from uphill where water drains to the sediment pond. Water is flowing outside of the ditch in which it is designed to collect.



Photo 11: Northeastern area of the pit which contains grizzly bars and fuel in secondary condiment.



Photo 12: Area directly east of the fuel storage area. Snowmelt in this area is draining slowly.



Photo 13: Area behind grizzly bars. Various stockpiles appear to be impounding several inches of water, blocking its flow to the approved drainage path of the site. See above problem citation.



Photo 14: View south of various stockpiles. Topsoil is stored above this slope to the west.



Photo 15: View to the northwest of a stockpile. Topsoil is stored atop this slope. Erosional features are noted.



Photo 16: View northwest of deeply incised erosional features seen on stockpile.



Photo 17: View north of the expanded mining highwall area, area was added under AM1 and is comprised of 8 acres.



Photo 18: View northeast of the AM1 expansion area. Upper ridge of highwall is visible.



Photo 19: View to the east of material stockpiles and slopes which are within the permit boundary, but not part of active mining.

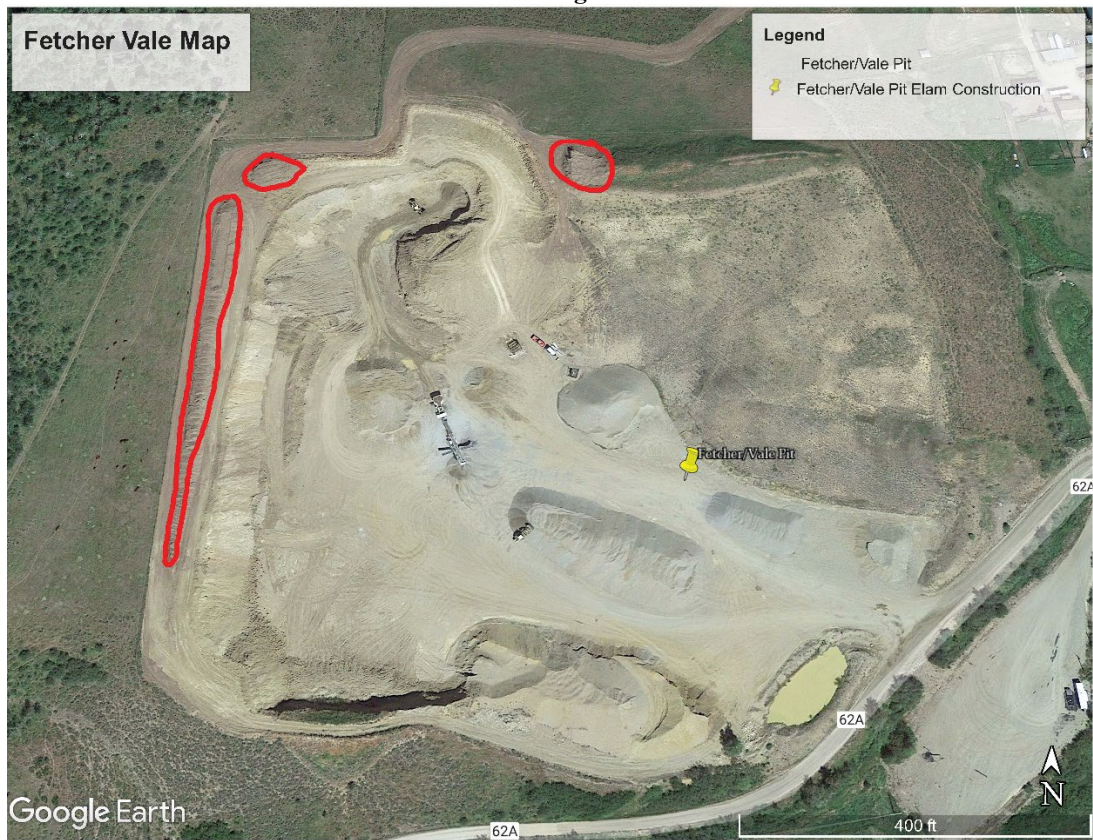


Photo 20: Site map showing location of topsoil (west) and overburden (north) piles.

Inspection Contact Address

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Enclosure

CC: Michael Cunningham, DRMS