




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: 6S Pit No.1	MINE/PROSPECTING ID#: M-1986-101	MINERAL: Sand and gravel	COUNTY: Pueblo
INSPECTION TYPE: Monitoring	WEATHER: Clear	INSP. DATE: May 17, 2023	INSP. TIME: 08:30
OPERATOR: 6S Land & Cattle co.	OPERATOR REPRESENTATIVE: Austin Clennin	TYPE OF OPERATION: 110c - Construction Limited Impact	

REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: Complete Bond	BOND AMOUNT: \$30,347.00
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
INSPECTOR(S): Amber Michels	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: June 27, 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: Signs & Markers

PROBLEM: The affected area boundary markers are missing or incorrectly placed. This is a problem for failure to maintain boundary markers around the affected area as required by Section 3.1.12(2)(a) of the rule.

CORRECTIVE ACTIONS: The Operator shall provide photo evidence of the permit boundary markers in the correct location(s). The Operator shall provide proof to the Division that this has been done by the corrective action date.

CORRECTIVE ACTION DUE DATE: 7/27/23

OBSERVATIONS

The 6S Pit No. 1 was inspected by Amber Michels with the Division of Reclamation, Mining and Safety (Division/DRMS). The inspection was performed as a routine monitoring inspection. The site is located approximately 6.5 miles northwest of Rye, CO and accessed from Co Rd 165 to the east. The site was previously inspected by the Division on May 23, 2019. Austin Clennin represented the Operator and accompanied me during the inspection. The weather was clear.

The 6S Pit No. 1 is a 110c operation permitted for 9.2 acres to mine sand and gravel. The post-mining land use is rangeland. Currently, the site is surrounded by a mix of residential and rangeland.

Acid And Toxic Materials:

No acid or toxic chemicals are encountered or stored on-site. The Operator mentioned when there is equipment onsite the Operator will often have a 55 gallon drum of Floor-Dry™ on hand that can be used for emergency spill containment if any equipment were to produce a leak. The Operator also stated that they do not keep any waste on-site nor do they have any portable toilets partially due to the presence of bears in the area.

Backfilling and Grading:

During the previous 2019 DRMS inspection, a high-wall averaging 25 feet was observed in the north-western pit area. Within the past two years, the north and north-western border of the pit area has been back-sloped and graded to a 3H:1V slope (Photos 6 and 28: Map 1). The Operator stated that they plan to keep all slopes on site at a 3H:1V slope. There is a highwall located along the southern border of the active mining pit that is planned to be sloped this summer. During the inspection, photos were taken along the length of the highwall (approximately 221.5' long), and the maximum height was estimated to be around 12' using a 11.5" x 9.5" binder and ImageJ software (Photo 10). This summer, the Operator plans to slope down the majority of the southern highwall from above (blue lines on Map 1), except for the portion that is close to the permit boundary which he plans to backfill by pushing material up (white line on Map 1).

Financial Warranty:

The Division evaluated the financial warranty and determined that the currently held amount of \$30,347.00 is adequate at this time.

Hydrologic Balance:

Due to recent storms within the area, standing water has accumulated onsite. Evidence of strong winds was also observed to the north-east of the active pit area (Photos 22 and 23: Map 1). Shallow ponds along the western side of the stockpiles in the main pit (Photo 8: Map 1) and a shallow puddles throughout the pit (Photos 14 and 16) were observed. Additionally, the site slopes to the east, and a small sediment containment area held storm-water run-off (see sediment control section below). The Operator stated that entire area is generally very dry. However, they make sure to rip the pit floor and the floor of the containment area to facilitate infiltration of storm water. If stormwater remains onsite longer than 72 hours, the Operator has a vacuum truck that they can use to pump the water out of containment basin.

Gen. Compliance With Mine Plan:

The Operator has been consistently moving small quantities as needed out of the pit. On the day of the

inspection, the Operator stated that they'd be moving a few loads of material out that day. Due to little snow fall during the past winter, the Operator was able to haul material off-site throughout the season. The Operator stated that he and his brother are the only people mining the pit at this time. A portable screener is used on occasion onsite, however it was not present during the inspection. Instead, a couple portable grizzly screeners were observed on-site, that are sometimes used as back-up screeners (Photo 6). When asked about the plans for an area outside the active pit, but still within the permit, the Operator stated that they have no plans to mine out there. When asked why, the Operator stated that the depth to the deposit is too deep, and it would not be economical to do so. Additionally, they would prefer to keep the land outside of the pit area in its current woodland state.

Roads:

The roads are well maintained and have safety berms lining the southern border (Photo 4 and 14). To the south of the southern perimeter, the Division could hear the Little Saint Charles Creek flowing. No sedimentation or erosion was observed on the southern side of the road's perimeter berm.

Reclamation Success:

During the Division's 2019 inspection, a problem was cited for the presence of the noxious weed Mullein. During the 2023 inspection, some Mullein was observed onsite, but in small quantities. The Operator brought the receipts for the last two years of weed treatments along on the inspection (see enclosure). He noted that they have the weeds treated annually in July. When asked, the Operator confirmed that another treatment is scheduled for July 2023. The Operator stated that they have been concurrently reclaiming and sloping any steep slopes on-site. The Operator also stated that they're conducting mining operations in a way that facilitates successful final reclamation for they wish to see this land returned to a usable and aesthetic state.

Sediment Control:

Run-off from high precipitation storm events is temporarily captured in a small sediment containment area along the western boundary of the pit. A small berm separates the main pit floor from the containment area (Photos 17 and 18). This berm was mostly in-tact, but there is an area about a foot wide that has eroded due to the increased precipitation in the area (Photo 21). The Operator stated that usually this containment is dry and any precipitation infiltrates into the ground before reaching this area. The slopes around the pit all appeared to be stable, with no signs of excessive erosion or sedimentation. All sediment is contained onsite within the ~4.5 acre active pit.

Signs and Markers:

A permit sign posted in compliance with Rule 3.1.12(1) was observed at the entrance of the site (Photo 2).

T-posts were observed onsite. The Operator identified the corners, and photos were taken at each location (Photos 3, 20, 23, and 30; Maps 1 and 2). In 2019, the Division cited a problem for the boundary markers being misplaced. In response, the Operator had a land survey conducted, and provided an updated and accurate depiction of the permit boundaries. This updated map also included coordinates for the boundary markers. However, during the 2023 inspection, it appears that the boundary markers are placed around the affected area, rather than the permit boundary (see Maps 1 and 2 and Figure 1). It also appears that the corner markers observed during the 2023 inspection are the same observed during the 2019 inspection (Map 2).

A problem was cited for the boundary marker discrepancy. In accordance with Rule 3.1.12(2)(a), the boundary of the affected area is synonymous with the permit boundary for Limited Impact 110 Operations. Upon

correspondence with the Permittee (Ashley Byers), it seems that there may be two sets of markers (one indicting the active pit area and one indicating the permit boundary). Ashley stated that she will correspond with the Operator on-site (Austin) to clarify this discrepancy. To abate this issue, and to clarify the permit file, please provide photo evidence of the location of the permit boundary markers in place in addition to the active pit boundary markers observed during the inspections. The active pit markers may remain in place to ensure that mining remains contained within the active pit area per the Operator's preference.

Topsoil:

Topsoil was stored along the northern boundary of the pit. The Operator stated that much of the topsoil is virgin material, but some has been piled on top by using a dozer (Photo 24, 27, and 28). The current topsoil pile appears to be stable and in an adequate quantity for use in reclamation. Also, due to the strong storm winds causing tree-fall around the active pit area (see Photos 22, 23, and 29) the Operators are incorporating the burned stumps in compost which will be used as an addition to the topsoil on site.

Conclusion:

This concludes the Division's Inspection Report; a map and a few figures displaying topics discussed during the inspection and a subset of corresponding photographs that were taken during the time of the inspection are included below. If you need additional information or have any questions, please contact me by email at amber.michels@state.co.us or by telephone at (720) 836-0967.

Inspection Contact Address

Austin Clennin
6S Land & Cattle co.
17750 Lodgepole Road
Peyton, CO 80831

Enclosure: 2021 and 2022 weed spraying receipts

CC: Ashley Byers, 6S Land & Cattle co.
Jared Ebert, DRMS

GENERAL INSPECTION TOPICS

The following list identifies the environmental and permit parameters inspected and gives a categorical evaluation of each

(AR) RECORDS----- <u>N</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>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>N</u>	(FW) FISH & WILDLIFE----- <u>N</u>	(RV) REVEGETATION---- <u>N</u>
(SM) SIGNS AND MARKERS----- <u>PB</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>N</u>
(AT) ACID OR TOXIC MATERIALS----- <u>Y</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

PHOTOGRAPHS



Photo 1: Looking east at the entrance gate leading into the permit site.



Photo 2: Permit sign posted just north of the entrance gate.



Photo 3: T-post delineating a portion of the south-west boundary.



Photo 4: Looking south-east along the southern boundary of the pit. A safety berm lines the interior road to the south.



Photo 5: Looking east in the main pit area towards a large stockpile of product.



Photo 6: Looking north-east from the entrance to the main pit area at the northern pit boundary at the recently back-sloped area (arrows). Also pictured are a few grizzly screeners used as back up to the portable screener.



Photo 7: Looking south-east at the tallest portion of the highwall along the southern pit boundary.



Photo 8: Looking east from the eastern side of the pit. Standing water observed on pit floor east of a large stockpile.



Photo 9: Looking west along the internal road along the southern border. Internal roads are well maintained.



Photo 10: Looking south at the tallest portion of the highwall. A 11.5" x 9.5" binder was used for scale. The tallest portion is estimated around 14' tall, with the extent of the highwall averaging around 12'.



Photo 11: Looking north-west at a fine gravel product stockpile located within the center region of the pit



Photo 12: Looking north-west at a coarse gravel product stockpile located central region of the pit.



Photo 13: Looking at the safety berm along the southern border of the pit area, lining the internal road.



Photo 14: Looking west at the safety berm along the southern border of the pit area, lining the internal road.



Photo 15: Looking north at more coarse gravel stock piles centrally located within the pit.



Photo 16: Looking west from the sediment containment area at the main stockpile area centrally located within the pit.



Photo 17: Looking east from the western berm surrounding the sediment containment area.



Photo 18: Looking north from the western berm surrounding the sediment containment area.



Photo 19: Looking north from the western berm surrounding the sediment containment area at the virgin topsoil area.



Photo 20: Affected boundary marker located to the east of the sediment collection pond.



Photo 21: Looking west from the eastern berm surrounding the sediment containment area. The arrow indicates where the increased run-off has cut into the perimeter berm.



Photo 22: Blown over tree next to the north-eastern affected boundary marker (arrow).



Photo 23: Looking west at the north-east affected area boundary marker. Recent storms and strong winds have blown over many trees in the area.



Photo 24: Looking east across the virgin topsoil.



Photo 25: Looking south at material along the road that can be used to slope the highwall.



Photo 26: Looking north at a small piece of equipment on site.



Photo 27: Looking west again across topsoil. To the south is the recently back-sloped area along the north side of the pit.



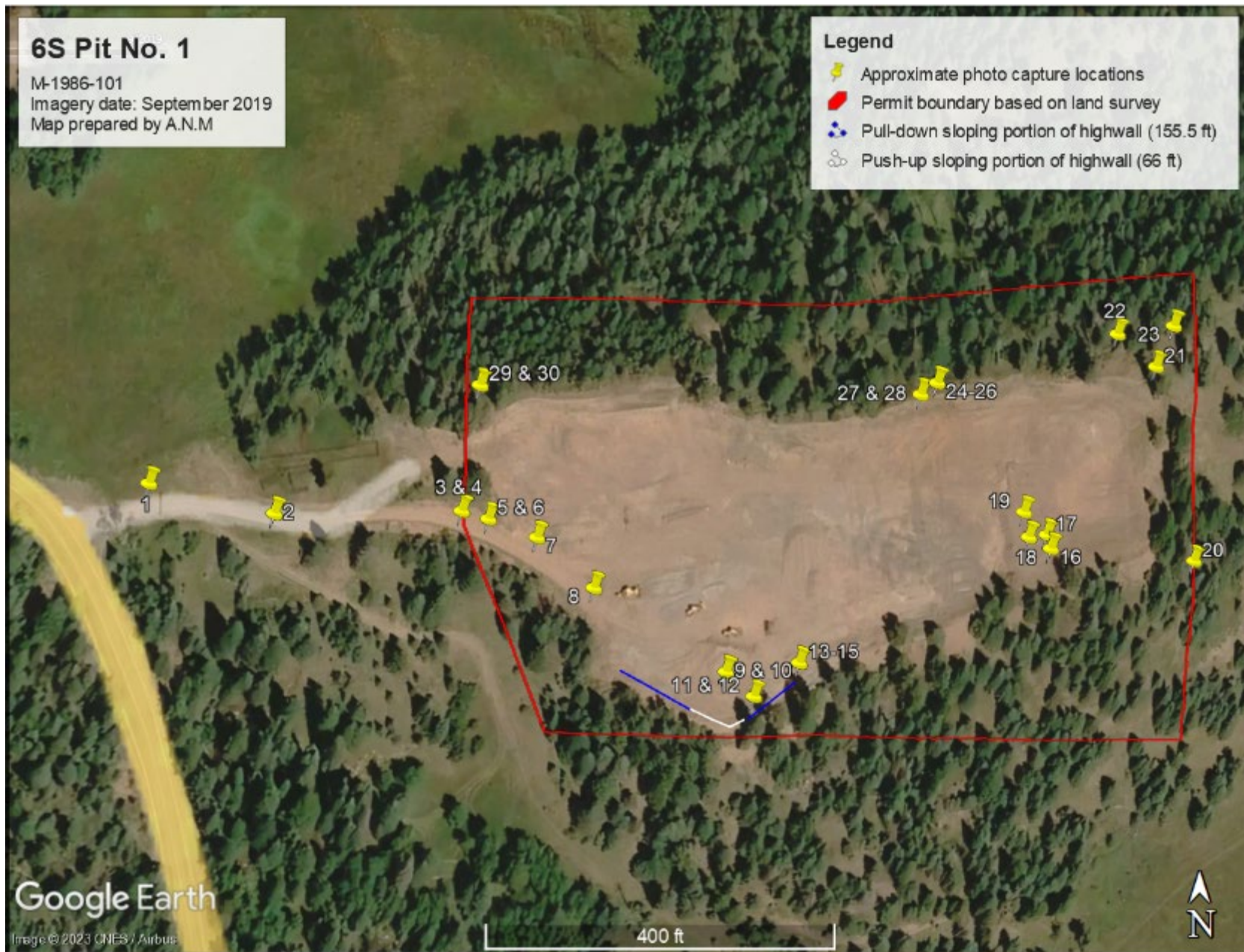
Photo 28: Looking west at more topsoil along the northern ridge and a small portion of the north pit that has yet to be fully graded.



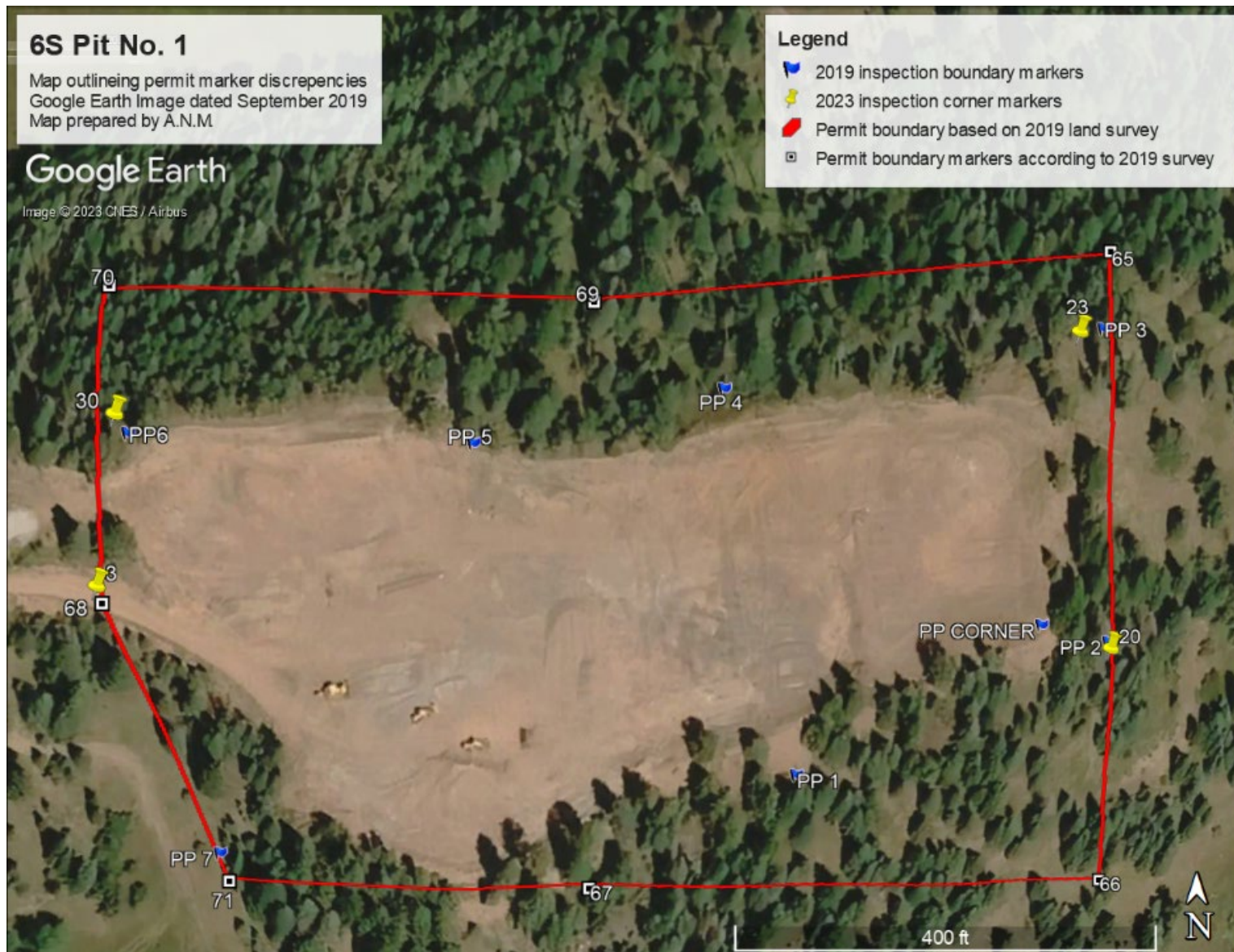
Photo 29: Looking south-east from the north-west corner post



Photo 30: Looking south at the north-west corner post.



Map 1: Map of the 6S Pit No. 1 generated using Google Earth Pro. The red boundary was constructed using the corner-post-GPS coordinates provided by the Operator's land survey done in response to the Division's 2019 inspection (See Figure 1). The yellow pins indicate the locations where the corresponding photos were taken. Photos 3, 20, 23, and 30 represent the approximate locations of the corner posts observed during the inspection.



Map 2: Map generated in Google Earth Pro to highlight the discrepancies of the permit boundary markers. The blue flags with numbers PP1-7 were taken at boundary markers during the 2019 DRMS inspection. The yellow pins are photo capture locations of the corner markers taken during the 2023 DRMS inspection. The square icons with numbers 65-71 indicate the GPS points submitted with the 2019 land survey (see Figure 1), indicating the permit boundary markers. The red boundary indicates the permit boundary according to the 2019 land survey.

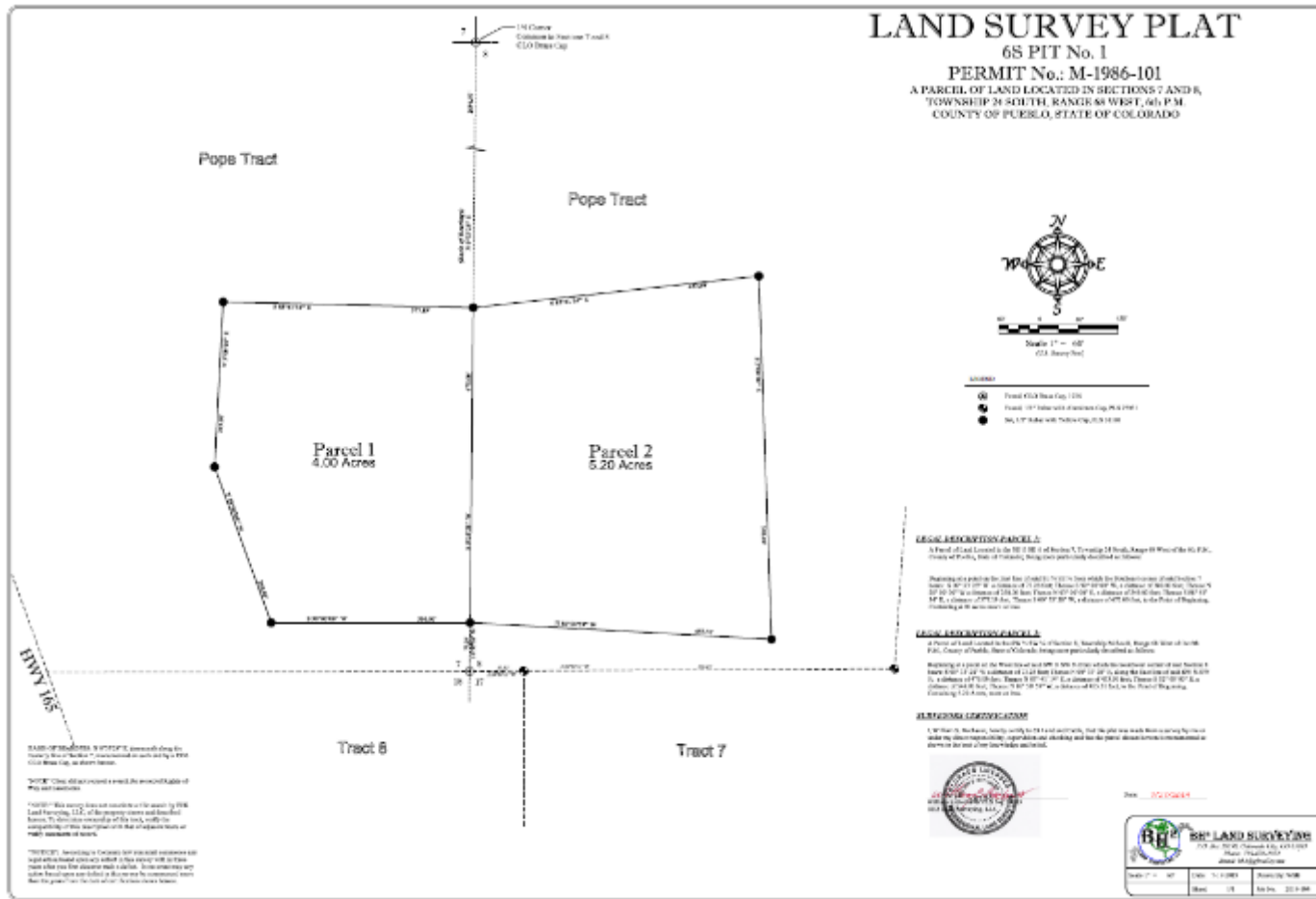


Figure 1: (Left) Map submitted to the Division as an inspection problem abatement for the 2019 inspection report. The legend indicates that the black circles represent “Set, ½” Rebar with Yellow Cap, PLS 38103”. The coordinates (Below) were given to correspond with each marker.

Name	Lat	Long	Elev	
65	37°58'11.97240"N	105°01'51.18398"W	8542.545	bh2
66	37°58'06.55986"N	105°01'50.94458"W	8460.518	bh2
67	37°58'06.80819"N	105°01'56.61998"W	8584.97	bh2
68	37°58'09.12894"N	105°02'01.43197"W	8606.228	bh2
69	37°58'11.50267"N	105°01'56.56185"W	8580.932	bh2
70	37°58'11.58692"N	105°02'01.26947"W	8601.652	bh2
71	37°58'06.80768"N	105°02'00.36421"W	8554.028	bh2

pd 7/18/21
#606

REFERENCE NO. _____

DATE 7-2-21

WORK SHEET

TO: BRCKER PIT GS PIT

FROM: The Weed Works 805 459-6691
P.O. Box 1232
Westcliffe, CO 81252

TYPE OF WORK COMPLETED:

NOXIOUS WEED CONTROL ON 7-2-21

JOB SITE

GS PIT -- sprayed musk thistle,
Canada thistle, mullein and houndstongue

One tank sprayed

TOTAL COST:

\$ 250.00

THANK YOU!

Jeremiah Hansen

Jeremiah Hansen

PAID

REFERENCE NO. _____

DATE 7-9-22

WORK SHEET

TO: BECKER PIT 65 PIT

FROM: Jeremiah N. Hansen
The Weed Works
PO Box 763
Rye, CO 81069

TYPE OF WORK COMPLETED:

Noxious weed control on 7-9-22

JOB SITE

PIT 65 (dry Lake bed) sprayed
all noxious weeds in areas that I
could access with ATV
One tank sprayed

TOTAL COST:

\$ 250 ⁰⁰

THANK YOU!

Jeremiah Hansen
Jeremiah Hansen