



STATE OF
COLORADO

Wein - DNR, Clayton <clayton.wein@state.co.us>

Clayton Sand and Gravel Inspection Report and Release Request Form

1 message

Wein - DNR, Clayton <clayton.wein@state.co.us>

Thu, Jul 27, 2023 at 9:51 AM

To: rod clayton <wildone429@live.com>

Good morning Mr. Clayton,

Attached is the Division's inspection report for the monitoring inspection of the Clayton Sand and Gravel permit. I have also attached with this email a copy of the performance and financial warranty release request form. **Please Note the release request form must be submitted to the following address via CERTIFIED MAIL.**

1313 Sherman Street
Room 215
Denver, Colorado, 80203

Please feel free to contact me if you have any questions or concerns.

Sincerely,
Clayton Wein
Environmental Protection Specialist



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

P 303.866.3567 x 8185 | F 303.832.8106
1313 Sherman Street, Room 215, Denver, CO 80203
clayton.wein@state.co.us | <https://www.drms.colorado.gov>

2 attachments



Clayton Sand and gravel, M-1999-022, June 2023 Inspection Report.pdf
611K




MineralsReleaseRequestForm.pdf
242K



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: Clayton Sand and Gravel	MINE/PROSPECTING ID#: M-1999-022	MINERAL: Sand and gravel	COUNTY: Saguache
INSPECTION TYPE: Monitoring	WEATHER: Clear	INSP. DATE: June 7, 2023	INSP. TIME: 11:00
OPERATOR: Eddie Clayton	OPERATOR REPRESENTATIVE: Rod Clayton	TYPE OF OPERATION: 110c - Construction Limited Impact	
REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: None	BOND AMOUNT: \$7,900.00	
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None	
INSPECTOR(S): Clayton Wein	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: July 27, 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>N</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>NA</u>	(SF) PROCESSING FACILITIES----- <u>NA</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>NA</u>	(RS) RECL PLAN/COMP-- <u>Y</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>NA</u>	(SC) EROSION/SEDIMENTATION--- <u>Y</u>	(ST) STIPULATIONS----- <u>NA</u>
(AT) ACID OR TOXIC MATERIALS----- <u>NA</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 report documents the observations taken during a routine monitoring inspection of the Clayton Sand and Gravel site, Permit # M-1999-022. The inspection was conducted by Clayton Wein of the Division. Rod Clayton represented the operator during the inspection. The weather was clear with a temperature of 65 degrees F. The ground conditions were dry during the inspection.

The site is a permitted 110c sand and gravel operation that encompasses a total of 3.9 acres. The site is located approximately 7 miles northeast of Del Norte, Colorado. The mine site is accessed from County Road 41. The Division currently holds a reclamation bond for the site in the amount of \$7,900.00. No bond calculation was performed as a result of this inspection. Please see the following information in this report for more details as to why the bond calculation was not updated.

A mine identification sign was posted on the right side of the entrance to the mine site. The information displayed on the sign contained the required information by the Division. The sign was in good condition and posted in an un-obstructed location. The affected area was marked by T-posts. The T-posts were observed to be in the correct locations to delineate the permitted area.

No current mining or reclamation activities were taking place at the site. Mining operations at the site have not occurred for several years. Discussions with the operator indicated that they no longer plan to mine material from the site. The operator wishes to continue using the excavated pit as a water storage pond for their irrigation water. The operator would like to leave the site as it currently is to support this use. The operator is the current landowner for the parcel that the mining operation is located within. The operator indicated that they would like to apply for full release of the permit.

The pit was completely full of irrigation water during the inspection. Slopes of the pit were generally at 3H:1V. The pit slopes were stable and there were no indications of the impounded water breaching the pit. The surrounding perimeter of the pit had not been reseeded. Although this was the case, native vegetation has filled in the permitted area due to the inactivity at the site. This vegetation has stabilized the affected area. There were no concerns of noxious weeds identified during the inspection. Please see photos 1 through 5 for current conditions of the site.

During the inspection no indications of erosional features or indications of instability were identified. There were no off-site impacts observed.

No maintenance items or violations were identified during the inspection.

The Division recommends that the operator apply for a full and final release of the Performance and Financial Warranty for the M-1999-022 Permit. Please see the attached Performance and Financial Warranty Release Request Form attached with this report to initiate the release request process.

Questions or responses to this inspection report should be directed to Clayton Wein at the Division of Reclamation, Mining and Safety Grand Junction Field Office, located at 101 south 3rd Street, Room 301, Grand Junction Colorado 81501. Or by phone at (303)-866-3567 x8185.

PHOTOGRAPHS

Photo 1: the Mine Identification sign posted at the entrance to the site



Photo 2: The northwestern portion of the mine site. The photo was taken looking to the east.



Photo 3: The northeast corner of the site. The photo was taken looking to the west.

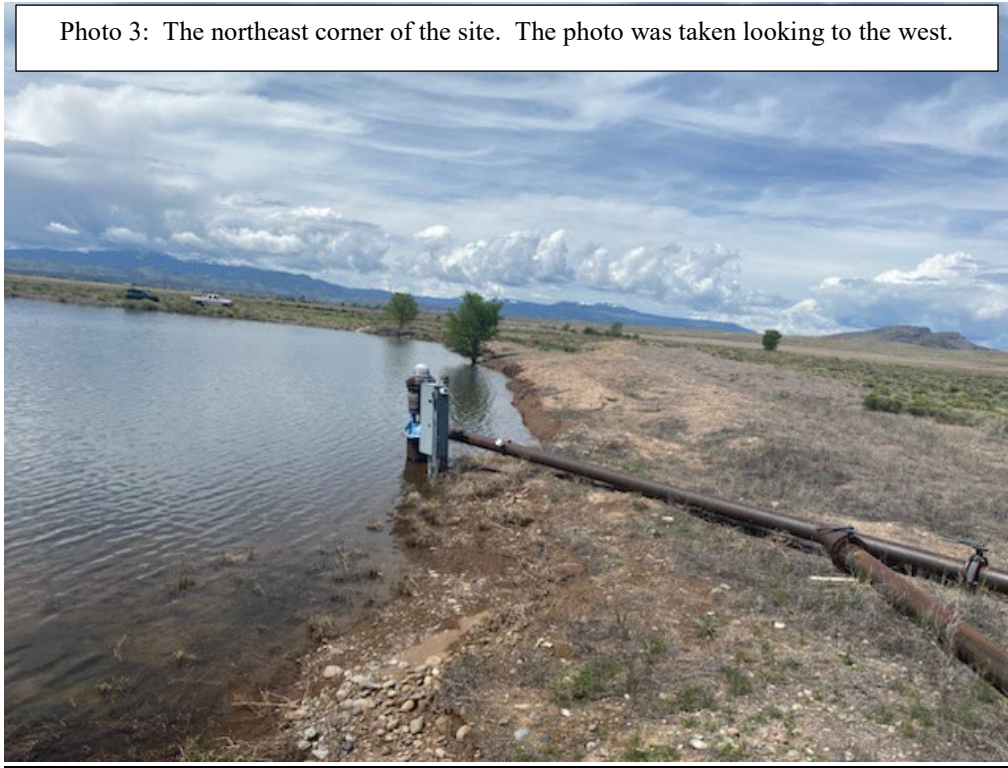


Photo 4: The eastern portion of the site. The photo was taken looking to the south.



Photo 5: The southern portion of the site. The photo was taken looking to the west.



Inspection Contact Address

Rod Clayton
Eddie Clayton
P.O. Box 2
Hooper, CO 81136

Enclosure

CC: Travis Marshall, Senior Environmental Protection Specialist



COLORADO

**Division of Reclamation,
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

REQUEST FOR FULL OR PARTIAL RELEASE OF PERMIT AREA/SURETY REDUCTION

Please indicate if you are requesting:

FULL/FINAL RELEASE OF ENTIRE PERMITTED AREA (per Rule 4.17)

☐

ACREAGE REDUCTION (PARTIAL RELEASE per Rule 4.17)

☐

I wish to release _____ acres at this time.

You will need to submit with this request: a map showing the acreage to be released from the current permit and updated mining and reclamation plan maps that will accurately depict the new permit boundary if the release is approved.

SURETY (Bond) REDUCTION (per Rule 4.14)

☐

If you are requesting a surety (bond) reduction you will need to include with this request a new estimate of the actual cost to reclaim the site based on what it would cost an independent contractor to complete reclamation, including unit costs for reclamation activities as appropriate to the operation to comply with the provisions of Rule 3.1 and the Permit's approved Reclamation Plan.

File No.: M Site Name: _____

County: _____

Permittee: _____

Permittee Address: _____
(Street Address)

(City)

(State)

(Zip)



Operator (If Other than Permittee): _____

Permittee Representative: _____

Certified Mail # _____

In accordance with Rule 4.17.1(2) the Operator shall include the names, addresses and phone numbers of all owners of record to the affected land. Please attach additional sheets for this information if required.

<u>Name</u>	<u>Address</u>	<u>Phone Number</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

In accordance with Rule 4.17.1(4), if requesting a partial acreage release the Operator or their agent MUST sign that they have complied with the following statement: “All applicable portions of the Reclamation Plan requirements have been satisfied in accordance with these Rules and all applicable requirements under the Act.”

Signature of Permittee, Operator or their authorized agent Date

Important: In accordance with Rules 4.14.2(a) and 4.17.1(3) This release request must be submitted to the Division via certified mail and separate from any other correspondence to the Division.