




**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> White Wolf Construction Borrow Pit	<b>MINE/PROSPECTING ID#:</b> M-2018-029	<b>MINERAL:</b> Borrow material for construction	<b>COUNTY:</b> Las Animas
<b>INSPECTION TYPE:</b> Monitoring	<b>WEATHER:</b> Clear	<b>INSP. DATE:</b> August 23, 2023	<b>INSP. TIME:</b> 11:00
<b>OPERATOR:</b> White Wolf Construction & Landscaping, LLC	<b>OPERATOR REPRESENTATIVE:</b> Bernard (Joe) Montoya	<b>TYPE OF OPERATION:</b> 111(1)(b) - Special One-Time Incidental	
<b>REASON FOR INSPECTION:</b> Surety Related	<b>BOND CALCULATION TYPE:</b> None	<b>BOND AMOUNT:</b> \$3,628.00	
<b>DATE OF COMPLAINT:</b> NA	<b>POST INSP. CONTACTS:</b> None	<b>JOINT INSP. AGENCY:</b> None	
<b>INSPECTOR(S):</b> Amber Michels Brock Bowles	<b>INSPECTOR'S SIGNATURE:</b> 	<b>SIGNATURE DATE:</b> September 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:** Reclamation Success

**PROBLEM:** In accordance with Rule 1.1(50.1)(f), because the site is permitted as a Special One-time Excavation 111(1)(b) operation, the Operator is required to reclaim all affected lands within twelve (12) months after issuance of the permit. The Operator has not finished reclaiming the site within the allowed timeframe prior to the Division's August 23, 2023 inspection.

**CORRECTIVE ACTIONS:** The Operator will be required to revegetate the affected areas using the methods and seed mix outlined in the approved reclamation plan for this site. The Operator shall submit photo evidence of the reclamation work and the receipt of purchase for the approved seed mixture to the Division by the corrective action date.

**CORRECTIVE ACTION DUE DATE:** 10/15/23

## **OBSERVATIONS**

The White Wolf Construction Borrow Pit was inspected by Amber Michels and Brock Bowles with the Division of Reclamation, Mining and Safety (Division/DRMS) as part of the Division's monitoring inspection program. Joe Montoya with White Wolf Construction & Landscaping, LLC was present during the inspection. The site was previously inspected by the Division on August 30, 2022.

The site is a construction materials 111(1)(b) Special One-Time Incidental Operation approved for 0.41 acres. The site is located north of Highway 12 and County Road 47.7, approximately 12 miles west of Trinidad, Colorado. The mined commodity at this site was borrow material for construction. The pre and post-mining land use is rangeland. At the time of the inspection, the weather was warm and the sky was clear.

### **Availability Of Records:**

The Annual Fee, Report, and Map are current through May 24, 2024.

### **Backfilling and Grading:**

The initial backfilling and grading has been conducted at the site. The slopes on site have been returned to a 3H:1V configuration, except for a small (see Photo 1 and Map 1) area. Prior to spreading topsoil, the Operator shall do a small amount of additional grading on this slope to achieve 3H:1V.

### **Financial Warranty:**

The Division currently holds a financial warranty in the amount of \$3,628. The financial warranty was evaluated by the Division and has been determined to be adequate to reclaim the current disturbance on-site.

### **Reclamation Success and Revegetation:**

In accordance with Rule 1.1(50.1), all extraction and export of materials must be completed within 12 months of permit issuance. The permit was issued on May 24, 2019, therefore excavation and exportation of materials should have been completed by May 24, 2020. No mining or exportation of materials off-site has been reported since the initial mining occurred in 2018. Mr. Montoya has since used some material from the site on his own property, but following instruction from the Division, he has not excavated or re-located any material from the site since 2022.

**A problem has been cited** above for failure to reclaim affected lands within 12 months of the issuance of the permit pursuant to Rule 1.1(50.1)(f). The Operator shall finish final reclamation work in accordance with their approved plan by the corrective action date. The Operator's approved plan requires the replacement of 4- 6 inches of topsoil, 3H:1V slopes, and revegetation with the Zone 2 Foothills Lower Montane seed mixture.

### **Sediment Control:**

Some rilling was observed on the graded slopes (Photo 4: Map 1). Run-off appears to be contained on-site, running to a small heavily vegetated basin located along the south-east corner of the site (Photos 1 and 2: Map 1). Drainages bisect the site on the east and west side (Photos 3 and 6: Map 1). The drainages begin north of the site's boundary, and contribute to run-off entering the site and saturating the slopes. Prior to spreading topsoil and seed, the Operator shall stabilize the slopes to enable the establishment of a vegetative cover, and to reduce the probability of sediment leaving the site.

Conclusion:

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

Inspection Contact Address

Bernard (Joe) Montoya  
White Wolf Construction & Landscaping, LLC  
24541 Hwy 12  
Trinidad, CO 81082

CC: Brock Bowles, DRMS  
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>Y</u>	(FN) FINANCIAL WARRANTY----- <u>Y</u>	(RD) ROADS----- <u>N</u>
(HB) HYDROLOGIC BALANCE----- <u>N</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>N</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>N</u>	(FW) FISH & WILDLIFE----- <u>N</u>	(RV) REVEGETATION---- <u>Y</u>
(SM) SIGNS AND MARKERS----- <u>N</u>	(SP) STORM WATER MGT PLAN---- <u>N</u>	(RS) RECL PLAN/COMP-- <b>PB</b>
(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

## PHOTOGRAPHS



**Photo 1:** Looking north-east at the mining disturbance on-site. Circle indicates a small area where the slope on-site is steeper than 3H:1V. Arrow indicates the flow of water on-site.



**Photo 2:** Looking east at the south end of the site where water and sediment are captured in a shallow heavily vegetated basin.



**Photo 3:** Looking north along a drainage beginning north of the disturbance that bisects the middle of the site from the eastern portion.



**Photo 4:** Looking north up the middle of the graded disturbance at minor riling. No topsoil is salvaged onsite. Very little to no topsoil is available on the adjacent undisturbed areas as well.



**Photo 5:** Looking south from the southern portion of the site towards the Operator's home and Highway 12.



**Photo 6:** Looking north-west at another drainage that bisects and separates the middle of the site from the western portion.



**Map 1:** Map prepared in Google Earth Pro showing the photo capture locations during the Division’s August, 23, 2023 routine monitoring inspection of the White Wolf Construction Borrow Pit.