



# COLORADO


Division of Reclamation,  
Mining and Safety

Department of Natural Resources

## 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> Ducray Pit #2	<b>MINE/PROSPECTING ID#:</b> M-2019-035	<b>MINERAL:</b> Borrow material for	<b>COUNTY:</b> Mesa
<b>INSPECTION TYPE:</b> Surety-Related Inspection	<b>WEATHER:</b> Clear	<b>INSP. DATE:</b> October 18, 2023	<b>INSP. TIME:</b> 14:00
<b>OPERATOR:</b> Martinez Western Constructors Inc.	<b>OPERATOR REPRESENTATIVE:</b> None	<b>TYPE OF OPERATION:</b> 110c - Construction Limited Impact	
<b>REASON FOR INSPECTION:</b> Priority	<b>BOND CALCULATION TYPE:</b> Complete Bond	<b>BOND AMOUNT:</b> \$6,447.00	
<b>DATE OF COMPLAINT:</b> NA	<b>POST INSP. CONTACTS:</b> None	<b>JOINT INSP. AGENCY:</b> None	
<b>INSPECTOR(S):</b> Amy Yeldell	<b>INSPECTOR'S SIGNATURE:</b> 	<b>SIGNATURE DATE:</b> October 30, 2023	

### GENERAL INSPECTION TOPICS

The following inspection topic(s) were identified as having a **Problem (PB)**, which includes correction actions and a deadline whereby the Operator must demonstrate compliance with the conditions of the Permit and the requirements of the Act and Rules. Failure to address the corrective actions by the deadline may cause the Division to escalate the **Problem to a Possible Violation (PV)** and schedule the issue for formal hearing before the Mined Land Reclamation Board (Board).

(AR) RECORDS----- <b>PB</b>	(FN) FINANCIAL WARRANTY----- <u>Y</u>	(RD) ROADS----- <u>N</u>
(HB) HYDROLOGIC BALANCE----- <u>N</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>N</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>Y</u>	(FW) FISH & WILDLIFE----- <u>N</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>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

**INSPECTION TOPIC:** Availability Of Records

**PROBLEM/POSSIBLE VIOLATION:** Problem: Pursuant to C.R.S. 34-32.5-116(3)(a) and (b) the annual report, map, and fee required under your permit and have not been received by the Division of Reclamation, Mining and Safety (Division). The 2023 Annual Report, Map and Fee was due on September 11, 2023. This is cited as an inspection problem.

**CORRECTIVE ACTIONS:** Please submit the required Report, Map and Fee before November 11, 2023, to avoid enforcement action. If the problem is not resolved by November 11, 2023 then the Division will issue a Notice of Violation.

**CORRECTIVE ACTION DUE DATE:** 11/11/23

**OBSERVATIONS**

This inspection was conducted as part of the Colorado Division of Reclamation, Mining and Safety's (Division) normal monitoring program. The Ducray Pit #2 is a 110c Reclamation only site that consist of 2.45 acres where 0.66 acres of disturbance took place. The site is located in Mesa County. Amy Yeldell of the Division conducted the inspection. Neither the landowner nor the Operator were present for the inspection but were contacted ahead of time.

Availability of Records:

Pursuant to C.R.S. 34-32.5-116(3)(a) and (b) the annual report, map, and fee required under your permit and have not been received by the Division of Reclamation, Mining and Safety (Division). The 2023 Annual Report, Map and Fee was due on September 11, 2023. This is cited as an inspection problem. Please submit the required Report, Map and Fee before November 11, 2023, to avoid enforcement action. If the problem is not resolved by November 11, 2023 then the Division will issue a Notice of Violation.

\*Please note that no releases can be requested until the permit is back in good standing.

Financial Warranty:

The Division currently requires a financial warranty amount of \$6,447.00 for this site. The Division has reviewed the reclamation cost estimate and determined that amount is adequate.

Gen. Compliance With Mine Plan:

The original disturbance associated with the site occurred in March of 2018 prior to a permit being issued. A permit issued was in fall of 2019. No additional disturbances have taken place since 2019 and the site remains in final reclamation. In fall of 2018 initial reclamation activities were conducted. There is pre-law historical disturbances within the permit boundary as well. All slopes associated with the mining activity appear to be graded to a 3H: 1V or less.

Given the sites pre-law disturbances, little to no topsoil was available on site for reclamation. Surfaces generally consist of mostly graveled areas with small amounts of residual fines. This lack of 'topsoil' material has resulted in decreased desirable vegetation. Surrounding areas are of a similar condition in that they lack topsoil,

leading to decreased desirable vegetation.

Other:

All mining related debris, equipment, etc. has been removed from site. The landowner continues to store trailers and other personal possessions within the permit boundary. These features do not appear to be inhibiting plant establishment but additional disturbances of the reclaimed areas is counterproductive.

Revegetation:

Overall vegetative cover is estimated to be approximately 40%. Of that vegetation, nearly all of it was Cheat Grass or other noxious species. The only desirable vegetation observed was volunteered rabbit brush, sagebrush and aster. Despite weed treatments desirable vegetation has not increase. This site is comparable to the surroundings.

Based on this inspection the Division has determined that the Operator has successfully complied with the requirements of the Act, Rules and Regulations, and the approved Reclamation Plan, and the permit area is ready to be released from any further reclamation responsibility. If the Operator submits an acreage release request within 60 days this inspection will count as the acreage release inspection.\*

Sediment Control:

Despite the lack of overall vegetative cover no sedimentation or erosion was observed leaving the mine site. Given the soils rocky nature slopes appear stable

Signs and Markers:

No mine sign was observed.

Responses to this inspection report should be directed to: Amy Yeldell at the Division of Reclamation, Mining and Safety, Rm 215, 1001 E 62nd Ave, Denver Co 80216. Direct contact can be made by phone at 303-866-3567 Ext 8183 or via email at amy.yeldell@state.co.us

**Inspection Contact Address**

Paul Martinez  
Martinez Western Constructors Inc.  
2600 Partridge Ct  
Grand Junction, CO 81506

Enclosure

CC:

Travis Marshall, Senior EPS, Grand Junction DRMS

**PHOTOGRAPHS**









