



## 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> Mary's Mountain Gravel Pit	<b>MINE/PROSPECTING ID#:</b> M-2003-068	<b>MINERAL:</b> Sand and gravel	<b>COUNTY:</b> Huerfano
<b>INSPECTION TYPE:</b> Monitoring	<b>WEATHER:</b> Clear	<b>INSP. DATE:</b> November 29, 2023	<b>INSP. TIME:</b> 10:50
<b>OPERATOR:</b> Ronald B. Montano	<b>OPERATOR REPRESENTATIVE:</b> Luis Nunez	<b>TYPE OF OPERATION:</b> 110c - Construction Limited Impact	

<b>REASON FOR INSPECTION:</b> Normal I&E Program	<b>BOND CALCULATION TYPE:</b> Complete Bond	<b>BOND AMOUNT:</b> \$35,000.00
<b>DATE OF COMPLAINT:</b> NA	<b>POST INSP. CONTACTS:</b> None	<b>JOINT INSP. AGENCY:</b> None
<b>INSPECTOR(S):</b> Amber Gibson	<b>INSPECTOR'S SIGNATURE:</b> 	<b>SIGNATURE DATE:</b> December 8, 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 mine identification sign and affected area boundary markers were not observed per the requirements of Rule 3.1.12.

#### **CORRECTIVE ACTIONS:**

- The Operator shall, at the entrance of the mine site post a sign, which shall be clearly visible from the access road, with a minimum size equaling one hundred and eighty-seven (187) square inches, such as eleven (11) inches in height and seventeen (17) inches in width, with appropriate font size, with the following: the name of the Operator, a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board; and the permit number. The Operator shall submit a photo via email of the posted sign by the corrective action date.
- The boundaries of the affected area must be marked by monuments or other markers that are clearly visible and adequate to delineate such boundaries. The Operator shall use the approved survey map included with the original permit application to replace the boundary markers. The Operator shall also submit photos and coordinates of the installed corner markers via email to the Division by the corrective action date.

**CORRECTIVE ACTION DUE DATE:** 1/29/24

## **OBSERVATIONS**

The Mary's Mountain Gravel Pit was inspected by Amber Gibson with the Division of Reclamation, Mining and Safety (Division/DRMS). The inspection was completed as part of the Division's routine monitoring inspection program. The site was previously inspected by the Division on June 7, 2019. Luis Nunez, representing the Operator Mr. Montano, accompanied me during the inspection. The weather was clear.

Mary's Mountain Gravel Pit is located approximately 15 miles southwest of Walsenburg, CO and accessed from Co Rd 312. The pit is located within a large land area that is privately owned by the Operator. The site is a 110c operation, permitted for 9.9 acres, to mine sand and gravel. The current disturbed area is approximately 2.53 acres (see Map 1). The site is surrounded by forest, with a post-mining land use of rangeland.

### **Availability of Records:**

The annual report, fee, and map are current through February 24, 2024.

### **Financial Warranty:**

The Division currently holds a reclamation bond in the amount of \$35,000 for this operation. The Division has evaluated the reclamation liability at the site, and has determined the bond to be adequate at this time.

### **Hydrologic Balance:**

No standing water, nor evidence that water in the form of run-off has left the site, was observed on-site during the inspection.

### **Gen. Compliance with Mine Plan:**

The pit is approved through Technical Revision 01 (TR1) for intermittent operation. The revision was submitted by the previous Operator, and states that Huerfano County and local residents may come in and extract material, free of charge, when needed. During the inspection, the current Operator stated that the material from the pit is currently only used to maintain the roads and crossings on the Operator's owned land. Since the current Operator took over the permit through the Succession of Operators Revision (SO1) in 2019, no material has been sold or used offsite.

No excavation has occurred on-site since SO1 was approved. The only equipment on-site is a portable grizzly screener (see Photo 1; Map 1). The Division used a combination of Esri Field Maps and Google Earth Pro to estimate the length of the current highwalls at the site to be 817.5 feet long (see red lines on Map 1). The Division and the Operator estimate the maximum height of the highwalls to be about 25-28 feet, with a site-wide average being between 15 and 20 feet.

The extent of the disturbance on-site is estimated at approximately 2.53 acres (yellow polygon on Map 1). A coordinate point was taken at the western-most extent of the site (red dot on Map 1). The disturbance consists of a single pit, highwalls along the east, south, and west boundaries of the pit, product stockpiles along the south side of the entrance road, and topsoil stockpiles along the south border of the highwall (Photos 1-5; Map 1). When the Operator uses material from the site, it is sourced from the piles near the entrance road. The disturbance at the site appears stable, and no signs of excessive erosion were observed during the inspection.

Right of Entry:

The Operator is the property owner of the land where the site is located.

Signs and Markers:

During the inspection, the Operator and the Division walked the approximate boundary of the permit and located two markers (Photos 6-7; Map 1). The marker in the north-east corner of the site appeared to be in the correct spot. The marker on the west side of the permit appeared to lie along the western border, but no western corner markers were found. The Operator and Division came across a two track road south of the permit boundary where the Division approximates the south-west corner may intercept. The Division and the Operator also estimated that the north-west corner is near a sapling located off of the entrance road where the Division and Operator piled rocks near the base (Photo 8; Map 1).

However, the Division's estimate of the permit boundary (blue polygon on Map 1) is extrapolated from an image overlay of the approved mining plan map into Google Earth Pro software and the approved 9.9 acres, and does not represent the exact location of the boundary. The approved mining plan map submitted with the original 110c application for the site represents the currently approved permit boundary. This map is a survey map of the site (see Map 2).

**A problem has been cited** above for missing affected boundary markers and permit entrance sign per Rules 3.1.12(1) and 3.1.12(2). The Operator shall post a permit sign at the entrance of the site that meets the requirements of Rule 3.1.12(1), and submit a photo of the posted sign to the Division, via email, by the corrective action date. The Operator shall also use the approved mine plan map to replace affected boundary markers around the site, and supply the Division with photos and GPS coordinates of the corner markers via email by the corrective action date.

Topsoil:

The topsoil piles located along the south side of the southern highwall appear stable at this time (Photo 5; Map 1).

Conclusion:

This concludes the Division's Inspection Report; a few maps 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.gibson@state.co.us](mailto:amber.gibson@state.co.us) or by telephone at (720) 836-0967.

**Inspection Contact Address**

Luis Nunez  
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Castle Rock, CO 80109

### 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>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>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>N</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>N</u>	(SC) EROSION/SEDIMENTATION--- <u>N</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 at the west side of the pit from the highwall. Circled in yellow is the portable grizzly screener.



**Photo 2:** Looking at the east side of the pit from the highwall.





**Photo 3:** Looking east at the product stockpile from the south side of the entrance road.



**Photo 4:** Looking at the highwall cut along the west side of the pit.





**Photo 5:** Looking south at the tallest point in the highwall. Arrows point to some of the topsoil pile locations.



**Photo 6:** Looking west at the marker found along the western permit boundary.





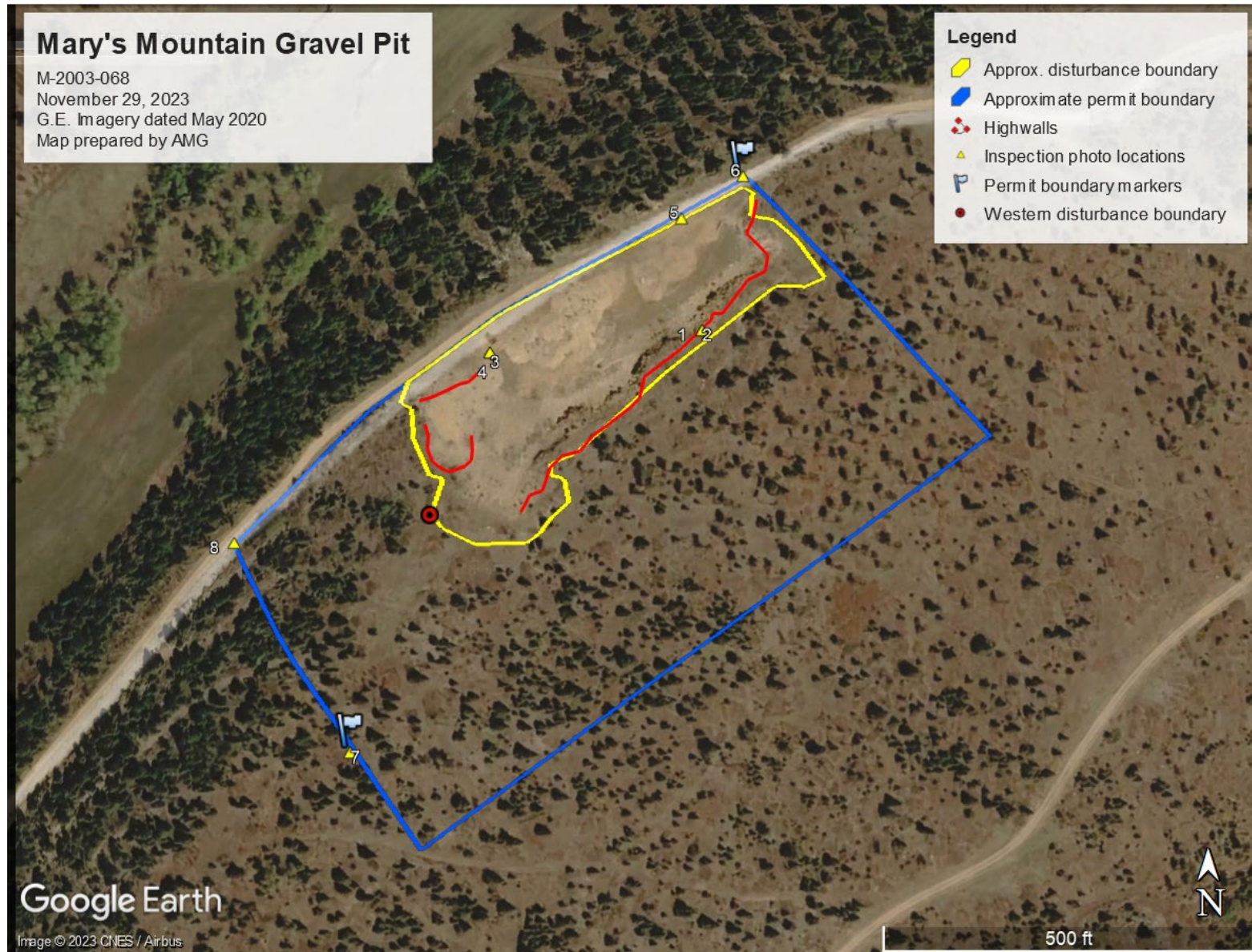
**Photo 7:** Looking north at the north-east corner permit boundary marker.



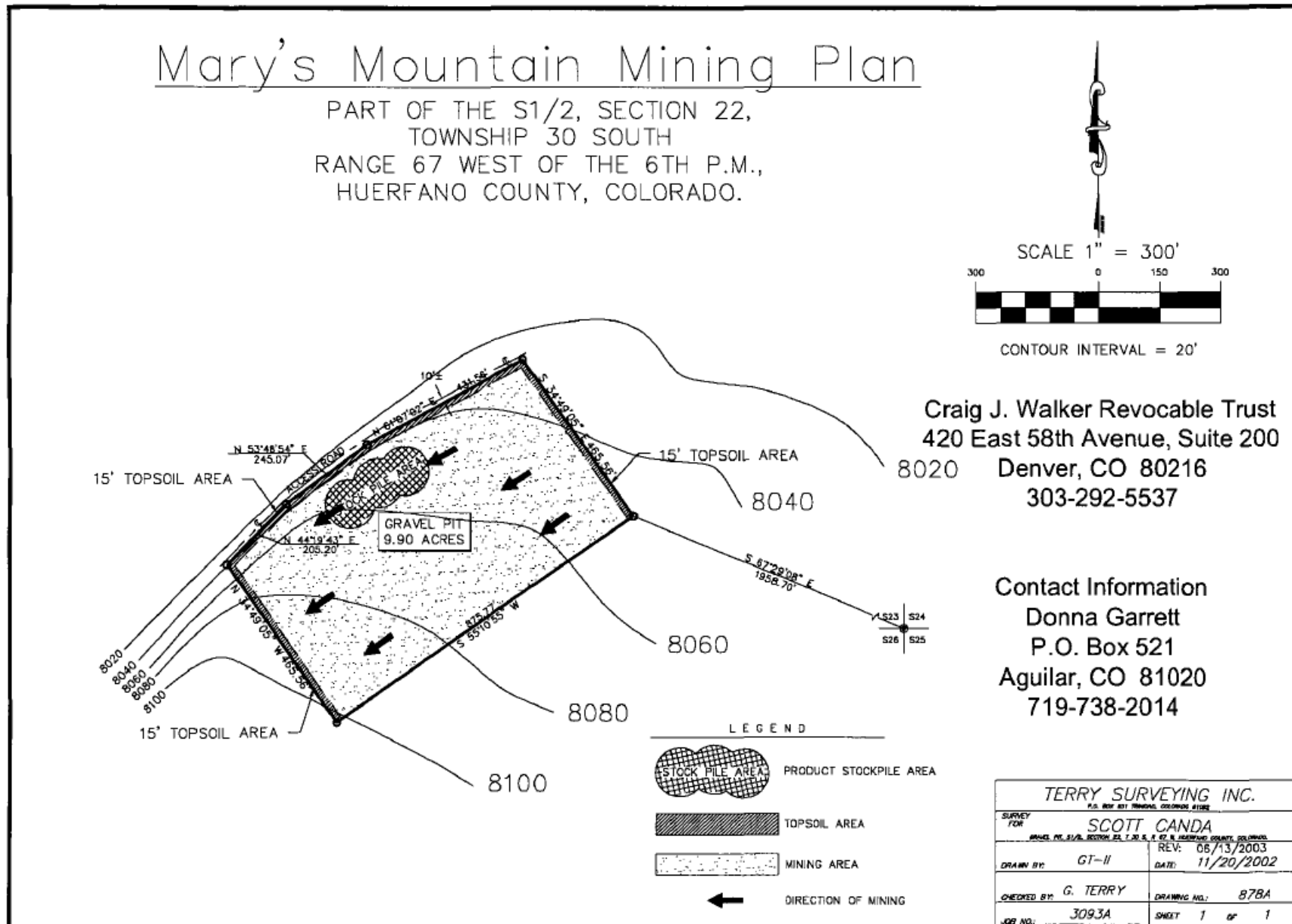
**Photo 8:** Looking south at the sapling that marks the approximate north-west permit boundary corner.



MAPS



**Map 1:** Map generated by the Division, using Google Earth Pro, of the Mary's Mountain Gravel Pit.



**Map 2:** Photo of the approved Mining Plan Map for the Mary's Mountain Gravel Pit included with the 110c application.