

STATE OF
COLORADO

Gagnon - DNR, Nikie <nikie.gagnon@state.co.us>

Larsen Pit Pre-Operation Inspection Report

1 message

Gagnon - DNR, Nikie <nikie.gagnon@state.co.us>

Fri, Dec 15, 2023 at 12:57 PM

To: Marcy Brossman <ccadmin@rebeltec.net>

Hi Marcy.

Attached is the pre-operation inspection report for the Larsen Pit, Permit No. M-2023-036. The Division did not receive any comments on this application. I will send my adequacy questions to you in a separate email.

Kind regards,

--

Nikie Gagnon
Environmental Protection Specialist



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

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INSP-REPORT_M2023036_Larsen Pit Pre-Op Inspection.pdf

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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: Larsen Pit	MINE/PROSPECTING ID#: M-2023-036	MINERAL: Sand and gravel	COUNTY: Cheyenne
INSPECTION TYPE: Pre-operation Inspection	WEATHER: Clear	INSP. DATE: December 5, 2023	INSP. TIME: 10:00
OPERATOR: Cheyenne County	OPERATOR REPRESENTATIVE: Jim Brown	TYPE OF OPERATION: 112c - Construction Regular Operation	
REASON FOR INSPECTION: Pre-operation Inspection	BOND CALCULATION TYPE: None	BOND AMOUNT: N/A	
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None	
INSPECTOR(S): Nikie Gagnon	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: December 15, 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>N</u>	(FN) FINANCIAL WARRANTY----- <u>N</u>	(RD) ROADS----- <u>Y</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>N</u>	(FW) FISH & WILDLIFE----- <u>N</u>	(RV) REVEGETATION---- <u>N</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>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

OBSERVATIONS

This was a pre-operation inspection conducted at the Larsen Pit in response to a new 112c application. Nikie Gagnon with the Colorado Division of Reclamation, Mining and Safety (Division) conducted the inspection. Jim Brown, representing the Cheyenne County, accompanied the Division during the inspection. The weather was clear and cool and the site was dry.

The application for the Larsen Pit was received on October 6, 2023 and deemed complete on October 19, 2023. The end of the comment period was December 12, 2023. The Division received letters from History Colorado and the CO Division of Water Resources. No public comments were received for this application. The decision date is set for January 17, 2024. The current site conditions were compared to the conditions presented in the application and, in the context of the mining and reclamation plan in the application, the site was inspected for any potential issues.

The Larsen Pit is located approximately 0.75 mile from the unincorporated and abandoned town of Firstview on State Highway 40. The nearest town is Cheyenne Wells, approximately 10 miles east of the mine site. The entrance to the mine is at the termination of County Road R, one mile west of County Road 34. An existing two-track dirt access leads to the proposed mining area. The proposed mining plan calls for widening this road to the west to accommodate mining traffic.

Mining Plan

This is a proposed construction material operation with a permit area of 32.37 acres. The proposed activities include extracting sand and gravel for road maintenance. The proposed post-mining land use is rangeland. The surface land is owned by Cheyenne County. Per C.R.S. 34-32.5-103(11)(b), the County states in the application that they do not intend to use this site for more than 180 days per year. Cheyenne County proposes to begin mining on the eastern side of the permit area and move west. No crushing or processing will occur onsite.

According to the application and confirmed by Division records, the Larsen Pit is a re-entry into an older gravel pit of the same name (permit no. M-1978-140). The older pit was a 16.5 acre 112c permit, of which approximately 6.5 acres were disturbed by mining prior to reclamation and release in 2018. During this inspection, the Division observed a revegetated shallow crescent excavation that daylights to the northeast in the center of the proposed permit area.

Vegetation

The current land use is rangeland. Observations during this inspection are consistent with the application. The site is dominated by short grass prairie species. Conservation Reserve Program (CRP) grass is planted on the north side of the parcel, outside the proposed permit area, north of the access road. The Operator indicated they will not disturb the CRP area when they widen the access road.

Structures

The proposed permit area is bordered by a wire fence on the south and west sides. This fence is owned by Cheyenne County, the permittee and parcel owner. There is a small corral 30 feet north of the haul road entrance on a parcel owned by the Colorado State Land Board. A letter of agreement for this structure was included in the application.

The Division observed the Union Pacific Railroad which runs parallel to the proposed southern boundary of the permit area. The Operator measured the distance to the right-of-way and shared a photo with the Division. The photo shows the distance from the permit boundary to the railroad right-of-way is 193 feet. A barbed

wire fence runs along the southern boundary of the parcel. The Division also observed a soil berm in the southeastern corner of the permit area, separating the proposed mining area from the railroad right-of-way which will not be mined. During this inspection, the Operator stated there will be a topsoil berm inside the parcel boundary running along the southern end of the permit area and no mining will occur within 200 feet of the railroad right-of-way. The application includes correspondence with Union Pacific Railroad. Union Pacific states they do not sign agreements of this nature and indicated the County should move forward with an engineering evaluation pursuant to Rule 6.4.19, which states, "where such an agreement cannot be reached, the applicant shall provide an appropriate engineering evaluation that demonstrates that such structure shall not be damaged by activities occurring at the mining operation".

Hydrology

The Division observed an ephemeral drainage within 200 feet of the western boundary of the proposed permit area. The creek was dry and the substrate is fine sand. A barbed wire fence separates the permit area from the drainage. The Division discussed with the Operator best management practices to control runoff and sedimentation into the drainage, to avoid any off-site impacts. No impoundments were observed during this inspection. No groundwater is anticipated to be encountered during mining.

Signs and Markers:

A notice sign required by 1.6.2(1)(b) was posted at the entrance to the site.

This concludes the report. A subset of the photographs taken during inspection are attached. Please contact Nikie Gagnon (303)866-3567 ext. 8126 or email at nikie.gagnon@state.co.us if you have any questions regarding this report.

PHOTOGRAPHS



Photo 1: View looking west across the permit area from the eastern side.



Photo 2: View looking west across the permit area from the center of the proposed permit area.



Photo 3: View of the former Larsen Pit mining area in the center of the proposed permit area.



Photo 4: View looking northwest down the access road. Proposed permit area is on the left side of the photo. CRP planted field on the right side.



Photo 5: View looking south at berm that separates the permit area from the Union Pacific Railroad right-of-way in the southeast corner of the proposed permit area.



Photo 6: View from the southwest corner looking east along the southern permit boundary.



Photo 7: View looking south at the adjacent Union Pacific Railroad right-of-way from the southeast corner of the proposed permit area.



Photo 8: Measuring tape showing distance from southern permit boundary to Union Pacific Railroad right-of-way. Photo shared by Operator.



Photo 9: Looking south at barbed wire fence and boundary marker on the southern permit boundary.



Figure 1: Google imagery from March 2020. Red boundary indicates proposed permit boundary. GPS points provided by Operator.

Inspection Contact Address

Jim Brown
Cheyenne County
51 South 1st Street
Cheyenne Wells, CO 80810

CC: Marcy Brossman, Cheyenne County
Amy Eschberger, DRMS