




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: Peak View Pit	MINE/PROSPECTING ID#: M-2014-028	MINERAL: Sand and gravel	COUNTY: Huerfano
INSPECTION TYPE: Monitoring	WEATHER: Clear	INSP. DATE: December 12, 2023	INSP. TIME: 10:45
OPERATOR: Huerfano County	OPERATOR REPRESENTATIVE: None	TYPE OF OPERATION: 112c - Construction Regular Operation	

REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: None	BOND AMOUNT: \$0.00
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
INSPECTOR(S): Amber Gibson	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: December 21, 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: Gen. Compliance With Mine Plan

PROBLEM: The current mine plan needs to be updated and clarified pursuant to C.R.S. 34-32.5-112 (1)(c)(VI). The Operator must provide sufficient information to describe or identify how the Operator intends to conduct the operation.

CORRECTIVE ACTIONS: The Operator shall submit a revision, to update and clarify the current approved mine plan to reflect existing and proposed activities by the corrective action date.

CORRECTIVE ACTION DUE DATE: 3/21/24

INSPECTION TOPIC: Off-site Damage

POSSIBLE VIOLATION: Land has been affected outside of the approved permit boundary. This is a possible violation at this time pursuant to C.R.S. 34-32.5-116(4)(i) for failure to protect areas outside of the affected land from slides or damages occurring during the mining operation.

CORRECTIVE ACTIONS: This possible violation will require a hearing before the Mined Land Reclamation Board. The schedule and other details for the MLRB hearing will be provided under a separate document to be sent via certified mail to the Operator.

CORRECTIVE ACTION DUE DATE: Tentative MLRB Hearing Dates – February 21 – 22, 2024

INSPECTION TOPIC: Sediment Control

PROBLEM: Erosion gullies and ruts were observed on-site. This is a problem at this time for failure to protect the affected land from erosion pursuant to C.R.S. 34-32.5-116 (4) (j).

CORRECTIVE ACTIONS: The Operator shall provide photo documentation to the Division verifying erosion gullies and ruts have been repaired, and that the site has have been reconstructed and stabilized to prevent erosion damage by the corrective action date.

CORRECTIVE ACTION DUE DATE: 3/21/24

INSPECTION TOPIC: Signs & Markers

PROBLEM: The majority of the affected area boundary markers are missing or incorrectly placed. This is a problem for failure to maintain boundary markers around the affected area as required by Section 3.1.12(2) of the rule.

CORRECTIVE ACTIONS: The Operator shall use the survey map provided with their TR1 application to replace the boundary markers in the correct locations. The Operator shall provide proof to the Division that this has been done by the corrective action date.

CORRECTIVE ACTION DUE DATE: 3/21/24

OBSERVATIONS

The Peak View 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 March 28, 2019. The Division was unaccompanied during the inspection but had permission to enter the site from Dustin Hribar, who represents the Operator (Huerfano County). The weather was cold, and the sky was clear.

The Peak View Pit is located approximately 3.5 miles north of La Veta, Colorado, just north of Highway 160 on County Road 520. The Peak View Pit is a 112c operation, permitted for 40 acres. The primary purpose of this operation is to provide sand and gravel for county road maintenance and repair. The site is surrounded by rangeland and the post-mining land use is rangeland.

Availability of Records:

The annual report, map, and fee are paid through September 2, 2024. A Technical Revision (TR1) moved the entrance of the site south of what was originally planned, but made no other boundary adjustments (see Map 2). There are no outstanding infractions.

Financial Warranty:

The Peak View Pit is permitted and operated by Huerfano County. The Division does not hold a financial warranty for County operations.

Gen. Compliance with Mine Plan:

The Peak View Pit is a phased operation composed of three Phases. The Phases move from east to west, with Phase 1 encompassing about 12 acres, Phase 2 about 14.8 acres, and Phase 3 about 10 acres. Mining began in the north-east corner and is progressing to the west. Processing is done on-site in the north east portion of the pit, with the use of portable equipment. There was no equipment observed on-site at the time of the inspection. A large product stockpile was observed on-site (Photo 1: Map 1). There was also some remnant material/debris located near the pit entrance (Photo 2).

The Division walked the perimeter of disturbance around the pit (excluding the portion of the access road that lay further west than the western pit boundary) and logged it using Esri Field Maps (Photos 3-10: Map 1). The disturbance boundary is shown as a purple polygon on Map 1. The Division estimates that approximately 14.99 acres have been affected to date (~14.6 acres of disturbance in the pit area and ~0.39 acres of entrance road leading up to the western edge of the pit). The approved reclamation plan states that the maximum disturbance at any time will be 14.8 acres. Because this is the maximum Phased acreage, this likely did not account for the disturbance from the entrance road. Regardless, the plan also states that reclamation will be ongoing as soon as the first phase is deemed to be 'mined-out'. It appears that no reclamation has occurred at this time. Additionally, it appears that both Phase 1 and Phase 2 are currently open. The Division advises beginning reclamation to stay within the planned Phases and maximum disturbance area.

Boundary marker locations were also logged using Esri Field Maps. The permit boundary markers were collected during the Division's previous inspection using a handheld GPS device. The location of the corner markers found during the 2023 inspection appear to be in agreement with those located during the 2019 inspection.

The majority of the highwalls around the pit appear to have been back-sloped to at least a 2H:1V slope (Photos 11-16: Map 1). However, some remain under a 1.5 slope. The most recent highwall, along the western border of the current pit, appears to be near vertical (Photo 17: Map 1). The most recent highwalls are the tallest highwalls on-site, estimated to be about 10 feet tall. The mining plan states that mining will be done at a 3H:1V slope and the reclamation plan explicitly states that there will be no highwalls at the pit (see excerpts below, ordered respectively).

Mining will be conducted in such a way as to facilitate reclamation, such as pushing slopes to a 3H: 1V. Reclamation will follow in a timely manner once an area is deemed mined-out. Seeding and final grading will be to a final reclamation use of rangeland, which the landowner has prescribed.

(3) All grading shall be done in a manner to control erosion and siltation of affected lands. All means will be taken to prevent soil erosion. No highwalls will be left after mining. Best Management Practices will be used to protect areas outside the affected land from slides and other damage. No highwalls are planned at this open pit mine.

This has been cited above as a problem. The Operator shall submit a revision to the current mining and reclamation plans to allow for the presence of highwalls, or submit proof to the Division that the highwalls have been backfilled, by the corrective action date.

Off-site Damage:

The extent of the disturbance appears to go off-site, in relation to the northern permit boundary, approximately 0.5 acres (Map 1). The off-site disturbance primarily consists of a berm along the perimeter of the pit, a 12 foot wide path, and a smaller berm along the north side of the path (see Photos 7 & 8: Map 1). A possible violation has been cited above for off-site disturbance, located north of the permit boundary. The Division has spoken to the Operator, who agrees that the disturbance extends north of the northern boundary. The Division will bring this matter before the Mined land Reclamation Board ("MLRB") for a hearing for consideration of a possible violation pursuant to C.R.S. 34-32.5-116(4)(i) for failure to protect areas outside of the approved affected land from slides or damages. The schedule and other details for the MLRB hearing will be provided under a separate document to be sent via certified mail to the Operator.

Right of Entry:

The Operator has a 15 year lease agreement with the landowner that began on September 4, 2013. It appears that the Operator has the legal right to enter at this time.

Sediment Control:

No off-site disturbance due to sediment run-off was observed during the inspection. There was evidence that surface water has run from the center portion of the permit, down to the southern portions, especially in Phase 1 (Photos 5, 18 & 19: Map 1). This run-off within the permit area has caused a few erosion ruts and gullies to form. This has been cited as a problem above for excess erosion. The Operator shall repair and stabilize the pit floor, and provide photos to the Division, by the corrective action date.

Signs and Markers:

A sign was posted in compliance with Rule 3.12.1(1) at the entrance gate (Photo 20: Map 1).

The northwest permit boundary marker was observed in place (Photo 21: Map 1). The northeast and southeast corner markers were located, but they had been knocked over (Photos 22 & 23: Map 1). The Division did not find the southwest marker. This has been cited above as a problem for missing/inaccurately placed markers. After speaking with the Operator post inspection, it is agreed that the replacement of the southern markers can wait until the Operators submit an amendment to encompass all of the off-site disturbance, and determine new permit boundaries. However, at least the northeast marker needs to be erected. The Operator shall send photo evidence to the Division that at least the northeast marker has been replaced by the corrective action date. The north and south sides of the entrance road were also logged by the Division using Esri Field Maps (see Map 1).

An additional t-post was also observed, located nearly halfway between the northeast and northwest markers. The additional post is located further north than the boundary (Photo 24: Map 1). After speaking to the Operator post inspection, it appears that this may have been mistaken as a permit boundary marker, which led to the off-site disturbance.

Topsoil:

Topsoil piles were observed along the south-side of the pit (Photo 25: Map 1). The piles appear to be stable at this time.

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 or by telephone at (720) 836-0967.

Inspection Contact Address

Dustin Hribar
Huerfano County
1038 Russell Ave
Walsenburg, CO 81089

CC: 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>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>PB</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>PB</u>	(ST) STIPULATIONS----- <u>N</u>
(AT) ACID OR TOXIC MATERIALS----- <u>N</u>	(OD) OFF-SITE DAMAGE----- <u>PV</u>	

Y = Inspected / N = Not inspected / NA = Not applicable to this operation / PB = Problem cited / PV = Possible violation cited

PHOTOGRAPHS



Photo 1: Looking north at a product stockpile.



Photo 2: Looking south-west at debris onsite. Debris includes pieces of a screener, conveyor belt, wood planks etc.



Photo 3: Looking northeast across pit.



Photo 4: Looking east along southern disturbance boundary.



Photo 5: Looking northwest across pit.



Photo 6: Looking west across the pit from the eastern boundary.



Photo 7: Looking west along the northern disturbance from the north-east corner.



Photo 8: Looking west along the northern disturbance. Path from the berm on the left to a small berm on right of photo (yellow line) was measured in the field to be approximately 12 feet wide and extends the majority of the northern disturbance boundary. The red arrow points to the additional t-post's location.



Photo 9: Looking south across western disturbance boundary.



Photo 10: Looking north-east across the pit from the western disturbance boundary.



Photo 11: Looking south-east from near the south-west corner of the disturbance boundary. Back-sloped highwalls.



Photo 12: Looking north across pit at some back-sloped highwalls.



Photo 13: Back-sloped highwalls.



Photo 14: Back-sloped highwalls.



Photo 15: Back-sloped highwalls



Photo 16: Back-sloped highwalls.



Photo 17: Near vertical, 11' tall, highwalls along western disturbance.



Photo 18: Mud cracks in foreground suggesting periods of standing water. Erosion ruts and gullies in background.



Photo 19: Photo taken from within an erosion gully that was approximately three feet tall.



Photo 20: Mine sign posted at the entrance gate.



Photo 21: Looking north at the northwest permit boundary t-post.



Photo 22: Looking over the knocked down north-east boundary marker.



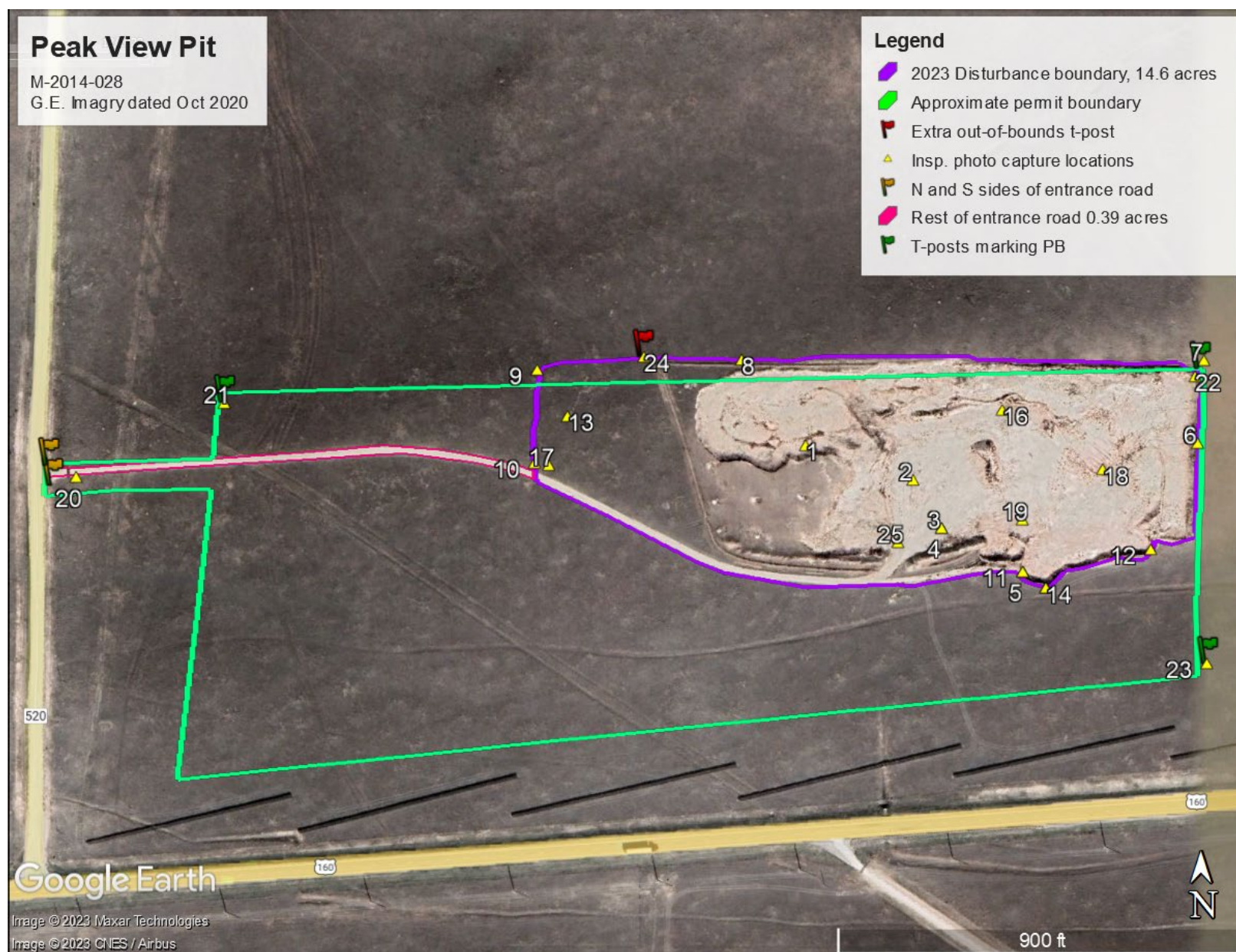
Photo 23: Looking north from behind the southeast knocked over marker.



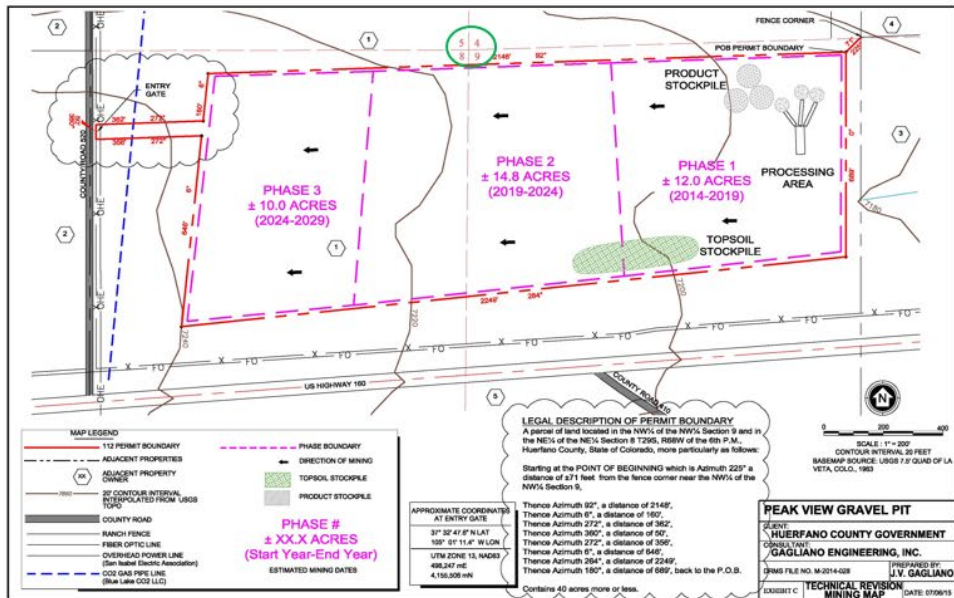
Photo 24: Standing above the extra marker located north of the permit boundary.



Photo 25: Looking west at the topsoil placed south of the pit.



Map 1: This map was generated in Google Earth Pro to illustrate where inspection photos were taken, where the disturbance boundary was walked, where field markers were located, and where off-site disturbance occurred.



Map 2: Image on the left is the TR1 map included with the TR1 application that requested to shift the entrance road south of where it was originally proposed. The image on the right was sourced from the DRMS GIS webpage, with the township, range, and section data layer turned on. The GIS image was overlain into Google Earth Pro to illustrate the relationship between the field markers, the survey line information, section boundaries, and the off-site disturbance. The green circles in each image highlights where the corner of Section 4, 5, 8, and 9 intersect.