



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.

MINE NAME: Hale Pit aka Earl's Pit	MINE/PROSPECTING ID#: M-1981-121	MINERAL: Sand and gravel	COUNTY: El Paso
INSPECTION TYPE: Monitoring	WEATHER: Clear	INSP. DATE: May 22, 2023	INSP. TIME: 08:45
OPERATOR: Atticus Land, LLC	OPERATOR REPRESENTATIVE: Jake Decoto	TYPE OF OPERATION: 110c - Construction Limited Impact	
REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE:	BOND AMOUNT: \$4,301.00	
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None	
INSPECTOR(S): Timothy Cazier, P.E.	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: January 30, 2024	

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>Y</u>	(RD) ROADS----- <u>N</u>
(HB) HYDROLOGIC BALANCE----- <u>Y</u>	(BG) BACKFILL & GRADING----- <u>Y</u>	(EX) EXPLOSIVES----- <u>NA</u>
(PW) PROCESSING WASTE/TAILING---- <u>NA</u>	(SF) PROCESSING FACILITIES----- <u>NA</u>	(TS) TOPSOIL----- <u>Y</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>NA</u>	(FW) FISH & WILDLIFE----- <u>Y</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>Y</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>NA</u>	(SC) EROSION/SEDIMENTATION--- <u>Y</u>	(ST) STIPULATIONS----- <u>N</u>
(AT) ACID OR TOXIC MATERIALS----- <u>NA</u>	(OD) OFF-SITE DAMAGE----- <u>Y</u>	

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

OBSERVATIONS

This inspection was conducted by Tim Cazier (DRMS) at the request of the Permittee (Atticus Land, LLC), represented by Mr. Jake Decoto during the inspection. The purpose of this inspection was to discuss reclamation progress and assess the revegetation.

The Hale Pit site entrance is located at the intersection of Spencer Rd and McClelland Rd, approximately five miles southeast of Peyton, CO. This is a 110c sand and gravel mine and is in final reclamation.

Backfilling and Grading: All required backfilling and grading appeared to be completed (see **Photo 1**).

Financial Warranty: The \$4,301 bond held by the DRMS was last updated in 2022 and included an acre of reseeding. This amount is adequate for the observed disturbance.

Fish and Wildlife: No impact to wildlife was observed.

Hydrologic Balance: No standing water was observed in the pit and no exposed groundwater was observed.

Gen. Compliance with Mine Plan: Mining has ceased. The site is in final reclamation.

Off-site Damage: The operation appeared to be confined to the permit boundary, based on Google Earth review and site observations.

Right of Entry: The site is owned by Atticus Land, LLC. Mr. Decoto asked what would need to be done if the land was sold from a permitting perspective. DRMS requirements are such that the Permittee must maintain the legal right of entry to complete reclamation and manage site conditions such as weed control until reclamation is completed, the Permittee requests a release and the DRMS approves the release request after a site inspection. Therefore, if the site is sold, Atticus Land must obtain a formal agreement from the new landowner allowing site entry to complete reclamation and perform maintenance tasks.

Reclamation Success: Mr. Decoto stated the regraded areas were broadcast seeded in 2022 after final grading and topsoiling were completed.

Revegetation: Vegetation was observed to be emerging (see **Photo 2**). The DRMS typically prefers to see at least two growing seasons before determining if revegetation is adequately established for a permit release. A small amount of Cheatgrass (a.k.a. Downy Brome) was observed. This is a noxious weed List C species, so it was not cited as a problem. However, the Operator should implement a weed control program to reduce the spread of cheatgrass on site.

Sediment Control: No erosion problems were observed and no BMPs were needed at the time of the inspection.

Signs and Markers: The permit sign was properly posted (see **Photo 3**).

Storm Water MGT Plan: No oil or fuel spills observed. Stormwater drains to the pit and infiltrates.

Topsoil: Topsoil had been placed.

Structures: No new structures were observed within 200 feet of the affected area.

Post Inspection Meeting: No problems were cited as a result of this inspection.

Please contact Tim Cazier (303)328-5229 or email at tim.cazier@state.co.us if you have any questions regarding this report.

PHOTOGRAPHS



Photo 1. Regraded highwalls (looking NE from SW corner).

PHOTOGRAPHS (cont.)



Photo 2. Typical emerging vegetation.



Photo 3. Permit sign (at entrance).

Inspection Contact Address

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ec: DRMS file
Hunter Ridley, DRMS