




**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> Cole Gravel Pit	<b>MINE/PROSPECTING ID#:</b> M-2004-020	<b>MINERAL:</b> Sand and gravel	<b>COUNTY:</b> Mesa
<b>INSPECTION TYPE:</b> Monitoring	<b>WEATHER:</b> Clear	<b>INSP. DATE:</b> January 24, 2024	<b>INSP. TIME:</b> 13:15
<b>OPERATOR:</b> M.A. Concrete Construction, Inc.	<b>OPERATOR REPRESENTATIVE:</b> Andy Azacarraga	<b>TYPE OF OPERATION:</b> 112c - Construction Regular Operation	
<b>REASON FOR INSPECTION:</b> Normal I&E Program	<b>BOND CALCULATION TYPE:</b> Complete Bond	<b>BOND AMOUNT:</b> \$399,860.00	
<b>DATE OF COMPLAINT:</b> NA	<b>POST INSP. CONTACTS:</b> DRMS	<b>JOINT INSP. AGENCY:</b> None	
<b>INSPECTOR(S):</b> Amy Yeldell	<b>INSPECTOR'S SIGNATURE:</b> 	<b>SIGNATURE DATE:</b> February 5, 2024	

**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>Y</u>	(BG) BACKFILL & GRADING----- <u>Y</u>	(EX) EXPLOSIVES----- <u>NA</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>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>N</u>	(SC) EROSION/SEDIMENTATION--- <u>N</u>	(ST) STIPULATIONS----- <u>N</u>
(AT) ACID OR TOXIC MATERIALS----- <u>Y</u>	(OD) OFF-SITE DAMAGE----- <u>NA</u>	

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

### **CORRECTIVE ACTIONS**

**INSPECTION TOPIC:** Availability Of Records

**PROBLEM/POSSIBLE VIOLATION:** Problem: The wrong annual report map has been submitted 2020-2023. This is cited as an inspection problem for failing to submit the annual map as required by C.R.S. 34-32.5-116(3)(a).

**CORRECTIVE ACTIONS:** Please submit an up-to-date annual report map for the Cole Pit by the corrective action deadline.

**CORRECTIVE ACTION DUE DATE:** 3/08/24

### **OBSERVATIONS**

This inspection was conducted as part of the Colorado Division of Reclamation, Mining and Safety's (Division) normal monitoring program. The Cole Pit is a 112c permitted site that consists of 264.63 acres. The site is located in Mesa County approximately six miles southeast of Whitewater, Colorado and is accessed from Kannah Creek Road. Amy Yeldell of the Division conducted the inspection. Andy Azcarraga represented M.A. Concrete Construction, Inc., the Operator.

#### **Availability Of Records:**

The wrong annual report map has been submitted 2020-2023. M.A. Concrete Construction, Inc. has submitted maps for other mine sites permitted by them. This is cited as an inspection problem for failing to submit the annual map as required by C.R.S. 34-32.5-116(3)(a). Please submit an up-to-date annual report map for the Cole Pit by the corrective action deadline on page two of this report.

#### **Acid And Toxic Materials:**

An elevated fuel tank remains on site in Phase 1. It is located within an earthen embankment secondary containment. No other acid or toxic materials were observed on site

#### **Backfilling and Grading:**

There is a small highwall remaining along the west side of phase 1 (Photo One). This material is primarily reject fines or sand that will be used for grading at the end. The highwall is estimated to be approximately 10 feet high and stretches along most of the east side of phase 1, approx. 1000LF. As well as the highwall that runs nearly the entire length of the affected lands from east to west (Photo Two and Three). This highwall is the divider of phases 1 and 2 from the southern Phases 3-6. Its approximately 2000 LF at 10-15 feet high. There is also an active highwall in Phase 2 that is moving from east to west. This highwall is estimated to be approximately 10-15'H and 900 LF in total. All of these highwalls vary from near vertical to a 1H: 1V slope and can be cut/fill.

#### **Explosives:**

Explosives are not used in conjunction with this mining operation.

Financial Warranty:

The Division currently requires a financial warranty amount of \$399,860.00 for this site. The bond was last recalculated with SI-1 in 2018. In an effort to ensure the Financial Warranty adequately reflects the actual current cost of fulfilling the requirements of the approved reclamation plan the Division will be updating the reclamation cost estimate. If the current bond is found to be insufficient the Division will send a Notice of Surety Increase under a separate cover.

Hydrologic Balance:

No exposed groundwater was observed during the inspection.

Gen. Compliance With Mine Plan:

The site was active at the time of the inspection. It is estimated that approximately 100 acres have been affected to date. There are several large stockpiles of processed material stored on the pit floor, primarily within phase 2 (Photos 4-6). Mr. Azacarraga stated that they recently demobilized the crusher. No processing equipment remains on site. A loader, two excavators, a haul truck and a water truck remain on site.

Misc. boulders are stockpiled in Phase 5 and 6 on the un-mined land (Photo Seven).

Off-site Damage:

No off-site damages were observed.

Other:

Note that several changes may be requested under one Technical Revision request with the required \$216 revision fee.

Right of Entry:

Division staff verified that the Azcarraga family remains the landowner of all affected lands and therefore is in compliance with Rule 6.3.7 by maintaining its Legal Right of Entry.

Reclamation Success:

The site has a post mining land use of rangeland. No areas were evaluated for reclamation success during this inspection

Revegetation:

A fair amount of time was spent discussing the reclamation plan and the several failed revegetation efforts. Approximately 8 acres has been seeded to date with almost no visible success (Photo Eight). In general, the reclamation plan is adequate however the site given its arid nature, establishment of vegetation (especially desirable) is difficult. The surrounding areas on the mesa are extremely sparse. Crested wheatgrass and saltbrush were the only desirable species observed. And they occurred at fairly low densities. The hillside areas have slightly more cover and a wider variety of species.

The Operator may consider harvesting saltbrush seeds for adjacent lands to use for reclamation for reclamation on site. The operator may consider doing a soil test to ensure that a nutrient deficiency isn't exacerbating an already challenging environment. Application of mulching post seeding may help with moisture retention. The Operator is also encouraged to reach out to the NRCS for additional guidance/suggestions.

Evidence of noxious weeds (Halogeton, Kochia and Russian Thistle) were observed throughout the site, both reclaimed and unaffected. All efforts to control noxious weeds should be made in order to limit external pressures to desirable plants. The Mesa County Weed and Pest department may have guidance as to timing/application of treatments.

Minor modifications to the Reclamation Plan may be done in the form of a Technical Revision.

**Signs and Markers:**

A mine sign was posted at the entrance to the mine site as required by Rule 3.1.12(1). The sign was of sufficient size (Photo Nine). The permit boundary of the affected land was clearly delineated primarily by a wire fence pursuant to Rule 3.1.12(2).

**Topsoil:**

There are two main topsoil stockpiles. One pile is located on the west side of phase 1, this material will be used at the of final reclamation on phase 6. The other stockpile is located within phase 2 and 3 and will/is being reapplied to graded portions not in use for material stockpiling (Photos 10 - 11). The northeast perimeter portions that are not the pit floor (stockpiling areas) of Phases 1 and 2 have had topsoil applied. The Division estimates that approximately 24 acres of topsoil has been applied.

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**

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CC:

Travis Marshall, Senior EPS, Grand Junction DRMS

**PHOTOGRAPHS**











Photo 4: Pit overview



Photo 5: Water tank and truck for dust suppression.





Photo 6: Pit floor overview, stockpiled material.



Photo 7: Boulders stored in Phase 5 and 6





Photo 8: Reclaimed portion of Phase 1.



Photo 9: Mine sign





Photo 10: Topsoil berm partially reapplied to Phase 2.



Photo 11: Topsoil berm partially reapplied to Phase 2 (east side)