




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: Nichols Gravel Pit	MINE/PROSPECTING ID#: M-1981-013	MINERAL: Sand and gravel	COUNTY: Mesa
INSPECTION TYPE: Surety-Related Inspection	WEATHER: Clear	INSP. DATE: May 14, 2024	INSP. TIME: 14:00
OPERATOR: Nichols Gravel Pit, L.L.P.	OPERATOR REPRESENTATIVE: Mike Anson	TYPE OF OPERATION: 112c - Construction Regular Operation	
REASON FOR INSPECTION: Surety Related	BOND CALCULATION TYPE: Complete Bond	BOND AMOUNT: \$115,474.00	
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: DRMS	JOINT INSP. AGENCY: None	
INSPECTOR(S): Amy Yeldell	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: May 23, 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>N</u>
(PW) PROCESSING WASTE/TAILING---- <u>N</u>	(SF) PROCESSING FACILITIES----- <u>Y</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>NA</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>NA</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 Amy Yeldell of the Colorado Division of Reclamation, Mining and Safety (Division). The Nichols Gravel Pit is a 112c permitted site that includes a total of 67.5 acres. This site is located two miles northeast of Mesa, CO and is accessed from State Highway 330. Mike Anson of Anson Excavating was present for the inspection, no representative from Nichols Gravel Pit, L.L.P. was present. Amy Yeldell of the Division conducted the inspection.

This was a surety related inspection. On November 13, 2023, the Division sent a proposed Surety Increase (SI-5). The proposed SI-5 would have resulted in a \$92,641 increase to the existing Financial Warranty. On January 3, 2024, the Operator requested additional time to perform reclamation on site to decrease site liability. Ultimately the Operator was given until April 20, 2024, to conduct reclamation activities. Anson Excavating performed the work.

Backfilling and Grading:

The pit consists of two main levels. Each level is approximately 20-30' deep. The bench configuration remains unchanged.

Significant grading has occurred compared to the previous inspection. Approximately 700 LF of the exterior upper southern highwall has been graded to a 2H: 1V. The western portion of the southern highwall remains unchanged (600 LF). The southeastern corner and eastern side remains near vertical. According to Mr. Anson if the material is not processed this summer those slopes will also be graded. These slopes can be cut/full (400LF). The upper northern highwall has also been graded to a 2H: 1V with some areas near the fence corner being steeper. Approximately 840 LF is properly graded to a 2H: 1V on the northeast side. 400 LF will require additional backfill material and blending to get to a 2H: 1V around the fence corner.

Portions of the northwest highwall have also been graded. The hole above the highwall in the northwest corner has also been partially regraded. Approximately 300 LF of grading work remains in this area.

Photos **X-XX** show the recently regrade slopes throughout the pit.

Explosives:

Explosives are not used in conjunction with this mining operation.

Financial Warranty:

The Division currently requires a financial warranty amount of \$115,474.00 for this site. The Division has recalculated the estimated site liability taking into account reclamation conducted this spring. The currently held bond amount is considered to be insufficient.

During the inspection several potential changes which impact the bond were discussed. Until such time as the Technical Revision (or Amendment) is submitted and approved these changes cannot be taken into account. Under a separate cover the Division has provided the revised reclamation cost estimate. The Operator has until June 14, 2024 to submit a revision otherwise the bond as calculated will stand and the Division will issue a Notice of Surety Increase.

Hydrologic Balance:

No exposed groundwater was observed.

Gen. Compliance With Mine Plan:

The site was inactive at the time of the inspection. A loader and dozer were on site from recent grading activities.

Mr. Anson, stated that Mr. Nichols would like to leave the pit floor graveled for equipment storage. Only minor changes to the permit can be done under a Technical Revision. If the Operator would like to make a substantial change (leaving the entire pit floor graveled) that would require an amendment. Through the technical revision process the Operator may request to leave up to 7 acres graveled before an amendment is required. Based on the current permit, vegetation will need to be established on all affected lands.

Off-site Damage:

No off-site damages were observed. All mining related disturbances are located within the affected lands boundary.

Right of Entry:

Division staff verified that John Nichols 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:

No areas were evaluated for final reclamation success.

Revegetation:

No seeding or revegetation has occurred.

If doing a Technical Revision in the future the Operator may also consider improving the Reclamation Plan. Note that multiple changes can be made under one request. 1) The upland seed mix used on the slopes only consists of four species. Increasing the diversity (number and type of species) of the seed mixed allows for more opportunities for growth over variable conditions. 2) Planting of PJ is not representative of the adjacent areas. Unless otherwise required or desired by the landowner this may be an unnecessary cost. 3) Regarding fertilizing the pit floor. Modern reclamation practices tend to not employ the use of fertilizer unless reclamation efforts are unsuccessful or there is a known deficiency. An overabundance of nitrogen through fertilization to an abundance in noxious weeds. The Division would encourage the Operator to remove fertilizer from the Reclamation Plan at this time.

Support Facilities On-site:

If the scale house is to remain post-reclamation please include this as a permanent feature on the Reclamation Plan.

Signs and Markers:

A mine sign was posted at the entrance to the mine site as required by Rule 3.1.12(1). The information depicted was correct/ up to date and the sign was of sufficient size. The permit boundary of the affected land was clearly delineated primarily by a wire fence pursuant to Rule 3.1.12(2).

Topsoil:

Topsoil remains on the south side of the pit. No additional topsoil has been stripped or applied since the last inspection.

No problems or violations were noted during this inspection.

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 970-210-1272 or via email at amy.yeldell@state.co.us

Inspection Contact Address

John Nichols
Nichols Gravel Pit, L.L.P.
P.O. Box 285
Mesa, CO 81643

Enclosure

CC:

Travis Marshall, Senior EPS, Grand Junction DRMS
Mike Anson, Anson Excavating

PHOTOGRAPHS







