




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.

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| MINE NAME: Brandstadt Rock Pit | MINE/PROSPECTING ID#: M-1986-004 | MINERAL: Sand and gravel | COUNTY: Delta |
| INSPECTION TYPE: Surety Release Inspection | WEATHER: Clear | INSP. DATE: June 5, 2024 | INSP. TIME: 10:00 |
| OPERATOR: Roy & Sandy McLaughlin | OPERATOR REPRESENTATIVE: Roy McLaughlin, Michael Ripp | TYPE OF OPERATION: 110c - Construction Limited Impact | |
| REASON FOR INSPECTION: Surety Release Requested | BOND CALCULATION TYPE: None | BOND AMOUNT: \$3,714.00 | |
| DATE OF COMPLAINT: NA | POST INSP. CONTACTS: None | JOINT INSP. AGENCY: None | |
| INSPECTOR(S): Robert Zuber, P.E. | INSPECTOR'S SIGNATURE:  | SIGNATURE DATE: June 18, 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.

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| (AR) RECORDS----- <u>N</u> | (FN) FINANCIAL WARRANTY----- <u>N</u> | (RD) ROADS----- <u>NA</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>N</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>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

The Brandstadt Rock Pit is a 110c operation permitted for 3.5 acres. No mining activities are being conducted at the site. Reclamation included backfill and grading in 2017. Reseeding efforts were conducted at the site in 2020, but revegetation has not been successful. The applicant also indicated that subsequent seeding efforts were tried after the initial seeding efforts but were also not successful. The approved post-mining land use is rangeland. In 2023, the applicant, assisted by their consultant (Michael Ripp of MVR Resources, Inc.), submitted Technical Revision No. 2 (TR-02), which illustrated that the soils on the site and surrounding area are so poor that revegetation is not viable. This revision included soil samples for this illustration and was approved by the Division on April 18, 2024.

On April 24, 2024, the Division of Reclamation, Mining and Safety (the Division) received a surety release application (SL-01) for the Brandstadt Rock Pit. The Division found the application complete on April 29, 2024. This surety release application requests release of all warranties and termination of the permit with the Division.

As part of the SL-01 process, this inspection was conducted by Rob Zuber of the Division on June 5, 2024. Present during the inspection were the permittee, Roy McLaughlin, and Michael Ripp. The weather was hot and clear. The ground was very dry.

Permit boundaries are designated by a fence on the east and south sides and a road and berm on the west and north sides.

No erosion was seen on the slopes of the pit. The slopes are gentle (flatter than 3H:1V, which is the requirement in the approved Reclamation Plan), and the site drains to the northeast, which agrees with the surrounding area. No signs of sediment loading, or other off-site impacts, were identified.

Vegetation around the site is extremely sparse. On most of the site there is none, and in the low area there are a small number of rabbit brush plants and a weedy species that resembles kochia. No state-listed noxious weed species were identified around the site.

The soil on site is white and appears to be devoid of nutrients. Per the information submitted with TR-02, the soils on site and in the surrounding area are very high in soluble salts and strongly alkaline. It was determined by the Division that it is not practical to expect the soil of the reclaimed area to support a diverse, effective, and long-lasting vegetative cover that is capable of self-generating.

The adjacent lands consist of an irrigated field to the west, undisturbed land to the south and east, and barren land (apparently disturbed by other operations) to the north. The undisturbed land is mostly devoid of vegetation, and the soil appears to have little or no nutrients. There are some plants in the low areas where water collects, and these include Russian olive trees. The surrounding area, seen driving to the site, is barren land with very little vegetation and poor species diversity.

The operator has completed all required grading in accordance with the approved reclamation plan, and the site was observed to be stable. After repeated attempts, the operator has been unsuccessful in revegetating the site with the approved grass mixture. Based on the information provided in TR-02 regarding soil conditions

at the site, and the similar conditions observed in surrounding areas, the Division believes the operator has satisfied the requirements of the Act and Rules with respect to reclamation of the affected lands. Additionally, no objections to the release were received by the Division within the 15-day public comment period that closed on May 14, 2024. Therefore, the Division will approve the operator's surety release request (SL-01; see enclosed approval letter) for a full release of the permit. However, the Division must wait for the 30-day appeal period to close before the decision is considered final.

PHOTOGRAPHS



Looking northeast from the entrance (photo encompasses majority of site)



Very poor vegetation at bottom of pit



Undisturbed area to the east of site



Adjacent property to the northeast of the site

Inspection Contact Address

Roy & Sandy McLaughlin
82551 Hwy 92
Crawford, CO 81415

Enclosure

CC: Michael Ripp



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

June 18, 2024

Roy and Sandy McLaughlin
82551 Hwy 92
Crawford, CO 81415

**Re: Brandstadt Rock Pit - File No. M-1986-004;
Surety Release Request (SL-1), Request for Full Release of the Permit**

Dear Mr. and Mrs. McLaughlin:

On June 18, 2024, the Division of Reclamation, Mining and Safety concluded its review of the Surety Release Request application submitted to the Division on April 24, 2024, addressing the following:

This request is for full and final release of the Financial Warranty for Permit M-1986-004 and for release of the acreage in the permit area.

The decision reached by the Division is: **Approve.**

I am pleased to inform you that the Division of Reclamation, Mining and Safety has determined that you are eligible for release from further responsibility for the Brandstadt Rock Pit. In accordance with Rule 4.17.2(5), the Division is required to wait 30 days from this notice to allow for appeal of the Division's decision. Once this period closes, if no appeal is submitted the Division will issue the final decision on the release request in writing and the Performance Warranty and Financial Warranty on file will be returned in separate correspondence from the Division.

The Mined Land Reclamation Board and the Division staff wish to commend you for your reclamation efforts and the resulting success.

If you have any questions, please contact me by telephone at (720) 601-2276, or by email at Rob.zuber@state.co.us.

Sincerely,

Robert D. Zuber, P.E.
Environmental Protection Specialist

Copy via email: Michael Ripp

