



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: Peters Pit | MINE/PROSPECTING ID#: M-1991-078 | MINERAL: Gravel | COUNTY: Crowley |
| INSPECTION TYPE: Monitoring | WEATHER: Clear | INSP. DATE: June 12, 2024 | INSP. TIME: 08:04 |
| OPERATOR: Kiowa County | OPERATOR REPRESENTATIVE: Mr. Shane Lessenden | 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): Jocelyn Carter | INSPECTOR'S SIGNATURE:  | SIGNATURE DATE: June 26, 2024 |

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: Revegetation

PROBLEM/POSSIBLE VIOLATION: Problem: Tamarisk (salt cedar) trees are present within or have volunteered into the permit area and are becoming established. This is a problem for failure to employ weed control methods for a state listed noxious weed species within the permitted area, and to reduce the spread of weeds to nearby areas as required by Section 3.1.10 (6) of the rule.

CORRECTIVE ACTIONS: The operator shall either implement the existing weed control plan, or develop a weed control and management plan in accordance with Section 3.1.10 (6) of the Rule. This plan should be developed in consultation with the county extension agency, or weed control district office and should include specific control measures to be applied, a schedule for when control measures will be applied and a post-treatment monitoring plan. This weed control plan shall be submitted to the Division as a Technical Revision to the approved plan with the appropriate Technical Revision fee of \$216.00 by the corrective action date.

CORRECTIVE ACTION DUE DATE: 7/31/24

INSPECTION TOPIC: Signs & Markers

PROBLEM/POSSIBLE VIOLATION: Problem: The affected area boundary markers are missing. 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. Of the 9 boundary markers, the 2 marking the north boundary were observed to be in place, the remaining markers were missing, see Map #1 for reference.

CORRECTIVE ACTIONS: The operator shall conduct a survey and replace the boundary markers in the correct location(s). The operator shall provide proof to the Division that this has been done by the corrective action date.

CORRECTIVE ACTION DUE DATE: 7/31/24

OBSERVATIONS

The Peters Pit was inspected by me, Jocelyn Carter, on behalf of the Division of Reclamation, Mining, and Safety (Division/DRMS). Mr. Shane Lessenden was present during the inspection, representing Kiowa County, the Operator. The weather was clear with warm temperatures.

The Peters Pit operation is a 112c operation near the town of Sugar City in Crowley County, Colorado. Sugar City is located about 9 miles to the southwest of the mine site. To access the site from Sugar City, travel east on Colorado Highway 96 for 8.8 miles, then travel north on CoLn 31 for 1.4 miles, the entrance and gate is located to the west of the road. A mine sign is posted in accordance with Rule 3.1.12(1).

At the time of the inspection, there was one equipment operator on site, but no mining activity was being done during the inspection. Mr. Lessenden stated that the most recent mining activity was taking place in the northwest portion of the permit area. The equipment viewed on site included a bulldozer, a wheel loader, and a screener. Kiowa County extracts gravel from the Peters Pit for an end use of road base for county roads.

There are two problems cited at the beginning of this inspection report: 1) there were only two boundary markers viewed during the inspection, the remaining markers need to be re-installed by the Operator, and 2) there was Salt Cedar observed on site, a list C noxious weed that need to be removed. See the above citation for more information about the corrective actions required to resolve these problems.

Photographs taken during the inspection have been included in this report. There are two maps that were created with inspection observations noted for reference that are included at the end of this report.

Any questions about this inspection report can be directed to me, Jocelyn Carter, by email at Jocelyn.carter@state.co.us or by phone (720) 666-1065.

Records

The recent annual report was received on February 2, 2024. The report was not accurately filled out. The total current affected acres reported was 8.0 acres, the observed total affected area is estimated to be 16.4 acres, using Google Earth satellite imagery dated November 17, 2023. It was reported that 8.0 acres have been backfilled, graded, and topsoiled with 4 inches of topsoil; DRMS estimates are similar at 7.3 acres.

The total permitted area is 21.49 acres. The post-mining land use is rangeland. There is no bond held for this operation.

General Mine Plan Compliance

The operation appears to follow the general mining plan.

Signs and Markers

There is a sign posted in accordance with Rule 3.1.12(1) (see Photo #1). There is a problem cited at the

beginning of this report regarding the required boundary markers per Rule 3.1.12(2). See the citation for more information about the required corrective action.

Overburden/Developed Waste

The overburden stockpiles appear to be stable and protected from erosion so as to be used in reclamation operations.

Backfill & Grading

The backfill and graded area appeared to have slopes at a 3H:1V or less slope.

Fish & Wildlife

During the time of the inspection, cattle were moving through the permit area and Mr. Lessenden warned me of rattlesnakes occupying the area as well. Additional wildlife observed on the site included birds, rabbits, and various insects. There did not appear to be any negative impacts on the wildlife in the area.

Roads

The road appeared to be in good condition at the time of the inspection.

Topsoil

The topsoil stockpiles appeared to be stable and well vegetated for erosional protection. The amount of topsoil onsite appears to be adequate for reclamation operations.

Revegetation

There is a problem cited at the beginning of this report regarding the presence of Salt Cedar, a List C noxious weed. See the citation for more information about the required corrective actions.

Reclamation Plan/ Compliance

The post mine land use for the permit is rangeland; the approximately 8 acres that have been backfilled, graded, and topsoiled prove to be successful for the purposes of rangeland.

PHOTOGRAPHS



Photo #1: Posted mine sign per Rule 3.1.12(1).



Photo #2: View of road, looking east at the area that has been backfilled, graded, and topsoiled.



Photo #3: Looking to the south, on the left is the area that has been backfilled, graded, and topsoiled. On the right side of the photo is the recent active mining area. The wheel loader and bulldozer can be seen between the overburden berm and the product stockpile.



Photo #4: Looking to the west southwest at the recent active mining area.



Photo #5: Looking to the north at the most recent active mining area.



Photo #6: Looking to the south from the northwest region of the permit boundary; the most recently disturbed land can be seen.



Photo #7: Looking east southeast at the most recent disturbances.



Photo #8: Looking east southeast at the most recent active mining area from Point #2 on Map #2.



Photo #9: Looking east at the southern portion of active mining area.



Photo #10: Looking north at the southern portion of the active mining area from the southern portion of the permit area.

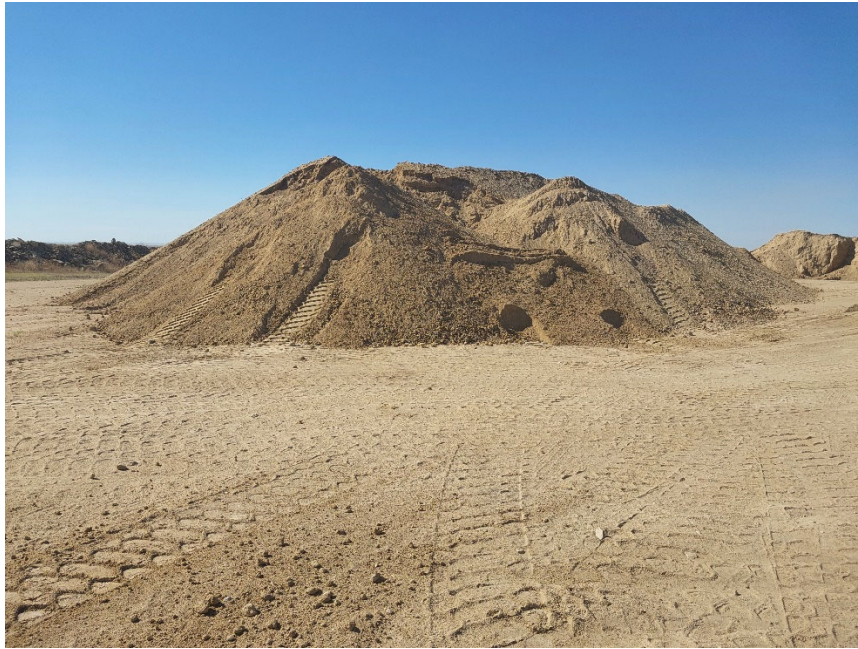


Photo #11: Looking south at the material stockpile that is outlined in green on Map #2.



Photo #12: The screener located to the west of the stockpile.



Photo #13: Looking to the east northeast at the backfilled, graded, and topsoiled area from Point #1 on Map #2.
Salt Cedar can be seen in this area.



Photo #14: Looking to the northwest at the area that has been backfilled, graded, and topsoiled from the
southeastern portion of the permit area.



Photo #15: Permit boundary marker viewed at the northwest corner of the permit area.



Photo #16: Permit boundary marker viewed at the northeast corner of the permit area.



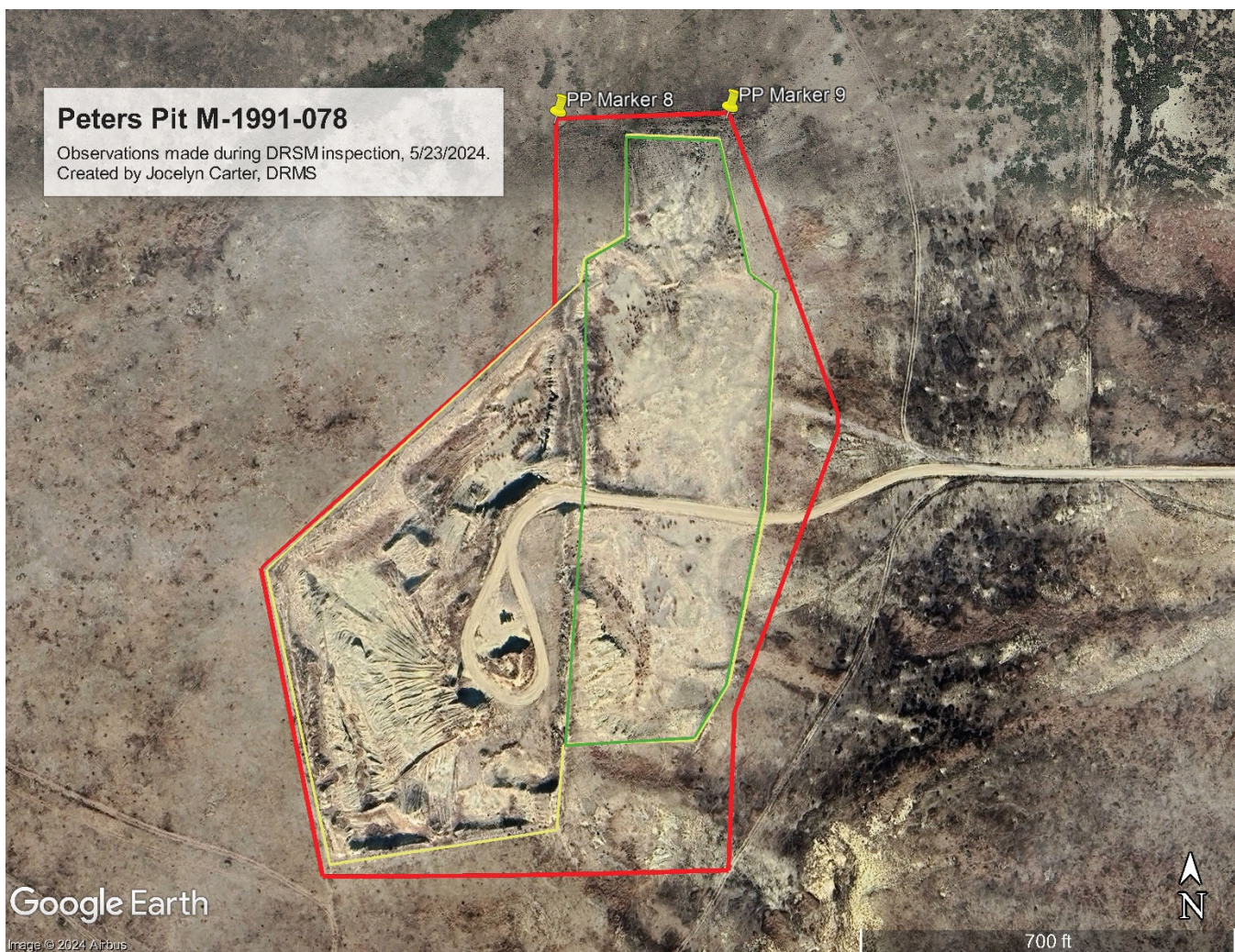
Photo #17: Salt Cedar located at Point #3 on Map #2.



Photo #18: Salt Cedar plants growing on the south side of the road.



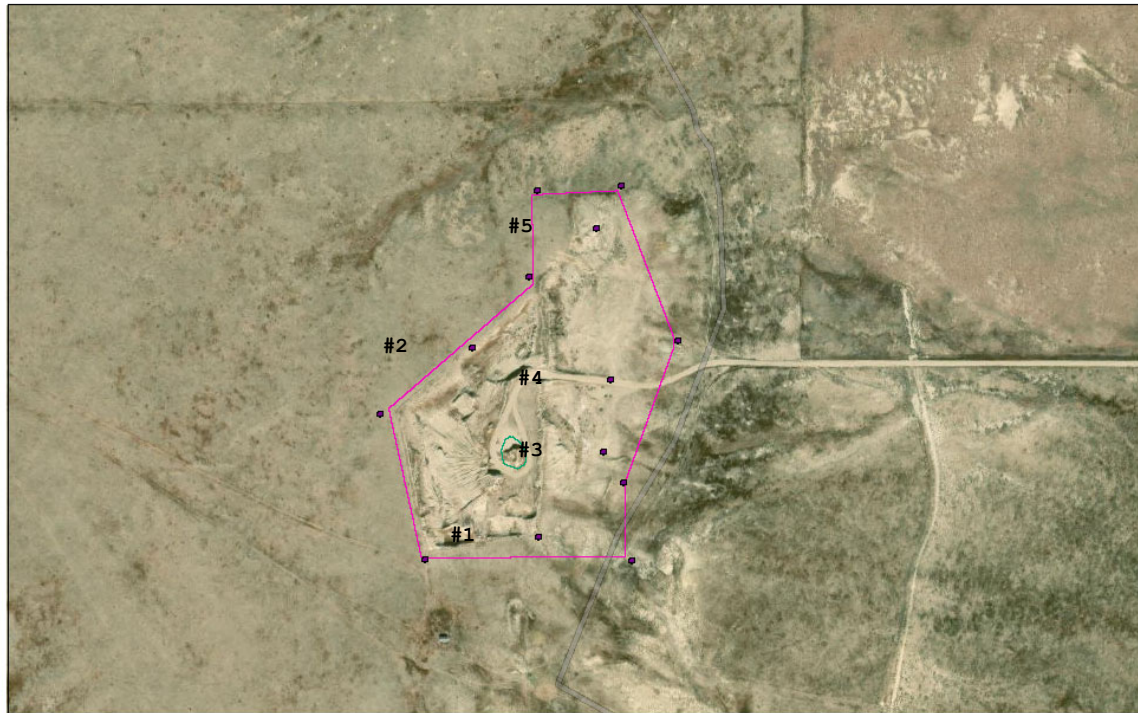
Photo #19: Salt Cedar plants growing to the north of the road.



Map #1: Red polygon represents the permit boundary (21.49), yellow polygon represents the affected area

(approximately 16.4 acres), and the green polygon represents the approximate backfilled, graded, and topsoiled area (approximately 7.25 acres). The yellow pins, PP Marker 8 and PP Marker 9, represent the two permit boundary markers that were observed at the time of the inspection. Map created with Google Earth Pro; satellite imagery is from November 17, 2023.

M1991078 Peters Pit



Map #2: Purple polygon represents the permit boundary. The purple points represent where notes were taken. The points along the boundary make note of whether a marker was observed or not, Map #1 shows where the two boundary markers were observed. Point #1 is where a marker was observed, according to Shane Lessenden the marker is to mark the extent of the current mining activities to the west. Point #2 is north of the most recent mining activity. Point #3 and #4 is where salt cedar was observed. Point #5 is a portion of where backfilling, grading, and topsoiling has been completed. The green polygon is the main product stockpile, perimeter is about 336 feet, height was about 15 feet, and at an angle of repose. Map was created with FieldMaps and ArcGIS; the date of the satellite image is not available.

GENERAL INSPECTION TOPICS

The following list identifies the environmental and permit parameters inspected and gives a categorical evaluation of each

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|---------------------------------------------|-------------------------------------------|----------------------------------|
| (AR) RECORDS----- <u>Y</u> | (FN) FINANCIAL WARRANTY----- <u>NA</u> | (RD) ROADS----- <u>Y</u> |
| (HB) HYDROLOGIC BALANCE----- <u>N</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>Y</u> | (FW) FISH & WILDLIFE----- <u>Y</u> | (RV) REVEGETATION---- <u>PB</u> |
| (SM) SIGNS AND MARKERS----- <u>PB</u> | (SP) STORM WATER MGT PLAN--- <u>NA</u> | (RS) RECL PLAN/COMP-- <u>Y</u> |
| (ES) OVERBURDEN/DEV. WASTE----- <u>NA</u> | (SC) EROSION/SEDIMENTATION--- <u>NA</u> | (ST) STIPULATIONS----- <u>NA</u> |
| (AT) ACID OR TOXIC MATERIALS----- <u>NA</u> | (OD) OFF-SITE DAMAGE----- <u>N</u> | |

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

Inspection Contact Address

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Enclosure

CC: Amy Eschberger, DRMS