



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: Colorado Moss Rock	MINE/PROSPECTING ID#: M-2011-039	MINERAL: Sandstone (silica, st quartzite)	COUNTY: Pueblo
INSPECTION TYPE: Monitoring	WEATHER: Clear	INSP. DATE: June 12, 2024	INSP. TIME: 11:07
OPERATOR: Premier Moss Rock, LLC	OPERATOR REPRESENTATIVE: N/A	TYPE OF OPERATION: 110c - Construction Limited Impact	

REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: None	BOND AMOUNT: \$13,058.00
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
INSPECTOR(S): Jocelyn Carter	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: July 2, 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: Signs & Markers

PROBLEM: The affected area boundary markers are missing or incorrectly placed. 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. Three permit boundary markers were observed, see the map at the end of this inspection report for the three that were located and verified, the remaining boundary markers were missing.

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 along with GPS coordinates of the markers by the corrective action date.

CORRECTIVE ACTION DUE DATE: 8/27/24

OBSERVATIONS

The inspection of the Colorado Moss Rock site, Permit No. M-2011-039, was conducted by me, Jocelyn Carter, on behalf of the Division of Reclamation, Mining, and Safety (Division/DRMS). The Operator, Premier Moss Rock, LLC, representative, Nick Simpson, was not on site at the time of the inspection but was available via phone for any questions I had. The weather was clear with warm temperatures.

Colorado Moss Rock operation is near the city of Rye in Fremont, Colorado. To access the site from Interstate 25 and Colorado Highway 165, travel 8.2 miles west on Colorado Highway 165, turn left onto Main St, after 0.4 miles continue straight on Park Rd for another 1.3 miles, turn right onto Rye Mountain Park Rd and the mine sign can be seen at the entrance of the mine site after 450 feet (see Photo #1).

There was no mining activity taking place at the time of the inspection. This permit is for a 110c operation, with 9.9 acres that are broken up into two parcels: the eastern staging area (~1.0 acre) and the western rock picking area (~8.0 acres). Moss rock is picked from the surface in the area, there is no excavation that occurs, the maximum depth of the operation is approximately 10 inches. Topsoil is, therefore, not removed or stored on site. However, it does appear that large trees are brought down and chopped up. It is not clear how the wood is handled after being chopped down. The large moss rocks are stored and prepared for shipping on pallets in the staging area. There was a skid steer parked on the west end of the staging area next a fuels storage tank and a portable toilet. In the rock picking area, a wheel loader and excavator were observed along with a wood splitter.

Three boundary markers marked with orange tape were observed on site, two at the west end of the staging area and one on the southwest corner of the rock picking area, no other boundary markers were observed. See the map at the end of this report for reference. This is cited as a problem at the beginning of this report. See the citation for more information about the required corrective action.

Photos taken during the inspection are included at the end of this report along with a map for reference to which permit boundary markers were observed. Any questions regarding this inspection can be addressed to me, Jocelyn Carter, by email at Jocelyn.carter@state.co.us or by phone at (720) 666-1065.

Records

The annual report, map, and fee were received by the Division on April 18, 2024. According to the report, a total of 7.0 acres have been affected, 1.0 acre has been affected over the past year, and an estimated 2.0 acres are expected to be affected over the next year. This is an intermittent operation, collecting moss rock along the Greenhorn Creek, the approximate maximum depth of the operation is 10 inches. There is no backfilling operation expected to be needed for reclamation.

The last time the site was inspected by the Division was May 21, 2020, conducted by Patrick Lennberg. The purpose of that inspection was for surety-related reasons because of the SO-01 application submitted to the Division on April 27, 2020. The current bond held by the Division is \$13,058.00. There were four problems cited during the May 2020 inspection regarding the mine sign, fuel storage, revegetation, and boundary markers. The Division considered these problems abated on July 29, 2020.

The problem of boundary markers is a problem that is cited in this report. According to the documentation submitted to abate the problem in 2020, BH2 Land Surveying, LLC invoiced Nick Simpson for staking boundary points.

Hydrological Balance

There was a small creek running through the permit area in the southwest portion of the picking area. It appeared that the development of the creek is from snowmelt and recent rains (see Photo #8). There does not appear to be an issue with the hydrologic balance in the area.

General Mine Plan Compliance

The general mining plan does appear to be followed. However, as noted in the May 2020 DRMS inspection report, there are some stockpiles of moss rock along the road between the staging area and the rock picking area. It is not clear if these disturbances are within the permit boundary.

Signs and Markers

The mine sign is posted at the entrance of the permitted area, in accordance with Rule 3.1.12(1) (see Photo #1). Permit boundary markers were not posted in accordance with Rule 3.1.12(2). Three boundary markers were located at the time of the inspection. Two on the southwest portion of the staging area (see Photos #16 & #17), and one on the southwest corner of the rock picking area (see Photo #15); see the map below. No other boundary markers were observed. This is cited as a problem at the beginning of this report, see the citation for more information.

Acid or Toxic Materials

There is an elevated fuel tank with adequate secondary storage located on the west side of the staging area of the permit (see Photo #4).

Financial Warranty

The current bond amount of \$13,058.00 is not adequate for the Division's estimated reclamation costs. However, after speaking with the Operator, there is an interest in selling the operation. An updated reclamation cost estimate will be calculated by the Division during any upcoming changes to this permit.

Fish & Wildlife

There insects, squirrels, and birds observed on site during the inspection. There does not appear to be any negative impact on wildlife because of the mining operation.

Roads

The roads appear to be well maintained and in good condition.

Revegetation

Thistles and common mullein were observed on site, sparsely dispersed throughout the area (see Photos #9 & #12). The Division recommends the Operator implement the approved weed control plan.

PHOTOGRAPHS



Photo #1: Mine sign in accordance with Rule 3.1.12(1).



Photo #2: Staging area, looking west from the northeast, just east of the entrance.



Photo #3: Staging area, looking east behind entrance gate and wall.



Photo #4: Staging area at the west end, looking south at the skid steer, elevated fuel tank with secondary storage, and portable toilet.



Photo #5: Staging area looking east from the northwest portion.



Photo #6: East end of the picking area, one of the access roads can be seen in the foreground with the wood chopper on the right side of the photo.



Photo #7: Large stockpile west of the staging area, looking to the east, an access road can be seen in the background. It is unclear where the rock picking portion of the permit boundary is located with respect to the stockpile of material seen here.



Photo #8: Within the rock picking portion of the permit boundary, looking east, the small stream that has developed can be seen following the rough road tracks.



Photo #9: Within the rock picking portion of the permit boundary, looking west at various material stockpiles. Common mullein can be seen on the left side of the photo, yellow arrows are pointing to old and new growth.



Photo #10: Within the rock picking portion of the permit boundary, at product material.



Photo #11: Within the rock picking portion of the permit boundary, looking to the east at the most recently worked area. The hydraulic excavator can be seen on the left side of the photo and the wheel loader on the right side, both in the background. Product and an access road can be seen in the foreground.



Photo #12: Within the rock picking portion of the boundary, on the west end looking west at a previous picking area. Re-vegetation looks good, common mullein and thistle can be seen, yellow arrows pointing at old growth of common mullein on the left and a new thistle on the right.



Photo #13: Within the rock picking portion of the permit boundary, wood material piled and kept separate from product materials.



Photo #14: A "No Trespassing" posted on the west end of the rock picking portion of the permit boundary, viewed from the Greenhorn Creek trail, looking east.



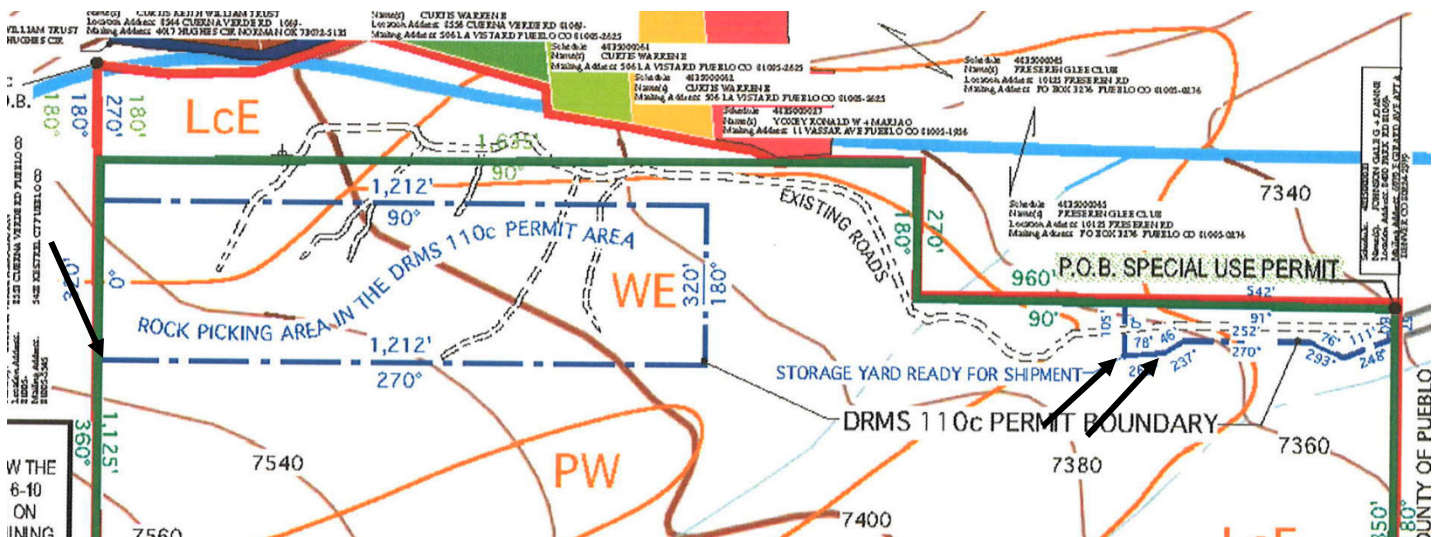
Photo #15: A permit boundary marker with orange tape located on the southwest end of the rock picking portion of the permit boundary.



Photo #16: A permit boundary marker with orange tape located on the southwest end of the staging portion of the permit boundary.



Photo #17: A permit boundary marker with orange tape located on the southwest end of the staging portion of the permit boundary.



Reference Map: Permit boundary is shown in blue dashed line, permit boundary markers observed are where the black arrows are pointing to.

GENERAL INSPECTION TOPICS

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

(AR) RECORDS----- <u>Y</u>	(FN) FINANCIAL WARRANTY----- <u>N</u>	(RD) ROADS----- <u>Y</u>
(HB) HYDROLOGIC BALANCE----- <u>Y</u>	(BG) BACKFILL & GRADING----- <u>NA</u>	(EX) EXPLOSIVES----- <u>NA</u>
(PW) PROCESSING WASTE/TAILING---- <u>NA</u>	(SF) PROCESSING FACILITIES----- <u>NA</u>	(TS) TOPSOIL----- <u>NA</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>Y</u>	(FW) FISH & WILDLIFE----- <u>Y</u>	(RV) REVEGETATION---- <u>Y</u>
(SM) SIGNS AND MARKERS----- <u>PB</u>	(SP) STORM WATER MGT PLAN--- <u>NA</u>	(RS) RECL PLAN/COMP-- <u>N</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>Y</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