



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

November 4, 2024

Alex Kleckner
W.W. Clyde & Co.
10303 E Dry Creek Rd., #300
Englewood, CO 80112

RE: Collett Property, Permit No. M-2024-012 and M-2022-051, Unresolved Problem(s) Noted in a Past Inspection Report

Dear Mr. Kleckner:

According to records kept by the Division of Reclamation, Mining and Safety, some problem(s) noted in a past mine site inspection report have not been corrected. If the problem(s) have already been corrected, documentation of the corrective actions taken to correct the problem(s) must be submitted to our office.

Please see the enclosed inspection report for the above noted mine site, issued as a result of a past inspection of this site. Problems noted in this report that remain unresolved according to our records, have been highlighted.

To avoid potential future enforcement actions for non-compliance with State Statutes, Rules and Regulations, and/or conditions specified in your permit for this site, you must submit compliance documentation with the corrective actions by **Wednesday, December 04, 2024**.

If you require additional information, or have questions or concerns, please feel free to contact me.

Sincerely,

Amy C Yeldell
Environmental Protection Specialist

Enclosures: DRMS Inspection Report from August 7, 2024


EC: Travis Marshall, Senior EPS, DRMS





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: Collett Property	MINE/PROSPECTING ID#: M-2024-012 M-2022-051	MINERAL: Borrow	COUNTY: Rio Blanco
INSPECTION TYPE: Monitoring	WEATHER: Clear	INSP. DATE: August 7, 2024	INSP. TIME: 13:35
OPERATOR: W.W. Clyde & Co. IHC Scott, Inc.	OPERATOR REPRESENTATIVE: Abby Capwell	TYPE OF OPERATION: 111 - Construction by Government Agency	
REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: Partial Bond	BOND AMOUNT: \$79,822.00	
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None	
INSPECTOR(S): Amy Yeldell	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: August 29, 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----- <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>NA</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>Y</u>	(FW) FISH & WILDLIFE----- <u>N</u>	(RV) REVEGETATION---- <u>Y</u>
(SM) SIGNS AND MARKERS----- PB	(SP) STORM WATER MGT PLAN---- PB	(RS) RECL PLAN/COMP-- <u>Y</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>N</u>	(SC) EROSION/SEDIMENTATION--- PB	(ST) STIPULATIONS----- <u>N</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 TOPIC: Sediment Control, Stormwater Mgmt.

PROBLEM/POSSIBLE VIOLATION: Problem: Erosion gullies, sedimentation, soil cracking and ruts were observed on-site. This is a problem at this time for failure to protect the affected land from erosion pursuant to C.R.S. 34-32.5-116 (4) (j).

CORRECTIVE ACTIONS: The operator shall provide photo documentation to the Division verifying that repairs have been made, and that the site has have been reconstructed and stabilized to prevent erosion damage by the corrective action date.

CORRECTIVE ACTION DUE DATE: 10/28/24

INSPECTION TOPIC: Signs & Markers

PROBLEM/POSSIBLE VIOLATION: Problem: The mine identification sign and affected area boundary markers were not observed per the requirements of Rule 3.1.12. The Operator shall, at the entrance of the mine site post a sign, which shall be clearly visible from the access road, with a minimum size equaling one hundred and eighty-seven (187) square inches, such as eleven (11) inches in height and seventeen (17) inches in width, with appropriate font size, with the following: the name of the Operator, a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board; and the permit number.

CORRECTIVE ACTIONS: The operator must post a sign at the entrance to the mine site which shall be clearly visible from the access road and specify the following; the name of the operator, indicate that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board, and the permit number. The boundaries of the affected area must be marked by monuments or other markers that are clearly visible and adequate to delineate such boundaries.

CORRECTIVE ACTION DUE DATE: 10/28/24

OBSERVATIONS

This inspection was conducted as part of the Colorado Division of Reclamation, Mining and Safety's (Division) normal monitoring program. The Collett Property is a 111 permitted site that consists of 9.07 acres. The site is located in Rio Blanco County off of Highway 13 between Rifle and Meeker, CO. Amy Yeldell of the Division conducted the inspection. Abby Capwell represented the Operator*.

*This site is permitted under both M-2022-051 by IHC Scot, Inc. and M-2024-012 by W.W. Clyde & Co. 111 permits cannot be transferred so the site was re-permitted by the successive operator. To date a release has not been requested for the original permit.

Acid And Toxic Materials:

No fuel or other hazardous materials are stored on site.

Backfilling and Grading:

The entire site has been graded to a 3H: 1V or less.

Financial Warranty:

The Division currently requires a financial warranty amount of \$79,822.00 for this site. The current bond amount is sufficient.

Hydrologic Balance:

See comments under compliance with Mine Plan.

Gen. Compliance With Mine Plan:

During the inspection irrigation infrastructure and evidence of applying water to the reclaimed areas was observed (Photo One). Per the approved reclamation plan this site is to be dry rangeland and no irrigation was to be applied. The Division acknowledges that this may be being done independent of the Operator by the landowner. The Operator needs to inform the landowner of the conditions of the permit and have him cease irrigation immediately. From a reclamation standpoint the Division cannot evaluate areas for reclamation success (dry rangeland) where they are being actively irrigated.

Furthermore, stress cracks were observed in the topsoil along the regraded highwalls. The cracks appear perpendicular to the slope along the drill seed furrows (Photo Two). This is likely due to the applications of water on the slope. There is a high potential for erosion and topsoil slippage if continued water is applied. There is also a depression between the two working areas that is now pond (Photo Three). A pond was not a part of the post mine land configuration. Water cannot be stored for more than 72 hours without having sufficient water rights for such water. The Division is unclear if the landowner or the operator has the appropriate water rights to use well water for irrigation or storing it on the surface.

Right of Entry:

The Operator notified the landowner of the Division's scheduled inspection. Despite this fact the Division was still greeted at the gate by the landowner using intimidation (brandishing a weapon). He did leave after verifying who I was and the purpose of my visit. In Discussions with the Operator this is typical behavior of the landowner.

Reclamation Success:

The site is in final reclamation awaiting release. No areas are eligible for release at this time.

All slopes have been contoured and reseeded. The access road along the west side of the property remains in place as per the approved permit. Only 20% or all vegetation present on site is desirable. Most vegetation is noxious weeds. Overall vegetation cover is less than 50%. A subsequent seeding will likely be necessary based on the lack of germination. (Photos Four – Six)

Per the approved reclamation plan see was to be broadcasted. Then followed by straw mulch which is crimped into place. No evidence of straw mulch application was observed. This likely contributed to the poor success rate of reclamation.

Revegetation:

Noxious weeds were observed throughout the site. According to the operator they have not been treating the site for weeds. Pursuant to Rule 3.1.10 the operator must manage noxious weeds.

Subsidence:

Topsoil cracking was observed throughout the regarded areas (Photo Two). At this time, it has not escalated to the extent of subsidence, however it should be monitored.

Sediment Control:

Erosion and rilling were observed on the contoured slopes (Photo Seven and Eight). Topsoil deposition is occurring at the toe of the slope from erosion. This is cited as a problem. At a minimum, slopes will need to be disced to removed rilling prior to revegetation. Per Rule 3.1.5(3) all grading shall be done in a manner to control erosion and siltation of the affected lands, to protect areas outside of the affected lands from slides and other damages.

Support Facilities On-site:

The landowner has erected a wire fence and archway within the permit boundary (Photo Four and Six). Pursuant to Rule 1.1(52) these are permanent man-made features which are not included on the final reclamation plan maps. The Reclamation plan map will need to be updated to reflect current site conditions. No buildings or other mining related features are located on site.

Signs and Markers:

The mine sign and permit boundary markers were not present during the inspection as required by Rule 3.1.12. This is cited as an inspection problem pursuant to Rule 3.1.12. Please post a mine sign at the permit entrance and delineate the permit boundary. Once installed send the Division phot documentation by the corrective action date.

Storm Water MGT Plan:

Multiple culverts direct water from the regraded highwalls under the road and to the west of the permit boundary. These culverts are not properly constructed (Photos Nine and Ten). No inlet structure was constructed. Sediment laden water will not be impounded to settle out before exiting the permit boundary. The outlets of the culverts have no armoring. This is cited as an inspection problem. BMPs must be properly installed in order to effectively convey water and protect the affected lands from erosion and sedimentation.

Topsoil:

All salvaged topsoil has been reapplied. No stockpiles remain on site.

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

Abby Capwell
W.W. Clyde & Co.
10303 E. Dry Creek Rd., #300
Englewood, CO 80112

EC:

Travis Marshall, Senior EPS, Grand Junction DRMS
Alex Kleckner, W.W. Clyde & Co.
Andy Carpenter, W.W. Clyde & Co.

PHOTOGRAPHS



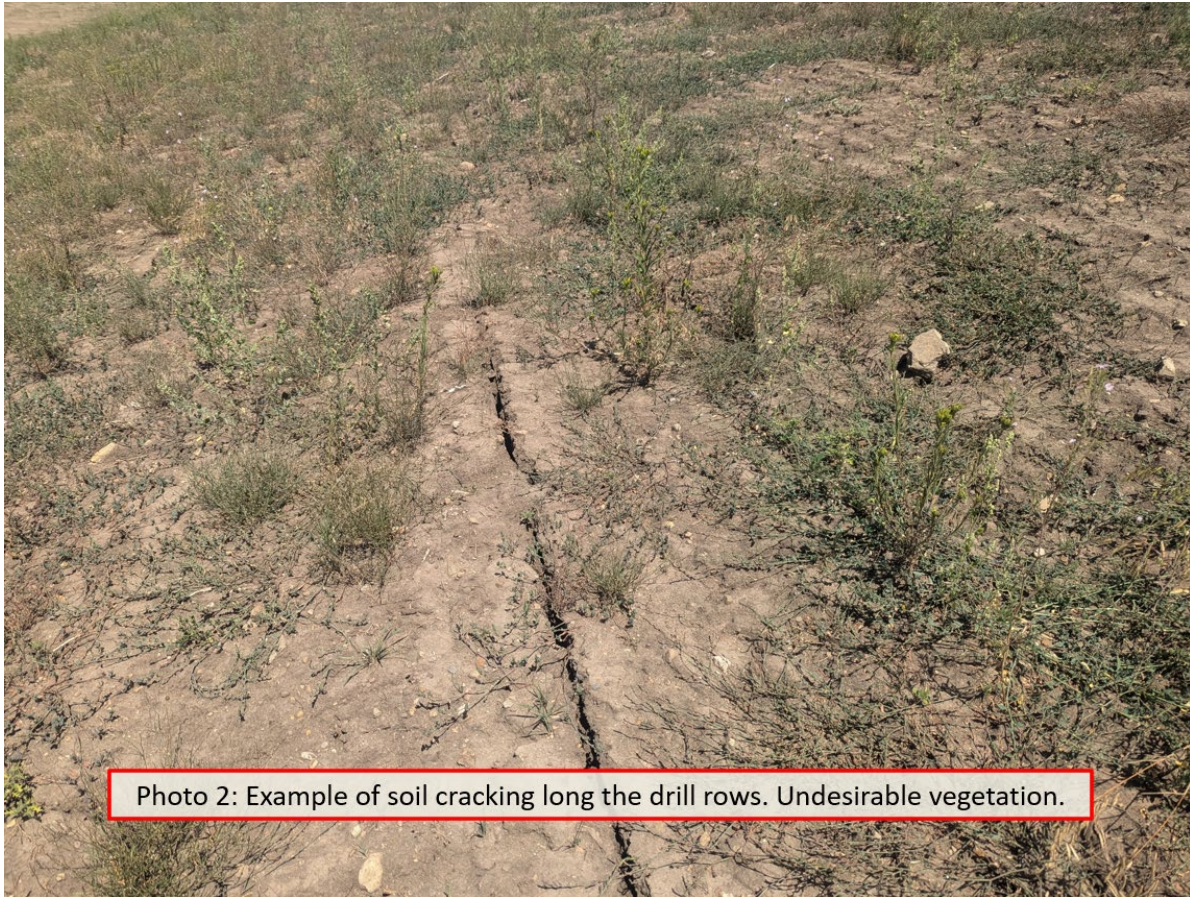


Photo 2: Example of soil cracking long the drill rows. Undesirable vegetation.

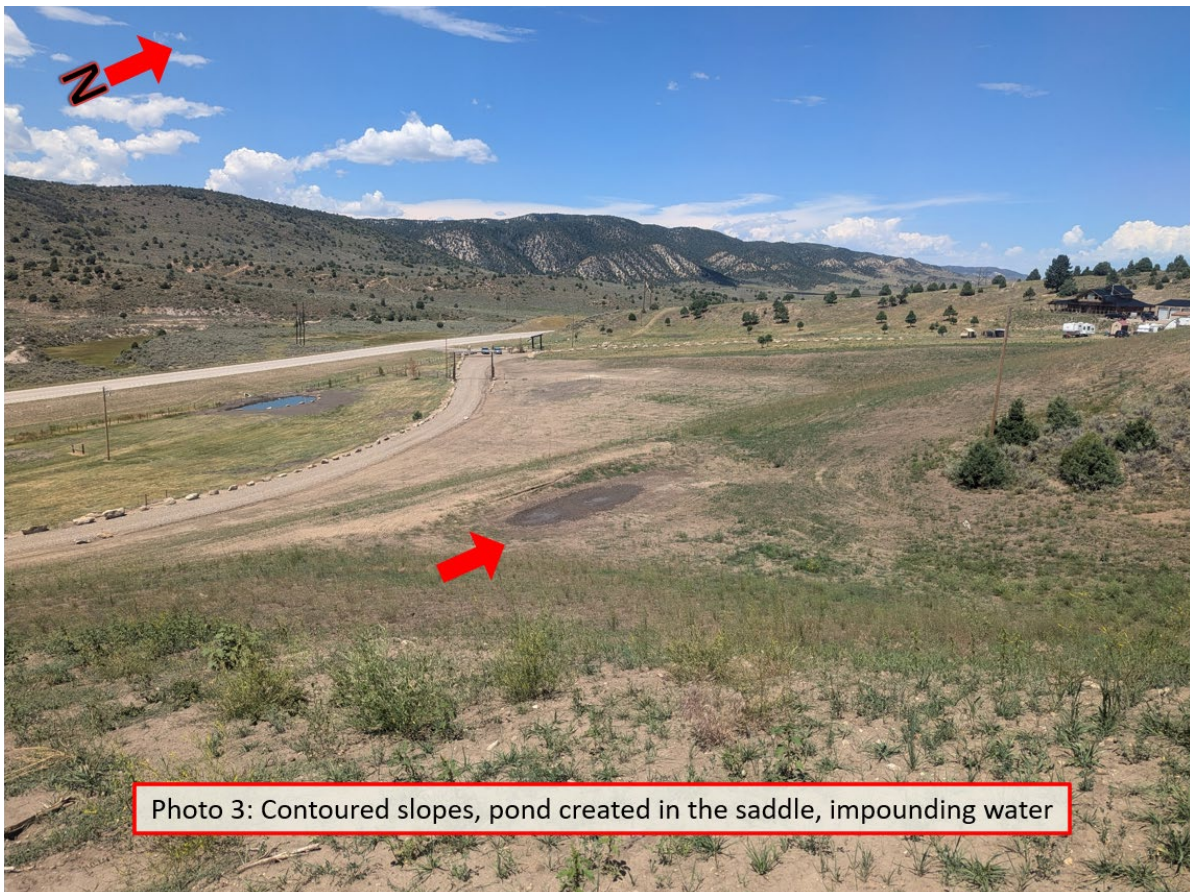


Photo 3: Contoured slopes, pond created in the saddle, impounding water



Photo 4: reclaimed site, all contouring complete.



Photo 5: Overview of contouring



Photo 6: Mined and reclaimed land located north of the erected fence.



Photo 7: Rilling along the slope. Undesirable vegetation.



Photo 8: Rilling with sediment deposition observed at the toe of the slope



Photo 9: Example of culvert inlet with no sediment drop out. Culver full.

