



## 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.

<b>MINE NAME:</b> Yocam Borrow Pit	<b>MINE/PROSPECTING ID#:</b> M-2018-020	<b>MINERAL:</b> Borrow material for construction	<b>COUNTY:</b> Morgan
<b>INSPECTION TYPE:</b> Monitoring	<b>WEATHER:</b> Clear	<b>INSP. DATE:</b> November 14, 2024	<b>INSP. TIME:</b> 13:00
<b>OPERATOR:</b> Castle Rock Construction Company LLC	<b>OPERATOR REPRESENTATIVE:</b> None	<b>TYPE OF OPERATION:</b> 111 - Construction by Government Agency	
<b>REASON FOR INSPECTION:</b> Normal I&E Program	<b>BOND CALCULATION TYPE:</b> None	<b>BOND AMOUNT:</b> \$42,500.00	
<b>DATE OF COMPLAINT:</b> NA	<b>POST INSP. CONTACTS:</b> None	<b>JOINT INSP. AGENCY:</b> None	
<b>INSPECTOR(S):</b> Patrick Lennberg	<b>INSPECTOR'S SIGNATURE:</b> 	<b>SIGNATURE DATE:</b> December 6, 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:** Right of Entry

**PROBLEM:** Failure to maintain legal right of entry per Rule 6.3.7.

**CORRECTIVE ACTIONS:** The permittee/operator must provide proof of legal right-to-enter and conduct mining and reclamation operations.

**CORRECTIVE ACTION DUE DATE:** 1/20/25

**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.

**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:** 1/20/25

**INSPECTION TOPIC:** Signs & Markers

**PROBLEM:** The mine identification sign was not posted at the entrance of the mine site. This is a problem for failure to post a mine identification sign as required by Section 3.1.12(1) of the rule. 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 shall, at the entrance of the mine site, post a sign which shall be clearly visible from the access road 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. The operator shall submit photo documentation that a proper sign has been posted by the corrective action date.

**CORRECTIVE ACTION DUE DATE:** 1/20/25

## **OBSERVATIONS**

The Yocam Borrow Pit was inspected by Patrick Lennberg with the Division of Reclamation, Mining and Safety (Division/DRMS). The inspection was completed as part of the Division's routine monitoring program. The site was last inspected by the Division on July 6, 2022, as part of the Division's routine monitoring program. Travis Bell, representing the Operator/Permittee, Castle Rock Construction Company, LLC ("CRCC"), was supposed to meet the Division for the inspection but a scheduling conflict prevented him from meeting for the inspection.

The site is located approximately 2 miles south of Orchard, Colorado in Morgan County. The site can be accessed from State Highway 144 (SH-144) approximately 2 miles north from the intersection of SH-144 and U.S. Route 34. The approved post-mining land use for the site is rangeland. The permit is located on land previously owned by John Yocum. The land is currently owned by Robin Hayes. A mine sign was not posted at the primary mine entrance as required by Rule 3.1.12 and has been cited as a problem within this report. The weather was clear and mild.

Based on previous inspections and the annual reports the site was supposed to be in final reclamation. However, when the Division arrived at the site there were 4-5 articulating dump trucks and a dozer working at the site. The dump trucks were transporting soil and large woody debris (trees and stumps) and dumping them at the approximate location of the permit. It appears that all activities witnessed were within the approved permit boundary, but the Division could not locate any of the permit boundary markers. Missing permit boundary markers is being cited as a problem within this report. Pursuant to Rule 3.1.12(2) The boundaries of the affected area will be marked by monuments or other markers that are clearly visible and adequate to delineate such boundaries.

Activities at the site were being conducted by Frontier Environmental Services of Arvada, CO. In speaking with the on-site foreman and Brent Scarbrough, via phone, it appears that Frontier is performing a stream restoration project along the South Platte River approximately 1.25 miles to the north of the Yocam Pit on property owned by the State Land Board. Excess material, ~300,000 cy, from the project is to be placed in the area that was mined by CRCC. At the time of this inspection approximately 150,000 cy of material had been placed in the permit area.

After the inspection the Operator provided the Division with additional information regarding activities at the site. Following the completion of mining activities, John Yocum placed the property including the permit area, into a conservation easement with Colorado Open Lands. Sometime in 2020 John Yocum sold the property to Robin Hayes. Currently the Operator has not provided a demonstration of the legal right to enter to conduct mining and reclamation on the property owned by Robin Hayes. Failure to maintain the legal right-to-enter, pursuant to Rule 6.3.7, is being cited as a problem within this report.

The Division has requested Frontier Environmental Services complete an "Is It Mining?" form so the Division can better evaluate whether or not the activities observed at the site and/or the project resulting in excess material being generated and hauled require a reclamation permit from the Division. At the time of writing this report the Division was waiting for a response.

The Division did not evaluate the financial warranty for the site during this inspection due to the activities

being performed at the site and the need for additional information.

Photographs taken during the inspection are attached.

Please contact Patrick Lennberg by email at [patrick.lennberg@state.co.us](mailto:patrick.lennberg@state.co.us) if you have any questions regarding this report.

**Inspection Contact Address**

Travis Bell  
Castle Rock Construction Company of Colorado, LLC  
6374 S. Racine Circle  
Centennial, CO 80111

cc: Jared Ebert, DRMS

ec: Travis Bell, Castle Rock Construction Company of Colorado, LLC, [tbell@crccllc.com](mailto:tbell@crccllc.com)

**PHOTOGRAPHS**



**Photo 1:** Large woody debris being stockpiled at the site, north end of the site



**Photo 2:** Large woody debris and soil being stockpiled at the site, central portion of the site





**Photo 3:** Dozer grading out soil material imported by dump trucks, southern portion of the site



**Photo 4:** Possible permit boundary markers



**Photo 5:** Haul trucks transporting material



**Photo 6:** Haul truck dumping large woody debris

### GENERAL INSPECTION TOPICS

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

(AR) RECORDS----- <u>N</u>	(FN) FINANCIAL WARRANTY----- <u>Y</u>	(RD) ROADS----- <u>Y</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>N</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>PB</u>	(SP) STORM WATER MGT PLAN--- <u>N</u>	(RS) RECL PLAN/COMP-- <u>Y</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>N</u>	

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