




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: Gunnison River Gravel Pits	MINE/PROSPECTING ID#: M-2009-048	MINERAL: Sand and gravel	COUNTY: Mesa
INSPECTION TYPE: Surety-Related Inspection	WEATHER: Clear	INSP. DATE: February 12, 2025	INSP. TIME: 14:30
OPERATOR: CW Construction, LLC	OPERATOR REPRESENTATIVE: Tim Loncarich	TYPE OF OPERATION: 112c - Construction Regular Operation	
REASON FOR INSPECTION: Surety Release Requested	BOND CALCULATION TYPE: Complete Bond	BOND AMOUNT: \$91,664.00	
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None	
INSPECTOR(S): Amy Yeldell	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: February 21, 2025	

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>N</u>	(RD) ROADS----- <u>Y</u>
(HB) HYDROLOGIC BALANCE----- <u>Y</u>	(BG) BACKFILL & GRADING----- <u>PB</u>	(EX) EXPLOSIVES----- <u>NA</u>
(PW) PROCESSING WASTE/TAILING---- <u>N</u>	(SF) PROCESSING FACILITIES----- <u>NA</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----- <u>PB</u>	(SP) STORM WATER MGT PLAN---- <u>N</u>	(RS) RECL PLAN/COMP-- <u>NA</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>N</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>NA</u>	

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

ENFORCEMENT

INSPECTION TOPIC: Backfilling & Grading

PROBLEM: Placement of backfill material and grading was not completed in a manner that avoids unacceptable settling and voids per Rule 3.1.5(9)(f). Furthermore, overburden was not adequately compacted for stability. For these reasons slope stability with regards to backfilling and grading is cited as an inspection problem.

CORRECTIVE ACTIONS: All slopes in Pit 5 with surface cracking shall be regraded and compacted to a sufficient depth to removed differential settling expressions and ensure sufficient compaction to prevent future occurrences to the extent practical. Pursuant to Rule 3.1.5(7) and the approved Reclamation Plan all slopes shall be no steeper than a 3H: 1V. Where insufficient material is present on site to complete contouring additional inert fill may need to be imported to establish proper grade. If import material is brought in topsoil may also be required to provide sufficient vegetative growth material. Additionally, until slope stability issues are resolved pumping should resume as needed to maintain current water levels within Pit 5. Both written and photographic documentation of the above mentioned actions shall be completed and submitted to the Division by the corrective action due date.

CORRECTIVE ACTION DUE DATE: 3/31/25

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: 3/31/25

OBSERVATIONS

This inspection was conducted in response the request for Surety Reduction (SR-1) submitted to the Colorado Division of Reclamation, Mining and Safety (Division), on January 22, 2025. Tim Loncarich represented the operator and accompanied Amy Yeldell of the Division on the inspection. The Gunnison River Gravel Pits is a 112c permitted site that includes a total of 29.97 acres. The post mining land use is rangeland with lakes.

The request was filed on February 3, 2025 and public notices were sent. Comments were due by February 18, 2025. In response to these notices, the Division has had multiple phone conversations with two landowners Dennis Kruger and David Mollenberg regarding slope stability. Mr. Kruger was on site during the inspection. The Division had a brief conversation with him, but he did not participate in the inspection. The Division received two timely written comment/objections. These comments were forwarded to the Operator on February 19, 2025. A decision regarding the Surety Reduction request (SR-1) will be made under a separate cover.

Acid And Toxic Materials:

All fuel and other hazardous materials have been removed from site. There is still a fuel tank located outside of the permit boundary near the gazebo, this feature has been on site for a number of years and is not associated with the mining operation.

Backfilling and Grading:

Contouring has been completed near the entrance where the scale was. Positive drainage that blends with the surrounding contours has been established. It's worth noting that major grading has occurred on the southeast side of the access road. Photo One. This is independent of the mining operation.

All backfilling and grading have been completed at Pit 2. Photo Two

Backfilling and grading were completed in late 2024 for Pit 5. Upon cessation of pumping the pit has begun to fill and lower soils along the toe slope have become saturated. This in combination with time appears to have resulted in differential settling (horizontal cracks). To some extent this is to be expected and natural. But it also could be exacerbated by improper compaction of backfilled areas and/or utilizing poor backfill materials which results in voids over time. Most notable a large scarp is present on the west side of the pit which is approximately 100 yards long by 4 inches wide and in excess of 24 inches deep. Photos three through five. The slip surface is approximately 18 inches lower than the head of the scarp at its deepest point and is gradually less towards the edges. Several smaller secondary slumps were also observed within the main scarp. No toe bulge was observed but is likely present below the water level. Additional layered slumps were observed to the south of the main scarp, photo six. Several smaller settling cracks were observed throughout the other highwalls of Pit 5, Photo Seven. These cracks varied in length but were generally only a few inches wide and less than 24 inches deep with no drop in the slip surface.

TR-4 approved the use of imported inert backfill and specifically stated that the use of vegetation shall not be contained in the backfilled slopes and would be placed in the bottom of the pit at no more than 5 ft thick. Photographic documentation was provided in the comment from Dennis Kruger received on February 17, 2025, depicting soils with large amounts of vegetation being utilized in the backfilled slopes. This failure to follow the approved Mining Plan may also be a contributing factor to the excessive settling throughout Pit 5. Placement of backfill material and grading was not completed in a manner that avoids unacceptable settling and voids per Rule 3.1.5(9)(f). Furthermore, overburden was not adequately compacted for stability. For these reasons slope stability with regards to backfilling and grading is cited as an inspection problem. All slopes in Pit 5 with surface cracking shall be regraded and compacted to a sufficient depth to remove differential settling expressions and ensure sufficient compaction to prevent future occurrences to the extent practical. Pursuant to Rule 3.1.5(7) and the approved Reclamation Plan all slopes shall be no steeper than a 3H:1V. Where insufficient material is present on site to complete contouring additional inert fill may need to be imported to establish proper grade. If imported material is brought in topsoil may also be required to provide sufficient vegetative growth material. Additionally, until slope stability issues are resolved pumping should resume as needed to maintain current water levels within Pit 5. Both written and photographic documentation of the above mentioned actions shall be completed and submitted to the Division by the corrective action due date listed on page two of this inspection report.

Additionally, some vertical erosional cracks were observed on the far south side of Pit 5 as well as on the west side near the outlet of the culvert under the road, Photo Eight. These cracks or erosional features appear to be the direct result of a point source discharge eroding the slope. There is no potential for offsite impacts as water is draining into the pond however overtime if left untended it could result in undercutting of the pond slope requiring an extensive repair process. Where possible point source discharges should be avoided. Where unavoidable these areas should be armored and/or water ponded to dissipate energy and erosion potential. While completing slope regrading work associated with the settling problems, please also address any erosional cracks through grading.

Explosives:

Explosives were not used in conjunction with this mining operation.

Hydrologic Balance:

Pumping on Pit 5 ceased in December of 2024. The pond has filled approximately 25 feet so far at its deepest point. The water is anticipated to rise an additional 20 feet before equalizing with the ground water table.

Until stability concerns are resolved (see backfill and grading problem) pumping should be resumed as necessary to maintain the current water levels. Cessation of pumping shall require written approval from the Division once problems are resolved to the Divisions satisfaction. Photo Nine.

Gen. Compliance With Mine Plan:

Comments provided under backfill and grading section.

Off-site Damage:

No mining related damages were observed outside of the affected lands boundary.

Other:

Mag chloride has not yet been applied to the scale area for dust suppression as per TR-5.

A boat dock and graveled single-track road has been installed on the south side of Pit 2 within the affected lands, Photo Ten. A house was also constructed on the north side of Pit 2 where the pond was backfilled, approximately 0.69 ac. The pit was last inspected in 2021 and neither feature was present. Based on satellite imagery from the Mesa County Assessors website the house appears to be constructed in 2024. Photo Eleven. These features are not a part of the approved Reclamation Plan. A technical revision incorporating these features into the final reclamation configuration must be submitted.

Under TR-6 a stabilized building pad was approved to be constructed on the north side of Pit 5 per the landowner's requests, Photo Twelve. This pad has been completed. While this area is permitted no building shall take place unless the Reclamation Plan is modified accordingly.

Additionally electrical and other utilities have been run on the west side of the road past Pit 5 in the support of future developments. These disturbances are not associated with the mining operation.

Note the post-mining land use is rangeland for the entire permit is rangeland. Prior to and area being eligible for release an as-built map(s) and Reclamation Plan Map(s) must be submitted as a technical revision to match current site conditions to the approved plan and maps. Any significant changes to the approved Reclamation Plan including changing the post mine land use will require an amendment. To date several minor modifications (technical revisions) have been made. Given the number of changes thus far future changes may trigger an

amendment given that collectively they will have a major impact on the final reclamation. Landowners are encouraged to wait on development until mining and reclamation are complete and the site can be released from the Division's jurisdiction to avoid permitting misalignments.

Roads:

A permanent asphalt paved road has been installed from the site entrance at HWY 141 and extends through the south side of Pit 5.

Reclamation Success:

No areas were evaluated for reclamation success with regards to being eligible for release. The Division evaluated progress being made towards completion of final reclamation as per the approved plan.

Revegetation:

After the approval of TR-5 revegetation is no longer a reclamation requirement for the scale area near HWY 141.

Pit 2 was revegetated a number of years ago with varied degrees of success. The Division did not closely evaluate vegetation success around the pond given that its winter and vegetation is dormant. From the road vegetation appeared to be established near the water line but decreased in cover as you moved away from the water. The upland rangeland areas were sparse and weedy. Additional reclamation measures will likely be necessary to meet the minimum vegetation thresholds for release. Photo Two

No revegetation has occurred at Pit 5. All areas which are not the permanent road, or the building pad will be revegetated per TR-6 updated Reclamation Plan. The operator is encouraged to wait to hydroseed until slope stability issues are resolved.

Subsidence:

See comments under Backfill and Grading.

Support Facilities On-site:

All scales, office and equipment associated with has been removed from the site.

Signs and Markers:

A mine sign was not posted at the entrance to the mine site as required by Rule 3.1.12(1).

Support Facilities Not On-site:

Significant improvements and development have occurred to the areas adjacent to the affected lands. These improvements are beyond the scope of the Division and are considered non-jurisdictional.

Topsoil:

All salvaged topsoil has been reapplied. No remaining stockpiles were identified. Additional soils may need to be imported after repairing the backfilled slopes of Pit 5.

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 303-866-3567 Ext 8183 or via email at amy.yeldell@state.co.us

Inspection Contact Address

Tim Loncarich
CW Construction, LLC
825 21 1/2 RD
Grand Junction, CO 81505

Enclosure

CC:
Travis Marshall, DRMS
Dennis Kruger
Dave Mollenberg

PHOTOGRAPHS





Photo 2: Backfilled and reggraded Pit 2 with some vegetation.



Photo 3: Main scarp on west side of Pit 5





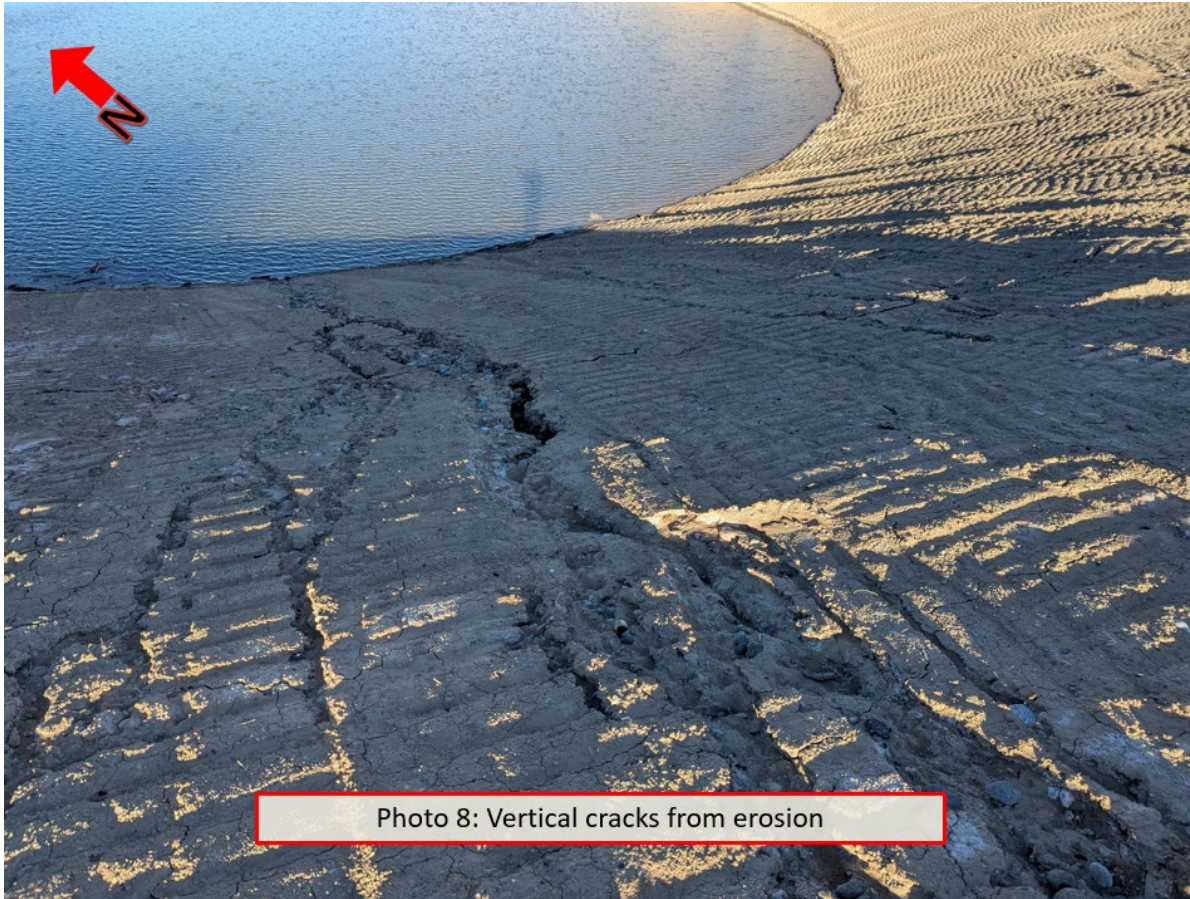


Photo 8: Vertical cracks from erosion



Photo 9: Overview of current water level within Pond 5





Photo 12: Stabilized pad within Pit 5 affected lands (TR-6)