



## 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> Baculite Mesa Pit	<b>MINE/PROSPECTING ID#:</b> M-1997-011	<b>MINERAL:</b> Sand and gravel	<b>COUNTY:</b> Pueblo
<b>INSPECTION TYPE:</b> Monitoring	<b>WEATHER:</b> Clear	<b>INSP. DATE:</b> June 11, 2025	<b>INSP. TIME:</b> 12:00
<b>OPERATOR:</b> Baculite Mesa, LLC	<b>OPERATOR REPRESENTATIVE:</b> Perry Hastings	<b>TYPE OF OPERATION:</b> 112c - Construction Regular Operation	

<b>REASON FOR INSPECTION:</b> Normal I&E Program	<b>BOND CALCULATION TYPE:</b> Complete Bond	<b>BOND AMOUNT:</b> \$106,200.00
<b>DATE OF COMPLAINT:</b> NA	<b>POST INSP. CONTACTS:</b> None	<b>JOINT INSP. AGENCY:</b> None
<b>INSPECTOR(S):</b> Jocelyn Carter	<b>INSPECTOR'S SIGNATURE:</b> 	<b>SIGNATURE DATE:</b> July 29, 2025

**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:** Gen. Compliance With Mine Plan

**PROBLEM #1:** The current mine plan needs to be updated and clarified pursuant to C.R.S. 34-32.5-112 (1)(c)(VI). It was observed that the operation has disturbed approximately 57 acres, the approved mining plan allows for 40 acres of disturbance. The operator must provide sufficient information to describe or identify how the operator intends to conduct the operation.

**CORRECTIVE ACTIONS:** The operator shall submit a Technical Revision, with the required \$216 revision fee, to update and clarify the current approved mine plan to reflect existing and proposed activities by the corrective action due date. In addition to an updated mining plan, the operator shall submit an updated mining plan map and reclamation plan map. The revision shall also include information addressing other problems being cited in this report.

**CORRECTIVE ACTION DUE DATE:** September 1, 2025

**INSPECTION TOPIC:** Gen. Compliance With Mine Plan

**PROBLEM #2:** The current mine plan needs to be updated and clarified pursuant to C.R.S. 34-32.5-112 (1)(c)(VI). The total length of high walls on the site is measured to be approximately 2,300 feet, exceeding the approved length of 1,480 feet. The operator must provide sufficient information to describe or identify how the operator intends to conduct the operation.

**CORRECTIVE ACTIONS:** The operator shall submit a Technical Revision, with the required \$216 revision fee, to update and clarify the current approved mine plan to reflect existing and proposed activities by the

corrective action date. Additionally, the operator shall provide an updated mining plan map and reclamation plan map. The revision shall also include information addressing other problems being cited in this report.

**CORRECTIVE ACTION DUE DATE:** September 1, 2025

**INSPECTION TOPIC:** Gen. Compliance With Mine Plan

**PROBLEM #3:** A current reclamation plan needs to be updated and clarified pursuant to C.R.S. 34-32.5-116 (1). It was observed that concrete material was being imported to the site to be recycled. The mining and the reclamation plans do not account for cement recycling. The operator shall provide sufficient information to describe and identify this material and if it will be used during reclamation operations.

**CORRECTIVE ACTIONS:** The operator shall submit a Technical Revision, with the required \$216 revision fee, to update and clarify the current approved reclamation plan to reflect existing and proposed activities by the corrective action date. Additionally, the operator shall include an updated mining plan map identifying where cement material is being stored and processed as well as where (if applicable) any of the material will be used as backfill during reclamation operations. The Technical Revision submitted shall also address the other problems being cited in this report.

**CORRECTIVE ACTION DUE DATE:** September 1, 2025

**INSPECTION TOPIC:** Gen. Compliance With Mine Plan

**PROBLEM #4:** The current mine plan needs to be updated and clarified pursuant to C.R.S. 34-32.5-112 (1)(c)(VI). It was observed that water is being used in the processing of product materials. The approved permit file and Exhibit G states that the operation would be dry. The operator shall provide an updated mining plan and Exhibit G - Water Information to provide sufficient information about the operation and the associated water use.

**CORRECTIVE ACTIONS:** The operator shall submit a Technical Revision, with the required \$216 revision fee, to update and clarify the current approved mine plan and Exhibit G - Water Information to reflect existing and proposed activities by the corrective action date. The required Technical Revision shall also address the additional problems cited in this report.

**CORRECTIVE ACTION DUE DATE:** September 1, 2025

**INSPECTION TOPIC:** Financial Warranty

**PROBLEM #5:** The financial warranty is not adequate to reclaim the site in accordance with the approved reclamation plan. This is a failure to maintain the proper financial warranty amount to complete reclamation of the affected lands pursuant to C.R.S. 34-32.5-117(4)(b) of the Act.

**CORRECTIVE ACTIONS:** The operator shall submit a Technical Revision to include an updated mining plan and map, reclamation plan and map, and an Exhibit G – Water Information addressing the other items cited in this report. The required financial warranty will be recalculated based on the information given in the required Technical Revision and then addressed in a subsequent Surety Increase issued by the Division.

**CORRECTIVE ACTION DUE DATE:** September 1, 2025

## **OBSERVATIONS**

The Baculite Mesa Pit, Permit No. M-1997-011, was inspected by me, Jocelyn Carter, on behalf of the Division of Reclamation (Division/DRMS). Baculite Mesa, LLC is the permittee for the site, Perry Hastings was present for the site inspection and representing the permittee. The permittee's consultant and permitting contact, Environment, Inc., was represented by Steve O'Brian during the inspection as well. The purpose of the inspection was a routine monitoring inspection. Weather conditions at the time of the inspection was clear with warm temperatures.

The Baculite Mesa pit is located approximately 6 miles northeast of the city of Pueblo in Pueblo County. The permit covers 1,970.00 acres, the operation extracts sand and gravel and processes the material on site. At the time of the inspection, active mining was not occurring, but material was being loaded onto trucks and hauled off site by various end users. Approximately 20 trucks per day were being loaded at the time of the inspection.

There are several issues with the permit based on the observations made during the inspection. Problems are cited in this report, details of the issues observed are given below and the corrective actions required are provided above.

### **Records**

There are no open infractions or enforcement issues with the permit. The landownership and mineral rights are both privately owned. The operator is up to date on submitting annual reports, maps, and fees. The maps that have been being submitted with the annual report need to show the complete permit boundary along with areas that have been recently disturbed and/or reclamation tasks have taken place. Moving forward, given the large size of the permitted area versus the disturbed area, the operator is advised to submit two maps, one depicting all 1,970 acres permitted and one depicting the specific required details about the past year's disturbances and activities.

### **Hydrological Balance**

There did not appear to be an issue with the hydrologic balance in the area. Standing water was observed on the pit floor as a result from recent rain events in the area.

### **General Mine Plan Compliance**

Four problems are being cited in this report with respect to compliance of the mining plan.

**Problem #1:** The area observed to have been disturbed, and that has been reported to be disturbed in the 2025 annual report, is approximately 57 acres. The approved mining plan allows for no more than 40 acres to be disturbed at any one time.

**Problem #2:** Three high walls were observed at the time of the inspection, an eastern wall (approximately 40 feet in height and 510 feet in length), central wall (approximately 40 feet in height and 1,267 feet in length), and a western wall (approximately 60 feet in height and 525 feet in length). The total length of the high walls is approximately 2,300 feet. The approved mining plan allows for the maximum length of the high wall to be 1,480 feet.

**Problem #3:** Stockpiles of concrete were observed on the northwest side of the disturbed area. According to Mr. Hastings, the concrete is brought to the site for recycling. The approved mining plan does not approve the importation of concrete for the purpose of being recycled in the approved permit file. Additionally, there is no affidavit certifying that the imported materials are not acid forming or toxic.

**Problem #4:** Water is being brought to the site for processing material, see **Processing Facilities** below for more information. According to the approved permit file and Exhibit G, the mining operation is to be dry. Exhibit G needs to be updated to provide information about the use of water for the mining operation in accordance with Rule 6.4.7.

The required corrective action for these four problems may be addressed in one revision request of the permit along with the associated fee.

### **Signs and Markers**

A mine sign was posted on the west side of the disturbed area along the access road. The permit boundary along the south side of the permit is marked by a fence.

### **Acid or Toxic Materials**

A fuel tank was observed to be on site within the processing area. The fuel vessel appeared to be in good condition with no issues.

### **Financial Warranty**

The current bond held by the Division for the permit is \$106,200.00. An updated required financial warranty was calculated by the Division using satellite imagery and observations made during the inspection. Figure 1 below shows the satellite imagery, and the dimensions used to calculate the financial warranty. According to the Division's calculation and the necessary reclamation tasks, the required financial warranty is \$301,586.00; this is \$195,386.00 higher than what is currently held. A problem is being cited for an inadequate financial warranty, **Problem #5**. The corrective action for this problem will be addressed with the required technical revision that will be submitted to address the other problems cited in this report.

### **Backfill & Grading**

The southern highwall of the pit area has been backfilled and graded. The slope is about 3H:1V grade and appears to be stable, with no erosion issues.

### **Processing Facilities**

A scale and some storage containers are situated along the western access road of the permit area. The processing facilities on site are located on the pit floor and appear to be in good condition. There are multiple water vessels situated next to the processing equipment. The vessels are used for processing materials. Water is brought onto the site by truck and used for processing and washing sand. The used water then goes through a system of other containers used instead of settling ponds and can then be recycled through the wash plant. There is a water overflow ditch which appears to be in good condition. **Problem #4** being cited in this report is regarding the use of water that was observed on site. When addressing the corrective action and providing an updated, please address how the water structures will be reclaimed in the updated reclamation plan.

### **Fish & Wildlife**

There was no observed environmental problem with respect to wildlife on site.

### **Erosion/Sedimentation**

There was no issue with erosion or sedimentation observed at the time of the inspection.

### **Roads**

The internal roads for this operation are stable and in good condition, there was no issue with erosion or sedimentation associated with the roads was observed.

### **Topsoil**

The topsoil is stockpiled along the west and northern portion of the disturbed area. The stockpiles are well vegetated and maintained; they appeared to be adequate in volume for reclamation purposes.

### **Revegetation**

Salt cedar was observed on site at the time of the inspection in two areas, along the banks of the water drainage area of the processing facilities and on the backfilled and graded slope along the southern area of the disturbed area. According to Mr. Hastings, the salt cedar was going to be removed by the end of the work week.

Photos taken during the site visit are provided below along with Figure 1, a satellite image with information about the disturbed area and observations made during the inspection. Questions regarding this inspection report should be directed to me by email at [Jocelyn.carter@state.co.us](mailto:Jocelyn.carter@state.co.us) or by phone at (720) 666-1065.

### **PHOTOGRAPHS**



Photo #1: Mine sign posted along the western portion of the disturbed area.





Photo #2: View of the fence that marks the approximate permit boundary.



Photo #3: View of the scale located along the western access road to the operation, looking east.





Photo #4: View of the processing equipment and area on the pit floor, looking to the northwest. A portion of the western high wall can be seen in the background on the left side of the photo, and a portion of the central high wall can be seen on the right side of the photo.



Photo #5: View of the fuel tank located adjacent to the processing equipment.





Photo #6: View of the multiple water vessels used for recycling the water.



Photo #7: The slope on the left side of the photo is the area that has been backfilled and graded. Salt cedar can be seen on the top of the slope, circled in red. The western highwall can be seen in the background and a large product stockpile is seen on the pit floor.





Photo #8: View of the drainage ditch situated next to the water recycling area. Salt cedar can be seen along the banks of the ditch, circled in red. The central highwall can be seen in the background.





Figure 1: Satellite image of the Baculite Pit, the pink polygon represents the approximate 57 acres of disturbance, and the green lines represent the locations of the west, central, and east high walls.

### 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----- <b>PB</b>	(RD) ROADS----- <u>Y</u>
(HB) HYDROLOGIC BALANCE----- <u>Y</u>	(BG) BACKFILL & GRADING----- <u>Y</u>	(EX) EXPLOSIVES----- <u>NA</u>
(PW) PROCESSING WASTE/TAILING---- <u>N</u>	(SF) PROCESSING FACILITIES----- <u>Y</u>	(TS) TOPSOIL----- <u>Y</u>
(MP) GENL MINE PLAN COMPLIANCE- <b>PB</b>	(FW) FISH & WILDLIFE----- <u>Y</u>	(RV) REVEGETATION---- <u>Y</u>
(SM) SIGNS AND MARKERS----- <u>Y</u>	(SP) STORM WATER MGT PLAN---- <u>NA</u>	(RS) RECL PLAN/COMP-- <u>N</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>Y</u>	(SC) EROSION/SEDIMENTATION-- <u>Y</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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