



STATE OF  
COLORADO

Girardi - DNR, Chris <chris.girardi@state.co.us>

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## Tierra Piedra Gravel Pit M2009081- June 2025 Inspection Report

1 message

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**Girardi - DNR, Chris** <chris.girardi@state.co.us>

Wed, Aug 13, 2025 at 8:31 AM

To: Nathan Barton <NABarton@wastelineinc.net>, Ryan Clark <ryan@petrox-resources.com>

Cc: Jared Ebert - DNR <jared.ebert@state.co.us>, trent@coxinet.net

Good morning,

Attached to this email is a pdf of the Division's inspection report for the inspection conducted on 6/17/2025 at the Tierra Piedra gravel pit, permit number M-2009-081.

A hard copy will not be sent unless requested. Please feel free to contact me if you have any questions.

Sincerely,

Chris Girardi

Environmental Protection Specialist



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

P: (720) 793-3041

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**TierraPiedraGravelPit\_June2025InspectionReport\_M2009081.pdf**  
3846K



## 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> Tierra Piedra Gravel Pit	<b>MINE/PROSPECTING ID#:</b> M-2009-081	<b>MINERAL:</b> Sand and gravel	<b>COUNTY:</b> Archuleta
<b>INSPECTION TYPE:</b> Monitoring	<b>WEATHER:</b> Clear	<b>INSP. DATE:</b> June 17, 2025	<b>INSP. TIME:</b> 14:30
<b>OPERATOR:</b> Tierra Piedra Ranch LLC	<b>OPERATOR REPRESENTATIVE:</b> Brian Abeln	<b>TYPE OF OPERATION:</b> 110c - Construction Limited Impact	

<b>REASON FOR INSPECTION:</b> Normal I&E Program	<b>BOND CALCULATION TYPE:</b> Partial Bond	<b>BOND AMOUNT:</b> \$5,952
<b>DATE OF COMPLAINT:</b> NA	<b>POST INSP. CONTACTS:</b> None	<b>JOINT INSP. AGENCY:</b> None
<b>INSPECTOR(S):</b> Chris Girardi	<b>INSPECTOR'S SIGNATURE:</b> 	<b>SIGNATURE DATE:</b> August 13, 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:** The Operator has temporarily ceased production since June 28, 2019, and did not file a Notice of Temporary Cessation (TC) in accordance with Rule 1.13.5(1). Rule 1.13.5 states, if an Operator temporarily ceases production of the mining operation for one hundred eighty (180) days or more, the Operator must file a Notice of Temporary Cessation in writing to the Office. The initial five-year period of TC would have ended on June 28, 2024.

**CORRECTIVE ACTIONS:** By the corrective action date, the Operator must do one of the following:

- File a Notice of Temporary Cessation for a second five-year period as outlined in Rule 1.13.5(1)(b) and (3), or
- Provide DRMS with written notice of resumption of mining operations or the initiation of reclamation.

**CORRECTIVE ACTION DUE DATE:** 10/13/25

**INSPECTION TOPIC:** Signs and 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 ACTION:** The boundaries of the affected area must be marked by monuments or other markers that are clearly visible and adequate to delineate such boundaries. The operator shall 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:** 9/12/25

### **OBSERVATIONS**

The Tierra Piedra Gravel Pit was inspected on June 17, 2025, by Chris Girardi with the Division of Reclamation, Mining, and Safety ("DRMS" or "Division") as part of the DRMS's routine monitoring inspection program. The site was last inspected on October 25, 2018. Brian Abeln represented Tierra Piedra Ranch, LLC (Operator) during the inspection. The weather was sunny and warm.

The Tierra Piedra Gravel Pit is a 110c sand and gravel operation with a permitted area of 6.4 acres. The site is located approximately 6 miles north of Arboles, CO. Access to the site is using State Highway 151, then Fosset Gulch Road. The surrounding land is pastureland and industrial, and the approved post-mining land use is developed water resources.

A mine identification sign was located at the entrance to the site in compliance with Rule 3.1.12(1) (see Photo 1). Affected area markers were not observed delineating the entire affected land boundary. This is cited as a problem at the beginning of the report. Pursuant to Rule 3.1.12(2), please mark the affected area boundaries.

#### **General Compliance With Mine Plan:**

The site is located on the eastern side of Piedra River, which cuts through the San Juan Mountains before discharging into Navajo Reservoir to the south. The site was not active at the time of the inspection. All mining equipment has been removed. The Operator has mined a pit into the alluvium, which is now filled with water and is a pond approximately 2.2 acres in size (see Photos 2-3). Due to its proximity to the Piedra River, water fills into the pit/pond. The mining plan allows for excavation down to a depth of thirty (30) feet. Groundwater is anticipated to be encountered between twenty-five (25) to 30 feet below ground surface in the area, thus exposing groundwater during excavation of the pit. In a memo (dated 11/19/2009) from the Colorado Division of Water Resources (DWR), the Operator is not required to obtain an augmentation plan. The Division will verify this is still the case during the review process for the AM-1 application. The pond shoreline slopes are relaxed, with slopes at 3H:1V configuration or less steep (see Photos 2-3). No evidence of erosion was observed.

A stockpile of sand and gravel is located to the north of the pond and along the fence (see Photo 4). Along the pond shorelines and to the north, vegetation has established in thick patches, which include predominantly Yellow sweet clover, Smooth brome, and weeds. Noxious weeds observed include a significant amount of Common mullein along the pond shoreline, and Musk thistle throughout the site (see Photos 3, 5-8). Vegetated topsoil stockpiles were observed to the east of the pond and appeared to be stable with adequate vegetation cover, including some weeds. In accordance with Rule 3.1.10(6) of the Construction Materials Rules and Regulations governing weed control, the DRMS will require the Operator to develop a weed control plan to be employed to control the current infestation and prevent the spread of weeds to the surrounding area.

The Operator submitted an Amendment Application (AM-1) on July 1, 2025, to increase the permit area from 6.4 acres to 9.99 acres. AM-1 was deemed complete on July 21, 2025, and a preliminary Adequacy Review letter was sent by DRMS on August 11, 2025. In the AM-1 Adequacy Review letter, the Division requested the Operator include a weed control plan as an addendum to AM-1, so the weed control issue will be addressed through the AM-1 permitting action.

As previously stated, the site was not active at the time of the inspection. According to the Operator, the site

has not been operational for years. According to the 2024 Annual Report, the site was last active on June 28, 2019. The Operator has temporarily ceased production since June 28, 2019, and did not file a Notice of Temporary Cessation (TC) in accordance with Rule 1.13.5(1). This is cited as a problem at the beginning of the report. Rule 1.13.5 states, if an Operator temporarily ceases production of the mining operation for one hundred eighty (180) days or more, the Operator must file a Notice of TC in writing to the Office. In accordance with Rule 1.13.5(1), an operator may file for an initial five year period of TC and then a second five year period of TC. For this site, the initial five-year period ended on June 28, 2024. The Operator must either file a notice of a second five-year period of TC in accordance with Rule 1.13.5(1)(b) and (3), resume mining, or initiate reclamation of the current affected land. If one of the latter two options are chosen, the Operator must provide DRMS written notice to that effect.

Financial Warranty:

The Division currently holds a reclamation bond in the amount of \$5,952 for this operation. The reclamation bond was not evaluated as part of this inspection report and instead will be evaluated with the AM-1 application. The Division will provide an updated cost estimate to complete reclamation during correspondence regarding the AM-1 application.

This concludes the DRMS' inspection report; a subset of photographs was taken during the time of the inspection are included below. If you need additional information or have any questions, please contact me at the Division of Reclamation, Mining, and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203, by telephone at 720-793-3041 or by email at [chris.girardi@state.co.us](mailto:chris.girardi@state.co.us).



## PHOTOGRAPHS



Photo 1: Mine entrance sign along access road to the north of the permit area.



Photo 2: View of water-filled pit/pond, facing southwest.





Photo 3: View of pond shoreline and vegetation, facing west.



Photo 4: Material stockpile north of the pond, facing northeast.





Photo 5: View of vegetated topsoil stockpile along the eastern shoreline of the pond, facing southwest.



Photo 6: View of noxious weeds, including Common mullein, Oxeye daisy, and Musk thistle on the topsoil stockpile.





Photo 7: View of noxious weeds along the pond shoreline, facing south.



Photo 8: View permit area with noxious weeds north of the pond, facing southeast.



### 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>N</u>
(HB) HYDROLOGIC BALANCE----- <u>Y</u>	(BG) BACKFILL & GRADING----- <u>N</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>PB</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>N</u>	(RS) RECL PLAN/COMP-- <u>N</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>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

#### Inspection Contact Address

Ryan Clark  
Tierra Piedra Ranch LLC  
12600 W Colfax Ave, Ste C-440  
Lakewood, CO 80215

Enclosure: 2025 DRMS Cost Estimate

CC: Jared Ebert, DRMS  
Nathan Barton, WASTELINE, Inc.