

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

Weber Pit No.2- Inspection Report and Cost Estimate

1 message

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

Thu, Oct 30, 2025 at 1:39 PM

To: Weber Sand and Gravel <webersandgravel@gmail.com>

Cc: Jared Ebert - DNR <jared.ebert@state.co.us>, "Scott Schultz (He/Him)" <scott.schultz@coag.gov>

Good afternoon,

Attached to this email is a pdf of the Division's Inspection Report for the inspection conducted on 10/3/2025 at the Weber Pit No.2, permit number M-1995-056.

Also attached to this email is a pdf of the DRMS Updated Cost Estimate to complete reclamation at the site. Please note that a surety increase will be issued within 14 days of this date.

Hard copies will be delivered to the address on file. Please reach out 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

Physical: 1313 Sherman Street, Room 215, Denver, CO 80203

Mailing: DRMS Room 215, 1001 E 62nd Ave, Denver, CO 80216

chris.girardi@state.co.us | <https://drms.colorado.gov/>

2 attachments

**WeberPitNo.2_October2025InspectionReport_M1995056.pdf**

2965K

**WeberPit2_DRMSCostEstimate_M1995056.pdf**

194K



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: Weber Pit No. 2	MINE/PROSPECTING ID#: M-1995-056	MINERAL: Sand and gravel	COUNTY: Archuleta
INSPECTION TYPE: Monitoring	WEATHER: Clear	INSP. DATE: October 3, 2025	INSP. TIME: 09:00am
OPERATOR: Weber Sand & Gravel, Inc.	OPERATOR REPRESENTATIVE: Andy & Kathy Weber	TYPE OF OPERATION: 112c - Construction Regular Operation	

REASON FOR INSPECTION: Citizen Complaint	BOND CALCULATION TYPE: Complete Bond	BOND AMOUNT: \$124,511
DATE OF COMPLAINT: 9/26/2025	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
INSPECTOR(S): Chris Girardi	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: October 30, 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: Right of Entry

PROBLEM: The Owners of Record of the affected land has changed since the approval of the Amendment No.1 application in 2007, and the Operator has not provided documentation of their legal right to enter and conduct mining and reclamation from the new Owners of Record. This issue is cited as a problem for failure to maintain legal right of entry per Rule 6.4.14.

CORRECTIVE ACTIONS: Provide documentation of the legal right to enter to conduct mining and reclamation, from the Owners of Record as described in Rule 1.6.2(1)(e)(i). This may include a copy of a lease, deed, abstract of title, a current tax receipt, or a signed statement by the Landowner and acknowledged by a Notary Public stating that the Operator/Applicant has legal right to enter to conduct mining and reclamation.

CORRECTIVE ACTION DUE DATE: 1/12/26

INSPECTION TOPIC: Signs & Markers

PROBLEM: The affected area boundary markers were not observed within the Phase 3 Area. 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 of the approved affected area boundary. The operator will subsequently replace the affected area boundary markers in the correct location(s). Please

provide documentation when the survey is complete, this shall include a map depicting the approved affected area boundary that conforms to the map requirements of Rule 6.2.1(2).

CORRECTIVE ACTION DUE DATE: 1/12/2026

INSPECTION TOPIC: Off-site Damage

PROBLEM: Land may have been affected outside of the approved affected area boundary and permit boundary.

CORRECTIVE ACTIONS: The Operator shall conduct a survey of the current affected land, the Amendment Application (AM-1) permit boundary, and the approved affected area boundary. Please provide documentation when the survey is complete, this shall include a map depicting the approved permit boundary, affected area boundary, and the actual affected land that conforms to the map requirements of Rule 6.2.1(2).

CORRECTIVE ACTION DUE DATE: 1/12/2026

INSPECTION TOPIC: Availability Of Records

PROBLEM: The affected acreage reported on the 2024/2025 Annual Report and Map may have inaccurate information. The map is a hand-drawn map that does not appear to be drawn to scale. This is a problem for failure to provide complete and accurate information required pursuant to C.R.S. 34-32.5-116(3)(a) and the Annual Report Form in accordance with Rule 1.15(1).

CORRECTIVE ACTIONS: The Operator shall submit a letter to DRMS citing the correct information required from the 2024/2025 annual report. Also, please provide a map that complies with Rule 6.2.1(2) and depicts the permit boundary, current affected area boundary and location of the acreages specified in items 8-12 and 15 of the annual reclamation report.

CORRECTIVE ACTION DUE DATE: 1/12/2026

OBSERVATIONS

The Weber Pit No.2 was inspected on October 3, 2025 by Chris Girardi with the Division of Reclamation, Mining, and Safety ("DRMS" or "Division") in response to a confidential complaint submitted on September 26, 2025. Andy & Kathy Weber represented Weber Sand & Gravel, Inc. (Operator) during the inspection. Justin Ramsey and Andy Connor represented the Pagosa Area Water and Sanitation District (PAWSD) during the inspection. Robert Hagberg represented the San Juan Water Conservancy District (SJWCD) during the inspection. The weather was clear.

The Weber Pit No.2 is a 112c sand and gravel operation with a permitted acreage of 114.64 acres and an approved affected acreage total of 55 acres. Through field data collection and historical google earth imagery, the Division determined that approximately 43 acres have been affected in the permit area. This value contradicts the current affected acreage reported by the Operator in the 2024/2025 Annual Report submitted on September 14, 2025, where the Operator reported that 77.7 acres were currently affected. This is cited as a problem at the beginning of the report.

A mine identification sign was located at the entrance to the site in compliance with Rule 3.1.12 (see Photo 1). The site is located approximately 3 miles northeast of Pagosa Springs, CO. The site is accessed from the south using a gate from an access road off US Highway 160. The approved post-mining land use is rangeland.

General Compliance with Mining Plan:

The permit area is split into two different areas. Phase 1 and 2 are located to the north and consist of 50.94

acres. The Phase 3 area is located to the south and consists of 63.70 acres. During the inspection, the Operator indicated they are currently reclaiming the entire site. Topsoil has been spread across most of the affected land in the Phase 1 and 2 areas (see Photos 3-4). The Operator indicated that topsoil has been spread in the last few weeks. The Phase 2 area maintained a slope along the northern permit boundary, which has been graded to a 3:1 horizontal to vertical configuration and showed no evidence of erosional problems (see Photos 4-5, 7). No additional grading of the former pit slope will be necessary to achieve final grade for reclamation. During the inspection, several deer were observed along the pit slope. A small portion of the pit slope, less than 1 acre, has been seeded and appears to have well-established vegetation (see Photos 5 and 7). The Operator indicated that seeding will be conducted in early November, as well as the application of straw. Several types of earthwork equipment were observed in the area, including dozers, grader, haul trucks, an excavator, and a grizzly screener (see Photo 2). Annual weeds were observed within the permit area, and no noxious weeds were observed. No problems were noted with the Phase 1 and 2 areas. Affected area boundary markers were present in the form of t-posts in the Phase 1 and 2 areas.

There was a stockpile of mined material along the Phase 1 western permit boundary corner, and a small pile of concrete was also observed (see Photos 6-7). The Operator stated that both stockpiles of material will be hauled offsite. During the inspection it was discussed that there is a dispute between the Operator and PAWSD and/or SJWCD regarding the terms of a sale agreement for the mined product. This issue is outside of the Division's jurisdiction.

According to the PAWSD, the Operator sold them the parcel containing the permit area in 2008. According to the Archuleta County property records, parcel 570105400016 containing the permit area is owned by both SJWCD and PAWSD. The Operator has not provided documentation from the new Owners of Record of their legal right to enter and conduct mining and reclamation operations. This is cited as a problem for failure to maintain legal right of entry pursuant to Rule 6.4.14 of the Construction Materials Rules and Regulations. The Operator will be required to provide documentation of updated legal right of entry. In accordance with Rule 6.4.14, this documentation may include a copy of a lease, deed, abstract of title, a current tax receipt, or a signed statement by the Landowner and acknowledged by a Notary Public stating that the Operator/Applicant has legal right to enter to conduct mining and reclamation.

The Phase 3 area is an upland area located south of Phase 1 and 2 areas. Phase 3 was incorporated into the permit area in 2007 through Amendment Application #1 (AM-1). AM-1 approved the addition of 63.70 acres, with an approved affected acreage of 26.17 acres. This area is located at the top of a hill overlooking the Park Ditch to the south and the San Juan Mountain Range to the east (see Photo 14). Topsoil has recently been spread over the majority of this area as well (see Photos 8, 11-14). Several stockpiles of sand, gravel, and cobbles were observed (see Photos 9-10). The area contains several screening and earthwork equipment, including conveyers, a wheel loader, a dozer, a screen plant, an excavator, haul trucks, and a skid steer. The Division did not observe affected area boundary markers in this section of the permit area. This is cited as a problem and is further elaborated upon below.

Upon inspection of the southern end of the Phase 3 area, land has been affected, and topsoil has been spread to the very edge of the hill of the Phase 3 Area. Using ArcGIS Field Maps, DRMS collected an extent of where the land has been affected, and the topsoil has been spread in the Phase 3 area and compared it to the permit boundary and affected area boundary in the updated mining plan map submitted in AM-1. Based on the polygon measurement collected by the DRMS, the Operator may have affected land outside of the approved affected area boundary on the south side (see Photos 12-14 and Figure 1). Along the eastern side of the area,

the Operator may have affected land outside of the approved affected area boundary (see Photo 11 and Figure 1). This issue is cited as a problem. The Operator shall conduct a survey of the current affected land. In addition, the Operator will resurvey the permit boundary and the approved affected area boundary as designated in AM-1. The Operator will subsequently replace the affected area boundary markers in the correct locations.

The Division currently holds a reclamation bond in the amount of \$107,639 for this operation. The Division has estimated the reclamation liability at the site and found it to be \$124,511. This is an increase of \$16,872 from the bond currently held. The Operator will have 14 days (November 13, 2025), from the issuance of this report to submit any comments regarding the updated cost estimate. If no questions or comments are received, the Division may issue a Surety Increase notice for the difference. The Operator will have 60 days from the date of the notice to submit and obtain acceptance of the increase in financial warranty from the Division in accordance with Rule 4.2.1(2).

This concludes the DRMS's 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.

PHOTOGRAPHS



Photo 1: Mine permit entrance sign.



Photo 2: View of Phase 1 and 2 area, two bulldozer, and the spreading of topsoil. Facing east.



Photo 3: View of a topsoil stockpile and topsoil being spread in the Phase 1 and 2 areas, facing south.



Photo 4: View of the graded pit slope at a 3:1 configuration, facing north.



Photo 5: View of the pit slope where the slope has been seeded to the left, facing north.



Photo 6: View of a stockpile of mined material in the western corner of the Phase 1 Area, facing west.



Photo 7: View of a pile of concrete, as well as the portion of the pit slope that has been revegetated facing north.



Photo 8: View of spread topsoil within the Phase 3 area, facing south.



Photo 9: View of stockpiles of mined material and equipment within the Phase 3 area, facing west.



Photo 10: View of a stockpiled material on the north edge of the affected area boundary within the Phase 3 area, facing west.



Photo 11: View affected land potentially outside of the approved affected area boundary on the east side within the Phase 3 area, facing north.



Photo 12: View of affected land potentially outside on the approved affected area boundary on the southern toe of the Phase 3 area, facing south.



Photo 13: View of affected land potentially outside on the approved affected area boundary on the southern toe of the Phase 3 area, facing southeast.



Photo 14: View of affected land potentially outside on the approved affected area boundary and permit boundary on the southern toe of the Phase 3 area, facing southeast.

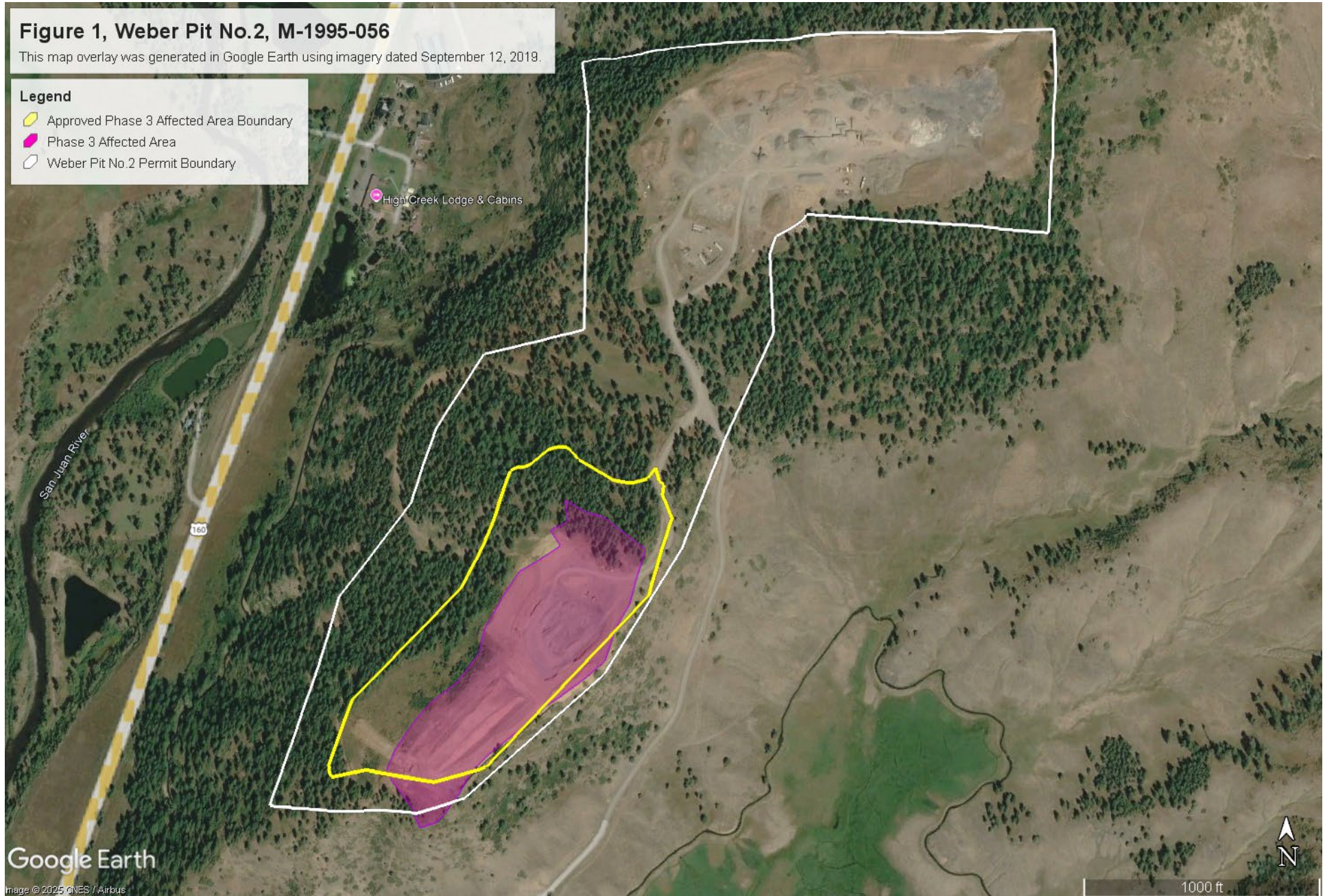


Figure 1, Weber Pit No.2, M-1995-056

This map overlay was generated in Google Earth using imagery dated September 12, 2019.

Legend

-  Approved Phase 3 Affected Area Boundary
-  Phase 3 Affected Area
-  Weber Pit No.2 Permit Boundary



Google Earth

Image © 2025 CNES / Airbus



GENERAL INSPECTION TOPICS

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

(AR) AVAILABILITY OF RECORDS----- <u>PB</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>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>Y</u>	(ST) STIPULATIONS----- <u>N</u>
(AT) ACID OR TOXIC MATERIALS----- <u>N</u>	(OD) OFF-SITE DAMAGE----- <u>PB</u>	(ROE) RIGHT OF ENTRY- <u>PB</u>

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

Inspection Contact Address

Andy & Kathy Weber
Weber Sand & Gravel, Inc.
2980 E. Hwy. 160
Pagosa Springs, CO 81147

Enclosure: 2025 DRMS Reclamation Cost Estimate

CC: Jared Ebert, DRMS
Scott Schultz, Colorado Department of Law

COST SUMMARY WORK

Task description: Reclamation

Site: Weber Pit No 2

Permit Action: 2025 Inspection

Permit/Job#: M1995056

PROJECT IDENTIFICATION

Task #: 000

State: Colorado

Abbreviation: None

Date: 10/29/2025

County: Archuleta

Filename: M1995056

User: CMG

Agency or organization name: DRMS

TASK LIST (DIRECT COSTS)

Task	Description	Form Used	Fleet Size	Task Hours	Cost
001	Revegetate 43 acres of affected lands	REVEGE	1	43.00	\$97,909
002	Mobilize to and from site	MOBILIZE	1	1.40	\$730
<u>SUBTOTALS:</u>				44.4	\$98,639

INDIRECT COSTS

OVERHEAD AND PROFIT:

Liability insurance: 2.02

Total = \$1,993

Performance bond: 1.05

Total = \$1,036

Job superintendent: 22.20

Total = \$1,668

Profit: 10.00

Total = \$9,864

TOTAL O & P = \$14,560

CONTRACT AMOUNT (direct + O & P) = \$113,199

LEGAL - ENGINEERING - PROJECT MANAGEMENT:

Financial warranty processing (legal/related costs): \$500

Total = \$500

Engineering work and/or contract/bid preparation: 4.25

Total = \$4,811

Reclamation management and/or administration: 5.30

\$6,000

CONTINGENCY: 0.00

Total = \$0

TOTAL INDIRECT COST = \$25,871

TOTAL BOND AMOUNT (direct + indirect) = \$124,510

REVEGETATION WORK

Task description: Revegetate 43 acres of affected lands

Site: Weber Pit No 2 Permit Action: 2025 Inspection Permit/Job#: M1995056

PROJECT IDENTIFICATION

Task #: 001 State: Colorado Abbreviation: None
Date: 10/29/2025 County: Archuleta Filename: M056-001
User: CMG

Agency or organization name: DRMS

FERTILIZING

Materials

Description	Units / Acre	Unit	Cost / Unit	Cost /Acre
10-34-0, 18-46-0, 5-10-5	200.00	pound	\$0.52	\$104.76
			Total Fertilizer Materials Cost/Acre	\$104.76

Application

Description	Cost /Acre
Truck whirlwind spreader (MEANS 32 01 90.13 0140)	\$26.14
Total Fertilizer Application Cost/Acre	\$26.14

TILLING

Description	Cost /Acre
Disc harrowing, 6" deep (MEANS 32 91 13.23 6100)	\$114.13
Total Tilling Cost/Acre	\$114.13

SEEDING

Seed Mix	Rate – PLS LBS / Acre	Seeds per SQ. FT	Cost /Acre
Big Bluegrass - Sherman	0.30	6.20	\$4.87
Russian Wildrye - Vinal	1.00	4.02	\$7.40
Smooth Brome - Lincoln	3.80	12.65	\$18.90
Hard Fescue - Durar	0.30	3.89	\$1.76
Western Wheatgrass - Arriba	4.60	11.62	\$42.55
Timothy - Climax	0.10	2.87	\$0.43
Totals Seed Mix	10.10	41.24	\$75.90

Application

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Description	Cost /Acre
Drill Seeding (DRMS Survey Cost)	\$242.30
Total Seed Application Cost/Acre	\$242.30

MULCHING and MISCELLANEOUS

Materials

Description	Units / Acre	Unit	Cost / Unit	Cost /Acre
Hay, delivered	2.00	TON	\$504.56	\$1,009.12
Herbicide - Curtail @ 4.0 pt/ac	4.00	ACRE	\$38.14	\$152.54
Total Mulch Materials Cost/Acre				\$1,161.66

Application

Description	Cost /Acre
Crimping, with tractor {DMG survey data}	\$239.35
Weed spray, truck, non-aquatic area, nox. [DMG]	\$249.08
Total Mulch Application Cost/Acre	\$488.43

NURSERY STOCK PLANTING

Common Name	No/ Acre	Type and Size	Planting Cost	Fertilizer Pellet Cost	Cost /Acre
					\$
Totals Nursery Stock Cost / Acre					\$0.00

JOB TIME AND COST

No. of Acres:	43	Cost /Acre:	\$2,213.32
Estimated Failure Rate:	20%	Cost /Acre*:	\$318.20
*Selected Replanting Work Items:	SEEDING		

Initial Job Cost:	\$95,172.76
Reseeding Job Cost:	\$2,736.52
Total Job Cost:	\$97,909
Job Hours:	43.00

EQUIPMENT MOBILIZATION/DEMOBILIZATION

Task description: Mobilize to and from site

Site: Weber Pit No 2 Permit Action: 2025 Inspection Permit/Job#: M1995056

PROJECT IDENTIFICATION

Task #: 002 State: Colorado Abbreviation: None
Date: 10/29/2025 County: Archuleta Filename: M056-002
User: CMG

Agency or organization name: DRMS

EQUIPMENT TRANSPORT RIG COST

Shift basis: 1 per day
Cost Data Source: CRG Data

Truck Tractor Description: GENERIC ON-HIGHWAY TRUCK TRACTOR, 6X4, DIESEL POWERED, 400 HP (2ND HALF, 2006)

Truck Trailer Description: GENERIC FOLDING GOOSENECK, DROP DECK EQUIPMENT TRAILER (25T, 50T, AND 100T)

Cost Breakdown:

Available Rig Capacities	0-25 Tons	26-50 Tons	51+ Tons
Ownership Cost/Hour:	\$21.47	\$38.32	\$48.96
Operating Cost/Hour:	\$31.47	\$60.11	\$65.86
Operator Cost/Hour:	\$22.52	\$22.52	\$22.52
Helper Cost/Hour:	\$0.00	\$22.25	\$22.25
Total Unit Cost/Hour:	\$75.46	\$143.20	\$159.59

NON-ROADABLE EQUIPMENT:

Machine Description	Weight/ Unit (TONS)	Owner ship Cost/hr/ unit	Haul Rig Cost/hr/unit	Fleet Size	Haul Trip Cost/hr/ fleet	Return Trip Cost/hr/ fleet	DOT Permit Cost/ fleet
Drill/Broadcast Seeder with Tractor	25.00	\$5.99	\$75.46	2	\$162.90	\$150.92	\$250.00

Subtotals:

\$162.90	\$150.92	\$250.00
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ROADABLE EQUIPMENT:

Machine Description	Total Cost/hr/ unit	Fleet Size	Haul Trip Cost/hr/ fleet	Return Trip Cost/hr/ fleet
Light Duty Pickup, 4x2, 1/2 T.	\$20.11	1	\$20.11	\$20.11

Subtotals:

\$20.11	\$20.11
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EQUIPMENT HAUL DISTANCE and Time

Nearest Major City or Town within project area region: PAGOSA SPRINGS
Total one-way travel distance: 3.00 miles
Average Travel Speed: 30.00 mph

Total Non-Roadable Mob/Demob Cost *

‘* two round trips with haul rig:

Total Roadable Mob/Demob Cost **

** one round trip, no haul rig:

\$725.66

\$4.02

Transportation Cycle Time:

	Non-Roadable Equipment	Roadable Equipment
Haul Time (Hours):	0.10	0.10
Return Time (Hours):	0.10	0.10
Loading Time (Hours):	0.25	NA
Unloading Time (Hours):	0.25	NA
Subtotals:	0.70	0.20

JOB TIME AND COST

Total job time: 1.40 Hours

Total job cost: \$730