

7-7-04
J.A.

**DEPARTMENT OF ENVIRONMENTAL QUALITY
LAND QUALITY DIVISION
INSPECTION REPORT**

Mine Permit: Nicholls & Lewis, Permit Number 813 ET
Inspection Date: April 16, 2004
Participants: Deb Phenicie, Land Quality Division (LQD), Lander
Report Date: June 30, 2004
Prepared by: Deb Phenicie, Sr. Environmental Analyst *DAP*



Introduction:

This limited mining permit was approved June 10, 1991 for ten acres. A Reclamation Performance Bond of \$3,000 from Employers Mutual Casualty Company was accepted. Nicholls & Lewis, Inc. is a defunct company. The site has been abandoned for many years. Paul Lewis, a former officer of Nicholls & Lewis has signed a Voluntary Bond Forfeiture Agreement (original form previously sent to Cheyenne). The original surface owner sold the property to Paul Fritsch and Lynn Pappas of Florida. Bond forfeiture is being requested to complete reclamation on this site.

Inspection:

Paul Fritsch agreed to meet me on site and show me the property. Based on a GPS of the disturbed area, 14 acres have been disturbed by previous mining operations. There is a main pit area of approximately ten acres and a smaller area to the north of approximately four acres. Paul Fritsch indicated that he has completed a significant amount of grading work to improve the area. According to Mr. Fritsch soil had been washing into the river from the unstable banks. They completed work to stabilize the river banks. In addition, the depressions created by the pits were utilized to create pond and wetland areas. The tops of stockpiles around the perimeters were graded down; although they are still evident, as noted in the photos (attached). Native vegetation has reestablished itself in some of the areas.

Additional site reclamation is required to restore the site to a more natural condition. Reclamation of the main ten acre area should focus on seeding areas where vegetation has not reestablished itself and additional grading of stockpiled material to provide a more natural appearance. Some of the remaining stockpiled material may be spread in areas where vegetation is sparse. Grading should be limited to avoid disturbing well-established vegetation. The steep slopes along the river should be left to avoid re-disturbance of the area. Hand seeding of some of the steeper slopes (particularly along the river) is recommended. The entire four acre north area needs to be graded, topsoil spread, and seeded.

Bond Evaluation:

This pit is bonded for \$3,000.00, the statutory limit for a pre-1993 limited mining permit for a ten acre pit. There is insufficient bond to cover reclamation costs for a site with this much disturbance, even with the efforts of the new surface owners. Following is a cost estimate for completing grading and seeding activities at the site:

Grading, topsoil spreading, and equipment mobilization (80 hours at \$75/hour):	\$ 6,000
Tilling and seeding, labor and equipment (20 hours at \$75/hour):	\$ 1,500
Hand preparation and seeding of steep slopes (40 hours at \$20/hr):	\$ 800
<u>Seed mix (ten acres at \$150.00 per acre):</u>	<u>\$ 1,500</u>
Total Estimate:	\$ 9,800

Recommendation:

Proceed with bond forfeiture as expeditiously as possible.

Attachment: Site Photos (5 photos, 4 pages)

enclosure: Voluntary Bond Forfeiture Agreement (the original is filed in the Cheyenne office).

xc: Georgia Cash - LQD, Cheyenne
Mark Moxley, LQD, Lander

