

WHE  
Demetrio Valdez  
P.O. Box 84  
Conejos, CO 81129

**RECEIVED**

MAY 22 2014

**DIVISION OF RECLAMATION  
MINING AND SAFETY**

May 1, 2014

Mr. Wally Erickson  
Environmental Protection Specialist  
Colorado Division of Reclamation, Mining and Safety  
691 County Road 233, Suite A-2  
Durango, CO 81301

Re: Technical Revision  
Valdez Pit M1991-133

TR02

Dear Mr. Erickson

We are hereby requesting a Technical Revision to our above captioned permit in order to place a hot mix asphalt plant and concrete batch plant within the existing boundaries as shown. We are also including correspondence from the Conejos County Land Use Administrator and a separate consent form, as well as a check for \$216.00

Please call us if you have any questions.

Demetrio Valdez

Olive Valdez

*Demetrio Valdez* *Olive Valdez*

✓ **AF & Report**  
✓ **No Violations**



SUMMIT ENGINEERING CO  
PROFESSIONAL ENGINEERS AND LAND SURVEYORS  
P.O. Box 1897 ALAMOSA, COLORADO 81101  
(719)589-6147 scott4622@gmail.com

May 20, 2014


Mr. Wally Erickson  
Environmental Protection Specialist  
Colorado Division of Reclamation, Mining and Safety  
1313 Sherman Street, Room 215  
Denver, CO 80203

Re: Technical Revision Request  
Valdez Pit M 1991-133

Dear Mr. Erickson;

Robins Construction, L.L.L.P. will be owner of the above captioned property on or about May 23, 2014 (the scheduled closing date). Robins hereby requests a Technical Revision to place a portable hot mix asphalt plant and a portable concrete batch plant at the location within the pit shown on the accompanying map. In addition, we are also enclosing a Resolution adopted by the Conejos County Board of Commissioners approving both the portable asphalt plant and the portable batch plant at that location.

Please call me if you have any questions.

  
Scott E. Johnson  
P.E. & P.L.S.14840

NW 1/4 SECTION 32, T.33N., R.9E., N.M.P.M.  
CONEJOS COUNTY, COLORADO.

LEGEND

Figure 1. A schematic diagram of the experimental setup. The subject is seated in a chair, viewing a screen displaying a target. The target is a vertical line with a horizontal bar at the top. The subject's hand is positioned at the bottom of the screen, and the distance between the hand and the target is indicated by a double-headed arrow. The subject is instructed to move the hand to the target and then return it to the starting position.

**CONEJOS COUNTY RESOLUTION – #2014-AR 1**  
**RESOLUTION PERMITTING AN ADMINISTRATIVE REVIEW**  
**ROBINS CONSTRUCTION, LLLP**  
**BATCH PLANTS – ASPHALT & CONCRETE**

**WHEREAS**, an application for an Administrative Review was submitted by the Robins Construction, LLLP, represented by Randall Robins, in accordance with the Conejos County Land Use Code, Article 4 Zoning – Division 4.2 Zone District Regulation and Article 5, Permits, Division 5.3 Administrative Review, and

**WHEREAS**, the applicants are proposing a batch plant for asphalt and concrete in an Industrial Zone district, and

**WHEREAS**, the real property is owned by Demetrio & Olive Valdez and have submitted an Owner Consent Form pursuant to Conejos County Land Use Code – Article 3 – Division 3.2 General Application Submittal requirements and where Robins Construction provided a copy of the purchase contract, and

**WHEREAS**, the real property, and is legally described as follows:

30 acres a Tract of Land Located in the Northwest Quarter of Section 32, Township 33 North, Range 9 East, of the New Mexico Principal Meridian, Conejos County Colorado. The physical address of the property is 5101 US Highway 285, Antonito, CO 81120. Exhibit A.

**WHEREAS**, the requirements of Article 3, Administration and General Application and Review Procedures and of Article 5 Permits, Division 5.3 Administrative Review Procedures have been met, and

**WHEREAS**, the evidence submitted with the application were weighed against the criteria of Article 5, Division 5.5 Standards of Approval and determined the applicable standards have been agreed by the Applicant and County Administrator per the attached Exhibit B, and

**WHEREAS**, the Conejos County Land Use Administrator concludes the application of the Robins Construction, LLLP – Batch Plant (Asphalt & Concrete) be approved with the following permit conditions identified in Division 5.2 – Land Use Permit Conditions:

**Validity of Permit.** A Land Use Permit shall remain valid for the time period specified by the decision making body at the time of issuance of the permit, or if no time period is specified, for the life of the use. **TIME PERIOD NOT SPECIFIED. THE PERMIT SHALL REMAIN VALID FOR THE LIFE OF THE USE.**

**Term of Permit.** Commencement of the approved Land Use must begin and proceed in compliance with conditions of the permit within three (3) years of the date of issuance (05/15/2014). The permit shall be deemed to have lapsed if there is no construction or conduct of the approved land use for a continuous 12-month period.

**Extension of Permit Term.** An extension of the term of the permit may be requested by the applicant. A request for extension of permit term requires public hearing and recommendation by the Planning Commission and review and public hearing by the Board of County Commissioners. The term of a permit may only be extended (1) as a condition of initial approval, or (2) within the final 18 month of the approved term of the permit. **TIME PERIOD WAS NOT SPECIFIED.**

**Violation of Conditions of Permit.** Failure to comply with permit conditions shall cause the permit to be revoked by the Board of County Commissioners, pursuant to the procedures set forth in Article 16.


**Transfer of Ownership.** Any permit for land use and construction approved in compliance with this Land Use Code shall be binding upon and run with the land. The transfer of any permit to a new owner may occur only after a statement has been filed with the Land Use Office by the transferee indicating that he/she will comply with the terms and conditions of the permit.

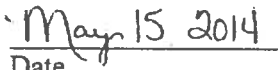
**Change in Conditions of Permit.** Unless otherwise provided in this code, any proposal to change the permit conditions shall require a new Land Use Permit.

**Other Permits -** The applicants shall be responsible for satisfying all County, State and Federal permit requirements applicable to the proposed land use, construction, remodel or repair activities.

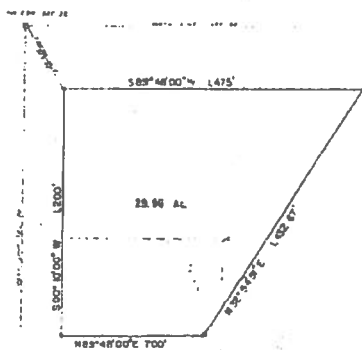
**Annual Review of Conditions –** The Land Use Administrator shall annually review the permit for compliance with the conditions set. The review shall take place each year in the month during which the permit was originally approved. – **MAY OF EACH YEAR.**

**THEREFORE BE IT RESOLVED** that the above-described property was reviewed and approved under the Administrative Review process for a Batch Plant (Asphalt & Concrete) in an Industrial Zone District on the 15<sup>th</sup> day of May 2014.

  
Linda L. DeHerrera  
Land Use Administrator

  
Date

24 12



**SULIST ENGINEERING CO.**  
1077 STATE AVENUE  
ALABAMA, COLOMBUS 44 MI  
Phone 222-7147

**EXHIBIT B:**  
**LAND USE Administrative Review – Standards of Approval Worksheet**

**Applicant:** Robins Construction – USE: Batch Plants (Asphalt & Concrete)  
**LEGAL DESCRIPTION – 30 ACRES (Exhibit A) – Valdez Pit**

Lawrence D. Gallegos Recp. No: 14000599  
Conejos County Clerk and Recorder Page: 4 of 6  
Recorded: 5/15/2014 12:30 PM Rec Fee: \$0.00  
Doc Fee: \$0.00 Min Fee: \$0.00

<b>PERMIT CONDITIONS 5.2</b>	<b>COMMENTS OR CONDITIONS SET PER THE STANDARDS SET</b>
Validity of Permit	Commencing 05/15/2014 for the life of the use.
Term of Permit	Commencing 5/15/2014 and proceed in compliance with the conditions of the permit within 3 years of the date of Issuance.
Extension of Permit Term	An extension of the permit will require a new application and public hearing process.
Violation of Conditions of Permit	Failure to comply with the permit conditions shall cause the permit to be revoked by the BOCC pursuant to Article 16.
Transfer of Ownership	This permit runs with the land and can be transferred to a new owner only after a statement has been filed with the LU Office by the transferee indicating that he/she will comply with the terms and conditions of the permit.
Change in Conditions of Permit	Any changes to the permit conditions shall require a new Land Use Permit.
<b>STANDARDS OF APPROVALS 5.5</b>	
Property Rights	The owners shall provide a deed and title insurance policy after closing. The owners shall provide a copy of the mining permit reflecting the change in ownership. The owners shall provide a copy of a survey of the subject property.
Comprehensive Plan	The Comprehensive Plan has been duly considered with the proposed batch plant.
Water Quality Protection	The use will not cause significant degradation of the quality of surface water or groundwater resources. A copy of the "Storm Water Discharge Plan/Permit" shall be placing in the hard copy file. Robins Construction has certified storm water technicians on staff.
Water & Waste Water (5.5A & 5.510B4)	Water supply – a letter from the Division of Water Resources is on file reflecting that a legal water supply for the "Batch" plant operations is available to Robins Construction. Waste Water – The applicant shall provide for waste water facilities both domestic waste and light commercial pursuant to Article 13 of the CCLU Code.
Risks from Geological Hazards	The only geological hazard could be flooding. The property has been operated as an extraction/mining business.
Utilities	There are no public utilities on this property. Generators will be used to power equipment.
Access and Roadways	ACCESS: The primary access is available to the property via US Highway 285 on the east boundary. The valid CDOT Permit will transfer from the previous owner. The applicant can get access through the north and west boundaries if needed. ROADS: The roads serving this use appear to be in a condition that will allow traffic generated from the proposed use. A County roadway mitigation plan for roadway improvements or impact fees shall be established between the applicant/operator and the Conejos County Road & Bridge Department. An annual review on the road impacts shall take place in January of each year.
Visual Impacts	Vistas are preserved as all of the activities are taking place to the west of the Highway access and the activities are not visible from the Highway or County Road. There are some trees and vegetation will serve as a barrier for vistas.
Compatibility	The nature, scale and intensity are compatible with the adjacent land uses.
Wildlife (5.5 A 10 & 5.510 B.5)	This area is NOT a significant wildlife habitat area per Colorado Parks and Wildlife mapping.

a. Vehicle Weight	n/a
b. Seasonal Traffic Limitation	n/a
ROUTING	
a. Timing of Haul Traffic	n/a
b. Load Control	n/a
ACCESS TO RECORDS	n/a
INSPECTION	n/a
EMERGENCY RESPONSE	n/a
WILDFIRE HAZARD	n/a
USE OF CYANIDE ORE-PROCESSING	n/a
INSTREAM GRAVEL PITS	n/a
TECHNICAL INFEASIBILITY WAIVER	
No Technology Available	n/a
Conflict with State or Federal Regulations	n/a

*Linda L. Dittmann*  
Land Use Administrator

*May 15 2014*

2014-  
Resolution #

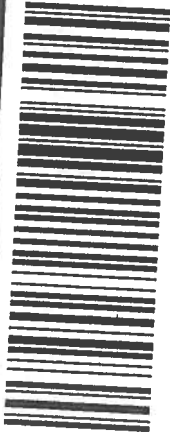
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1317 STATE AVENUE  
ALAMOSA, COLORADO 81101

P.O. Box 1897

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MR. WALLY ERICKSON  
COLORADO Div. of RECLAMATION  
MINING & SAFETY  
1313 Sherman St. Room 215  
DENVER, CO

80203

8020382243



**Division of Reclamation, Mining, and Safety**

**Fee Receipt for M1991133**

Valle Escondido

000000000

**Receipt #:** 17483

**Date:** 05/22/2014

**Permit:** M1991133

Payment Method	Revenue Code	Fee Description/Notes	Amount
107336 msr	4300-11	Minerals Technical Revision M1991-133 msr paid by Robins Construction LLLP	\$216.00
Receipt Total:			\$216.00