



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

January 29, 2025

Kelsey Bruxvoort
AGPROfessionals
3050 67th Avenue
Greeley, CO 80634

**Re: Adequacy Review No. 2, 112c Construction Materials New Application,
LTS Topsoil Mine, Permit No. M-2024-055**

Ms. Bruxvoort:

On January 24, 2025, the Division of Reclamation, Mining and Safety (Division/DRMS) received your responses to the Division's Preliminary Adequacy Review letter dated December 26, 2024. After review of your responses the Division has identified additional items that need to be addressed.

The following items will need to be addressed to the Division's satisfaction prior to the decision date. If you are unable to satisfactorily address the concerns identified in this review before the decision date, it will be your responsibility to request an extension of the review period. If there are outstanding issues that have not been adequately addressed prior to the end of the review period, and no extension has been requested, the Division may deny this application. After receipt and review of the Applicant/Operator's response to these items the Division may identify additional adequacy items. Please respond to Adequacy Review No. 2 with the requested additional/updated information and summarize each response in a cover letter titled "Adequacy No. 2 Responses: M-2024-055".

EXHIBIT C – Pre-Mining and Mining Plan Map(s) of Affected Lands (Rule 6.4.3):

1. Please verify the following is correct:
 - The Property Boundary is equal to the Permit Boundary and the Permit Boundary is 131.9 acres,
 - The Mining Area is equal to the Affected Land Boundary and the Affected Land Boundary is 83.4 acres, (Affected Land is defined by the Division to be the surface which is disturbed because of a mining operation, see full definition in Rule 1.1(3)).

EXHIBIT D – Mining Plan (Rule 6.4.4):

2. In the Mining Plan it is stated that water trucks will be used, as necessary, for dust control. Please state the source of water to be used for dust control. Note the irrigation pond located in the



northwest portion of the Permit Area is outside the Affected Land boundary and cannot be used as a source of water for dust mitigation.

EXHIBIT L – Reclamation Costs (Rule 6.4.12):

3. Attached for your review is the Division's reclamation cost estimate. If agreed upon this is the amount the Applicant will be bonded to for the permit to be issued.

Other:

4. Pursuant to Rule 1.6.2(2), please demonstrate that the Applicant's response to these adequacy issues have been placed with the application materials previously placed with the County Clerk or Records Office and made available for public review.

Please respond to these adequacy items as soon as you are able so the Division can complete its review prior to its decision date. **The decision date for this application is February 17, 2025.** If additional time is required to respond to these adequacy issues, please submit a written request for extension of the review period. The Division reserves the right to further supplement this document with additional adequacy issues and details as necessary.

If you need additional information or have any questions, please contact me by email at patrick.lennberg@state.co.us.

Sincerely,



Patrick Lennberg
Environmental Protection Specialist

Attachment: Division Reclamation Cost Estimate

cc: Jared Ebert, DRMS

ec: Kelsey Bruxvoort, AGPROfessionals, kbruxvoort@agpros.com

Attachments

COST SUMMARY WORK

Task description: Cost Summary

Site: LTS Topsoil Mine

Permit Action: New Permit

Permit/Job#: M2024055

PROJECT IDENTIFICATION

Task #: 000

State: Colorado

Abbreviation: None

Date: 1/28/2025

County: Weld

Filename: M055-000

User: JPL

Agency or organization name: DRMS

TASK LIST (DIRECT COSTS)

Task	Description	Form Used	Fleet Size	Task Hours	Cost
001	Revegetation Phases I and II	REVEGE	1	20.00	\$29,283
002	Revegetation Staging Area	REVEGE	1	4.00	\$2,037
003	Site Grading	GRADER	1	11.00	\$1,686
004	Mob/Demob	MOBILIZE	1	2.44	\$2,236
<u>SUBTOTALS:</u>				37.44	\$35,242

INDIRECT COSTS

OVERHEAD AND PROFIT:

Liability insurance: 2.02
Performance bond: 1.05
Job superintendent: 10.00
Profit: 10.00

Total = \$712

Total = \$370

Total = \$793

Total = \$3,524

TOTAL O & P = \$5,399

CONTRACT AMOUNT (direct + O & P) = \$40,641

LEGAL - ENGINEERING - PROJECT MANAGEMENT:

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

Total = \$500

Engineering work and/or contract/bid preparation: 4.25

Total = \$1,727

Reclamation management and/or administration: 5.00

\$2,032

CONTINGENCY: 0.00

Total = \$0

TOTAL INDIRECT COST = \$9,658

TOTAL BOND AMOUNT (direct + indirect) = \$44,900