



Mr. Scott Johnson
Summit Engineering
1317 State Ave.
P.O. Box 1897
Alamosa, Co 81101

24 March 2025

**Re: Robins Consolidated Expansion Pit; Permit M1991133
DRMS Preliminary Adequacy**

Dear Mr. Johnson and Mr. Robins,

The Division has completed its preliminary adequacy review of **Robins Consolidated Expansion Pit, a 112 amendment** request received by the Division on 13 June 2024. DRMS found the proposed application incomplete 27 June 2024 and received a response to completeness on 14 February 2025. The decision date is scheduled for 90 days from completeness – 15 May 2025 or before.

Adequacy questions are numbered coinciding with the completeness numbers of the 27 June 2024 Completeness document. Completeness items adequately addressed in the 14 February 2025 submittal do not appear in the adequacy items below.

An overriding question DRMS has is the acreage requested and referenced in the application. The application requested 50 acres of expansion area. However, it appears that numerous exhibits reference **68 +/- acres**.

Please explain the acreage discrepancy.

Please go through each exhibit and update to the correct acreages.

Please update the text as detailed below and resubmit the application in its entirety paying close attention to the following formatting details:

- **Page numbers.** Please number all pages.
- **Orientation of pages.** All pages should be properly oriented so that they do not need to be rotated for online use.
- **Hand written** information is inadequate.
- **Add appendices** for miscellaneous information, old emails, bank bonding information, letter of credit, performance warranty information, supporting documents, historical drawings and information water court documents etc. These items are not necessary for



inclusion in the required exhibits. This information could be organized in separate Appendices.

Rule 6.2.1 All maps and exhibits must be prepared and signed by a registered land surveyor, professional engineer, or other qualified person.

Exhibit B; Index Map, Exhibit C; D pre mine and mine plan maps, Exhibit F, Reclamation Plan Map are adequate.

Rule 6.4.1 Legal Description:

4. *Legal description and mine entrance are adequately depicted on the maps.*

Rule 6.4.3

5. *Exhibit C clearly depicts:*

- a. *Current affected area (68.45 acres)*
- b. *Proposed 50 acre addition*
- c. *Topography*

as requested in question 5 of the completeness document and adequately meets the requirements of the Rule 6.4.3.

Acreage discrepancies continue to be a question.

Rule 6.4.4 Exhibit D: Mine Plan

Topsoil stockpiles are not depicted on the Mine Plan Map. DRMS understands that topsoil piles will be located in each phased quadrant on the south and east perimeter of the quadrant.

7..Please verify that DRMS's understanding is correct or locate topsoil stockpiles on the Mine Plan Map.

When DRMS takes into account each phase of mining, the acreage appears to exceed the 50 acres in the application as the expansion area. The affected area is called out as 68.47 acres.

10. Reconcile the acreages of affected area with requested expansion and explain the acreage discrepancies.

11. Please explain if and how dust will be suppressed.

Rule 6.4.5 Exhibit E Reclamation Plan and Reclamation Plan Map

DRMS notes that the current designated land use is Industrial/Commercial. The amendment cover page proposes a change of land use to Rangeland. There is no mention of this proposed land use change in the submitted Reclamation Plan.

12. Please update the reclamation plan text to indicate that the current land use is Industrial/Commercial and that a proposed change to Rangeland is requested.

The reclamation plan comprises either outdated or redundant information. The Reclamation Plan Map Exhibit F has the same acreage discrepancy between the Mining Plan Time Table (6.8 acres) and the variable acres for each phase of mining. Mine Plan acres depicted in the Mine

Plan Time Table as 6.8 acres differ from the acres depicted on the Mine Plan Map for each phase.

12A. Please correct the discrepancies either on the map or in the table and resubmit.

12B. Please remove outdated and redundant information.

Topsoil depths have been stated as 12 inches as well as 6 inches.

12 C. Please either remove the redundant or incorrect information or explain where topsoil depths are 12 inches in the reclamation plan text.

12D Please clarify what the topsoil depths are prior to excavation at the expansion area.

13. As the current land use is Industrial Commercial and the post mining land use is suggested as Rangeland, please provide a comparison of the proposed post-mining land use to other land uses in the vicinity in the text and by illustrating current land use conditions on a map and to adopted state and local land use plans and programs.

The eastern parcel comprising 48.86 acres indicates reclamation occurred in 2024. This appears to be erroneous.

14. Please verify in the reclamation plan text that reclamation in the 48.86 acre area has occurred or not. If reclaimed, to what land use it was reclaimed to.

Three seed lists are presented in the reclamation plan as follows:

- a. Potential seed mix this appears twice in the submission.
- b. Grass Seeding Planned and Applied.

16. Please remove the duplicates.

Seed varieties or scientific names are handwritten and illegible on the list entitled Grass Seeding Planned and Applied.

16A. Please resubmit so that it is legible.

The reclamation plan references a seed mix in Exhibit D. This is erroneous.

16B. Please update the reclamation plan text and resubmit the entire application document.

The reclamation plan references the establishment of small trees as recommended by the NRCS. The costs for small trees, and irrigation are not detailed in the reclamation plan.

16C. If this is erroneous information, please update the Reclamation Plan accordingly or

include the above mentioned costs relative to the installation of small trees and the likely species of trees in the reclamation cost estimate.

16D. If utilizing trees, please indicate on the reclamation plan map where trees will be planted.

16E. For cost estimating purposes please create a table in the reclamation cost estimate (Exhibit L) listing each plant species designating the pounds of seed per acre, the seeds per sq foot and the seeding cost/acre. Also state the drill seeding cost per acre. similar to the table: Grass Seeding Planned and Applied.

The reclamation plan and the reclamation plan map (68 acres and 68.466 acres (affected)) indicate that the 68 acre expansion area and the 46 acre existing pit will need to be mulched and vegetated. DRMS finds conflicting information in the application as to reclamation status of the 46 acre area. 50 acres were requested to be added for AM2 as the expansion area. DRMS is confused as to the reference of 68 acres as the expansion area.

16F. Please clarify the acreage of the expansion area and discuss the acreage discrepancy.

16G. Please verify if 114 acres or 96 acres (50 plus 46), acres comprise the acres to be reclaimed.

Please discuss in the reclamation plan text how topsoil will be applied. Will topsoil be dozed into the pit from the stockpile or will hauling and dozing be required?

18. If hauling is required, please submit slope, distances and push gradients for hauling topsoil from storage to pit.

18A. If topsoil hauling is required, please address the hauling costs in the reclamation cost estimate.

19. DRMS notes that a highwall of 50 feet high will remain at the end of reclamation. Please verify.

Rule 6.4.7 Exhibit G Water Information

Please indicate to DRMS the plan to control pollution in a manner that is consistent with water quality discharge permits, both during and after the operation.

21. Submit a brief statement or plan showing how water from runoff over disturbed areas, piled material and operating surfaces will be managed to protect against pollution of either surface or groundwater and, where applicable.

22. Please provide an estimate of the project water requirements including flow rates and annual volumes for the development, mining and reclamation phases of the project from each water source supplying the project water requirements.

23. Please demonstrate to DRMS that the Operator/Applicant has acquired (or has applied for) a National Pollutant Discharge Elimination System (NPDES) permit from the Water Quality Control Division at the Colorado Department of Health and Environment.

Page 38 of the water section is illegible. Internal calculations from the "State Engineers Office" are handwritten, illegible and do not indicate an official state engineer certification. Calculation summaries of consumptive use are not stamped and certified by a professional Engineer. These calculations appear to be from 2014. Color copies in the Drawings section are illegible. Should these items comprise a separate appendix?

A document entitled Augmentation Plan for Batch Plant Well dated November 2017 was submitted with the application.

23A Please indicate to DRMS if this document has been supplied to The Division of Water Resources. If not, please update the document to clean up all pages with hand written notes. Before submitting to The Division of Water Resources, and DRMS.

23B. Also, place this and any correspondence with The Division of Water Resources, District Court Water Division, in an appropriate appendix.

23C. Images submitted as Exhibit G are illegible. Please provide legible information.

23D. There is duplicate or redundant information submitted. Please remove the duplicate or outdated information.

23E. Please resubmit the certified work from the state engineer in an official format.

Numerous documents comprising historical information and illustrations were submitted with the application. None of this is necessary. Please remove this from the application.

Consumptive use information was submitted with the application. With the changing climate has consumptive use changed at all?

23F. Please discuss and indicate why consumptive use from 2014 is adequate for 2025.

23G. Please provide a discussion of how the consumptive use background information informs the activities of the Robbins Pit in 2025.

23F. Consumptive use Monthly ET data provided through 2002 is outdated.

Please if this information is relevant to the application, provide recent consumptive use calculations, otherwise remove it.

Rule 6.4.8 Exhibit H Wildlife

Please make sure the correct acreages are utilized throughout the permit application. 50 new acres were requested for the expansion area in the application, but 68 acres are referenced as new development. Please clarify.

With the exception of the acreage questions Exhibit H is Adequate.

Rule 6.4.9 Exhibit I Soils

The NRCS soil information is adequate.

24. Additionally, as requested in completeness question 24 please provide a paragraph describing the suitability of topsoil (or other material such as crusher fines if used) for establishment and maintenance of plant growth and in achieving the post mining land use after disturbance.

Rule 6.4.10 Exhibit J Vegetation

As requested in completeness for the following numbered questions:

25. Please include in this Exhibit a narrative of the following items:

- a. descriptions of present vegetation types, which include quantitative estimates of cover and height for the principal species in each life-form represented (i.e., trees, tall shrubs, low shrubs, grasses, forbs);
- b. the relationship of present vegetation types to soil types, or alternatively, the information may be presented on a map; and
- c. estimates of carrying capacity for range lands on or in the vicinity of the affected land, if the choice of reclamation is for range.

26. Please show the relation of the types of vegetation to existing topography on a map in Exhibit C.

27. Table 6 as submitted is illegible. Please submit Information that is legible when viewed in an electronic format or when printed.

Rule 6.4.11 Exhibit K Climate

The information provided adequately meets the requirements of the above cited rule.

Rule 6.4.12 Exhibit L Reclamation Cost Estimate

This section is disorganized and appears to have outdated cost estimate information included. It is also unnecessary to include a 2014 inspection report in the application. Please see the questions raised in the Reclamation Plan Rule.

30A. Please remove the redundant information.

30B. The reclamation cost estimate provided in Exhibit L requires the following information:

- a. Mobilization: Tools used and cost for each tool in the mob demob task.
- b. Reclamation cost estimate: Cost for broadcaster and utility vehicle costs for dozers, portable crusher and screen plant and bucket loaders

Rule 6.4.13 Exhibit M Permits

The information in the exhibit appears adequate.

Rule 6.4.14 Exhibit N Legal Right of Entry

A contract document dated May 2014 was included in the application. This should most likely be placed in a specific appendix.

30C. Please clarify and summarize what this document is meant to convey. Is this your proof of legal right of entry?

Exhibit P Municipalities

The information in the exhibit appears adequate.

Exhibits Q, R Proof of Mailing

These exhibits comprised no information, just header pages. They should have the certified mail receipts to each entity. Please submit this information.

Public notice is required once the application is deemed complete, commencing a public comment period of 20 (twenty) calendar days as per Rule 1.6.5. This notice must be provided to DRMS.

DRMS requires additional information to verify the reclamation cost estimate. A pre operation inspection will also be conducted prior to approving the application. The Decision due date is **15 May 2025. Please provide responses to adequacy well in advance of the decision due date so DRMS can prepare a reclamation cost estimate and conduct an inspection.**

Thank you

Sincerely,

A handwritten signature in blue ink that reads "Robin Reilley". The signature is fluid and cursive, with the first name "Robin" and last name "Reilley" clearly distinguishable.

Robin Reilley M.S. GISP
Environmental Protection Specialist II
Robin.reilley@state.co.us