



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, Colorado 80203

April 15, 2016

Andre LaRoche
Transit Mix Concrete Co.
444 E. Costilla St.
Colorado Springs, CO 80903

**RE: Objections and Comments to 112c Reclamation Permit Application
Hitch Rack Ranch Quarry; DRMS File No. M-2016-010**

Mr. LaRoche:

The Division has received timely objections and comments to the Hitch Rack Ranch Quarry application. The objections and comments were received within the public comment period that began when the application was called complete for the purposes of filing on March 8, 2016, and before the public comment period ends on April 19, 2016.

Timely objections received:

- 1) On March 15, 2016, the Division received an objection from William and Marion Baker, dated March 10, 2016.
- 2) On March 18, 2016, the Division received an objection from Chelsea Luttrall, dated March 18, 2016. Ms. Luttrall sent her mailing address via email on March 22, 2016.
- 3) On March 22, 2016, the Division received an objection from Robert A. Nathan of Asthma & Allergy Associates, PC and Research Center, dated March 15, 2016.
- 4) On March 25, 2016, the Division received an objection from Sara Harper and Kathie Rawson of Red Rock Valley Estates Neighborhood Association, dated March 15, 2016.
- 5) On March 25, 2016, the Division received an objection from Chris Burnell of Turkey Cañon Ranch Homeowners Association, dated March 21, 2016.
- 6) On March 25, 2016, the Division received an objection from Mark McClurg of Highlands of Turkey Cañon Ranch Homeowners Association, dated March 22, 2016.
- 7) On March 29, 2016, the Division received an objection from James H. Enderson, dated March 17, 2016.
- 8) On March 31, 2016, the Division received an objection from Steve Firks of The Piñons of Turkey Cañon Ranch Homeowners' Association, dated March 29, 2016.



- 9) On April 1, 2016, the Division received an objection from William and Marion Baker, dated March 28, 2016.
- 10) On April 4, 2016, the Division received an objection from William B. Sheaves, III, dated March 28, 2016.
- 11) On April 4, 2016, the Division received an objection from Alane N. Sheaves, dated March 28, 2016.
- 12) On April 4, 2016, the Division received an objection from Deidra Steen, dated March 29, 2016.
- 13) On April 4, 2016, the Division received an objection from Anita Sickels, dated March 31, 2016.
- 14) On April 4, 2016, the Division received an objection from Phillip K. Heacock, not dated.
- 15) On April 5, 2016, the Division received an objection from Lisa Pecoraro, dated March 29, 2016.
- 16) On April 7, 2016, the Division received an objection from Mike and Dee Yugovich, dated March 29, 2016.
- 17) On April 7, 2016, the Division received an objection from Sara Fentman, Jordan Townsend, and Shannon Bell, dated March 31, 2016.
- 18) On April 7, 2016, the Division received an objection from Bruce H. Chisnell, dated March 31, 2016.
- 19) On April 7, 2016, the Division received an objection from Reece Eddy, dated March 31, 2016.
- 20) On April 7, 2016, the Division received an objection from Kenneth R. Baird, dated April 2, 2016.
- 21) On April 7, 2016, the Division received an objection from Weldon W. Flaharty, dated April 4, 2016.
- 22) On April 8, 2016, the Division received an objection from John and Kristan Rigdon, dated March 31, 2016.
- 23) On April 8, 2016, the Division received an objection from Tracy Offutt, dated March 31, 2016.



- 24) On April 8, 2016, the Division received an objection from Sherry Diggs, dated April 2, 2016.
- 25) On April 8, 2016, the Division received an objection from Wayne Diggs, dated April 2, 2016.
- 26) On April 11, 2016, the Division received an objection from Lynn M. Steer, dated March 31, 2016.
- 27) On April 11, 2016, the Division received an objection from Ben Donahue of Rock Creek Park Association, dated March 31, 2016.
- 28) On April 11, 2016, the Division received an objection from Holly Sandler, dated March 31, 2016.
- 29) On April 11, 2016, the Division received an objection from Paul Reinsma, dated April 5, 2016.
- 30) On April 11, 2016, the Division received an objection from James H. Enderson, dated April 5, 2016.
- 31) On April 11, 2016, the Division received an objection from Edyn Jessup of The Nature Conservancy in Colorado, dated April 11, 2016.
- 32) On April 12, 2016, the Division received an objection from Dan Harrell, dated March 30, 2016.
- 33) On April 12, 2016, the Division received an objection from Brent and Lee Louzon, dated March 31, 2016.
- 34) On April 12, 2016, the Division received an objection from George and Christine Cousineau, dated March 31, 2016.
- 35) On April 12, 2016, the Division received an objection from Paul and Cindy Ragan, dated April 5, 2016.
- 36) On April 12, 2016, the Division received an objection from Sharon Reinsma, dated April 6, 2016. Ms. Reinsma submitted her phone number via email on April 12, 2016.
- 37) On April 12, 2016, the Division received an objection from Weldon W. and Jennifer K. Flaharty, dated April 6, 2016.



- 38) On April 12, 2016, the Division received an objection from Kathie and Stan Rawson, dated April 9, 2016.
- 39) On April 12, 2016, the Division received an objection from Charles and Nancy Reed, dated April 11, 2016.
- 40) On April 12, 2016, the Division received an objection from Gerry Klein, dated April 12, 2016.
- 41) On April 13, 2016, the Division received an objection from Brett E. Powell, dated March 31, 2016.
- 42) On April 13, 2016, the Division received an objection from David and Linda Martin, dated March 31, 2016.
- 43) On April 13, 2016, the Division received an objection from Tom Hight, dated March 31, 2016.
- 44) On April 13, 2016, the Division received an objection from Nancy Reed, dated April 11, 2016.
- 45) On April 13, 2016, the Division received an objection from Tina Swonger of RE/MAX Properties, Inc., dated April 13, 2016.
- 46) On April 14, 2016, the Division received an objection from Charles A. and Patricia L. Watkins, dated March 31, 2016.
- 47) On April 14, 2016, the Division received an objection from Robert W. Pace, dated April 7, 2016.
- 48) On April 14, 2016, the Division received an objection from Charles H. and Denise A. Hancock, dated April 10, 2016.
- 49) On April 14, 2016, the Division received an objection from Richard L. and Susan K. Larsen, dated April 11, 2016.
- 50) On April 14, 2016, the Division received an objection from Michael and Laura Harvey, dated April 11, 2016. The Division has informed Mr. and Mrs. Harvey that a proper mailing address and phone number (for objecting party) is required.
- 51) On April 14, 2016, the Division received an objection from Gary K. McCowen, dated April 13, 2016.



- 52) On April 14, 2016, the Division received an objection from Jerry P. and Karen B. Moore, not dated.
- 53) On April 14, 2016, the Division received an objection from Mark A. Henslee, dated April 14, 2016.
- 54) On April 14, 2016, the Division received an objection from Stephen Sovaiko, dated April 14, 2016.
- 55) On April 14, 2016, the Division received an objection from Matthew D. Cook, dated April 14, 2016.
- 56) On April 14, 2016, the Division received an objection from Jagger Lawrence, dated April 11, 2016.

Timely agency comments received:

- 57) On March 22, 2016, the Division received a comment from History Colorado, dated March 17, 2016

Copies of the recently received objections and/or comments are enclosed for your records. Please inform the Division of how the Applicant intends to address the jurisdictional issues raised by the objectors.

If you have any questions, please contact me by telephone at 303-866-3567, ext. 8129, or by email at amy.eschberger@state.co.us.

Sincerely,



Amy Eschberger
Environmental Protection Specialist

Enclosure(s): Objection letters as listed above, items no. 10 - 56

CC: Paul Kos, Norwest Corporation (via email)
Wally Erickson, DRMS



AME
March 28, 2016

Colorado Division of Reclamation, Mining and Safety
1313 Sherman Street, Room 215
Denver, Colorado 80203

RECEIVED

APR 04 2016

DIVISION OF RECLAMATION
MINING AND SAFETY

Re: Transit Mix Concrete Company application for Reclamation Permit, Hitch Rack Ranch
Quarry (# M2016010)

Dear Madam or Sir;

I am writing to express my opposition to the referenced quarry permit application. I live in the Piñons of Turkey Cañon Ranch, just south of the proposed Hitch Rack Ranch Quarry operation.

I, along with all my neighbors within the Piñons, am opposed to bringing yet another large-scale aggregate mining operation to our community, in addition to the three quarries already in service along a five mile stretch of Highway 115. Significant constraints to additional quarry development exist in the area, including limited water supplies, a fragile groundwater system, rich wildlife and vegetation resources, public health and safety, air and noise contamination, compromised transportation within the community, traffic hazards along Highway 115, existing quarries that satisfy the demand, violation of current development plans for the area, proximity to local residents, and limited or no alternatives for residents.

Water Supply. All residents along the Highway 115 corridor depend on ground water for their domestic water supply. With the exception of Red Rock Valley, Rock Creek Mesa and the Piñons of Turkey Canon Ranch (which are on central well systems), residents are served by individual wells. These wells likely depend on the fracture system within the granitic rock for water supply; while wells in the adjacent upturned sedimentary rocks may depend upon both these fracture systems and infiltration along the granite-sedimentary rock boundary for recharge. This situation makes such wells dependent on the quality of the recharging surface water and highly susceptible to contamination. Contamination from mining operations can travel very quickly through the fracture system to affect domestic wells. The very geology and topography of the proposed Hitch Rack Ranch Quarry site makes such effects exceedingly difficult to predict. Further, the effect from blasting operations (which Transit Mix proposes to conduct two or three times each week) on the fracture system will likely exacerbate the problem, and is equally difficult to predict.

Wildlife. An independent and objective wildlife study needs to be completed, rather than accept questionable statements by the applicant. The proposed quarry site is adjacent to and contiguous with the Aiken Canyon Preserve (managed by the Nature Conservancy of Colorado), and included as part of the Aiken Canyon Potential Conservation Area. This area is identified by the Colorado Natural Heritage Program as a B2 site – Very High significance. It should be noted that the Nature Conservancy shares our opposition to the quarry permit. The quarry site is an area rich in wildlife. It lies between large concentrations of wildlife in the federal lands to the west and Fort Carson to the east, and serves as a major migration route between the two ecotypes. It is inhabited by a great diversity and in some cases high density of wildlife. Most notably, the site is mapped by the US Fish and Wildlife Service as Critical Potential Conservation Habitat for the Mexican Spotted Owl, a federally listed threatened species. The Mexican Spotted Owl has been documented in the immediate area. The applicant's statement that "turkeys are not common in the mining area" is ludicrous. Anyone who frequents this area knows it harbors one of the largest concentrations of turkeys in this part of Colorado. Sighting of turkeys is an almost daily

occurrence here. Turkeys, in particular, are intolerant of industrial operations such as mining. Colorado Parks and Wildlife identifies the proposed quarry site as a primary elk residence and migration area. More than 100 species of birds have been documented using the area, and the stream corridors are known to be important movement areas for wide-ranging animals such as mountain lions, black bear, mule deer, and elk. There are unconfirmed reports of the presence of Canada Lynx, an endangered species recently reintroduced into Colorado, in the area. The proposed mining plan does not appear to provide an adequate buffer to protect the use of intermittent stream corridors by these sensitive species.

Vegetation. Whoever prepared the vegetation analysis sections of the application apparently didn't spend much time on the site. The quarry site provides high quality foothills plant communities that are rapidly being converted to development north and south of this area. The dry (xeric) tallgrass sites along the Front Range are also rarely found in the high quality condition in evidence at this site. It contains excellent to good examples of globally-imperiled mountain mahogany/needlegrass community, an excellent occurrence of globally vulnerable piñon pine/Scribner needlegrass community, as well as an excellent occurrence of mesic oak thicket community. The lodgepole pine and blue spruce mentioned repeatedly in the application do not appear in significant numbers, while the white pine, which is very common at the site, is not mentioned at all.

Noise and Air Contamination. Quarrying requires drilling and blasting with explosives, which create vibrations, noise, and dust. Once this process is completed, rock crushing machines crush the rock, conveyor belt machines move the rock around the processing plant; trucks are loaded and unloaded. The process and heavy machinery required to mine, is intrusive and creates significant noise and air pollution; thus having a direct impact on the surrounding areas and community. Air quality is compromised and diminished by the fugitive dust associated with aggregate mining. Dust generated by mining often contains silica, a common naturally occurring crystal found in most rock beds. Prolonged exposure to silica may result in silicosis. According to the Centers for Disease Control, "silicosis is a disabling, nonreversible and sometimes fatal lung disease caused by over exposure to respirable crystalline silica. Over exposure to dust that contains microscopic particles of crystalline silica can cause scar tissue to form in the lungs, which reduces the lung's ability to extract oxygen from the air we breathe." In addition to silicosis, inhalation of crystalline silica particles has been associated with other diseases, such as bronchitis and tuberculosis. This is a health issue for the abutting and nearby residential home owners and their livestock.

Transportation. Transportation in the Highway 115 area is unique in that the normal hierarchy of roads does not exist. Highway 115 is the lifeline upon which residents depend. It is the only means of transportation into, out of, and within the community. There are no other alternatives, and residents cannot avoid using Highway 115 for their life-sustaining transportation needs. Thus, the condition and safety of Highway 115 are primary concerns of all residents. According to the El Paso County Major Transportation Corridors Plan (MTCP), Highway 115 south of Fort Carson's main gate is functionally classified as "congested". Major sections of the highway are two lanes, including the point at which Transit Mix proposes to access the highway. The proposed highway access point is also located at a historically dangerous place, with multiple fatal traffic accidents in recent years. Unfortunately, the 2040 MTCP Roadway Plan does not call for any improvements to Highway 115 through the year 2040, so the highway we have now is what we will live with for many years to come. If the Hitch Rack Ranch Quarry is allowed to proceed, an already congested highway, currently bearing truck traffic from three active quarries, will be burdened by as many as 624 additional trucks per day when the quarry is at full production. This additional traffic will exacerbate traffic hazards not only for the local residents,

but also for the many commuters who use this major thoroughfare to Colorado Springs, as well as the many tourists, bicyclists, and motorcycle clubs who frequent the area for its unique geographic and aesthetic appeal.

Existing Quarries. There are currently three quarries operating within a five mile stretch along Highway 115, the nearest less than three miles from the proposed Hitch Rack Ranch Quarry site. The quarry operators report they are currently operating at roughly half their capacity. When questioned why such low production, the response is “insufficient demand”. This calls into question the need for yet another quarry on the backs of the already burdened local residents.

Proximity to Local Residents. There are more than 140 properties within two miles of the proposed quarry site, some as close as 1200 feet and with direct line-of-sight to the quarry operations. The vast majority, if not all, of these property owners are vehemently opposed to the applicant’s quarry plans. The policies incorporated in the El Paso County Southwestern Highway 115 Comprehensive Plan (see below) state “any resource extraction operation should be located a minimum of two miles distant from any dissenting residents”.

Comprehensive Development Plan. This application for permit is in clear violation of the current Southwestern (Highway 115) Comprehensive Plan. This is a plan commissioned and adopted by the El Paso County Board of County Commissioners for the Highway 115 area. This comprehensive plan foresaw the potential for future demands for mineral resource extraction in the area, and adopted specific policies to address it. The Hitch Rack Ranch Quarry application is in specific violation of the following policies in this plan:

1. The entire burden of proof for demonstrating the existence of extractable mineral resources should lie with the applicant. Designation of potentially extractable mineral resources in the Master Plan for the Extraction of Commercial Mineral Deposits should in no way be seen as a justification or an implied right for mining.
2. Resource extraction operations in general are not supported in the planning area. However, the presence of existing operations is recognized, and if future conditions dictate the necessity for additional supplies of aggregate, the expansion of existing operations is preferred over new quarries.
3. At no time during their operations should resource extraction affect the quantity, quality, or dependability of residents’ existing water supplies or result in the diversion of existing water supplies. The full burden of proof for assuring this will lie with the applicant.
4. Access from Highway 115 to any resource extraction operation should not affect the quality of the existing access to area residents.
5. Unless it can be demonstrated that topography will shield existing residents from visual, noise, and dust impacts, all resource extraction operations should be located a minimum of two miles distant from any dissenting residents.
6. Wildlife and wildlife protection routes should be protected through the development of a wildlife overlay zone, addressing the need for protecting critical habitat areas.
7. Development should not be allowed in riparian areas, both because the hazard of flooding and because of their exceptionally high wildlife values. Any drainage improvements undertaken in the area should be treated in the most natural way possible to minimize any impacts on riparian areas.
8. The specific area of Aiken Canyon is identified as a unique and significant biological resource of state-wide significance that should continue to be preserved. Preservation is not compatible with most public access, and management should maximize wildlife and scientific values.

No Alternatives. Residents in close proximity to the proposed quarry have no other alternatives but their status quo. They have but one source of water, their individual wells. They have but one route of ingress and egress to their properties, Little Turkey Creek Road. They have but one transportation corridor into and out of the community, Highway 115. Even routine operations of a Hitch Rack Ranch Quarry will have a significant impact on residents. For example, blasting operations, which Transit Mix proposes to conduct two or three times each week, will require closing Little Turkey Creek Road, precluding the owners and residents of 43 lots from leaving or returning to their properties. More severe occurrences run the risk of closing the only highway and/or effectively sealing off access to properties in the area.

While we understand the importance of aggregate to a growing Colorado Springs community, we feel our unique community is already sufficiently burdened with three quarries operating in our midst, not to mention the constant training activities of our Fort Carson neighbors. We accept our current state of affairs. Bringing another large-scale quarry operation to our community is a bridge too far.

Thank you for your time and consideration.

Respectfully,

A handwritten signature in dark ink, appearing to read 'William B. Sheaves, III', with a long, sweeping horizontal line extending to the right.

William B. Sheaves, III
4460 Tierra Rojo Drive
Colorado Springs, CO 80926

The Piñons of Turkey Cañon Ranch

AME

March 28, 2016

Colorado Division of Reclamation, Mining and Safety
1313 Sherman Street, Room 215
Denver, Colorado 80203

RECEIVED

APR 04 2016

DIVISION OF RECLAMATION
MINING AND SAFETY

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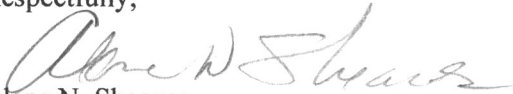
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Thank you for your time and consideration.

Respectfully,



Alane N. Sheaves
4460 Tierra Rojo Drive
Colorado Springs, CO 80926

The Piñons of Turkey Cañon Ranch

AME

M. 2016.010

March 29, 2016

Colorado Division of Reclamation, Mining and Safety
1313 Sherman Street, Room 215
Denver, Colorado 80203

RECEIVED

APR 04 2016

DIVISION OF RECLAMATION
MINING AND SAFETY

To Whom It May Concern:

I do not represent nor am I a spokes-person for any organization or committee. This is a personal plea to stop the Transit Mix Concrete Company from mining on the proposed Hitch Rack Ranch Quarry.

Are we looking at another Flint, Michigan, out here south of Colorado Springs with the proposed Hitch Rack Ranch Quarry? Maybe yes; maybe no? Can we afford to take ANY risk with an aquifer already over-taxed by three other quarry-mining operations? No!

Are our lands, air, and life-sustaining water (aquifer or otherwise) for human and animal use or a commodity for the highest bidder to mine, pollute, exploit, or use as he, she, or they see fit? Dear God, no!

I am pleading for our aquifer, water, air, land, wildlife, lungs, peace of mind, vegetation, quality of life: please do not approve the application for Reclamation Permit, Hitch Rack Ranch Quarry (#M2016010) to Transit Mix Concrete Company.

Do the Right Thing for God's Creation. Do the Right Thing for our children, for their children, for the future, for us All. Do the RIGHT THING: Deny this permit.

With Hope,

Deidra Steen

Deidra Steen
15577 Cala Rojo Drive
Colorado Springs, Colorado 80926

RECEIVED

APR 04 2016

March 31, 2016

Colorado Division of Reclamation, Mining and Safety
1313 Sherman Street, Room 215
Denver, Colorado 80203

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MINING AND SAFETY

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Existing Quarries. There are currently three quarries operating within a five mile stretch along Highway 115, the nearest less than three miles from the proposed Hitch Rack Ranch Quarry site. The quarry operators report they are currently operating at roughly half their capacity. When questioned why such low production, the response is “insufficient demand”. This calls into question the need for yet another quarry on the backs of the already burdened local residents.

Proximity to Local Residents. There are more than 140 properties within two miles of the proposed quarry site, some as close as 1200 feet and with direct line-of-sight to the quarry operations. The vast majority, if not all, of these property owners are vehemently opposed to the applicant’s quarry plans. The policies incorporated in the El Paso County Southwestern Highway 115 Comprehensive Plan (see below) state “any resource extraction operation should be located a minimum of two miles distant from any dissenting residents”.

Comprehensive Development Plan. This application for permit is in clear violation of the current Southwestern (Highway 115) Comprehensive Plan. This is a plan commissioned and adopted by the El Paso County Board of County Commissioners for the Highway 115 area. This comprehensive plan foresaw the potential for future demands for mineral resource extraction in the area, and adopted specific policies to address it. The Hitch Rack Ranch Quarry application is in specific violation of the following policies in this plan:

1. The entire burden of proof for demonstrating the existence of extractable mineral resources should lie with the applicant. Designation of potentially extractable mineral resources in the Master Plan for the Extraction of Commercial Mineral Deposits should in no way be seen as a justification or an implied right for mining.
2. Resource extraction operations in general are not supported in the planning area. However, the presence of existing operations is recognized, and if future conditions dictate the necessity for additional supplies of aggregate, the expansion of existing operations is preferred over new quarries.
3. At no time during their operations should resource extraction affect the quantity, quality, or dependability of residents’ existing water supplies or result in the diversion of existing water supplies. The full burden of proof for assuring this will lie with the applicant.
4. Access from Highway 115 to any resource extraction operation should not affect the quality of the existing access to area residents.
5. Unless it can be demonstrated that topography will shield existing residents from visual, noise, and dust impacts, all resource extraction operations should be located a minimum of two miles distant from any dissenting residents.
6. Wildlife and wildlife protection routes should be protected through the development of a wildlife overlay zone, addressing the need for protecting critical habitat areas.
7. Development should not be allowed in riparian areas, both because the hazard of flooding and because of their exceptionally high wildlife values. Any drainage improvements undertaken in the area should be treated in the most natural way possible to minimize any impacts on riparian areas.
8. The specific area of Aiken Canyon is identified as a unique and significant biological resource of state-wide significance that should continue to be preserved. Preservation is not compatible with most public access, and management should maximize wildlife and scientific values.

No Alternatives. Residents in close proximity to the proposed quarry have no other alternatives but their status quo. They have but one source of water, their individual wells. They have but one route of ingress and egress to their properties, Little Turkey Creek Road. They have but one transportation corridor into and out of the community, Highway 115. Even routine operations of a Hitch Rack Ranch Quarry will have a significant impact on residents. For example, blasting operations, which Transit Mix proposes to conduct two or three times each week, will require closing Little Turkey Creek Road, precluding the owners and residents of 43 lots from leaving or returning to their properties. More severe occurrences run the risk of closing the only highway and/or effectively sealing off access to properties in the area.

While we understand the importance of aggregate to a growing Colorado Springs community, we feel our unique community is already sufficiently burdened with three quarries operating in our midst, not to mention the constant training activities of our Fort Carson neighbors. We accept our current state of affairs. Bringing another large-scale quarry operation to our community is a bridge too far.

Thank you for your time and consideration.

Respectfully,

Anita Sickels
16299 Cala Rojo Dr
Colorado Springs, CO 80926
The Piñons of Turkey Cañon Ranch

Please NO MORE Quarries !!!

As J B

AME

Phillip K. Heacock
15930 Cala Rojo Dr.
Colorado Springs, CO 80926

RECEIVED

APR 04 2016

DIVISION OF RECLAMATION
MINING AND SAFETY

Colorado Division of Reclamation, Mining and Safety
1313 Sherman St, Room 215
Denver, Colorado 80203

Re: Transit Mix Concrete Company application for Reclamation Permit,
Hitch Rack Ranch Quarry (#M2016010)

Dear Sir or Madam,

I am writing to express my vehement objection to the permit request filed by Transit Mix Concrete in the above matter. I live in the Pinons of Turkey Canon Ranch, just South of the proposed Hitch Rack Ranch Quarry area.

I, along with all of my neighbors in the Pinons, am opposed to bringing yet another large scale aggregate mining operation to our community! This operation would be in addition to the three quarries already in service along Highway 115. There are significant considerations to this application that must be studied. First, there are limited water supplies supplying our water. The mining operation would undoubtedly affect these. The ground water system is fragile by its very nature and additional disturbance is unacceptable. The additional traffic that this operation would bring would have the effect of choking the already busy traffic the Hwy 115 corridor is now handling. In one week in February this year, I received two major rock impacts to my windshield from aggregate trucks, either of which would have required replacement.

There is little doubt that an operation of this magnitude would have a deleterious effect on the property values of our pristine countryside homes. We have chosen to buy houses here because of the serenity of the area and the quiet that obtains from the surroundings.

I cannot stress strongly enough my objections to this action. Please consider all aspects of the factors that have a bearing on the Transit Mix request. Additional quarries are not warranted simply because Transit Mix wants to make more money!

Yours Truly,

A handwritten signature in black ink, appearing to read "P. Heacock", with a large, stylized initial "P" and a long, sweeping horizontal stroke at the end.

Phillip Heacock

AME

March 29, 2016

Colorado Division of Reclamation, Mining and Safety
1313 Sherman Street, Room 215
Denver, Colorado 80203

RECEIVED

APR 05 2016

DIVISION OF RECLAMATION
MINING AND SAFETY

Re: Transit Mix Concrete Company application for Reclamation Permit, Hitch Rack Ranch Quarry (# M2016010)

Dear Madam or Sir;

Our family is moving to the SW Colorado Spring area this summer. We moved to the area with the hope of living the "Colorado" experience and everything it has to offer including nature and wildlife.

I am writing to express my opposition to the referenced quarry permit application. We will live in the Piñons of Turkey Cañon Ranch, just south of the proposed Hitch Rack Ranch Quarry operation.

I, along with all my neighbors within the Piñons, am opposed to bringing yet another large-scale aggregate mining operation to our community, in addition to the three quarries already in service along a five mile stretch of Highway 115. Significant constraints to additional quarry development exist in the area, including limited water supplies, a fragile groundwater system, rich wildlife and vegetation resources, public health and safety, air and noise contamination, compromised transportation within the community, traffic hazards along Highway 115, existing quarries that satisfy the demand, violation of current development plans for the area, proximity to local residents, and limited or no alternatives for residents.

Water Supply.

All residents along the Highway 115 corridor depend on ground water for their domestic water supply. With the exception of Red Rock Valley, Rock Creek Mesa and the Piñons of Turkey Canon Ranch (which are on central well systems), residents are served by individual wells.

These wells likely depend on the fracture system within the granitic rock for water supply; while wells in the adjacent upturned sedimentary rocks may depend upon both these fracture systems and infiltration along the granite-sedimentary rock boundary for recharge. This situation makes such wells dependent on the quality of the recharging surface water and highly susceptible to contamination.

Contamination from mining operations can travel very quickly through the fracture system to affect domestic wells. The very geology and topography of the proposed Hitch Rack Ranch Quarry site makes such effects exceedingly difficult to predict. Further, the effect from blasting operations (which Transit Mix proposes to conduct two or three times each week) on the fracture system will likely exacerbate the problem, and is equally difficult to predict.

If you go ahead with the new quarry, we will closely monitor our water quality as we currently do. If there are any negative effects to my family's water due to the new quarry operations, we will take action.

Wildlife.

An independent and objective wildlife study needs to be completed, rather than accept questionable statements by the applicant. The proposed quarry site is adjacent to and contiguous with the Aiken Canyon Preserve (managed by the Nature Conservancy of Colorado), and included as part of the Aiken Canyon Potential Conservation Area. This area is identified by the Colorado Natural Heritage Program as a B2 site – Very High significance.

It should be noted that the Nature Conservancy shares our opposition to the quarry permit. The quarry site is an area rich in wildlife. It lies between large concentrations of wildlife in the federal lands to the west and Fort Carson to the east, and serves as a major migration route between the two ecotypes. It is inhabited by a great diversity and in some cases high density of wildlife.

Most notably, the site is mapped by the US Fish and Wildlife Service as Critical Potential Conservation Habitat for the Mexican Spotted Owl, a federally listed threatened species. The Mexican Spotted Owl has been documented in the immediate area. The applicant's statement that "turkeys are not common in the mining area" is ludicrous. Anyone who frequents this area knows it harbors one of the largest concentrations of turkeys in this part of Colorado. Sighting of turkeys is an almost daily occurrence here. Turkeys, in particular, are intolerant of industrial operations such as mining. Colorado Parks and Wildlife identifies the proposed quarry site as a primary elk residence and migration area. More than 100 species of birds have been documented using the area, and the stream corridors are known to be important movement areas for wide-ranging animals such as mountain lions, black bear, mule deer, and elk. There are unconfirmed reports of the presence of Canada Lynx, an endangered species recently reintroduced into Colorado, in the area.

The proposed mining plan does not appear to provide an adequate buffer to protect the use of intermittent stream corridors by these sensitive species.

Vegetation.

Whoever prepared the vegetation analysis sections of the application apparently didn't spend much time on the site. The quarry site provides high quality foothills plant communities that are rapidly being converted to development north and south of this area. The dry (xeric) tallgrass sites along the Front Range are also rarely found in the high quality condition in evidence at this site. It contains excellent to good examples of globally-imperiled mountain mahogany/needlegrass community, an excellent occurrence of globally vulnerable piñon pine/Scribner needlegrass community, as well as an excellent occurrence of mesic oak thicket community. The lodgepole pine and blue spruce mentioned repeatedly in the application do not appear in significant numbers, while the white pine, which is very common at the site, is not mentioned at all.

Noise and Air Contamination.

Quarrying requires drilling and blasting with explosives, which create vibrations, noise, and dust. Once this process is completed, rock crushing machines crush the rock, conveyor belt machines move the rock around the processing plant; trucks are loaded and unloaded. The process and heavy machinery required to mine, is intrusive and creates significant noise and air pollution; thus having a direct impact on the surrounding areas and community.

Air quality is compromised and diminished by the fugitive dust associated with aggregate mining. Dust generated by mining often contains silica, a common naturally occurring crystal found in most rock beds. Prolonged exposure to silica may result in silicosis. According the Centers for Disease Control, "silicosis is a disabling, nonreversible and sometimes fatal lung disease caused by over exposure to respirable crystalline silica. Over exposure to dust that contains microscopic particles of crystalline silica can cause scar tissue to form in the lungs, which reduces the lung's ability to extract oxygen from the air we breathe." In addition to silicosis, inhalation of crystalline silica particles has been associated with other diseases, such as bronchitis and tuberculosis. This is a health issue for the abutting and nearby residential home owners and their livestock.

Transportation.

Transportation in the Highway 115 area is unique in that the normal hierarchy of roads does not exist. Highway 115 is the lifeline upon which residents depend. It is the only means of transportation into, out of, and within the community. There are no other alternatives, and residents cannot avoid using Highway 115 for their life-sustaining transportation needs. Thus, the condition and safety of Highway 115 are primary concerns of all residents. According to the El Paso County Major Transportation Corridors Plan (MTCP), Highway 115 south of Fort Carson's main gate is functionally classified as "congested". Major sections of the highway are two lanes, including the point at which Transit Mix proposes to access the highway.

The proposed highway access point is also located at a historically dangerous place, with multiple fatal traffic accidents in recent years.

Unfortunately, the 2040 MTCP Roadway Plan does not call for any improvements to Highway 115 through the year 2040, so the highway we have now is what we will live with for many years to come. If the Hitch Rack

Ranch Quarry is allowed to proceed, an already congested highway, currently bearing truck traffic from three active quarries, will be burdened by as many as 624 additional trucks per day when the quarry is at full production. This additional traffic will exacerbate traffic hazards not only for the local residents, but also for the many commuters who use this major thoroughfare to Colorado Springs, as well as the many tourists, bicyclists, and motorcycle clubs who frequent the area for its unique geographic and aesthetic appeal.

Existing Quarries.

There are currently three quarries operating within a five mile stretch along Highway 115, the nearest less than three miles from the proposed Hitch Rack Ranch Quarry site. The quarry operators report they are currently operating at roughly half their capacity. When questioned why such low production, the response is “insufficient demand”. This calls into question the need for yet another quarry on the backs of the already burdened local residents.

Proximity to Local Residents.

There are more than 140 properties within two miles of the proposed quarry site, some as close as 1200 feet and with direct line-of-sight to the quarry operations. The vast majority, if not all, of these property owners are vehemently opposed to the applicant’s quarry plans.

The policies incorporated in the El Paso County Southwestern Highway 115 Comprehensive Plan (see below) state “any resource extraction operation should be located a minimum of two miles distant from any dissenting residents”.

Comprehensive Development Plan.

This application for permit is in clear violation of the current Southwestern (Highway 115) Comprehensive Plan. This is a plan commissioned and adopted by the El Paso County Board of County Commissioners for the Highway 115 area. This comprehensive plan foresaw the potential for future demands for mineral resource extraction in the area, and adopted specific policies to address it. The Hitch Rack Ranch Quarry application is in specific violation of the following policies in this plan:

1. The entire burden of proof for demonstrating the existence of extractable mineral resources should lie with the applicant. Designation of potentially extractable mineral resources in the Master Plan for the Extraction of Commercial Mineral Deposits should in no way be seen as a justification or an implied right for mining.
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3. At no time during their operations should resource extraction affect the quantity, quality, or dependability of residents’ existing water supplies or result in the diversion of existing water supplies. The full burden of proof for assuring this will lie with the applicant.
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5. Unless it can be demonstrated that topography will shield existing residents from visual, noise, and dust impacts, all resource extraction operations should be located a minimum of two miles distant from any dissenting residents.
6. Wildlife and wildlife protection routes should be protected through the development of a wildlife overlay zone, addressing the need for protecting critical habitat areas.
7. Development should not be allowed in riparian areas, both because the hazard of flooding and because of their exceptionally high wildlife values. Any drainage improvements undertaken in the area should be treated in the most natural way possible to minimize any impacts on riparian areas.
8. The specific area of Aiken Canyon is identified as a unique and significant biological resource of state-wide significance that should continue to be preserved. Preservation is not compatible with most public access, and management should maximize wildlife and scientific values.

No Alternatives.

Residents in close proximity to the proposed quarry have no other alternatives but their status quo. They have but one source of water, their individual wells. They have but one route of ingress and egress to their properties, Little Turkey Creek Road. They have but one transportation corridor into and out of the community, Highway 115.

Even routine operations of a Hitch Rack Ranch Quarry will have a significant impact on residents.

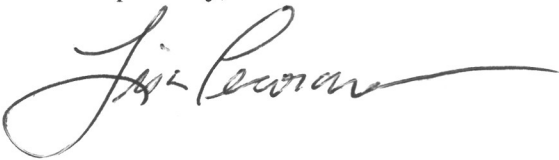
For example, blasting operations, which Transit Mix proposes to conduct two or three times each week, will require closing Little Turkey Creek Road, precluding the owners and residents of 43 lots from leaving or returning to their properties.

More severe occurrences run the risk of closing the only highway and/or effectively sealing off access to properties in the area.

While we understand the importance of aggregate to a growing Colorado Springs community, we feel our unique community is already sufficiently burdened with three quarries operating in our midst, not to mention the constant training activities of our Fort Carson neighbors. We accept our current state of affairs. Bringing another large-scale quarry operation to our community is a bridge too far.

Thank you for your time and consideration.

Respectfully,

A handwritten signature in dark ink, appearing to read 'Lisa Pecoraro', with a long, sweeping horizontal line extending to the right.

Lisa Pecoraro
16230 Cala Rojo Drive Colorado Springs, CO 80926
The Piñons of Turkey Cañon Ranch

AME

March 29, 2016

Colorado Division of Reclamation, Mining and Safety
1313 Sherman Street, Room 215
Denver, Colorado 80203

RECEIVED

APR 07 2016

DIVISION OF RECLAMATION
MINING AND SAFETY

Re: Transit Mix Concrete Company application for Reclamation Permit, Hitch Rack Ranch Quarry (# M2016010)

To Whom It May Concern:

I am writing to express my opposition to the referenced quarry permit application. I live in the Piñons of Turkey Cañon Ranch, just south of the proposed Hitch Rack Ranch Quarry operation.

We, along with all my neighbors within the Piñons area, are opposed to bringing yet another large-scale aggregate mining operation to our community, in addition to the three quarries already in service along a five mile stretch of Highway 115.

I seriously doubt you've taken into account all the ramifications that this additional quarry will impose on this area. This has been in the makings for years and just now bring it to the people??? Seems more money driven than anything else!

Significant constraints to additional quarry development exist in the area, include but not limited to:

1. Limited water supplies (most of us depend on ground water for our domestic water supply)
2. A fragile groundwater system
3. Rich wildlife and vegetation resources (where can we find your completed study on this topic??)
4. Public health and safety
5. Air contamination for those with lung conditions or those that WILL develop a lung condition because of the silica in the dust you create. This is a health issue that will affect ALL folks as well as pets and livestock.
6. Noise contamination
7. Compromised transportation within the community with even MORE traffic hazards along Highway 115. Existing trucks already don't follow the rules of the road and now we'll have an ADDITIONAL onslaught of trucks entering and existing in an already dangerous section of Hwy. 115 as well as loads not being covered properly and spewing rocks on the highway and hitting windshields creating more problems for our vehicles. Highway 115 is the lifeline upon which residents depend. **It is the only means of transportation into, out of, and within the community. There are no other alternatives, and residents cannot avoid using Highway 115 for their life-sustaining transportation needs.**
8. Existing quarries that satisfy the demand that are not yet running at capacity because of low demand. **WHY ANOTHER ONE??**
9. This application is in clear violation of the current southwestern highway 115 comprehensive plan.
10. Proximity to local residents and limited or no alternatives for residents. The policies incorporated in the El Paso County Southwestern Highway 115 Comprehensive Plan state "any resource extraction operation should be located **a minimum of two miles distant** from any dissenting residents". The Hitch Rack Ranch Quarry application is in specific violation of the following policies in this plan:

1. The entire burden of proof for demonstrating the existence of extractable mineral resources should lie with the applicant. Designation of potentially extractable mineral resources in the Master Plan for the Extraction of Commercial Mineral Deposits should in no way be seen as a justification or an implied right for mining.
2. Resource extraction operations in general are not supported in the planning area. However, the presence of existing operations is recognized, and if future conditions dictate the necessity for additional supplies of aggregate, the expansion of existing operations is preferred over new quarries.
3. At no time during their operations should resource extraction affect the quantity, quality, or dependability of residents' existing water supplies or result in the diversion of existing water supplies. The full burden of proof for assuring this will lie with the applicant.
4. Access from Highway 115 to any resource extraction operation should not affect the quality of the existing access to area residents.
5. Unless it can be demonstrated that topography will shield existing residents from visual, noise, and dust impacts, all resource extraction operations should be located a minimum of two miles distant from any dissenting residents.
6. Wildlife and wildlife protection routes should be protected through the development of a wildlife overlay zone, addressing the need for protecting critical habitat areas.
7. Development should not be allowed in riparian areas, both because the hazard of flooding and because of their exceptionally high wildlife values. Any drainage improvements undertaken in the area should be treated in the most natural way possible to minimize any impacts on riparian areas.
8. The specific area of Aiken Canyon is identified as a unique and significant biological resource of state-wide significance that should continue to be preserved. Preservation is not compatible with most public access, and management should maximize wildlife and scientific values.

Thank you for your time and consideration.

Respectfully,

Mike & Dee Yugovich
4445 Tierra Rojo Drive
The Piñons of Turkey Cañon Ranch

AME

12000 Glenrock Dr
CO Springs CO 80920

RECEIVED

APR 07 2016

DIVISION OF RECLAMATION
MINING AND SAFETY

March 31, 2016

Ms. Amy Eschberger
Colorado Division of Reclamation, Mining and Safety
1313 Sherman Street, Room 215
Denver, Colorado 80203

Re: Transit Mix Concrete Company application for Reclamation Permit, Hitch Rack Ranch Quarry
(# M2016010)

Dear Ms. Eschberger

I am submitting this letter on behalf of the 13 property owners within the Ridgewood Estates (Glenrock Drive). Ridgewood Estates is located along Highway 115, two miles North of the proposed Hitch Rack Ranch Quarry operation.

Based on our investigations and research, the owners and residents within the Ridgewood Estates are unanimously opposed to bringing an additional large-scale aggregate mining operation to our community, as there are already three quarries in service along this five mile stretch of Highway 115.

Our research has unveiled significant constraints to additional quarry development in the proposed location including: limited water supplies, a fragile groundwater system, rich wildlife and vegetation resources, public health and safety, air and noise contamination, compromised transportation within the community, traffic hazards along Highway 115, existing quarries that satisfy the demand, violation of current development plans for the area, proximity to local residents, and limited or no alternatives for residents.

Water Supply: All residents in Ridgewood Estates and surrounding neighbors along the Highway 115 corridor depend on ground water for their domestic water supply. These wells likely depend on the fracture system within the granitic rock for water supply, while wells in the adjacent upturned sedimentary rocks may depend upon both these fracture systems and infiltration along the granite-sedimentary rock boundary for recharge. This situation makes such wells dependent on the quality of the recharging surface water and highly susceptible to contamination. **The Heavy rains of 2014 proved this when many of our wells water changed color to tea like, due to the increased run off that shocked the aquiphor. Despite the fact that many of these wells receive water from over 200 feet below the surface, the color change remained for several months.** Contamination from mining operations can travel very quickly through the fracture system to affect domestic wells. The very geology and topography of the proposed Hitch Rack Ranch Quarry site makes such effects exceedingly difficult to predict. Further, the effect from blasting operations (which Transit Mix proposes to conduct two or three times each week) on the fracture system will likely exacerbate the problem, and is equally difficult to predict. **In 1996 when we experienced an aftershock of an earth quake, several wells in our community had a drastic reduction in water production or had to be abandoned.**

Wildlife: An independent and objective wildlife study needs to be completed, rather than accept questionable statements by the applicant. The proposed quarry site is adjacent to and contiguous with the Aiken Canyon Preserve (managed by the Nature Conservancy of Colorado), and included as part of the Aiken Canyon Potential Conservation Area. This area is identified by the Colorado Natural Heritage Program as a B2 site – Very High significance. It should be noted that the Nature Conservancy shares our opposition to the quarry permit. The quarry site is an area rich in wildlife. It lies between large concentrations of wildlife in the federal lands to the west and Fort Carson to the east, and serves as a major migration route between the two ecotypes. It is inhabited by a great diversity and in some cases high density of wildlife. Most notably, the site is mapped by the US Fish and Wildlife Service as Critical Potential Conservation Habitat for the Mexican Spotted Owl, a federally listed threatened species. **The Mexican Spotted Owl has been documented in the immediate area. The applicant's statement that "turkeys are not common in the mining area" is ludicrous. Anyone who frequents this area knows it harbors one of the largest concentrations of turkeys in this part of Colorado. Sighting of turkeys is an almost daily occurrence here. Turkeys, in particular, are intolerant of industrial operations such as mining. Colorado Parks and Wildlife identifies the proposed quarry site as a primary elk residence and migration area.** More than 100 species of birds have been documented using the area, and the stream corridors are known to be important movement areas for wide-ranging animals such as mountain lions, black bear, mule deer, and elk. There are unconfirmed reports of the presence of Canada Lynx, an endangered species recently reintroduced into Colorado, in the area. The proposed mining plan does not appear to provide an adequate buffer to protect the use of intermittent stream corridors by these sensitive species.

Vegetation: The vegetation analysis sections of the application contain several inaccuracies. The quarry site provides high quality foothills plant communities that are rapidly being converted to development north and south of this area. The dry (xeric) tallgrass sites along the Front Range are also rarely found in the high quality condition in evidence at this site. It contains excellent to good examples of globally-imperiled mountain mahogany/needlegrass community, an excellent occurrence of globally vulnerable piñon pine/Scribner needlegrass community, as well as an excellent occurrence of mesic oak thicket community. The lodgepole pine and blue spruce mentioned repeatedly in the application do not appear in significant numbers, while the white pine, which is very common at the site, is not mentioned at all.

Noise and Air Contamination: Quarrying requires drilling and blasting with explosives, which create vibrations, noise, and dust. Once this process is completed, rock crushing machines crush the rock, conveyor belt machines move the rock around the processing plant; trucks are loaded and unloaded. The process and heavy machinery required to mine, is intrusive and creates significant noise and air pollution; thus having a direct impact on the surrounding areas and community. Air quality is compromised and diminished by the fugitive dust associated with aggregate mining. Dust generated by mining often contains silica, a common naturally occurring crystal found in most rock beds. Prolonged exposure to silica may result in silicosis. According the Centers for Disease Control, “silicosis is a disabling, nonreversible and sometimes fatal lung disease caused by over exposure to respirable crystalline silica. Over exposure to dust that contains microscopic particles of crystalline silica can cause scar tissue to form in the lungs, which reduces the lung’s ability to extract oxygen from the air we breathe.” In addition to silicosis, inhalation of crystalline silica particles has been associated with other diseases, such as bronchitis and tuberculosis.

Noise and Air Contamination continued: Due to our unique dry climate with sustained Chinook winds of 20 to 40 miles per hour this is a health issue for both humans and animals living within a four mile radius of this quarry. Dr. Robert Nathan, MD, a Diplomate of the American Board of Allergy and Immunology, and known world wide for his research and knowledge, noted in a letter to your office that the Silica dust behaves similarly to pollen, “it can impact the airways of asthma and COPD patients as far a 3-4 miles away.” We have several of those patients living here daily on Glenrock Drive.

Transportation: Transportation in the Highway 115 area is unique in that the normal hierarchy of roads do not exist. Highway 115 is the lifeline upon which residents depend. It is the only means of transportation into, out of, and within the community. **There are no other alternatives, and residents cannot avoid using Highway 115 for their life-sustaining transportation needs.** Thus, the condition and safety of Highway 115 are primary concerns of all residents. According to the El Paso County Major Transportation Corridors Plan (MTCP), Highway 115 south of Fort Carson’s main gate is functionally classified as “congested”. Major sections of the highway are two lane, including the point at which Transit Mix proposes to access the highway. The proposed highway access point is also located at a historically dangerous place, with multiple fatal traffic accidents in recent years. **Unfortunately, the 2040 MTCP Roadway Plan does not call for any improvements to Highway 115 through the year 2040, so the highway we have now is what we will live with for many years to come. If the Hitch Rack Ranch Quarry is allowed to proceed, an already congested highway, currently bearing truck traffic from three active quarries, will be burdened by as many as 624 additional trucks per day when the quarry is at full production. This additional traffic will exacerbate traffic hazards not only for the local residents, but also for the many commuters who use this major thoroughfare to Colorado Springs, as well as the many tourists, bicyclists, and motorcycle clubs who frequent the area for it’s unique geographic and aesthetic appeal.**

Existing Quarries: There are currently three quarries operating within a five mile stretch along Highway 115, the nearest less than three miles from the proposed Hitch Rack Ranch Quarry site. The quarry operators report they are currently operating at roughly half their capacity. When questioned why such low production, the response is “insufficient demand”. This calls into question the need for yet another quarry on the backs of the already burdened local residents.

Proximity to Local Residents: There are more than 140 properties within two miles of the proposed quarry site, some as close as 1200 feet and with direct line-of-sight to the quarry operations. The vast majority, if not all, of these property owners are vehemently opposed to the applicant's quarry plans. **The policies incorporated in the El Paso County Southwestern Highway 115 Comprehensive Plan (see below) state "any resource extraction operation should be located a minimum of two miles distant from any dissenting residents".**

Comprehensive Development Plan: This application for permit is in clear violation of the current Southwestern (Highway 115) Comprehensive Plan. This is a plan commissioned and adopted by the El Paso County Board of County Commissioners for the Highway 115 area. This comprehensive plan foresaw the potential for future demands for mineral resource extraction in the area, and adopted specific policies to address it. The Hitch Rack Ranch Quarry application is in specific violation of the following policies in this plan:

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8. The specific area of Aiken Canyon is identified as a unique and significant biological resource of state-wide significance that should continue to be preserved. Preservation is not compatible with most public access, and management should maximize wildlife and scientific values.

No Alternatives: Residents in close proximity to the proposed quarry have no other alternatives but their status quo. They have but one source of water, their individual wells. They have but one route of ingress and egress to their properties, Little Turkey Creek Road. They have but one transportation corridor into and out of the community, Highway 115. Even routine operations of a Hitch Rack Ranch Quarry will have a significant impact on residents. For example, blasting operations, which Transit Mix proposes to conduct two or three times each week, will require closing Little Turkey Creek Road, precluding the owners and residents of 43 lots from leaving or returning to their properties. More severe occurrences run the risk of closing the only highway and/or effectively sealing off access to properties in the area.

The objections addressed above should be considered representative, but incomplete due to the limited time frame available to us for review, research and analysis. We reiterate our request that the study period be extended to give us a reasonable amount of time to conduct a thorough and meaningful study.

Thank you for your time and consideration.

Respectfully,

Sara Fentiman
Jordan Townsend
Shannon Bell

Copy to:

Congressman Doug Lamborn, U.S. House of Representatives, Colorado's Fifth District
1125 Kelly Johnson Blvd., #330, Colorado Springs, CO 80920

Senator Kevin Grantham, Colorado State Senator, District 2
200 E. Colfax Ave., Denver, CO 80203

Representative Lois Landgraf, Colorado State Representative, District 21
200 E. Colfax Ave., Denver, CO 80203

AME
March 31, 2016

Colorado Division of Reclamation, Mining and Safety
1313 Sherman Street, Room 215
Denver, CO 80203

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APR 07 2016

DIVISION OF RECLAMATION
MINING AND SAFETY

Ms. Amy Eschberger:

The proposed Reclamation and Mining development at Hitch Rack Ranch; submitted by Transit Mix Concrete Company, Permit No. 2016010, would bring a large-scale aggregate mining development unnecessarily close, and abutting in at least two areas, to residential, [A-5] neighborhoods. Quarry development brings significant, *long-term* consequences to the environment, public health, safety, and well-being of the effected and adjoining neighborhoods due to: substantially increased truck traffic, dust, and noise pollution, to an area that is known for its strapped natural resources - water, and highest fire danger area. All the while, juxtaposed to the area's unparalleled natural beauty, abundant wildlife, wildlife habitats, and wildlife migratory trails, make this development both undesirable and unsustainable. As a resident of Red Rock Valley Estates Neighborhood, I cannot support this development and; therefore, opposed to the development for the following reasons:

- Quarrying requires drilling and blasting with explosives, which create vibrations, noise, and dust. Once this process is completed, rock crushing machines crush the rock, conveyor belt machines move the rock around the processing plant; trucks are loaded and unloaded. The process and heavy machinery required to mine, is intrusive and creates significant noise and air pollution; thus having a direct impact on the surrounding areas and community.
- Air quality is compromised and diminished by the fugitive dust associated with aggregate mining. Dust generated by mining often contains silica, a common naturally occurring crystal found in most rock beds. Prolonged exposure to silica may result in silicosis. According the Centers for Disease Control, silicosis is a disabling, nonreversible and sometimes fatal lung disease caused by over exposure to respirable crystalline silica... Over exposure to dust that contains microscopic particles of crystalline silica can cause scar tissue to form in the lungs, which reduces lung's ability to extract oxygen from the air we breathe." In addition to silicosis, inhalation of crystalline silica particles has been associated with other diseases, such as bronchitis and tuberculosis. This is a health issue for the abutting and nearby residential home owners and their livestock.
- The proposed quarry will create increased truck traffic by approximately 624 trucks per day, in addition to the existing truck traffic from the three operating quarries. This will create traffic hazards detrimental to the safety of County residents as well as the bicyclist and motor bike clubs and individual "bikers" who use the 115 Southwestern Corridor as a major thoroughfare due to the area's geographic and aesthetic appeal.

- The Bauer Ranch and Eagle's Nest neighborhoods have one entrance and one exit rendering them land locked in the event of fire, traffic accident, blasting accident, landslides due to blasting, etc.
- Currently there are three existing quarries within an 8 mile radius; these quarries are currently operating at half their capacity. A better plan; and a plan that would have less impact to the community and surrounding area would be to expand the existing quarries. This would also be consistent with our Master Plan – Southwestern/Highway 115 Comprehensive Plan.
- Wildlife, wildlife habitats, wildlife migratory paths and biodiversity will be lost. An environmental study needs to be completed, rather than take the word of the applicant, that there are no endangered species located on the land or nearby lands. The proposed quarry site could be in violation of the Federal and State Endangered Species Act. The Mexican Spotted Owl, "*Strix occidentalis lucida*", is State and federally threatened, and has been identified in the Southwestern/Highway 115 Corridor.
- Moving dirt and extracting rock from the ground alters the flow of water runoff. The abutting neighborhoods depend strictly on well water supplies for all their water needs. There is potential for well contamination and/or damage, or complete loss from nearby blasting, contamination from blowing dust, and water runoff. Additionally, the heavy equipment necessary for quarrying, and that uses gasoline, diesel, oil and transmission fluids; can potentially leak these fluids. Small amounts to larger spills can contaminate 100' to 1000's of gallons of ground water.

Quarrying requires heavy equipment, blasting, drilling, earthmoving, all of which create noise and dust, and, would certainly diminish the quality of life and well-being of the adjacent land owners and surrounding area. Southwestern/Highway 115 Corridor's unparalleled natural beauty will be compromised and the landscape densely populated with quarries and their side effects. The 115 Southwestern Highway area is currently taxed by the activities and traffic associated with Fort Carson, Cheyenne Mountain State Park, RV Parks, and privately owned parks opened to the public, within the surrounding area. Protection of the land, environment, and public health, safety, and wellbeing is consistent with my constitutional rights. In alliance with the "Highway 115 Citizen's Advisory Committee", the citizens, and the fellow neighborhoods along the corridor, I am opposed to the quarry development.

Sincerely,



Bruce H Chisnell
11340 Valle Verde Drive
Colorado Springs, CO 80926

AME.

Ridgewood Estates Association
1285 Glenrock Drive
Colorado Springs, Colorado 80926

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APR 07 2016

DIVISION OF RECLAMATION
MINING AND SAFETY

March 31, 2016

Ms. Amy Eschberger
Colorado Division of Reclamation, Mining and Safety
1313 Sherman Street, Room 215
Denver, Colorado 80203

Re: Transit Mix Concrete Company application for Reclamation Permit, Hitch Rack Ranch Quarry
(# M2016010)

Dear Ms. Eschberger

I am submitting this letter on behalf of the 13 property owners within the Ridgewood Estates (Glenrock Drive). Ridgewood Estates is located along Highway 115, two miles North of the proposed Hitch Rack Ranch Quarry operation.

Based on our investigations and research, the owners and residents within the Ridgewood Estates are unanimously opposed to bringing an additional large-scale aggregate mining operation to our community, as there are already three quarries in service along this five mile stretch of Highway 115.

Our research has unveiled significant constraints to additional quarry development in the proposed location including: limited water supplies, a fragile groundwater system, rich wildlife and vegetation resources, public health and safety, air and noise contamination, compromised transportation within the community, traffic hazards along Highway 115, existing quarries that satisfy the demand, violation of current development plans for the area, proximity to local residents, and limited or no alternatives for residents.

Water Supply: All residents in Ridgewood Estates and surrounding neighbors along the Highway 115 corridor depend on ground water for their domestic water supply. These wells likely depend on the fracture system within the granitic rock for water supply, while wells in the adjacent upturned sedimentary rocks may depend upon both these fracture systems and infiltration along the granite-sedimentary rock boundary for recharge. This situation makes such wells dependent on the quality of the recharging surface water and highly susceptible to contamination. **The Heavy rains of 2014 proved this when many of our wells water changed color to tea like, due to the increased run off that shocked the aquiphor. Despite the fact that many of these wells receive water from over 200 feet below the surface, the color change remained for several months.** Contamination from mining operations can travel very quickly through the fracture system to affect domestic wells. The very geology and topography of the proposed Hitch Rack Ranch Quarry site makes such effects exceedingly difficult to predict. Further, the effect from blasting operations (which Transit Mix proposes to conduct two or three times each week) on the fracture system will likely exacerbate the problem, and is equally difficult to predict. **In 1996 when we experienced an aftershock of an earth quake, several wells in our community had a drastic reduction in water production or had to be abandoned.**

Wildlife: An independent and objective wildlife study needs to be completed, rather than accept questionable statements by the applicant. The proposed quarry site is adjacent to and contiguous with the Aiken Canyon Preserve (managed by the Nature Conservancy of Colorado), and included as part of the Aiken Canyon Potential Conservation Area. This area is identified by the Colorado Natural Heritage Program as a B2 site – Very High significance. It should be noted that the Nature Conservancy shares our opposition to the quarry permit. The quarry site is an area rich in wildlife. It lies between large concentrations of wildlife in the federal lands to the west and Fort Carson to the east, and serves as a major migration route between the two ecotypes. It is inhabited by a great diversity and in some cases high density of wildlife. Most notably, the site is mapped by the US Fish and Wildlife Service as Critical Potential Conservation Habitat for the Mexican Spotted Owl, a federally listed threatened species. **The Mexican Spotted Owl has been documented in the immediate area. The applicant's statement that "turkeys are not common in the mining area" is ludicrous. Anyone who frequents this area knows it harbors one of the largest concentrations of turkeys in this part of Colorado. Sighting of turkeys is an almost daily occurrence here. Turkeys, in particular, are intolerant of industrial operations such as mining. Colorado Parks and Wildlife identifies the proposed quarry site as a primary elk residence and migration area.** More than 100 species of birds have been documented using the area, and the stream corridors are known to be important movement areas for wide-ranging animals such as mountain lions, black bear, mule deer, and elk. There are unconfirmed reports of the presence of Canada Lynx, an endangered species recently reintroduced into Colorado, in the area. The proposed mining plan does not appear to provide an adequate buffer to protect the use of intermittent stream corridors by these sensitive species.

Vegetation: The vegetation analysis sections of the application contain several inaccuracies. The quarry site provides high quality foothills plant communities that are rapidly being converted to development north and south of this area. The dry (xeric) tallgrass sites along the Front Range are also rarely found in the high quality condition in evidence at this site. It contains excellent to good examples of globally-imperiled mountain mahogany/needlegrass community, an excellent occurrence of globally vulnerable piñon pine/Scribner needlegrass community, as well as an excellent occurrence of mesic oak thicket community. The lodgepole pine and blue spruce mentioned repeatedly in the application do not appear in significant numbers, while the white pine, which is very common at the site, is not mentioned at all.

Noise and Air Contamination: Quarrying requires drilling and blasting with explosives, which create vibrations, noise, and dust. Once this process is completed, rock crushing machines crush the rock, conveyor belt machines move the rock around the processing plant; trucks are loaded and unloaded. The process and heavy machinery required to mine, is intrusive and creates significant noise and air pollution; thus having a direct impact on the surrounding areas and community. Air quality is compromised and diminished by the fugitive dust associated with aggregate mining. Dust generated by mining often contains silica, a common naturally occurring crystal found in most rock beds. Prolonged exposure to silica may result in silicosis. According the Centers for Disease Control, "silicosis is a disabling, nonreversible and sometimes fatal lung disease caused by over exposure to respirable crystalline silica. Over exposure to dust that contains microscopic particles of crystalline silica can cause scar tissue to form in the lungs, which reduces the lung's ability to extract oxygen from the air we breathe." In addition to silicosis, inhalation of crystalline silica particles has been associated with other diseases, such as bronchitis and tuberculosis.

Noise and Air Contamination continued: Due to our unique dry climate with sustained Chinook winds of 20 to 40 miles per hour this is a health issue for both humans and animals living within a four mile radius of this quarry. Dr. Robert Nathan, MD, a Diplomate of the American Board of Allergy and Immunology, and known world wide for his research and knowledge, noted in a letter to your office that the Silica dust behaves similarly to pollen, “it can impact the airways of asthma and COPD patients as far a 3-4 miles away.” We have several of those patients living here daily on Glenrock Drive.

Transportation: Transportation in the Highway 115 area is unique in that the normal hierarchy of roads do not exist. Highway 115 is the lifeline upon which residents depend. It is the only means of transportation into, out of, and within the community. **There are no other alternatives, and residents cannot avoid using Highway 115 for their life-sustaining transportation needs.** Thus, the condition and safety of Highway 115 are primary concerns of all residents. According to the El Paso County Major Transportation Corridors Plan (MTCP), Highway 115 south of Fort Carson’s main gate is functionally classified as “congested”. Major sections of the highway are two lane, including the point at which Transit Mix proposes to access the highway. The proposed highway access point is also located at a historically dangerous place, with multiple fatal traffic accidents in recent years. **Unfortunately, the 2040 MTCP Roadway Plan does not call for any improvements to Highway 115 through the year 2040, so the highway we have now is what we will live with for many years to come. If the Hitch Rack Ranch Quarry is allowed to proceed, an already congested highway, currently bearing truck traffic from three active quarries, will be burdened by as many as 624 additional trucks per day when the quarry is at full production. This additional traffic will exacerbate traffic hazards not only for the local residents, but also for the many commuters who use this major thoroughfare to Colorado Springs, as well as the many tourists, bicyclists, and motorcycle clubs who frequent the area for it’s unique geographic and aesthetic appeal.**

Existing Quarries: There are currently three quarries operating within a five mile stretch along Highway 115, the nearest less than three miles from the proposed Hitch Rack Ranch Quarry site. The quarry operators report they are currently operating at roughly half their capacity. When questioned why such low production, the response is “insufficient demand”. This calls into question the need for yet another quarry on the backs of the already burdened local residents.

Proximity to Local Residents: There are more than 140 properties within two miles of the proposed quarry site, some as close as 1200 feet and with direct line-of-sight to the quarry operations. The vast majority, if not all, of these property owners are vehemently opposed to the applicant’s quarry plans. **The policies incorporated in the El Paso County Southwestern Highway 115 Comprehensive Plan (see below) state “any resource extraction operation should be located a minimum of two miles distant from any dissenting residents”.**

Comprehensive Development Plan: This application for permit is in clear violation of the current Southwestern (Highway 115) Comprehensive Plan. This is a plan commissioned and adopted by the El Paso County Board of County Commissioners for the Highway 115 area. This comprehensive plan foresaw the potential for future demands for mineral resource extraction in the area, and adopted specific policies to address it. The Hitch Rack Ranch Quarry application is in specific violation of the following policies in this plan:


1. The entire burden of proof for demonstrating the existence of extractable mineral resources should lie with the applicant. Designation of potentially extractable mineral resources in the Master Plan for the Extraction of Commercial Mineral Deposits should in no way be seen as a justification or an implied right for mining.
2. Resource extraction operations in general are not supported in the planning area. However, the presence of existing operations is recognized, and if future conditions dictate the necessity for additional supplies of aggregate, the expansion of existing operations is preferred over new quarries.
3. At no time during their operations should resource extraction affect the quantity, quality, or dependability of residents' existing water supplies or result in the diversion of existing water supplies. The full burden of proof for assuring this will lie with the applicant.
4. Access from Highway 115 to any resource extraction operation should not affect the quality of the existing access to area residents.
5. Unless it can be demonstrated that topography will shield existing residents from visual, noise, and dust impacts, all resource extraction operations should be located a minimum of two miles distant from any dissenting residents.
6. Wildlife and wildlife protection routes should be protected through the development of a wildlife overlay zone, addressing the need for protecting critical habitat areas.
7. Development should not be allowed in riparian areas, both because the hazard of flooding and because of their exceptionally high wildlife values. Any drainage improvements undertaken in the area should be treated in the most natural way possible to minimize any impacts on riparian areas.
8. The specific area of Aiken Canyon is identified as a unique and significant biological resource of state-wide significance that should continue to be preserved. Preservation is not compatible with most public access, and management should maximize wildlife and scientific values.

No Alternatives: Residents in close proximity to the proposed quarry have no other alternatives but their status quo. They have but one source of water, their individual wells. They have but one route of ingress and egress to their properties, Little Turkey Creek Road. They have but one transportation corridor into and out of the community, Highway 115. Even routine operations of a Hitch Rack Ranch Quarry will have a significant impact on residents. For example, blasting operations, which Transit Mix proposes to conduct two or three times each week, will require closing Little Turkey Creek Road, precluding the owners and residents of 43 lots from leaving or returning to their properties. More severe occurrences run the risk of closing the only highway and/or effectively sealing off access to properties in the area.

The objections addressed above should be considered representative, but incomplete due to the limited time frame available to us for review, research and analysis. We reiterate our request that the study period be extended to give us a reasonable amount of time to conduct a thorough and meaningful study.

Thank you for your time and consideration.

Respectfully,



Reece Eddy
President
Ridgewood Estates

Copy to:

Congressman Doug Lamborn, U.S. House of Representatives, Colorado's Fifth District
1125 Kelly Johnson Blvd., #330, Colorado Springs, CO 80920

Senator Kevin Grantham, Colorado State Senator, District 2
200 E. Colfax Ave., Denver, CO 80203

Representative Lois Landgraf, Colorado State Representative, District 21
200 E. Colfax Ave., Denver, CO 80203

AME
2 April 6016

Indorsement:

I did not write the attached letter. However, I have carefully read it and it represents my position precisely.

It is unbelievable that this pristine area along Hwy 115 could even be seriously considered for the development of a major aggregate quarry project involving in use of dynamite and the crushing of large rocks. Since my house, and many other houses in our neighborhood, are within a 1 mile radius of the proposed quarry, we will all experience the earth shaking noise of the explosions as well as the dust contaminated air which we breathe.

Our Government has a long standing development plan which limits commercial growth in our pristine geographic area. It has been used to limit the expansion of existing quarries and to disqualify requests for the establishment of new quarries. The title of this document is: "South West Hwy 115 Comprehensive Area Plan for El Paso County"-- a must read for everyone concerned with this issue.

Kenneth R. Baird

KENNETH R. BAIRD
Home Owner
2335 Paseo Corto
Colorado Springs, CO 80926
(719) 540-8244

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APR 07 2016

DIVISION OF RECLAMATION
MINING AND SAFETY

M-2016-010

AME
Weldon W. Flaharty
1005 Glenrock Dr.
Colorado Springs, CO 80926

April 4, 2016

Ms. Amy Eschberger
Colorado Division of Reclamation, Mining and Safety
1313 Sherman St, Room 215
Denver, Colorado 80203

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APR 07 2016

DIVISION OF RECLAMATION
MINING AND SAFETY

Re: Transit Mix Concrete Company application for Reclamation Permit, Hitch Rack Ranch
Quarry (# M2016010)

Dear Ms. Eschberger:

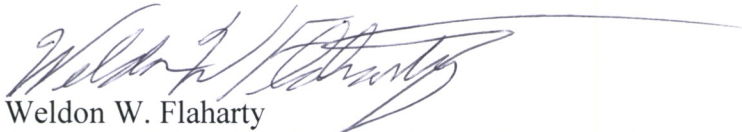
As an active Wildlife Conservationist I am opposed to another large-scale aggregate mining operation in the State Highway 115 corridor. I request the application for a new permit and/or the extension of an existing permit be denied, due to the devastating impact the proposed quarry will have on our precious and vulnerable wildlife.

The proposed quarry location is an area rich in susceptible wildlife. It is inhabited by a large diversity of and in some cases high density of wildlife:

- Colorado Parks and Wildlife (CPW) has identified the proposed quarry location as a primary elk residence and migration area. The proposed quarry lies between a large concentration of elk on Federal lands to the west and winter range on Fort Carson to the east. The attached map was downloaded from CPW's Hunting Atlas. The red arrow shows the elk migration pattern. The proposed quarry will have a very negative impact on elk survivability if eastern migration to winter feeding grounds and western migration to summer calving grounds is disrupted.
- The US Fish and Wildlife Service has listed the immediate area as a Critical Potential Conservation Habitat for the Mexican Spotted Owl; which has been documented.
- Wild Turkeys, which are highly intolerant to industrial operations such as mining, are highly abundant in the area; which is contrary to the applicant's statement that "turkeys are not common in the mining area."
- The proposed quarry site is adjacent to and contiguous with the Aiken Canyon Preserve which is managed by the Nature Conservancy of Colorado; who also oppose the quarry permit. This area is identified by the Colorado Natural Heritage Program as a B2-Very High Significance site.
- Several area intermittent streams are known to be important movement corridors for wide-ranging wildlife species such as, elk, mule deer, black bear, and mountain lions. The proposed quarry plan does not appear to provide an adequate buffer of these corridors by these sensitive species.
- More than 100 species of birds have been documented in the area.

The addition of a fourth quarry to the existing three in-service quarries in this area will be devastating to wildlife. The recognition of questionable statements by the applicant in regards to wildlife is unacceptable. The denial of a new permit and/or the extension of an existing permit is the only acceptable conclusion in regards to wildlife.

Yours in wildlife conservation,

A handwritten signature in blue ink, appearing to read 'Weldon W. Flaharty', with a long horizontal flourish extending to the right.

Weldon W. Flaharty

Chairman, Pikes Peak Chapter, Mule Deer Foundation

Board Member, Colorado State Chapter, Mule Deer Foundation

Life Member, Mule Deer Foundation

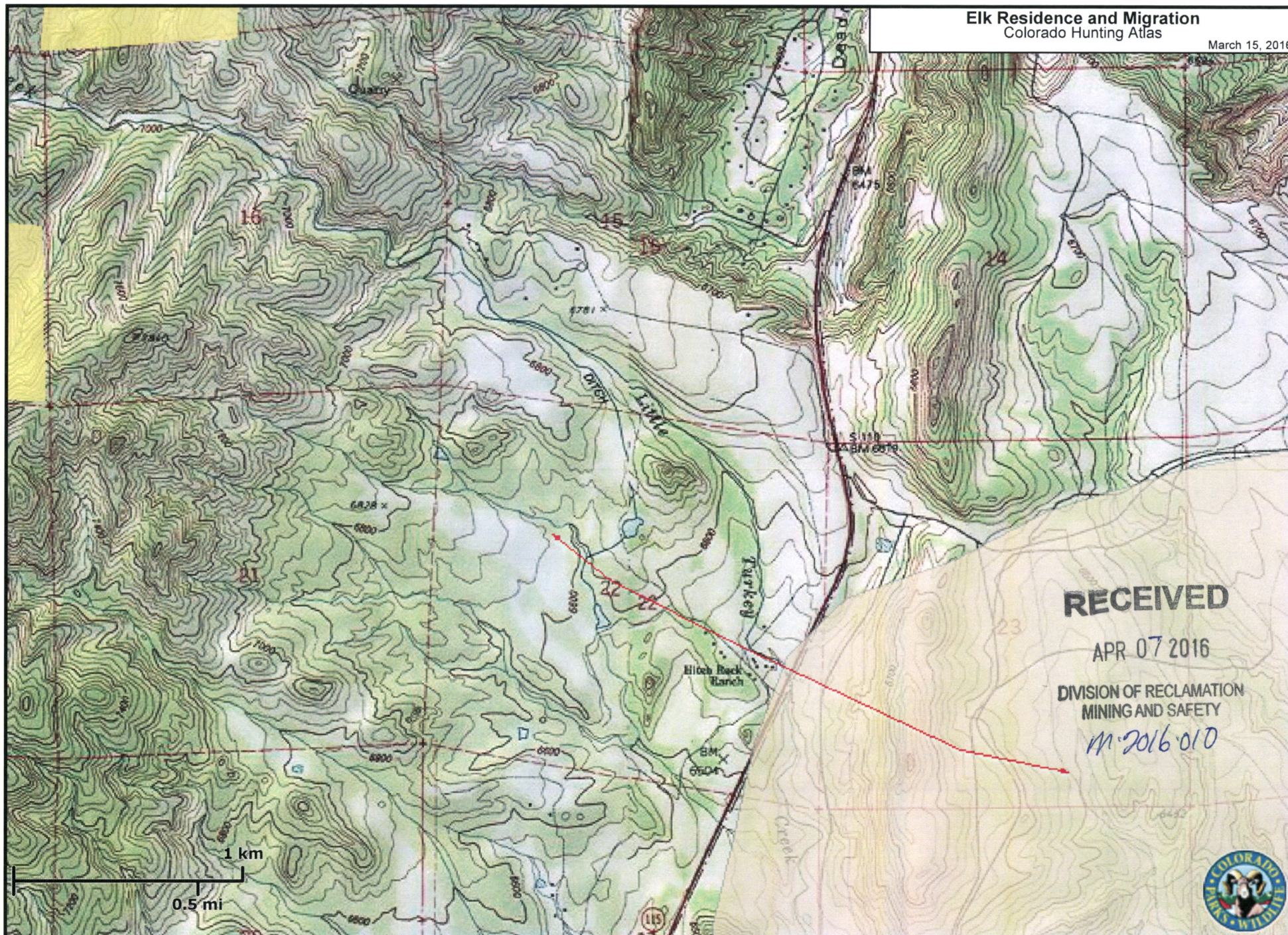
Life Member, Rocky Mountain Elk Foundation

Member, numerous other conservation organizations

The mission of the Mule Deer Foundation is to ensure the conservation of Mule Deer, Black-tailed Deer, and their habitat.

Elk Residence and Migration
Colorado Hunting Atlas

March 15, 2016



This map was generated by the Colorado Hunting Atlas (<http://indismaps.nrel.colostate.edu/HuntingAtlas>). Information depicted is for reference purposes only and is compiled from the best available sources. Reasonable efforts have been made to ensure accuracy. The Colorado Parks and Wildlife is not responsible for damages that may arise from the use of this map. Mapped property boundaries may or may not reflect actual legal holdings. It is the hunter's responsibility to know where private property exists. Colorado law does NOT require landowners to fence or mark property boundaries. For more detailed or missing information, please contact the Colorado Parks and Wildlife at (303)297-1192 (M-F 8am-5pm MST).



Kristen & John Rigdon
1130 Glenrock Dr
Colo Sp, CO 80926

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APR 08 2016

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MINING AND SAFETY

March 31, 2016

Ms. Amy Eschberger
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Denver, Colorado 80203

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7. Development should not be allowed in riparian areas, both because the hazard of flooding and because of their exceptionally high wildlife values. Any drainage improvements undertaken in the area should be treated in the most natural way possible to minimize any impacts on riparian areas.
8. The specific area of Aiken Canyon is identified as a unique and significant biological resource of state-wide significance that should continue to be preserved. Preservation is not compatible with most public access, and management should maximize wildlife and scientific values.

No Alternatives: Residents in close proximity to the proposed quarry have no other alternatives but their status quo. They have but one source of water, their individual wells. They have but one route of ingress and egress to their properties, Little Turkey Creek Road. They have but one transportation corridor into and out of the community, Highway 115. Even routine operations of a Hitch Rack Ranch Quarry will have a significant impact on residents. For example, blasting operations, which Transit Mix proposes to conduct two or three times each week, will require closing Little Turkey Creek Road, precluding the owners and residents of 43 lots from leaving or returning to their properties. More severe occurrences run the risk of closing the only highway and/or effectively sealing off access to properties in the area.

The objections addressed above should be considered representative, but incomplete due to the limited time frame available to us for review, research and analysis. We reiterate our request that the study period be extended to give us a reasonable amount of time to conduct a thorough and meaningful study.

Thank you for your time and consideration.

Respectfully,


John & Krista Resden
1130 Glenrock Dr.
Colorado Springs CO 80926

Copy to:

Congressman Doug Lamborn, U.S. House of Representatives, Colorado's Fifth District
1125 Kelly Johnson Blvd., #330, Colorado Springs, CO 80920

Senator Kevin Grantham, Colorado State Senator, District 2
200 E. Colfax Ave., Denver, CO 80203

Representative Lois Landgraf, Colorado State Representative, District 21
200 E. Colfax Ave., Denver, CO 80203

RECEIVED

APR 08 2016

**DIVISION OF RECLAMATION
MINING AND SAFETY**

March 31, 2016

Ms. Amy Eschberger
Colorado Division of Reclamation, Mining and Safety
1313 Sherman Street, Room 215
Denver, Colorado 80203

Re: Transit Mix Concrete Company application for Reclamation Permit, Hitch Rack Ranch Quarry
(# M2016010)

Dear Ms. Eschberger

I am submitting this letter on behalf of the 13 property owners within the Ridgewood Estates (Glenrock Drive). Ridgewood Estates is located along Highway 115, two miles North of the proposed Hitch Rack Ranch Quarry operation.

Based on our investigations and research, the owners and residents within the Ridgewood Estates are unanimously opposed to bringing an additional large-scale aggregate mining operation to our community, as there are already three quarries in service along this five mile stretch of Highway 115.

Our research has unveiled significant constraints to additional quarry development in the proposed location including: limited water supplies, a fragile groundwater system, rich wildlife and vegetation resources, public health and safety, air and noise contamination, compromised transportation within the community, traffic hazards along Highway 115, existing quarries that satisfy the demand, violation of current development plans for the area, proximity to local residents, and limited or no alternatives for residents.

Water Supply: All residents in Ridgewood Estates and surrounding neighbors along the Highway 115 corridor depend on ground water for their domestic water supply. These wells likely depend on the fracture system within the granitic rock for water supply, while wells in the adjacent upturned sedimentary rocks may depend upon both these fracture systems and infiltration along the granite-sedimentary rock boundary for recharge. This situation makes such wells dependent on the quality of the recharging surface water and highly susceptible to contamination. **The Heavy rains of 2014 proved this when many of our wells water changed color to tea like, due to the increased run off that shocked the aquifer. Despite the fact that many of these wells receive water from over 200 feet below the surface, the color change remained for several months.** Contamination from mining operations can travel very quickly through the fracture system to affect domestic wells. The very geology and topography of the proposed Hitch Rack Ranch Quarry site makes such effects exceedingly difficult to predict. Further, the effect from blasting operations (which Transit Mix proposes to conduct two or three times each week) on the fracture system will likely exacerbate the problem, and is equally difficult to predict. **In 1996 when we experienced an aftershock of an earth quake, several wells in our community had a drastic reduction in water production or had to be abandoned.**

Wildlife: An independent and objective wildlife study needs to be completed, rather than accept questionable statements by the applicant. The proposed quarry site is adjacent to and contiguous with the Aiken Canyon Preserve (managed by the Nature Conservancy of Colorado), and included as part of the Aiken Canyon Potential Conservation Area. This area is identified by the Colorado Natural Heritage Program as a B2 site – Very High significance. It should be noted that the Nature Conservancy shares our opposition to the quarry permit. The quarry site is an area rich in wildlife. It lies between large concentrations of wildlife in the federal lands to the west and Fort Carson to the east, and serves as a major migration route between the two ecotypes. It is inhabited by a great diversity and in some cases high density of wildlife. Most notably, the site is mapped by the US Fish and Wildlife Service as Critical Potential Conservation Habitat for the Mexican Spotted Owl, a federally listed threatened species. **The Mexican Spotted Owl has been documented in the immediate area. The applicant's statement that "turkeys are not common in the mining area" is ludicrous. Anyone who frequents this area knows it harbors one of the largest concentrations of turkeys in this part of Colorado. Sighting of turkeys is an almost daily occurrence here. Turkeys, in particular, are intolerant of industrial operations such as mining. Colorado Parks and Wildlife identifies the proposed quarry site as a primary elk residence and migration area.** More than 100 species of birds have been documented using the area, and the stream corridors are known to be important movement areas for wide-ranging animals such as mountain lions, black bear, mule deer, and elk. There are unconfirmed reports of the presence of Canada Lynx, an endangered species recently reintroduced into Colorado, in the area. The proposed mining plan does not appear to provide an adequate buffer to protect the use of intermittent stream corridors by these sensitive species.

Vegetation: The vegetation analysis sections of the application contain several inaccuracies. The quarry site provides high quality foothills plant communities that are rapidly being converted to development north and south of this area. The dry (xeric) tallgrass sites along the Front Range are also rarely found in the high quality condition in evidence at this site. It contains excellent to good examples of globally-imperiled mountain mahogany/needlegrass community, an excellent occurrence of globally vulnerable piñon pine/Scribner needlegrass community, as well as an excellent occurrence of mesic oak thicket community. The lodgepole pine and blue spruce mentioned repeatedly in the application do not appear in significant numbers, while the white pine, which is very common at the site, is not mentioned at all.

Noise and Air Contamination: Quarrying requires drilling and blasting with explosives, which create vibrations, noise, and dust. Once this process is completed, rock crushing machines crush the rock, conveyor belt machines move the rock around the processing plant; trucks are loaded and unloaded. The process and heavy machinery required to mine, is intrusive and creates significant noise and air pollution; thus having a direct impact on the surrounding areas and community. Air quality is compromised and diminished by the fugitive dust associated with aggregate mining. Dust generated by mining often contains silica, a common naturally occurring crystal found in most rock beds. Prolonged exposure to silica may result in silicosis. According the Centers for Disease Control, "silicosis is a disabling, nonreversible and sometimes fatal lung disease caused by over exposure to respirable crystalline silica. Over exposure to dust that contains microscopic particles of crystalline silica can cause scar tissue to form in the lungs, which reduces the lung's ability to extract oxygen from the air we breathe." In addition to silicosis, inhalation of crystalline silica particles has been associated with other diseases, such as bronchitis and tuberculosis.

Noise and Air Contamination continued: Due to our unique dry climate with sustained Chinook winds of 20 to 40 miles per hour this is a health issue for both humans and animals living within a four mile radius of this quarry. Dr. Robert Nathan, MD, a Diplomate of the American Board of Allergy and Immunology, and known world wide for his research and knowledge, noted in a letter to your office that the Silica dust behaves similarly to pollen, "it can impact the airways of asthma and COPD patients as far a 3-4 miles away." We have several of those patients living here daily on Glenrock Drive.

Transportation: Transportation in the Highway 115 area is unique in that the normal hierarchy of roads do not exist. Highway 115 is the lifeline upon which residents depend. It is the only means of transportation into, out of, and within the community. **There are no other alternatives, and residents cannot avoid using Highway 115 for their life-sustaining transportation needs.** Thus, the condition and safety of Highway 115 are primary concerns of all residents. According to the El Paso County Major Transportation Corridors Plan (MTCP), Highway 115 south of Fort Carson's main gate is functionally classified as "congested". Major sections of the highway are two lane, including the point at which Transit Mix proposes to access the highway. The proposed highway access point is also located at a historically dangerous place, with multiple fatal traffic accidents in recent years. Unfortunately, the 2040 MTCP Roadway Plan does not call for any improvements to Highway 115 through the year 2040, so the highway we have now is what we will live with for many years to come. If the Hitch Rack Ranch Quarry is allowed to proceed, an already congested highway, currently bearing truck traffic from three active quarries, will be burdened by as many as 624 additional trucks per day when the quarry is at full production. This additional traffic will exacerbate traffic hazards not only for the local residents, but also for the many commuters who use this major thoroughfare to Colorado Springs, as well as the many tourists, bicyclists, and motorcycle clubs who frequent the area for it's unique geographic and aesthetic appeal.

Existing Quarries: There are currently three quarries operating within a five mile stretch along Highway 115, the nearest less than three miles from the proposed Hitch Rack Ranch Quarry site. The quarry operators report they are currently operating at roughly half their capacity. When questioned why such low production, the response is "insufficient demand". This calls into question the need for yet another quarry on the backs of the already burdened local residents.

Proximity to Local Residents: There are more than 140 properties within two miles of the proposed quarry site, some as close as 1200 feet and with direct line-of-sight to the quarry operations. The vast majority, if not all, of these property owners are vehemently opposed to the applicant's quarry plans. **The policies incorporated in the El Paso County Southwestern Highway 115 Comprehensive Plan (see below) state "any resource extraction operation should be located a minimum of two miles distant from any dissenting residents".**

Comprehensive Development Plan: This application for permit is in clear violation of the current Southwestern (Highway 115) Comprehensive Plan. This is a plan commissioned and adopted by the El Paso County Board of County Commissioners for the Highway 115 area. This comprehensive plan foresaw the potential for future demands for mineral resource extraction in the area, and adopted specific policies to address it. The Hitch Rack Ranch Quarry application is in specific violation of the following policies in this plan:

1. The entire burden of proof for demonstrating the existence of extractable mineral resources should lie with the applicant. Designation of potentially extractable mineral resources in the Master Plan for the Extraction of Commercial Mineral Deposits should in no way be seen as a justification or an implied right for mining.
2. Resource extraction operations in general are not supported in the planning area. However, the presence of existing operations is recognized, and if future conditions dictate the necessity for additional supplies of aggregate, the expansion of existing operations is preferred over new quarries.
3. At no time during their operations should resource extraction affect the quantity, quality, or dependability of residents' existing water supplies or result in the diversion of existing water supplies. The full burden of proof for assuring this will lie with the applicant.
4. Access from Highway 115 to any resource extraction operation should not affect the quality of the existing access to area residents.
5. Unless it can be demonstrated that topography will shield existing residents from visual, noise, and dust impacts, all resource extraction operations should be located a minimum of two miles distant from any dissenting residents.
6. Wildlife and wildlife protection routes should be protected through the development of a wildlife overlay zone, addressing the need for protecting critical habitat areas.
7. Development should not be allowed in riparian areas, both because the hazard of flooding and because of their exceptionally high wildlife values. Any drainage improvements undertaken in the area should be treated in the most natural way possible to minimize any impacts on riparian areas.
8. The specific area of Aiken Canyon is identified as a unique and significant biological resource of state-wide significance that should continue to be preserved. Preservation is not compatible with most public access, and management should maximize wildlife and scientific values.

No Alternatives: Residents in close proximity to the proposed quarry have no other alternatives but their status quo. They have but one source of water, their individual wells. They have but one route of ingress and egress to their properties, Little Turkey Creek Road. They have but one transportation corridor into and out of the community, Highway 115. Even routine operations of a Hitch Rack Ranch Quarry will have a significant impact on residents. For example, blasting operations, which Transit Mix proposes to conduct two or three times each week, will require closing Little Turkey Creek Road, precluding the owners and residents of 43 lots from leaving or returning to their properties. More severe occurrences run the risk of closing the only highway and/or effectively sealing off access to properties in the area.

The objections addressed above should be considered representative, but incomplete due to the limited time frame available to us for review, research and analysis. We reiterate our request that the study period be extended to give us a reasonable amount of time to conduct a thorough and meaningful study.

Thank you for your time and consideration.

Respectfully,

Tracy D. Smith
9325 Old Canon City Rd. Colo. Spgs. CO 80926
Tracy D. Smith

Copy to:

Congressman Doug Lamborn, U.S. House of Representatives, Colorado's Fifth District
1125 Kelly Johnson Blvd., #330, Colorado Springs, CO 80920

Senator Kevin Grantham, Colorado State Senator, District 2
200 E. Colfax Ave., Denver, CO 80203

Representative Lois Landgraf, Colorado State Representative, District 21
200 E. Colfax Ave., Denver, CO 80203

RECEIVED

✓ APR 08 2016

DIVISION OF RECLAMATION
MINING AND SAFETY

April 2, 2016

Colorado Division of Reclamation, Mining and Safety
1313 Sherman Street, Room 215
Denver, Colorado 80203

Re: Transit Mix Concrete Company application for Reclamation Permit, Hitch Rack Ranch
Quarry (# M2016010)

Dear Madam or Sir;

I am writing to express my opposition to the referenced quarry permit application. I live in the Piñons of Turkey Cañon Ranch, just south of the proposed Hitch Rack Ranch Quarry operation.

I, along with all my neighbors within the Piñons, am opposed to bringing yet another large-scale aggregate mining operation to our community, in addition to the three quarries already in service along a five mile stretch of Highway 115. Significant constraints to additional quarry development exist in the area, including limited water supplies, a fragile groundwater system, rich wildlife and vegetation resources, public health and safety, air and noise contamination, compromised transportation within the community, traffic hazards along Highway 115, existing quarries that satisfy the demand, violation of current development plans for the area, proximity to local residents, and limited or no alternatives for residents.

Water Supply. All residents along the Highway 115 corridor depend on ground water for their domestic water supply. With the exception of Red Rock Valley, Rock Creek Mesa and the Piñons of Turkey Canon Ranch (which are on central well systems), residents are served by individual wells. These wells likely depend on the fracture system within the granitic rock for water supply; while wells in the adjacent upturned sedimentary rocks may depend upon both these fracture systems and infiltration along the granite-sedimentary rock boundary for recharge. This situation makes such wells dependent on the quality of the recharging surface water and highly susceptible to contamination. Contamination from mining operations can travel very quickly through the fracture system to affect domestic wells. The very geology and topography of the proposed Hitch Rack Ranch Quarry site makes such effects exceedingly difficult to predict. Further, the effect from blasting operations (which Transit Mix proposes to conduct two or three times each week) on the fracture system will likely exacerbate the problem, and is equally difficult to predict.

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occurrence here. Turkeys, in particular, are intolerant of industrial operations such as mining. Colorado Parks and Wildlife identifies the proposed quarry site as a primary elk residence and migration area. More than 100 species of birds have been documented using the area, and the stream corridors are known to be important movement areas for wide-ranging animals such as mountain lions, black bear, mule deer, and elk. There are unconfirmed reports of the presence of Canada Lynx, an endangered species recently reintroduced into Colorado, in the area. The proposed mining plan does not appear to provide an adequate buffer to protect the use of intermittent stream corridors by these sensitive species.

Vegetation. Whoever prepared the vegetation analysis sections of the application apparently didn't spend much time on the site. The quarry site provides high quality foothills plant communities that are rapidly being converted to development north and south of this area. The dry (xeric) tallgrass sites along the Front Range are also rarely found in the high quality condition in evidence at this site. It contains excellent to good examples of globally-imperiled mountain mahogany/needlegrass community, an excellent occurrence of globally vulnerable piñon pine/Scribner needlegrass community, as well as an excellent occurrence of mesic oak thicket community. The lodgepole pine and blue spruce mentioned repeatedly in the application do not appear in significant numbers, while the white pine, which is very common at the site, is not mentioned at all.

Noise and Air Contamination. Quarrying requires drilling and blasting with explosives, which create vibrations, noise, and dust. Once this process is completed, rock crushing machines crush the rock, conveyor belt machines move the rock around the processing plant; trucks are loaded and unloaded. The process and heavy machinery required to mine, is intrusive and creates significant noise and air pollution; thus having a direct impact on the surrounding areas and community. Air quality is compromised and diminished by the fugitive dust associated with aggregate mining. Dust generated by mining often contains silica, a common naturally occurring crystal found in most rock beds. Prolonged exposure to silica may result in silicosis. According to the Centers for Disease Control, "silicosis is a disabling, nonreversible and sometimes fatal lung disease caused by over exposure to respirable crystalline silica. Over exposure to dust that contains microscopic particles of crystalline silica can cause scar tissue to form in the lungs, which reduces the lung's ability to extract oxygen from the air we breathe." In addition to silicosis, inhalation of crystalline silica particles has been associated with other diseases, such as bronchitis and tuberculosis. This is a health issue for the abutting and nearby residential home owners and their livestock.

Transportation. Transportation in the Highway 115 area is unique in that the normal hierarchy of roads does not exist. Highway 115 is the lifeline upon which residents depend. It is the only means of transportation into, out of, and within the community. There are no other alternatives, and residents cannot avoid using Highway 115 for their life-sustaining transportation needs. Thus, the condition and safety of Highway 115 are primary concerns of all residents. According to the El Paso County Major Transportation Corridors Plan (MTCP), Highway 115 south of Fort Carson's main gate is functionally classified as "congested". Major sections of the highway are two lanes, including the point at which Transit Mix proposes to access the highway. The proposed highway access point is also located at a historically dangerous place, with multiple fatal traffic accidents in recent years. Unfortunately, the 2040 MTCP Roadway Plan does not call for any improvements to Highway 115 through the year 2040, so the highway we have now is what we will live with for many years to come. If the Hitch Rack Ranch Quarry is allowed to proceed, an already congested highway, currently bearing truck traffic from three active quarries, will be burdened by as many as 624 additional trucks per day when the quarry is at full production. This additional traffic will exacerbate traffic hazards not only for the local residents,

but also for the many commuters who use this major thoroughfare to Colorado Springs, as well as the many tourists, bicyclists, and motorcycle clubs who frequent the area for its unique geographic and aesthetic appeal.

Existing Quarries. There are currently three quarries operating within a five mile stretch along Highway 115, the nearest less than three miles from the proposed Hitch Rack Ranch Quarry site. The quarry operators report they are currently operating at roughly half their capacity. When questioned why such low production, the response is “insufficient demand”. This calls into question the need for yet another quarry on the backs of the already burdened local residents.

Proximity to Local Residents. There are more than 140 properties within two miles of the proposed quarry site, some as close as 1200 feet and with direct line-of-sight to the quarry operations. The vast majority, if not all, of these property owners are vehemently opposed to the applicant’s quarry plans. The policies incorporated in the El Paso County Southwestern Highway 115 Comprehensive Plan (see below) state “any resource extraction operation should be located a minimum of two miles distant from any dissenting residents”.

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While we understand the importance of aggregate to a growing Colorado Springs community, we feel our unique community is already sufficiently burdened with three quarries operating in our midst, not to mention the constant training activities of our Fort Carson neighbors. We accept our current state of affairs. Bringing another large-scale quarry operation to our community is a bridge too far.

Thank you for your time and consideration.

Respectfully,

Sherry Diggs
Colorado Springs, CO 80926
The Piñons of Turkey Cañon Ranch

P.S. As one who travels daily to work in Colorado Springs, I can attest to the danger of having additional quarry trucks on the highway. The proposed location for entrance and exit to Highway 115 is ludicrous to even consider given the danger it poses. Many times rocks and sand fly off of the trucks damaging vehicles and windshields. The flow of traffic on the commute is often slowed dramatically by quarry trucks entering the highway and going into the canyon. Finally, as a property owner, I am concerned about the value of my property with the proposed addition of quarry trucks on an already overburdened and dangerous highway.

AME

FR: Wayne Diggs

RECEIVED

April 2, 2016

APR 08 2016

Colorado Division of Reclamation, Mining and Safety
1313 Sherman Street, Room 215
Denver, Colorado 80203

DIVISION OF RECLAMATION
MINING AND SAFETY

Re: Transit Mix Concrete Company application for Reclamation Permit, Hitch Rack Ranch
Quarry (# M2016010)

Dear Madam or Sir;

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Proximity to Local Residents. There are more than 140 properties within two miles of the proposed quarry site, some as close as 1200 feet and with direct line-of-sight to the quarry operations. The vast majority, if not all, of these property owners are vehemently opposed to the applicant’s quarry plans. The policies incorporated in the El Paso County Southwestern Highway 115 Comprehensive Plan (see below) state “any resource extraction operation should be located a minimum of two miles distant from any dissenting residents”.

Comprehensive Development Plan. This application for permit is in clear violation of the current Southwestern (Highway 115) Comprehensive Plan. This is a plan commissioned and adopted by the El Paso County Board of County Commissioners for the Highway 115 area. This comprehensive plan foresaw the potential for future demands for mineral resource extraction in the area, and adopted specific policies to address it. The Hitch Rack Ranch Quarry application is in specific violation of the following policies in this plan:

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No Alternatives. Residents in close proximity to the proposed quarry have no other alternatives but their status quo. They have but one source of water, their individual wells. They have but one route of ingress and egress to their properties, Little Turkey Creek Road. They have but one transportation corridor into and out of the community, Highway 115. Even routine operations of a Hitch Rack Ranch Quarry will have a significant impact on residents. For example, blasting operations, which Transit Mix proposes to conduct two or three times each week, will require closing Little Turkey Creek Road, precluding the owners and residents of 43 lots from leaving or returning to their properties. More severe occurrences run the risk of closing the only highway and/or effectively sealing off access to properties in the area.

While we understand the importance of aggregate to a growing Colorado Springs community, we feel our unique community is already sufficiently burdened with three quarries operating in our midst, not to mention the constant training activities of our Fort Carson neighbors. We accept our current state of affairs. Bringing another large-scale quarry operation to our community is a bridge too far.

Thank you for your time and consideration.

Respectfully,

Wayne Diggs
Colorado Springs, CO 80926
The Piñons of Turkey Cañon Ranch

P.S. As one who travels daily to work on Hwy. 115, I can attest to the danger of having additional quarry trucks on the highway. The proposed location for entrance and exit to Highway 115 is ludicrous to even consider given the danger it poses. Many times rocks and sand fly off of the trucks damaging vehicles and windshields. The flow of traffic on the commute is often slowed dramatically by quarry trucks entering the highway and going into the canyon. Finally, as a property owner, I am concerned about the value of my property with the proposed addition of quarry trucks on an already overburdened and dangerous highway.

AME

FR:
Lynn Steer
1125 Glenrock Drive
Colorado Springs, CO
80926

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✓ APR 11 2016

DIVISION OF RECLAMATION
MINING AND SAFETY

March 31, 2016

Ms. Amy Eschberger
Colorado Division of Reclamation, Mining and Safety
1313 Sherman Street, Room 215
Denver, Colorado 80203

Re: Transit Mix Concrete Company application for Reclamation Permit, Hitch Rack Ranch Quarry
(# M2016010)

Dear Ms. Eschberger

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Our research has unveiled significant constraints to additional quarry development in the proposed location including: limited water supplies, a fragile groundwater system, rich wildlife and vegetation resources, public health and safety, air and noise contamination, compromised transportation within the community, traffic hazards along Highway 115, existing quarries that satisfy the demand, violation of current development plans for the area, proximity to local residents, and limited or no alternatives for residents.

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1: microburst in 2013, 11.5" in 1 hour
2nd wettest spring on record was 2015

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Comprehensive Development Plan: This application for permit is in clear violation of the current Southwestern (Highway 115) Comprehensive Plan. This is a plan commissioned and adopted by the El Paso County Board of County Commissioners for the Highway 115 area. This comprehensive plan foresaw the potential for future demands for mineral resource extraction in the area, and adopted specific policies to address it. The Hitch Rack Ranch Quarry application is in specific violation of the following policies in this plan:

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Respectfully,



Lynn M. Steer
1125 Glenrock Drive
Colorado Springs, CO
80926

Copy to:

Congressman Doug Lamborn, U.S. House of Representatives, Colorado's Fifth District
1125 Kelly Johnson Blvd., #330, Colorado Springs, CO 80920

Senator Kevin Grantham, Colorado State Senator, District 2
200 E. Colfax Ave., Denver, CO 80203

Representative Lois Landgraf, Colorado State Representative, District 21
200 E. Colfax Ave., Denver, CO 80203

AME

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FR:

BEN DONAHUE, PRESIDENT, ROCK CREEK PARK ASS,
8801 ROCK CREEK LANE
COLORADO SPRINGS, COLORADO
80926

March 31, 2016

Ms. Amy Eschberger
Colorado Division of Reclamation, Mining and Safety
1313 Sherman Street, Room 215
Denver, Colorado 80203

RECEIVED

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DIVISION OF RECLAMATION
MINING AND SAFETY

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(# M2016010)

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Respectfully,

Ben Donahue
BEN DONAHUE PRESIDENT ROCK CREEK PARK ASSOCIATION
8801 ROCK CREEK LANE
COLORADO SPRINGS, COLORADO
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Copy to:

Congressman Doug Lamborn, U.S. House of Representatives, Colorado's Fifth District
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FE:

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Holly Sandler
1245 Glenrock Dr
Colorado Springs, CO
80926

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✓ APR 11 2016

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MINING AND SAFETY

March 31, 2016

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Vegetation: The vegetation analysis sections of the application contain several inaccuracies. The quarry site provides high quality foothills plant communities that are rapidly being converted to development north and south of this area. The dry (xeric) tallgrass sites along the Front Range are also rarely found in the high quality condition in evidence at this site. It contains excellent to good examples of globally-imperiled mountain mahogany/needlegrass community, an excellent occurrence of globally vulnerable piñon pine/Scribner needlegrass community, as well as an excellent occurrence of mesic oak thicket community. The lodgepole pine and blue spruce mentioned repeatedly in the application do not appear in significant numbers, while the white pine, which is very common at the site, is not mentioned at all.

Noise and Air Contamination: Quarrying requires drilling and blasting with explosives, which create vibrations, noise, and dust. Once this process is completed, rock crushing machines crush the rock, conveyor belt machines move the rock around the processing plant; trucks are loaded and unloaded. The process and heavy machinery required to mine, is intrusive and creates significant noise and air pollution; thus having a direct impact on the surrounding areas and community. Air quality is compromised and diminished by the fugitive dust associated with aggregate mining. Dust generated by mining often contains silica, a common naturally occurring crystal found in most rock beds. Prolonged exposure to silica may result in silicosis. According to the Centers for Disease Control, "silicosis is a disabling, nonreversible and sometimes fatal lung disease caused by over exposure to respirable crystalline silica. Over exposure to dust that contains microscopic particles of crystalline silica can cause scar tissue to form in the lungs, which reduces the lung's ability to extract oxygen from the air we breathe." In addition to silicosis, inhalation of crystalline silica particles has been associated with other diseases, such as bronchitis and tuberculosis.

Noise and Air Contamination continued: Due to our unique dry climate with sustained Chinook winds of 20 to 40 miles per hour this is a health issue for both humans and animals living within a four mile radius of this quarry. Dr. Robert Nathan, MD, a Diplomate of the American Board of Allergy and Immunology, and known world wide for his research and knowledge, noted in a letter to your office that the Silica dust behaves similarly to pollen, "it can impact the airways of asthma and COPD patients as far a 3-4 miles away." We have several of those patients living here daily on Glenrock Drive.

Transportation: Transportation in the Highway 115 area is unique in that the normal hierarchy of roads do not exist. Highway 115 is the lifeline upon which residents depend. It is the only means of transportation into, out of, and within the community. **There are no other alternatives, and residents cannot avoid using Highway 115 for their life-sustaining transportation needs.** Thus, the condition and safety of Highway 115 are primary concerns of all residents. According to the El Paso County Major Transportation Corridors Plan (MTCP), Highway 115 south of Fort Carson's main gate is functionally classified as "congested". Major sections of the highway are two lane, including the point at which Transit Mix proposes to access the highway. The proposed highway access point is also located at a historically dangerous place, with multiple fatal traffic accidents in recent years. **Unfortunately, the 2040 MTCP Roadway Plan does not call for any improvements to Highway 115 through the year 2040, so the highway we have now is what we will live with for many years to come. If the Hitch Rack Ranch Quarry is allowed to proceed, an already congested highway, currently bearing truck traffic from three active quarries, will be burdened by as many as 624 additional trucks per day when the quarry is at full production. This additional traffic will exacerbate traffic hazards not only for the local residents, but also for the many commuters who use this major thoroughfare to Colorado Springs, as well as the many tourists, bicyclists, and motorcycle clubs who frequent the area for it's unique geographic and aesthetic appeal.**

Existing Quarries: There are currently three quarries operating within a five mile stretch along Highway 115, the nearest less than three miles from the proposed Hitch Rack Ranch Quarry site. The quarry operators report they are currently operating at roughly half their capacity. When questioned why such low production, the response is "insufficient demand". This calls into question the need for yet another quarry on the backs of the already burdened local residents.

Proximity to Local Residents: There are more than 140 properties within two miles of the proposed quarry site, some as close as 1200 feet and with direct line-of-sight to the quarry operations. The vast majority, if not all, of these property owners are vehemently opposed to the applicant's quarry plans. The policies incorporated in the El Paso County Southwestern Highway 115 Comprehensive Plan (see below) state "any resource extraction operation should be located a minimum of two miles distant from any dissenting residents".

Comprehensive Development Plan: This application for permit is in clear violation of the current Southwestern (Highway 115) Comprehensive Plan. This is a plan commissioned and adopted by the El Paso County Board of County Commissioners for the Highway 115 area. This comprehensive plan foresaw the potential for future demands for mineral resource extraction in the area, and adopted specific policies to address it. The Hitch Rack Ranch Quarry application is in specific violation of the following policies in this plan:


1. The entire burden of proof for demonstrating the existence of extractable mineral resources should lie with the applicant. Designation of potentially extractable mineral resources in the Master Plan for the Extraction of Commercial Mineral Deposits should in no way be seen as a justification or an implied right for mining.
2. Resource extraction operations in general are not supported in the planning area. However, the presence of existing operations is recognized, and if future conditions dictate the necessity for additional supplies of aggregate, the expansion of existing operations is preferred over new quarries.
3. At no time during their operations should resource extraction affect the quantity, quality, or dependability of residents' existing water supplies or result in the diversion of existing water supplies. The full burden of proof for assuring this will lie with the applicant.
4. Access from Highway 115 to any resource extraction operation should not affect the quality of the existing access to area residents.
5. Unless it can be demonstrated that topography will shield existing residents from visual, noise, and dust impacts, all resource extraction operations should be located a minimum of two miles distant from any dissenting residents.
6. Wildlife and wildlife protection routes should be protected through the development of a wildlife overlay zone, addressing the need for protecting critical habitat areas.
7. Development should not be allowed in riparian areas, both because the hazard of flooding and because of their exceptionally high wildlife values. Any drainage improvements undertaken in the area should be treated in the most natural way possible to minimize any impacts on riparian areas.
8. The specific area of Aiken Canyon is identified as a unique and significant biological resource of state-wide significance that should continue to be preserved. Preservation is not compatible with most public access, and management should maximize wildlife and scientific values.

No Alternatives: Residents in close proximity to the proposed quarry have no other alternatives but their status quo. They have but one source of water, their individual wells. They have but one route of ingress and egress to their properties, Little Turkey Creek Road. They have but one transportation corridor into and out of the community, Highway 115. Even routine operations of a Hitch Rack Ranch Quarry will have a significant impact on residents. For example, blasting operations, which Transit Mix proposes to conduct two or three times each week, will require closing Little Turkey Creek Road, precluding the owners and residents of 43 lots from leaving or returning to their properties. More severe occurrences run the risk of closing the only highway and/or effectively sealing off access to properties in the area.

The objections addressed above should be considered representative, but incomplete due to the limited time frame available to us for review, research and analysis. We reiterate our request that the study period be extended to give us a reasonable amount of time to conduct a thorough and meaningful study.

Thank you for your time and consideration.

Respectfully,


1245 Glenrock Dr.
Colorado Springs, CO 80926

Copy to:

Congressman Doug Lamborn, U.S. House of Representatives, Colorado's Fifth District
1125 Kelly Johnson Blvd., #330, Colorado Springs, CO 80920

Senator Kevin Grantham, Colorado State Senator, District 2
200 E. Colfax Ave., Denver, CO 80203

Representative Lois Landgraf, Colorado State Representative, District 21
200 E. Colfax Ave., Denver, CO 80203

AME

Paul Reinsma

RECEIVED

29

April 05, 2016

Colorado Division of Reclamation, Mining and Safety
1313 Sherman Street, Room 215
Denver, Colorado 80203

✓ APR 11 2016

DIVISION OF RECLAMATION
MINING AND SAFETY

Re: Transit Mix Concrete Company Application for Reclamation Permit,
Hitch Rack Ranch Quarry (# M2016010)

Dear Madam or Sir,

I am a retired Hydraulics/Hydrology (H&H) Professional Engineer (P.E.) previously employed by the *State of Colorado Dept. of Transportation* and now retired. My employment with *The State of Colorado* frequently brought me into conference with officials from the *CDOT Environmental Staff* and representatives from *State Health (EPA)* and *FEMA* in seeking solutions to many types of water and drainage problems.

I am writing to express concerns regarding the above application for new rock mining which I believe may create an intractable water resources pollution problem for present and future residents along the SH115 corridor. The proposed mining would occur on Hitch Rack Ranch which is just north of my residence in *The Piñons of Turkey Cañon Ranch* development.

When I moved into *The Piñons of Turkey Cañon Ranch* Development in 1999 I soon learned that the water supply for *The Piñons* was out of compliance with uranium and radiological maximum contamination levels (MCLs). I became a volunteer to our unpaid water board and we put enormous effort into finding a way a small district could mitigate uranium in the water supply. After several years of work we did evolve an engineering solution to removing the uranium, albeit a burdensome expense imposed upon our small water district.

In working with the above problem we discovered that much of the Rocky Mountain Front Range has naturally occurring uranium in the underlying rock. This seems to be a common characteristic of mountainous up thrusts throughout the world.

Our water supplies come from aquifers fed by infiltration from rain and snow in the mountains. In theory this infiltrated water has followed the same underground rock fissures for eons, and the water has leached out the mineral deposits in its paths. When mining uses explosives to fracture the rock it creates new pathways for the infiltrated water and new exposures to heavy metals in its path. If the water becomes contaminated with heavy metals this creates a new and tremendously difficult problem mitigation problem for the water supply.

Hitch Rack Ranch is so close and so similar to *The Piñons of Turkey Ranch* that it seems very probable that mining there will create the same conditions as those found at *The Piñons of Turkey Cañon Ranch*.

It seems prudent that the Colorado Division of Reclamation, Mining and Safety prior to approving this operation should require Transit Mix Concrete Company to conduct a study to prove that their proposed operation will not expose the water supply to any possible contamination by heavy metals. They should also assume the responsibility for mitigating any contamination of the water supply, should it occur.

Respectfully,

 P.E.

Paul Reinsma, P.E.
15515 Cala Rojo Drive
Colorado Springs, CO 80926

FR'

James H. Enderson

5 April 2016

30

Dear Ms. ~~Eschbacher~~ ^{Enderson}

I sent in these materials a couple of weeks ago, but apparently the attached report did not get into the data base of comments.

These items have the file number of the permit request; please assure the report is in the file so anyone can access it.

Many thanks

James H. Enderson

RECEIVED

APR 11 2016

DIVISION OF RECLAMATION
MINING AND SAFETY

James H. Enderson
3215 Austin Drive
Colorado Springs, CO 80906

James H. Enderson
3215 Austin Drive
Colorado Springs CO 80909
719-633-6457

Colorado Division of Reclamation, Mining, and Safety

1313 Sherman Street

Denver CO 80203

RE: Transit Mix Quarry Application

Permit request: M2016010

Dear Reviewer,

My wife Betty and I own a cabin on Lot #8, Eagles Nest, west of the proposed quarry. We were shocked by the proposal and of course strongly urge that the permit sought by Transit Mix be denied.

We purchased the property in 1999 and repaired the cabin built about 1920. I am retired (2001) and normally go to the property every week unless the snow is deep as in the last winter. The only access is across the Hitch Rack Ranch on an easement maintained by Eagles Nest owners. Intermittent closure of the road would mean we would need to adjust our travel and recreation to times when the road is supposed to be open.

The problem goes beyond inconvenience. With a quarry and blasting, the value of the property would be much reduced. Imagine telling a prospective buyer, "by the way, you will not be able to go to and from the place when you want to." (As I write this letter the value of the cabin and the 32 acres is probably much reduced, pending your decision.)

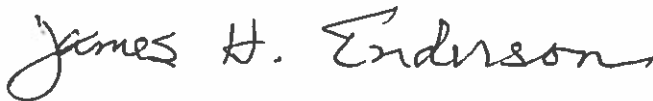
Unfortunately, the potential of losing full-time use of the road is especially serious for me. In February of 2014, I became restricted to full-time medical oxygen. The cause was auto-immune lung damage. The condition has stabilized and does not interfere with travel to the cabin, but the small portable oxygen bottles limit my time there to a few hours. Oxygen equipment failure or another mishap would require urgent use of the road.

In addition to our personal concerns, the site is a very poor place for a quarry. The region around the proposed site is now too densely populated for a quarry operation.

Truck traffic and blasting noise would increase in an area where people are presently enduring more aviation noise due to recent addition of helicopters at Fort Carson.

I have read the Exhibits in the Permit Application that deal with Wildlife, Vegetation, and Reclamation. Reclamation (two Exhibits) deals mainly with re-establishment of plants. Attached is a copy of some of my reactions to these Exhibits. These comments are based on my college teaching and field research experience involving the flora and fauna of the Pikes Peak Region since 1962. There are significant errors, omissions, and other issues in these exhibits. Overall, they underestimate the biological richness of the present setting, and vastly understate the difficulty of recovery after quarrying.

Sincerely yours,

A handwritten signature in cursive script that reads "James H. Enderson". The signature is fluid and written in dark ink.

James H. Enderson

James H. Enderson
3215 Austin Drive
Colorado Springs, CO 80906
719-633-6457

1

Permit Request No.: M2016010

Review of the Wildlife, Vegetation, and Reclamation Exhibits in the Application for a Quarry Permit by Transit Mix on the Hitch Rack Ranch

James H. Enderson

17 March 2016

Below are comments that point to errors or other issues dealing with animals, plants, and the post-digging aftermath. These concerns are based on my familiarity with the region acquired in nearly 40 years of teaching field courses in zoology, botany, and ecology at Colorado College. My ongoing research involves raptors, work that has caused me to travel extensively in rugged drainages statewide. I own a cabin on land in Eagles Nest.

In the Wildlife, Vegetation, and Reclamation portions of the Application, various topics appear more than once. Further, some of these topics are mentioned again in the analysis by an outside consulting firm. My comments below appear generally in the order they were encountered in the text. I did not trespass when gathering information for this review, but remained on the legal easement to and from my property on Eagles Nest.

ANIMALS

1. The statement that "turkeys are not common in the mining area" is contrary to my experience. They are especially common there, and perhaps roost in the tall cottonwoods, and loiter in daytime in the adjacent dense forest.

2. Peregrines nest nearly two miles from the property. No mention is made of prairie falcons that have nested about one mile both NE and S from the property.

3. The paper mentions the drainages as corridors for elk, but then ignores the significance of Little Turkey Creek (LTC). The mine site is commonly used by elk, except perhaps in mid-summer. The site offers excellent forage. Elk are not limited to "higher elevations". Deer are present year-around because of prime forage available.

4. Spotted Owls probably use the area; in the mid-1990s I saw one in summer in lower Rock Creek four miles NNE, and tracked another by aircraft centered about 8 miles south. They are easily overlooked by ground surveys, especially outside the breeding period. The riparian habitat in the western one-half of the proposed mine site is ideal with diverse old-age timber.

5. The pre-mining forest would not be available to wildlife in “50 to 80” years. If wildfire were involved, recovery might occur that quickly. But removal of substrate, even with attempts to replace “topsoil”, makes recovery extremely long-term. The Castle Concrete quarry north of Queens Canyon graphically bares that out. Many attempts to establish tree cover there failed. How many decades will recovery of vegetation at Pikeview quarry require? At LTC, the pinyon-juniper component now includes trees exceeding 200 years in age (the oldest may exceed 400 years).

6. LTC is intermittent; in drought years there is no above surface flow on the permit area. Leopard Frogs do not last long in that environment.

7. What is the purpose of “pre-construction” raptor surveys? What if Coopers Hawks or Flammulated Owls were found on nesting territory?

VEGETATION

8. In the Animal section, mention is made of “seral stages” implying a gradual succession to forest habitat. Yet the reclamation section suggests Douglas Fir will be planted directly after the grasses. What “seral stages” are expected?

9. In the foothills setting of the proposed mine site, aspect (orientation in regard to the sun) primarily dictates which plant community or mixture will be naturally established. Orientation far outweighs the effects of the bewildering array of soil types shown in the tables. What is the purpose of this display? Would each soil type be returned post-mining in the original pattern instead of being mixed by machinery?

10. At least twice Lodgepole Pine is mentioned in association with Douglas Fir. There is no Lodgepole Pine within many miles of the site.

11. Blue Spruce is mentioned several times. There apparently is none on the site. White Fir is very common in all age groups, yet it is not mentioned at all.

RECLAMATION

12. This statement appears: “Surrounding land uses are wildlife habitat (National Forest) to the west and agriculture to the east”. Actually, the land to the west is thinly

residential, and mainly residential and military training/aviation activity to the east. Badly disturbed pasture exists on the site of the proposed mine access road.

13. Figure F-1 shows reclamation based on extensive Douglas Fir forest to be established on the quarried sites. The species is shown on both north and south facing slopes. No consideration of aspect is apparent. Douglas Fir would be of very limited use in reclamation of the south-facing north side of the valley. Further, what has become of pinyon/juniper woodland in the re-vegetation scheme? It is now fairly extensive.

14. Gambel's Oak depends on underground stems for reproduction and fire durability. Reproduction by acorns is seldom seen. Attempts to plant oak on recently disturbed lands have been problematic. The oaks now existing on the property may include stands with root systems many centuries old.

15. A cocktail of the seeds of so many grass species, all sown for replanting on the same newly spread "top soil", assumes all have the same requirements. This is exceedingly unlikely. Does big bluestem actually occur on the site?

16. The present riparian habitat is small yet is rich in plant species. The result is great plant structural diversity. This in turn favors high animal diversity. The restoration map shows only a small section "restored" on LTC. A tract extending 50 meters on either side of LTC includes much of the most valuable habitat on the entire mine site in regard to the flora and fauna. It could not be artificially reclaimed if removed and would require at least two centuries to return naturally. Two giant specimens of White Fir now present would be typical of old-growth conditions and surely rank among the very largest White Firs in the County.

17. It is a stretch to claim bare blasted walls might be more esthetic than natural talus slopes. Is this an admission the slopes cannot be "reclaimed" or restored? Who in the CDRMS office or the El Paso County office will know if one is more esthetic than the other?

In the end, the proposed quarry site is in an ecotone where several plant communities come together and mix. The result is a calico of flora resulting from the

varied soils, slopes, and slope orientations. Restoration and “recovery” are impossible. One thing is certain. Once the quarrying is over, the site will quickly be vegetated with invasive foreign colonizers such as woolly mullein and sweet clover.



The Nature Conservancy in Colorado
2424 Spruce Street
Boulder, CO 80302

tel (303) 444-2950
fax (303) 444-2985

nature.org/colorado

31
Rec: 4/11/16

April 11, 2016

Ms. Amy Eschberger
Colorado Division of Reclamation, Mining and Safety
1313 Sherman Street, Room 215
Denver, CO 80203

Subject: Transit Mix Concrete Permit #M-2016-010

Dear Amy,

The Nature Conservancy (TNC) would like to provide comments regarding Transmit Mix Concrete's permit application (Permit #M-2016-10) in El Paso County. This response is based on our knowledge and interests related to the proposed quarry lease by Transit Mix Concrete on 865.97 acres in El Paso County. We have the following concerns about the possible environmental impacts of the proposed quarry:

The proposed quarry site is mapped by the US Fish and Wildlife Service as Critical Habitat for the Mexican Spotted Owl (*Strix occidentalis lucida*), a federally listed threatened species. The map can be found at the link below (SRM C1):

http://www.fws.gov/southwest/es/MSO_critical_habitat_archive.html#maps. It is TNC's understanding that Transit Mix Concrete is working with the US Fish and Wildlife Service, as well as conducting surveys for owls to determine whether the proposed quarry would impact the Mexican Spotted Owl, which we believe are essential steps to determining whether the project should go forward.

The site is also part of the Aiken Canyon Potential Conservation Area and was identified by the Colorado Natural Heritage Program in 2001 as a B2 site – a site of very high conservation significance. This location provides high quality foothills plant communities that are rapidly being converted to development north and south of this area. These dry (xeric) tallgrass sites along the Front Range are also rarely found in high quality condition and support several rare species of butterflies. The site contains excellent to good examples of globally-imperiled (G2 S2) mountain mahogany/needlegrass community (*Cercocarpus montanus/Stipa comata*), an excellent condition occurrence of a globally vulnerable (G3 S2) pinyon pine/Scribner needlegrass community (*Pinus edulis/Stipa scribneri*), as well as an excellent occurrence of mesic oak thicket community (*Quercus gambelii-Cercocarpus montanus/Muhlenbergia montana*).

More than 100 species of birds have been documented on property adjacent to the proposed quarry site, and the stream corridors are also known to be important movement areas for wide-ranging mammals such as mountain lions, black bear, mule deer, and elk. The proposed mining plan does not appear to provide an adequate buffer to protect the use of intermittent stream corridors by these sensitive species.

The Nature Conservancy holds a 99 year conservation lease with the SLB to manage Aiken Canyon Preserve for conservation values. This preserve is adjacent to the proposed lease area (just to the south), including the mine site. Potential mine activity impacts include noise, dust, and direct impacts to wildlife and plant communities. As such, it may impact our ability to conserve and manage the resources identified on Aiken Canyon Preserve in accordance with the terms of our lease. The conservation values at Aiken Canyon Preserve are the same as listed above on the proposed mining site and are the basis of our 99 year conservation lease.

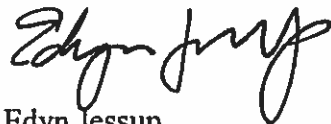
While we have not had the opportunity to view the proposed site in person or assess the restoration plans with the specifics of the site in mind, we also have some concerns that Transit Mix Concrete's proposed restoration plans may not be sufficient to protect and reclaim the existing plant communities and conservation values on the property.

Some of the conservation values present on Aiken Canyon Preserve and the proposed mine site are considered irreplaceable by The Nature Conservancy and the Colorado Natural Heritage Program. They therefore merit the highest standards of inventory and protection. Impacts to these conservation values should be avoided. Impacts to other values may be minimized to an acceptable level through the implementation of best management practices. For example, riparian areas should have a set back from mining activities to minimize any impacts to these important wildlife corridors. The Nature Conservancy is interested in engaging with the CDMRS and the mine applicant to share information, recommend ways to avoid impacting the conservation values, and inform best practices.

Please don't hesitate to contact me with questions about the above information or to arrange additional dialogue. I can be reached at ejessup@tnc.org or 720-974-7070.

Thank you for your time and attention to this matter.

Respectfully,

A handwritten signature in black ink, appearing to read 'Edyn Jessup', written in a cursive style.

Edyn Jessup
Land Assets Manager

AME

Dan Harrell

RECEIVED

✓ APR 12 2016

32

March 30, 2016

DIVISION OF RECLAMATION
MINING AND SAFETY

Colorado Division of Reclamation, Mining and Safety
1313 Sherman Street, Room 215
Denver, Colorado 80203

Re: Transit Mix Concrete Company application for Reclamation Permit, Hitch Rack Ranch
Quarry (# M2016010)

Dear Madam or Sir;

I am writing to express my opposition to the referenced quarry permit application. I live in the Piñons of Turkey Cañon Ranch, just south of the proposed Hitch Rack Ranch Quarry operation.

The implementation of yet ANOTHER quarry represents a threat to home values, the safety of the residents and wildlife in the area, and most of all the very reason that my family has chosen to make Colorado our home. It would simply burden an already burdened community even further as it relates to its water supply, wildlife preservation, community safety, and home appreciation. **Our community is prepared to use whatever means are at our disposal to block such an expansion which exposes our community to a variety of health and financial risks and is clearly in violation with the policies set forth by local commissioners who established policy to attract families like ours to this natural setting.**

I, along with all my neighbors within the Piñons, am opposed to bringing yet another large-scale aggregate mining operation to our community, in addition to the three quarries already in service along a five mile stretch of Highway 115.

Water Supply. All residents along the Highway 115 corridor depend on ground water for their domestic water supply and the proposed quarry operations are likely to impact the water table in such a way as to create risks to these wells on which we depend.

Wildlife. It is not acceptable to take the word of the applicant on their assessment of the wildlife impact caused by quarry operations. An independent and objective wildlife study needs to be completed. The proposed mining plan does not appear to provide an adequate buffer to protect the use of intermittent stream corridors by the species in the area.

Noise and Air Contamination. Quarrying requires drilling and blasting with explosives, which create vibrations, noise, and dust. Once this process is completed, rock crushing machines crush the rock, conveyor belt machines move the rock around the processing plant; trucks are loaded and unloaded. The process and heavy machinery required to mine, is intrusive and creates significant noise and air pollution; thus having a direct impact on the surrounding areas and community. Air quality is compromised and diminished by the fugitive dust associated with aggregate mining. Dust generated by mining often contains silica, a common naturally occurring crystal found in most rock beds. Prolonged exposure to silica may result in silicosis. According to the Centers for Disease Control, “silicosis is a disabling, nonreversible and sometimes fatal lung disease caused by over exposure to respirable crystalline silica. Over exposure to dust that contains microscopic particles of crystalline silica can cause scar tissue to form in the lungs, which reduces the lung’s ability to extract oxygen from the air we breathe.” In addition to silicosis, inhalation of crystalline silica particles has been associated with other diseases, such as bronchitis and tuberculosis. This is a health issue for the abutting and nearby residential home owners and their livestock.

Existing Quarries. There are currently three quarries operating within a five mile stretch along Highway 115, the nearest less than three miles from the proposed Hitch Rack Ranch Quarry site. The quarry operators report they are currently operating at roughly half their capacity. When questioned why such low production, the response is “insufficient demand”. This calls into question the need for yet another quarry on the backs of the already burdened local residents.

Proximity to Local Residents. There are more than 140 properties within two miles of the proposed quarry site, some as close as 1200 feet and with direct line-of-sight to the quarry operations. The vast majority, if not all, of these property owners are vehemently opposed to the applicant’s quarry plans. The policies incorporated in the El Paso County Southwestern Highway 115 Comprehensive Plan (see below) state *“any resource extraction operation should be located a minimum of two miles distant from any dissenting residents”*. There are health and financial consequences to not adhering to these policies.

Comprehensive Development Plan. This application for permit is in clear violation of the current Southwestern (Highway 115) Comprehensive Plan. This is a plan commissioned and adopted by the El Paso County Board of County Commissioners for the Highway 115 area. This comprehensive plan foresaw the potential for future demands for mineral resource extraction in the area, and adopted specific policies to address it. The Hitch Rack Ranch Quarry application is in specific violation of the following policies in this plan:

1. The entire burden of proof for demonstrating the existence of extractable mineral resources should lie with the applicant. Designation of potentially extractable mineral resources in the Master Plan for the Extraction of Commercial Mineral Deposits should in no way be seen as a justification or an implied right for mining.
2. Resource extraction operations in general are not supported in the planning area. However, the presence of existing operations is recognized, and if future conditions dictate the necessity for additional supplies of aggregate, the expansion of existing operations is preferred over new quarries.
3. At no time during their operations should resource extraction affect the quantity, quality, or dependability of residents’ existing water supplies or result in the diversion of existing water supplies. The full burden of proof for assuring this will lie with the applicant.
4. Access from Highway 115 to any resource extraction operation should not affect the quality of the existing access to area residents.

5. Unless it can be demonstrated that topography will shield existing residents from visual, noise, and dust impacts, all resource extraction operations should be located a minimum of two miles distant from any dissenting residents.
6. Wildlife and wildlife protection routes should be protected through the development of a wildlife overlay zone, addressing the need for protecting critical habitat areas.
7. Development should not be allowed in riparian areas, both because the hazard of flooding and because of their exceptionally high wildlife values. Any drainage improvements undertaken in the area should be treated in the most natural way possible to minimize any impacts on riparian areas.
8. The specific area of Aiken Canyon is identified as a unique and significant biological resource of state-wide significance that should continue to be preserved. Preservation is not compatible with most public access, and management should maximize wildlife and scientific values.

No Alternatives. My family in close proximity to the proposed quarry have no other alternatives but the status quo. We have but one source of water, the community well. We have but one route of ingress and egress to our property, Little Turkey Creek Road. We have but one transportation corridor into and out of the community, Highway 115. Even routine operations of a Hitch Rack Ranch Quarry will have a significant impact on our community. For example, blasting operations, which Transit Mix proposes to conduct two or three times each week, will require closing Little Turkey Creek Road, precluding the owners and residents of 43 lots from leaving or returning to their properties. More severe occurrences run the risk of closing the only highway and/or effectively sealing off access to properties in the area.

While we understand the importance of aggregate to a growing Colorado Springs community, we feel our unique community is already sufficiently burdened with three quarries operating in our midst, not to mention the constant training activities of our Fort Carson neighbors. We accept our current state of affairs. Bringing another large-scale quarry operation to our community is completely unacceptable and in conflict with the policies that were put in place to attract us to this location. Rest assured that any consequences of moving forward with this operation will be met with an appropriate response.

Thank you for your time and consideration.

Respectfully,



Dan Harrell
16230 Cala Rojo Dr.
Colorado Spring, CO 80926
The Piñons of Turkey Cañon Ranch

AME

Brent & Lee(?) Louzon

RECEIVED

33

FR:

MR. & MS BRENT LOUZON
9320 OLD CANYON CITY RD
COLORADO SPRINGS, CO 80926

✓ APR 12 2016

DIVISION OF RECLAMATION
MINING AND SAFETY

March 31, 2016

Ms. Amy Eschberger
Colorado Division of Reclamation, Mining and Safety
1313 Sherman Street, Room 215
Denver, Colorado 80203

Re: Transit Mix Concrete Company application for Reclamation Permit, Hitch Rack Ranch Quarry
(# M2016010)

Dear Ms. Eschberger

I am submitting this letter on behalf of the 13 property owners within the Ridgewood Estates (Glenrock Drive). Ridgewood Estates is located along Highway 115, two miles North of the proposed Hitch Rack Ranch Quarry operation.

Based on our investigations and research, the owners and residents within the Ridgewood Estates are unanimously opposed to bringing an additional large-scale aggregate mining operation to our community, as there are already three quarries in service along this five mile stretch of Highway 115.

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Existing Quarries: There are currently three quarries operating within a five mile stretch along Highway 115, the nearest less than three miles from the proposed Hitch Rack Ranch Quarry site. The quarry operators report they are currently operating at roughly half their capacity. When questioned why such low production, the response is "insufficient demand". This calls into question the need for yet another quarry on the backs of the already burdened local residents.

Proximity to Local Residents: There are more than 140 properties within two miles of the proposed quarry site, some as close as 1200 feet and with direct line-of-sight to the quarry operations. The vast majority, if not all, of these property owners are vehemently opposed to the applicant's quarry plans. The policies incorporated in the El Paso County Southwestern Highway 115 Comprehensive Plan (see below) state "any resource extraction operation should be located a minimum of two miles distant from any dissenting residents".

Comprehensive Development Plan: This application for permit is in clear violation of the current Southwestern (Highway 115) Comprehensive Plan. This is a plan commissioned and adopted by the El Paso County Board of County Commissioners for the Highway 115 area. This comprehensive plan foresaw the potential for future demands for mineral resource extraction in the area, and adopted specific policies to address it. The Hitch Rack Ranch Quarry application is in specific violation of the following policies in this plan:

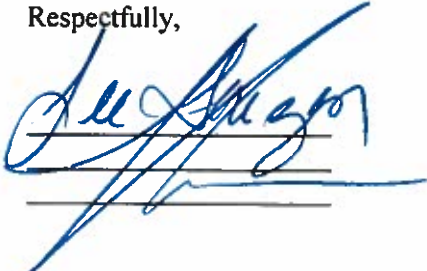
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The objections addressed above should be considered representative, but incomplete due to the limited time frame available to us for review, research and analysis. We reiterate our request that the study period be extended to give us a reasonable amount of time to conduct a thorough and meaningful study.

Thank you for your time and consideration.

Respectfully,

A handwritten signature in blue ink, appearing to read "Doug Lamborn", is written over two horizontal lines.

Copy to:

Congressman Doug Lamborn, U.S. House of Representatives, Colorado's Fifth District
1125 Kelly Johnson Blvd., #330, Colorado Springs, CO 80920

Senator Kevin Grantham, Colorado State Senator, District 2
200 E. Colfax Ave., Denver, CO 80203

Representative Lois Landgraf, Colorado State Representative, District 21
200 E. Colfax Ave., Denver, CO 80203

AME

George & Christine

COUSINEAN

1126 Rock Creek Canyon Rd

CS, CO 80926

RECEIVED

✓ APR 12 2016

DIVISION OF RECLAMATION
MINING AND SAFETY

re: opposition letter

March 31, 2016

Ms. Amy Eschberger
Colorado Division of Reclamation, Mining and Safety
1313 Sherman Street, Room 215
Denver, Colorado 80203

Re: Transit Mix Concrete Company application for Reclamation Permit, Hitch Rack Ranch Quarry
(# M2016010)

Dear Ms. Eschberger

I am submitting this letter on behalf of the 13 property owners within the Ridgewood Estates (Glenrock Drive). Ridgewood Estates is located along Highway 115, two miles North of the proposed Hitch Rack Ranch Quarry operation.

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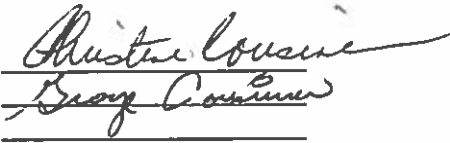
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Thank you for your time and consideration.

Respectfully,



Austin Louane
Doug Lamborn

Copy to:

Congressman Doug Lamborn, U.S. House of Representatives, Colorado's Fifth District
1125 Kelly Johnson Blvd., #330, Colorado Springs, CO 80920

Senator Kevin Grantham, Colorado State Senator, District 2
200 E. Colfax Ave., Denver, CO 80203

Representative Lois Landgraf, Colorado State Representative, District 21
200 E. Colfax Ave., Denver, CO 80203

AME

FR: Paul & Cindy Ragan, Owners

RECEIVED

35

April 5, 2016

✓ APR 12 2016

Colorado Division of Reclamation, Mining and Safety
1313 Sherman Street, Room 215
Denver, Colorado 80203

DIVISION OF RECLAMATION
MINING AND SAFETY

Re: Transit Mix Concrete Company application for Reclamation Permit, Hitch Rack Ranch Quarry
(# M2016010)

Dear Madam or Sir;

I am pleased to submit this letter on behalf of the 58 property owners within the The Piñons of Turkey Cañon Ranch ("the Piñons"). The Piñons is located along Highway 115, just south of the proposed Hitch Rack Ranch Quarry operation.

We hereby request the study period be extended, prior to considering the Transit Mix application. While Transit Mix has been studying this project for two and one-half years, we were only made aware of their permit application in early March of this year. We are at a clear disadvantage in that we have only five weeks to study the 809 page Transit Mix permit application, consult with stakeholders and subject matter experts to analyze the potential impacts, and work with the various regulatory agencies involved in the review and approval process.

That said, based on our investigations thus far, the owners and residents within the Piñons are unanimously opposed to bringing yet another large-scale aggregate mining operation to our community, in addition to the three quarries already in service along a five mile stretch of Highway 115. Significant constraints to additional quarry development exist in the area, including limited water supplies, a fragile groundwater system, rich wildlife and vegetation resources, public health and safety, air and noise contamination, compromised transportation within the community, traffic hazards along Highway 115, existing quarries that satisfy the demand, violation of current development plans for the area, proximity to local residents, and limited or no alternatives for residents.

Water Supply. All residents along the Highway 115 corridor depend on ground water for their domestic water supply. With the exception of Red Rock Valley, Rock Creek Mesa and the Pinons of Turkey Canon Ranch (which are on central well systems), residents are served by individual wells. These wells likely depend on the fracture system within the granitic rock for water supply, while wells in the adjacent upturned sedimentary rocks may depend upon both these fracture systems and infiltration along the granite-sedimentary rock boundary for recharge. This situation makes such wells dependent on the quality of the recharging surface water and highly susceptible to contamination. Contamination from mining operations can travel very quickly through the fracture system to affect domestic wells. The very geology and topography of the proposed Hitch Rack Ranch Quarry site makes such effects exceedingly difficult to predict. Further, the effect from blasting operations (which Transit Mix proposes to conduct two or three times each week) on the fracture system will likely exacerbate the problem, and is equally difficult to predict.

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Vegetation. Whoever prepared the vegetation analysis sections of the application apparently didn't spend much time on the site. The quarry site provides high quality foothills plant communities that are rapidly being converted to development north and south of this area. The dry (xeric) tallgrass sites along the Front Range are also rarely found in the high quality condition in evidence at this site. It contains excellent to good examples of globally-imperiled mountain mahogany/needlegrass community, an excellent occurrence of globally vulnerable piñon pine/Scribner needlegrass community, as well as an excellent occurrence of mesic oak thicket community. The lodgepole pine and blue spruce mentioned repeatedly in the application do not appear in significant numbers, while the white pine, which is very common at the site, is not mentioned at all.

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6. Wildlife and wildlife protection routes should be protected through the development of a wildlife overlay zone, addressing the need for protecting critical habitat areas.
7. Development should not be allowed in riparian areas, both because the hazard of flooding and because of their exceptionally high wildlife values. Any drainage improvements undertaken in the area should be treated in the most natural way possible to minimize any impacts on riparian areas.
8. The specific area of Aiken Canyon is identified as a unique and significant biological resource of state-wide significance that should continue to be preserved. Preservation is not compatible with most public access, and management should maximize wildlife and scientific values.

No Alternatives. Residents in close proximity to the proposed quarry have no other alternatives but their status quo. They have but one source of water, their individual wells. They have but one route of ingress and egress to their properties, Little Turkey Creek Road. They have but one transportation corridor into and out of the community, Highway 115. Even routine operations of a Hitch Rack Ranch Quarry will have a significant impact on residents. For example, blasting operations, which Transit Mix proposes to conduct two or three times each week, will require closing Little Turkey Creek Road, precluding the owners and residents of 43 lots from leaving or returning to their properties. More severe occurrences run the risk of closing the only highway and/or effectively sealing off access to properties in the area.

The objections addressed above should be considered representative, but incomplete due to the limited time frame available to us for review, research and analysis. We reiterate our request that the study period be extended to give us a reasonable amount of time to conduct a thorough and meaningful study.

Thank you for your time and consideration.

Respectfully,



Paul & Cindy Ragan
Owners,
Lot 37 Pinons of Turkey Canon Ranch
4480 Tierra Rojo
Colorado Springs, CO

Copy to:

Congressman Doug Lamborn, U.S. House of Representatives, Colorado's Fifth District
1125 Kelly Johnson Blvd., #330, Colorado Springs, CO 80920

Senator Kevin Grantham, Colorado State Senator, District 2
200 E. Colfax Ave., Denver, CO 80203

Representative Lois Landgraf, Colorado State Representative, District 21
200 E. Colfax Ave., Denver, CO 80203

AME

Sharon Reinsma

RECEIVED

✓ APR 12 2016

DIVISION OF RECLAMATION
MINING AND SAFETY

36

April 06, 2016

Colorado Division of Reclamation, Mining and Safety
1313 Sherman Street, Room 215
Denver, Colorado 80203

Re: Transit Mix Concrete Company application for Reclamation Permit, Hitch Rack Ranch
Quarry (# M2016010)

Dear Madam or Sir,

I am writing to have my name added to the numerous valid opposition letters that you have received in reference to the Transit Mix Concrete Company's application for another quarry just south of Hitch Rack Ranch along Highway 115.

The complaints are valid.

There are already too many rock trucks along Highway 115. The rock companies do not pay for the many broken windshields and dents in our vehicles. Why should we have to pay for damage to our vehicle caused by Transit Mix while the owners in Chicago are making high profits?

We all know the \$200,000 annual in royalty payments don't begin to cover the costs of road damage they will be creating. There again why should the Colorado taxpayers pay for Chicago owners to make profits?

The scenic setting of Hitch Rack Ranch is enjoyed by tourist and locals. There are lots of horses and turkeys to view. The tourists get the most excited about all the wild turkeys roaming on the property.

Transit Mix has not done credible reclamation in northern Colorado Springs. Did they even appropriate an adequate escrow amount for reclamation?

I could write pages of valid reasons for not authorizing another quarry along scenic Highway 115, but you already know why you should not approve yet another unnecessary new quarry.

Sincerely,

Sharon Reinsma

Sharon Reinsma
11515 Cala Rojo Drive
Colorado Springs, CO 80926

FR:

719-226-0546

**STATE OF
COLORADO**

Eschberger - DNR, Amy <amy.eschberger@state.co.us>

NO on Hitch Rack Ranch quarry application, permit number M2016010

2 messages

Sharon <reinsmas@yahoo.com>

Tue, Apr 12, 2016 at 6:37 PM

To: Amy.Eschberger@state.co.us

Dear Amy Eschberger,

On the April 06, 2016 letter that I mailed in with my opposition to permit number M2016010 I did not include my phone number.

Below is a copy of my letter with my phone number added. I am still in strong opposition to Hitch Rack Ranch quarry application #M2016010. Transit Mix has ten years of rock left on their current mine in northwest Colorado Springs. There is no need to destroy the tourist scenic route along Highway 115.

Sincerely,

Sharon Reinsma

15515 Cala Rojo Drive

Colorado Springs, CO 80926

(719) 226-0546

April 06, 2016

Colorado Division of Reclamation, Mining and Safety

1313 Sherman Street, Room 215

Denver, Colorado 80203

Re: Transit Mix Concrete Company application for Reclamation Permit, Hitch Rack Ranch Quarry (#M2016010)

Dear Madam or Sir;

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Sincerely,

Sharon Reinsma

11515 Cala Rojo Drive

Colorado Springs, CO 80926

(719) 226-0546

Eschberger - DNR, Amy <amy.eschberger@state.co.us>
To: Sharon <reinsmas@yahoo.com>

Thu, Apr 14, 2016 at 8:29 AM

Dear Ms. Reinsma,

I have received your timely objection and will add it to the permit file. I appreciate your participation in the application review process for the proposed Hitch Rack Ranch Quarry (Permit No. M-2016-010).

Thanks,

Amy Eschberger
Environmental Protection Specialist



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

P [303.866.3567](tel:303.866.3567) x8129 | F [303.832.8106](tel:303.832.8106) | C [303.945.9014](tel:303.945.9014)
1313 Sherman Street, Room 215, Denver, CO 80203
Amy.Eschberger@state.co.us | <http://www.mining.state.co.us>

[Quoted text hidden]

AME

Weldon & Jennifer Flaharty

37

RECEIVED

✓ APR 12 2016

DIVISION OF RECLAMATION
MINING AND SAFETY

cc:

Weldon W. and Jennifer K. Flaharty (719-527-1572)
1005 Glenrock Dr. (and 4190 Little Turkey Creek Road)
Colorado Springs, CO 80926

April 6, 2016

Ms. Amy Eschberger
Colorado Division of Reclamation, Mining and Safety
1313 Sherman St, Room 215
Denver, Colorado 80203

Re: Application for Reclamation Permit, Hitch Rack Ranch Quarry (# M2016010)

Dear Ms. Eschberger:

As owners of two properties in the affected area, we are opposed to another large-scale aggregate mining operation in the State Highway 115 corridor. We request the application for a new permit, and/or extension of an existing permit, be denied due to conflicts with the following: the El Paso County Board of County Commissioners' Southwest Highway 115 Comprehensive Plan, transportation safety, fragile ground water system, proximity to residents, vulnerable wildlife, susceptible vegetation, air and noise contamination, and property ingress and egress disruptions.

El Paso County Board of County Commissioners' Southwest Highway 115 Comprehensive Plan. The application is in violation of said plan. The comprehensive plan foresaw the potential for future demand of mineral resources extractions in this area and adopted the following policies to address them:

- The entire burden of proof for demonstrating the existence of extractable mineral resources should lie with the applicant. Designation of potentially extractable mineral resources in the Master Plan for the Extraction of Commercial Mineral Deposits should in no way be seen as a justification or an implied right for mining.
- Resource extraction operations in general are not supported in the planning area. However, the presence of existing operations is recognized, and if future conditions dictate the necessity for additional supplies of aggregate, the expansion of existing operations is preferred over new quarries.
- At no time during their operations should resource extraction affect the quantity, quality, or dependability of residents' existing water supplies or result in the diversion of existing water supplies. The full burden of proof for assuring this will lie with the applicant.
- Access from Highway 115 to any resource extraction operation should not affect the quality of the existing access to area residents.
- Unless it can be demonstrated that topography will shield existing residents from visual, noise, and dust impacts, all resource extraction operations should be located a minimum of two miles distant from any dissenting residents.
- Wildlife and wildlife protection routes should be protected through the development of a wildlife overlay zone, addressing the need for protecting critical habitat areas.

- Development should not be allowed in riparian areas, both because the hazard of flooding and because of their exceptionally high wildlife values. Any drainage improvements undertaken in the area should be treated in the most natural way possible to minimize any impacts on riparian areas.
- The specific area of Aiken Canyon is identified as a unique and significant biological resource of state-wide significance that should continue to be preserved. Preservation is not compatible with most public access, and management should maximize wildlife and scientific values.

The application is in violation of the above policies, many of which will be addressed in detail below. The denial, of a new permit and/or extension of an existing permit, is the only acceptable conclusion in regards to the County Commissioners' plan.

Transportation safety. Transportation in the State Highway 115 area is unique in that the normal hierarchy of roads does not exist. Highway 115 is the lifeline upon which residents depend. It is the only means of transportation into, out of, and within the community. There are no other alternatives, and residents cannot avoid using Highway 115 for their life-sustaining transportation needs. Thus, the condition and safety of Highway 115 are primary concerns of all residents.

- According to the El Paso County Major Transportation Corridors Plan (MTCP), Highway 115 south of Fort Carson's main gate is functionally classified as "congested". Major sections of the highway are two lane, including the point at which the applicant proposes to access the highway.
- The proposed highway access point is also located at a historically dangerous place, with multiple fatal traffic accidents in recent years.
- Unfortunately, the 2040 MTCP Roadway Plan does not call for any improvements to Highway 115 through the year 2040, so the highway we have now is what we will live with for many years to come.
- An already congested highway, currently bearing truck traffic from three active quarries, will be burdened by as many as 624 additional trucks per day when the quarry is at full production. This additional traffic will exacerbate traffic hazards not only for the local residents, but also for the many commuters who use this major thoroughfare to Colorado Springs, as well as the many tourists, bicyclists, and motorcycle clubs who frequent the area for its unique geographic and aesthetic appeal.

The denial, of a new permit and/or extension of an existing permit, is the only acceptable conclusion in regards to transportation safety.

Fragile ground water system. All residents and surrounding neighbors along the Highway 115 corridor depend on ground water for their domestic water supply. These wells likely depend upon a system of fractures within the rock to recharge aquifers, while wells in the adjacent upturned sedimentary rocks may depend upon both fractures and infiltration along the granite-sedimentary boundary for recharge. This natural situation makes wells dependent upon the quality of the recharging surface water which is highly susceptible to contamination.

- The heavy rains of 2014 proved this when many of the wells had water color changed to tea-like, due to the increased run off that shocked the aquifer. Despite the fact that many of these wells receive water from over 200 feet below the surface, the color change remained for several months.

- Contamination from mining operations can travel very quickly through the fracture system to affect water supply. The very geology and topography of the proposed Hitch Rack Ranch Quarry site makes such effects exceedingly difficult to predict. Further, the effect from blasting operations (which Transit Mix proposes to conduct two or three times each week) on the fracture system will likely exacerbate the problem, and is equally difficult to predict.
- In 1996, the area experienced an aftershock of an earth quake. Several wells in the community had a drastic reduction in water production or had to be abandoned.

The denial, of a new permit and/or extension of an existing permit, is the only acceptable conclusion in regards to saving resident water supply.

Proximity to residents. The application is in violation of the proximity rules of the Southwest Highway 115 Comprehensive Plan. The Plan calls for all resource extraction operations to be located a minimum of two miles distant from any dissenting residents. There are more than 140 properties within two miles of the proposed quarry site, some within 1200 feet and with direct line-of-sight. The vast majority, if not all, of these property owners are opposed to the application due to proximity. The denial, of a new permit and/or extension of an existing permit, is the only acceptable conclusion in regards to proximity.

Vulnerable wildlife. The proposed quarry location is an area rich in susceptible wildlife. It is inhabited by a large diversity of and in some cases high density of wildlife.

- Colorado Parks and Wildlife has identified the proposed quarry location as a primary elk residence and migration area. The proposed quarry lies between a large concentration of elk on Federal lands to the west and winter range on Fort Carson to the east. The proposed quarry will have a very negative impact on elk survivability if eastern migration to winter feeding grounds and western migration to summer calving grounds is disrupted.
- The proposed quarry site is adjacent to and contiguous with the Aiken Canyon Preserve which is managed by the Nature Conservancy of Colorado; who also oppose the quarry permit. This area is identified by the Colorado Natural Heritage Program as a B2-Very High Significance site.

The denial, of a new permit and/or extension of an existing permit, is the only acceptable conclusion in regards to wildlife conservation and preservation.

Susceptible vegetation. The vegetation analysis sections of the application contain several inaccuracies. The proposed quarry site location provides high quality foothill plant communities that are rapidly being destroyed by development north and south of this area.

- The existing xeric tallgrass sites in this area are rarely found in the high quality condition along other areas of the Front Range.
- This area contains excellent to good examples of globally-imperiled mountain mahogany/needlegrass, an excellent occurrence of globally vulnerable pinon pine/Scribner needlegrass, as well as an excellent occurrence of mesic oak thicket.
- The lodgepole pine and blue spruce mentioned repeatedly in the application do not appear in significant numbers, while the white pine, which is very common at the site, is not mentioned at all.

The denial, of a new permit and/or extension of an existing permit, is the only acceptable conclusion in regards to saving susceptible vegetation.

Air and noise contamination. Quarrying requires drilling and blasting with explosives, which create vibrations, noise, and dust. Once this process is completed, rock crushing machines crush the rock, conveyor belt machines move the rock around the processing plant; trucks are loaded and unloaded. The process and heavy machinery required to mine, is intrusive and creates significant noise and air pollution; thus having a direct impact on the surrounding areas and community.

- Air quality is compromised and diminished by the fugitive dust associated with aggregate mining.
- Dust generated by mining often contains silica, a common naturally occurring crystal found in most rock beds. Prolonged exposure to silica may result in silicosis. According to the Centers for Disease Control, "silicosis is a disabling, nonreversible and sometimes fatal lung disease caused by over exposure to respirable crystalline silica. Over exposure to dust that contains microscopic particles of crystalline silica can cause scar tissue to form in the lungs, which reduces the lung's ability to extract oxygen from the air we breathe."
- In addition to silicosis, inhalation of crystalline silica particles has been associated with other diseases, such as bronchitis and tuberculosis; not to mention the negative impact on asthma and COPD.

The denial, of a new permit and/or extension of an existing permit, is the only acceptable conclusion in regards to air and noise contamination.

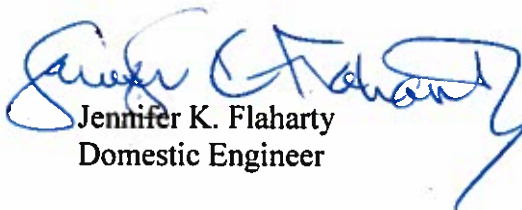
Property ingress and egress disruptions. Mining operation will negatively impact Little Turkey Creek Road residents' ability to access or depart their properties. There are 43 properties along Little Turkey Creek roads. Mine blasting operations, estimated at 2-3 times per week, will require closing both Little Turkey Creek Roads, precluding owners and residents from leaving or returning to their properties; and preclude emergency medical assistance. The denial, of a new permit and/or extension of an existing permit, is the only acceptable conclusion in regards to private landowner access to their private property.

As evidenced above, many statements in the application are questionable at best, and in some cases completely incorrect. Acceptance of same would be inappropriate. In conclusion, it is obvious that approving the requested application is overly detrimental to the well-being of affected area life and the environment to sustain said life. **We request the application for a new permit, and/or extension of an existing permit, be denied.**

Sincerely,



Weldon W. Flaharty
Lieutenant Colonel (Retired)
United States Army



Jennifer K. Flaharty
Domestic Engineer

Copy to:

- Congressman Doug Lamborn, U.S. House of Representatives, Colorado's Fifth District 1
125 Kelly Johnson Blvd., #330, Colorado Springs, CO 80920
- Senator Kevin Grantham, Colorado State Senator, District 2, 200 E. Colfax Ave., Denver,
CO 80203
- Representative Lois Landgraf, Colorado State Representative, District 21, 200 E. Colfax
Ave., Denver, CO 80203

AME

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APR 12 2016

DIVISION OF RECLAMATION
MINING AND SAFETY

KC.
Kathie & Stan Rawson
11795 Calle Corvo
Colorado Springs, CO 80926
719-576-3776

Colorado Division of Reclamation, Mining and Safety
1313 Sherman Street, Room 215
Denver, CO 80203

April 09, 2016

RE: opposition letter

Ms. Amy Eschberger:

The proposed Reclamation and Mining development at Hitch Rack Ranch; submitted by Transit Mix Concrete Company, Permit No. M-2016-010, would bring a large-scale aggregate mining development unnecessarily close, and abutting in at least two areas, to residential, [A-5] neighborhoods. Quarry development brings significant, *long-term* consequences to the environment, public health, safety, and well-being of the effected and adjoining neighborhoods due to: substantially increased truck traffic, dust, and noise pollution, to an area that is known for its strapped natural resources - water, and highest fire danger area. All the while, juxtaposed to the area's unparalleled natural beauty, abundant wildlife, wildlife habitats, and wildlife migratory trails, make this development both undesirable and unsustainable. As residents of Red Rock Valley Estates Neighborhood, and Hwy 115, we cannot support this development and; therefore, we ask that this application/permit be denied. We are opposed to the development for the following reasons:

- Quarrying requires drilling and blasting with explosives, which create vibrations, noise, and dust. Once this process is completed, rock crushing machines crush the rock, conveyor belt machines move the rock around the processing plant; trucks are loaded and unloaded. The process and heavy machinery required to mine, is intrusive and creates significant noise and air pollution; thus having a direct impact on the surrounding areas and community.
- Air quality is compromised and diminished by the fugitive dust associated with aggregate (granite) mining. Dust generated by mining often contains silica, a common naturally occurring crystal found in most rock beds. Prolonged exposure to silica may result in silicosis. According the Centers for Disease Control, "[s]ilicosis is a disabling, nonreversible and sometimes fatal lung disease caused by over exposure to respirable crystalline silica...Over exposure to dust that contains microscopic particles of crystalline silica can cause scar tissue to form in the lungs, which reduces lung's ability to extract oxygen from the air we breathe." In addition to silicosis, inhalation of crystalline silica particles has been associated with other diseases, such as bronchitis and tuberculosis. This is a health issue for the abutting and nearby residential home owners and their livestock.
- The proposed quarry will create increased truck traffic by approximately 624 trucks per day, in addition to the existing truck traffic from the three operating quarries. This will create traffic

hazards detrimental to the safety of County residents as well as the bicyclist and motor bike clubs and individual "bikers" who use the HWY 115 (Vietnam Veterans Highway)Southwestern Corridor as a major thoroughfare due to the area's geographic and aesthetic appeal.

- The Little Turkey Creek, Bauer Ranch and Eagle's Nest neighborhoods have one entrance and one exit rendering them land locked in the event of fire, traffic accident, blasting accident, landslides due to blasting, etc.
- Currently there are three existing quarries within an 8 mile radius; these quarries are currently operating at half their capacity. A better plan; and a plan that would have less impact to the community and surrounding area would be to expand the existing quarries. This would also be consistent with our Master Plan – Southwestern/Highway 115 Comprehensive Plan.
- Wildlife, wildlife habitats, wildlife migratory paths and biodiversity will be lost. An environmental study needs to be completed, rather than take the word of the applicant, that there are no endangered species located on the land or nearby lands. The proposed quarry site could be in violation of the Federal and State Endangered Species Act. The Mexican Spotted Owl, "*Strix occidentalis lucida*", is State and federally threatened, and has been identified in the Southwestern/Highway 115 Corridor.
- Moving dirt and extracting rock from the ground alters the flow of water runoff. The abutting neighborhoods depend strictly on well water supplies for all their water needs. There is potential for well contamination and/or damage, or complete loss from nearby blasting, contamination from blowing dust, and water runoff. We, and our Hwy 115 neighbors (only) have wells for our water source, any damage to our wells means we will have NO WATER. We do not have a 'Plan B/ back up plan' for water. The residents along Hwy 115 should not be put in this potentially catastrophic position. Additionally, the heavy equipment necessary for quarrying, and that uses gasoline, diesel, oil and transmission fluids; can potentially leak these fluids. Small amounts to larger spills can contaminate 100' to 1000's of gallons of ground water.

Quarrying requires heavy equipment, blasting, drilling, earthmoving, all of which create noise and dust, and, would certainly diminish the quality of life and well-being of the adjacent land owners and surrounding area. Southwestern/Highway 115 Corridor's unparalleled natural beauty will be compromised and the landscape densely populated with quarries and their side effects. The 115 Southwestern Highway area is currently taxed by the activities and traffic associated with Three Existing Quarries, Fort Carson, Cheyenne Mountain State Park, RV Parks, and privately owned parks opened to the public, within the surrounding area. Protection of the land, environment, and public health, safety, and well being is consistent with our constitutional rights. In alliance with the "Highway 115 Citizen's Advisory Committee", the citizens, and the fellow neighborhoods along the corridor, we our opposed to the proposed Transit Mix/Hitch Rack Ranch quarry development.

Sincerely,

Stan Rawson

Kathie Rawson



11 April 2016

Colorado Division of Reclamation, Mining and Safety
1313 Sherman Street, Room 215
Denver, CO 80203

Received:
4/12/2016
(via Email)

Ms. Amy Eschberger:

This letter is in response to the proposed Reclamation and Mining development at Hitch Rack Ranch, submitted by Transit Mix Concrete Company, Permit No. M2016010. Our primary residence is within the Eagles Nest development, which is located on Little Turkey Creek Road to the west of the proposed quarry.

We object to the application as currently written for the following reasons:

- 1) Quarry operations within Little Turkey Creek canyon will adversely impact property values within Eagles Nest.
- 2) Quarry operations will block Little Turkey Creek Road, which is our ingress/egress easement road and provides the only means we have to access our property.
- 3) Quarry operations will cause more frequent and more severe flooding and landslides within the Little Turkey Creek watershed, which will place a financial burden on affected landowners to repair the road.
- 4) Quarry operations may have an adverse impact on nearby water wells and may impact water rights within the Little Turkey Creek watershed
- 5) Quarry operations will adversely affect the safety and security of Eagles Nest landowners and their guests
- 6) Quarry operations will adversely impact the environment and quality of life within Little Turkey Creek canyon

The enclosed document describes our concerns with the proposed quarry in more detail.

We request that the state seek a second opinion on whether the proposed blasting operations will adversely affect areas outside of the quarry operations area. We are concerned that blasting may cause damage to our easement road or to our property.

We request that the state seek a second opinion from the Colorado Division on Water Resources on three issues:

- 1) whether the water management system as currently designed will adequately mitigate flood damage within the Little Turkey Creek watershed, including damage to Little Turkey Creek Road
- 2) whether nearby water wells will be adversely impacted by quarry operations
- 3) whether the sediment ponds proposed in the water management plan impact water rights within the Little Turkey Creek watershed

We request that the State require Transit Mix to post financial bonds to cover the following:

- 1) costs associated with repairing damage to Little Turkey Creek Road caused by flooding or landslides.
- 2) costs associated with repairing damage to nearby water wells and providing water to those residents until the wells can be repaired.

Please notify us of any scheduled meetings concerning the quarry application.

We have only been aware of the quarry proposal since approximately March 2nd, 2016. Obviously, we are at a severe disadvantage in that we have only a short time to review the 800 plus page Transit Mix application, review the Colorado Mining and Reclamation rules and regulations, and consult with subject matter experts in order to analyze the impacts of a mining operation in this neighborhood. The points listed above and those detailed in the attached report provide a snapshot of the issues that require detailed study, review and analysis. While we will continue to research the technical aspects and analyze the adverse impacts in greater detail, we hope that the Colorado DRMS will acknowledge our limited ability to do so within time constraints.

Sincerely,

A handwritten signature in blue ink that reads "Nancy Reed for". The signature is fluid and cursive.

Charles and Nancy Reed
4848 Little Turkey Creek Road
Colorado Springs, CO 80926
Phone: 719-445-2030

Twenty-two additional Eagles Nest landowners, listed below, agree with our concerns about the proposed quarry and wish to be notified of any scheduled meetings concerning the quarry application:

Paul and Karen Blatchford
6280 Gossamer St
Colorado Springs, CO 80911
Phone: 719-439-8888

Cindy Cockrell
PO Box 266
Rye, Co 81069
Phone: (719) 393-2096

Mathew and Susanna Cook
355 Oakhurst Lane
Colorado Springs, CO 80906
Phone: (719) 576-1516

Robert and Myrt Davidson
1212 Lancelot Circle
College Station, TX 77840
Phone: (979) 693-7782

Paul Dellacroce
5379 Eagle Hill Ht #106
Colorado Springs, CO 80919
Phone: (719) 439-9802

James and Betty Enderson
3215 Austin Drive
Colorado Springs, CO 80909
Phone: (719) 633-6457

Craig and Roseann Engelage
P.O. Box 50111
Colorado Springs, CO 80949
Phone: 719-531-5653

Charles and Denise Hancock
4241 Little Turkey Creek Road
Colorado Springs, Co 80926
Phone: 719-445-2088

Michael and Laura Harvey
c/o Agnes B. Harvey
1885 Paseo Del Oro
Colorado Springs, CO 80904
(719) 471-2297

Mark Henslee, Managing Member
Henslee Family Investments, LLC
245 E Cheyenne Mountain Blvd
Colorado Springs, CO 80906
719-238-5868

Richard and Yvonne Holden
2109 Woodburn Street
Colorado Springs, CO 80906
Phone: 719-635-9953

Monte Junck and Susan Pringle
7155 Painted Rock Drive
Colorado Springs, CO 80911
(719) 390-0691

Charles (Scott) and Kay Kay
1015 Beta Loop
Colorado Springs, CO 80905
Phone: 719-538-9988

Cheryl Kimble
683 Grey Eagle Circle S.
Colorado Springs, CO 80919
Phone: 719-210-9932

Richard and Susan Larsen
6980 Granit Peak Drive
Colorado Springs, CO 80923
Phone: 719-531-6785

Jagger F. & Sharon Lawrence
3510 E. David Ln
Colorado Springs, CO 80917
719-237-9085

Dave and Carol Lick
1940 Spirerock Path
Colorado Springs, CO 80919
Phone 719 262 9947

Dan and Jody Murphy
3150 Slocum Rd
Peyton, CO 80831
Phone: (719) 683-5224

Keith and Cindy Newby
2919 Virginia Ave
Colorado Springs, CO 80907
Phone: 719-330-0937; 719-330-0978

Richard Prinster
1551 Mammoth Drive
O'Fallon, MO 63366
(719) 641-1099

Michael Spoor
2838 Tenderfoot Hills Road
Colorado Springs, CO 80906
Phone: 010-7963-6389 (International Cell)

Steve Woodcock
4990 Little Turkey Creek Road
Colorado Springs, CO 80926
Phone: (719) 392-2975

Copy to:

Congressman Doug Lamborn, U.S. House of Representatives, Colorado's Fifth District
1125 Kelly Johnson Blvd., #330, Colorado Springs, CO 80920

Senator Kevin Grantham, Colorado State Senator, District 2
200 E. Colfax Ave., Denver, CO 80203

Representative Lois Landgraf, Colorado State Representative, District 21
200 E. Colfax Ave., Denver, CO 80203

Concerns of Eagles Nest Landowners
Related to
Proposed Quarry
on Hitch Rack Ranch

Prepared by Dr. Nancy Reed
April 2016

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In this paper we identify six areas of concern with the proposed quarry:

1. Impact on property values within Eagles Nest
2. Blockage of ingress/egress easement road
3. Financial impact of repairing flood damage
4. Safety and security issues
5. Water issues
6. Impact on the environment

Each of these is discussed in more detail in the sections below.

1. IMPACT ON PROPERTY VALUES WITHIN EAGLES NEST

The proposed quarry operations area is located on a portion of Hitch Rack Ranch along Little Turkey Creek Road within Section 16, Township 16 South, Range 67 West of the 6th P.M., El Paso County, Colorado. In the 1960s the land within Little Turkey Creek canyon to the west of Section 16 was sold to a developer. This land was initially divided into forty lots and called the Eagles Nest subdivision. The area now includes 36 lots within the El Paso County Assessor's database. There are currently 30 landowners within Eagles Nest, with several people owning more than one parcel of land within the canyon.

The Eagles Nest is a very unique enclave located at the back of a mountain canyon, several miles west of Highway 115. Property owners access their properties using a very narrow, rustic, one lane road. They must haul in water or drill water wells and generate their own power, as there are no utilities that reach to the back of the canyon. Buyers for this type of property include only those people who are willing to make major "creature comfort" sacrifices in order to own property or live in a place where they can enjoy the scenic beauty of the canyon in an extremely quiet, peaceful environment, surrounded by wildlife.

Once potential property owners realize that they would have to drive right through the middle of an operational quarry to reach their property and then suffer the noise and dust of those quarry operations and other possible environmental impacts, the appeal of these isolated properties may quickly fade and the already tiny market for Eagles Nest properties may simply evaporate. Unfortunately, buyer perceptions, not reality, often drive the real estate market. If the real estate market is impacted by the presence of the quarry, Eagles Nest property owners wishing to sell their property may be forced to sell at a greatly reduced price, or may not be able to sell their property at all.

2. BLOCKAGE OF INGRESS/EGRESS EASEMENT ROAD

2.1 Blockage of Road by Day-to-day Quarry Operations

Property owners within Eagles Nest, located to the west of the proposed quarry operations area, use Little Turkey Creek Road to access our properties. Our deeds include a description of this ingress/egress easement. A 1968 court settlement defined the location and width of the ingress/egress easement along Little Turkey Creek Road. That ingress/egress easement road is the ONLY means of accessing Eagles Nest properties.

The background for Figure 1 below is parcel map 76000 from the El Paso County Assessor's database. The yellow line shows the location of the easement road defined in the 1968 court settlement. This road is used by landowners with property within Eagles Nest (highlighted in purple), located to the west of the proposed quarry. The fuchsia line shows the location of another segment of Little Turkey Creek Road used by landowners with property within the former Bauer's Ranch (highlighted in green). As can be seen, these two segments of Little Turkey Creek Road go right through the middle of the proposed quarry operations area, which is within Section 16 on Hitch Rack Ranch (outlined in red).

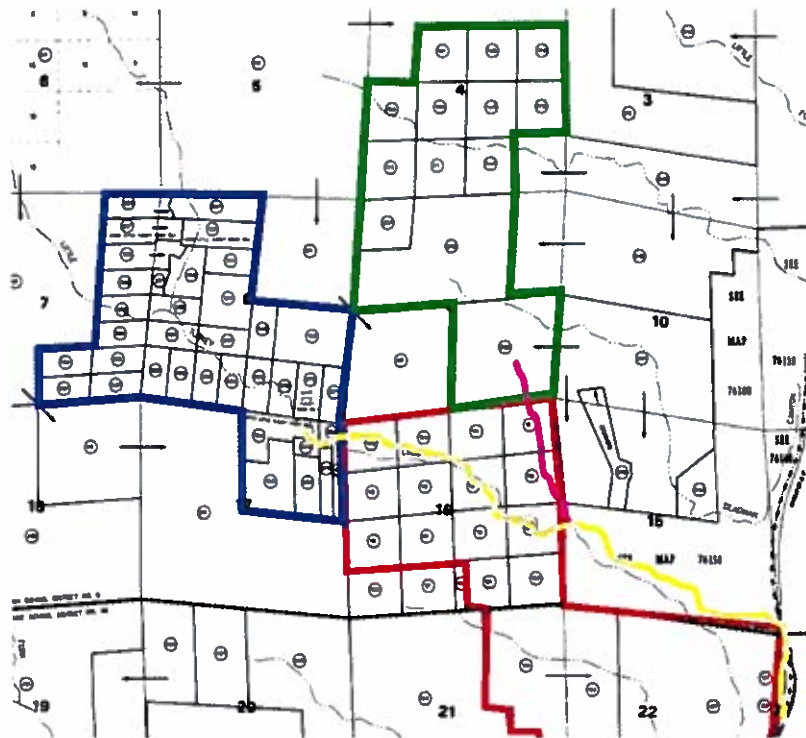


Figure 1 Ingress/Egress Road Easement

Figure 2 shows more details of the proposed quarry operations area. As can be seen, the southern segment of Little Turkey Creek Road (the yellow line) will run between the North and South quarry pits and also run right by the proposed plant location. The width of the

The northern segment of Little Turkey Creek Road (the fuchsia line) will run between the North quarry pit and the North Pit Extension. Any quarry operations that block even a small portion of that ingress/egress road may negatively impact the ability of owners and their guests to access property within the former Bauer's Ranch. It may also impact the ability of emergency services (firefighters or other first responders) to quickly reach those properties.



2.2 Blockage of Road by Blasting Operations.

The blasting plan calls for evacuating everyone out of the quarry operations area of the canyon during blasting and using blast guards to prevent access into that area during the actual blasting period. The blasting plan indicates that “Blast guards will be posted at all entrances to the property to make sure no one uses any of the access corridors through the active mining area.” The exact location of these blast guards is not specified in the Transit Mix application, but it is assumed that guards will be posted somewhere along Little Turkey Creek Road to prevent access into the quarry operations area along that road. There will also be a guard on the new quarry road, to prevent access into the quarry from that road. The black circles on Figure 3 shows possible areas where these guards might be posted.

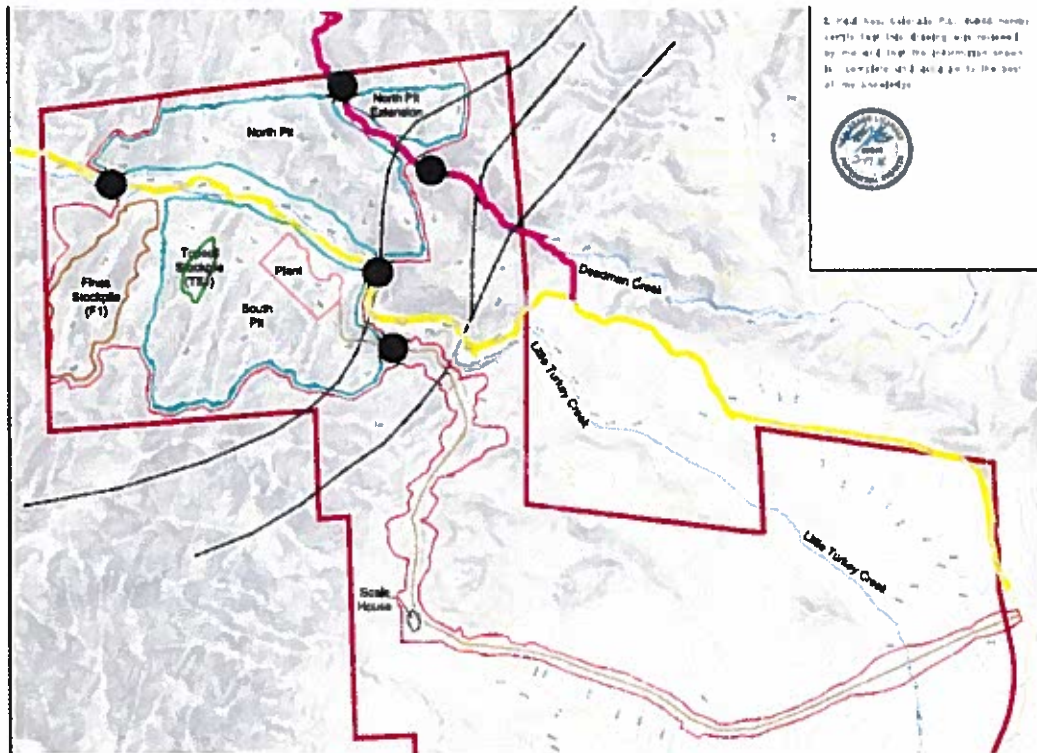


Figure 3 Blockage by Blasting Operations

During normal, successful, blasting operations, Transit Mix indicated that the road would be blocked for about 30 minutes. However, in the event of problems or misfires associated with a blast, Transit Mix indicated that the road could be blocked for hours, possibly up to a day, following the blast. While the road is blocked, landowners within Eagles Nest and the former Bauer's Ranch would not be able to use the ingress/egress road to get to or from their properties.

2.3 Blockage of Road by Landslides Caused by Quarry Operations

One segment of the ingress/egress road within the lower canyon below the proposed quarry operations area, runs directly beneath a hillside that has very unstable material. Rocks are frequently dislodged from the hillside during heavy rains and tumble down onto the road. In the past, rocks as large as a VW bug slid down that hill, blocking the entire road. That hillside is only a few hundred feet southeast of the proposed North Pit. Blasting operations or other quarry activity may further destabilize that hillside, causing more frequent or more severe landslides on that section of the road. The landslides may injure passing motorists or damage their vehicles and may block that portion of the road. The black area highlighted in Figure 4 highlights this section of the road.

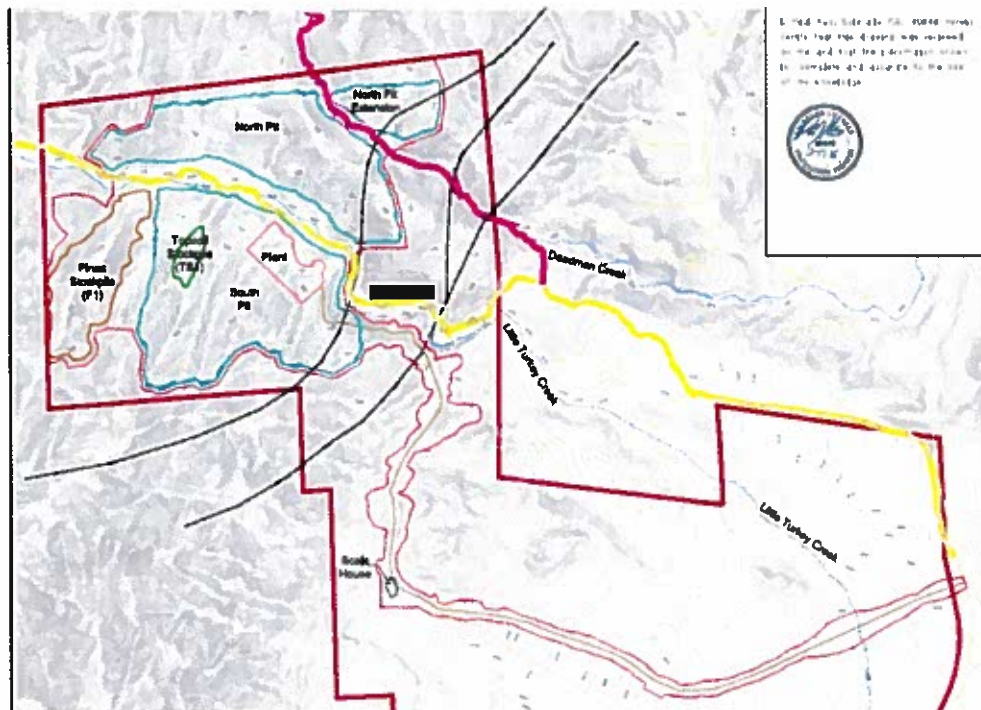


Figure 4 Area of Road in Lower Canyon Prone to Landslides

Figure 5 provides a view of that section of the road using Google Earth, looking towards the east from the quarry operations area. The pink area is the North Pit. The green area is the south pit. The yellow line highlights the portion of the road that is susceptible to landslides. Note the steep slope to the north of the road.

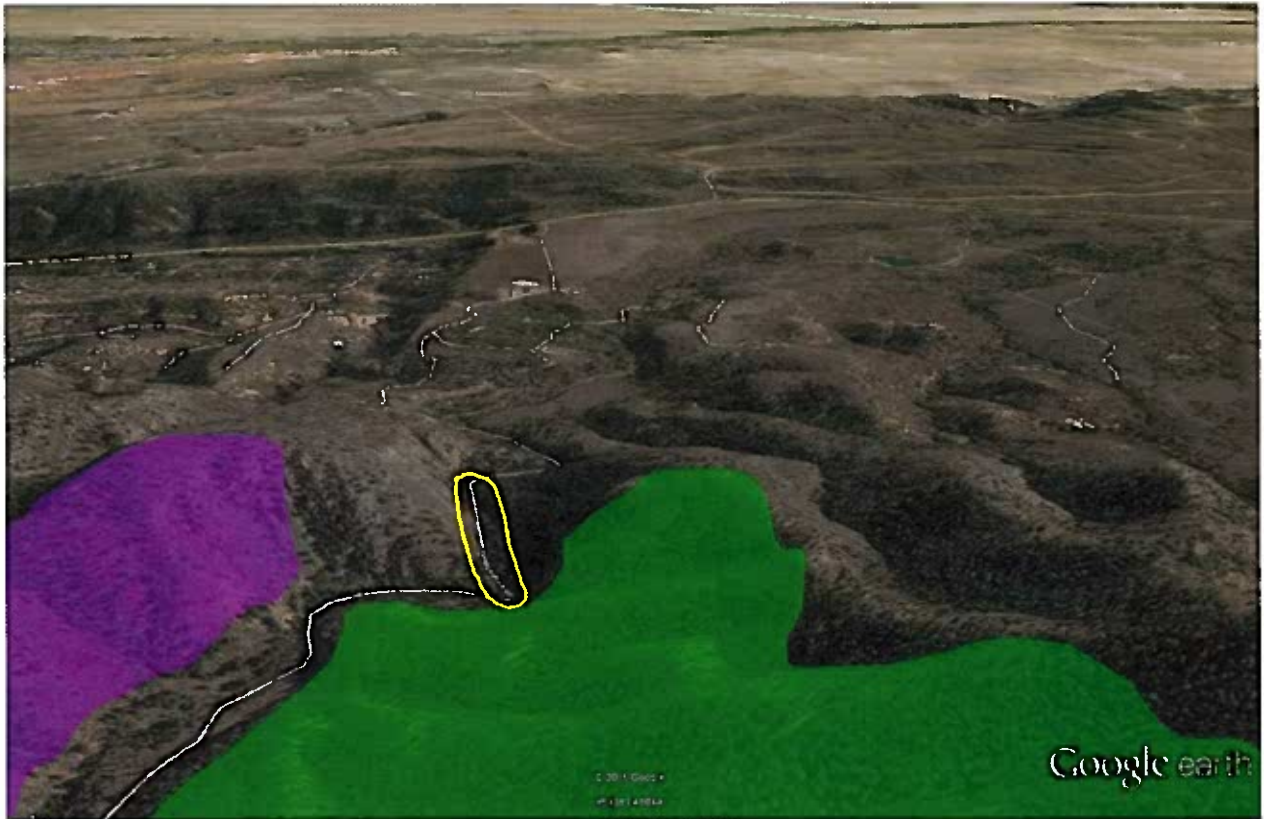


Figure 5 Google Earth View of Lower Canyon Road

A catastrophic landslide within either the North or South Pits of the quarry may cause quarry material to flow across the segment of Little Turkey Creek road that traverses between the North and South Pits. Such a slide may endanger motorists driving along Little Turkey Creek Road and may block the road. Such landslides might be due to quarry blasting, but might also be due to water seeping into cracks in the remaining rocks within the quarry. Rocks flying from the blasting area may also travel as far as the road. A catastrophic landslide within the North Pit Extension may impact the segment of Little Turkey Creek Road used to access properties in the former Bauer's Ranch.

The black areas highlighted in Figure 6 highlight these sections of Little Turkey Creek Road. The application indicates that the quarry pits will be at least a 100 feet from Little Turkey Creek. However, some segments of Little Turkey Creek Road are a significant distance from the creek, which means that the quarry pits may be less than 100 feet from the road.

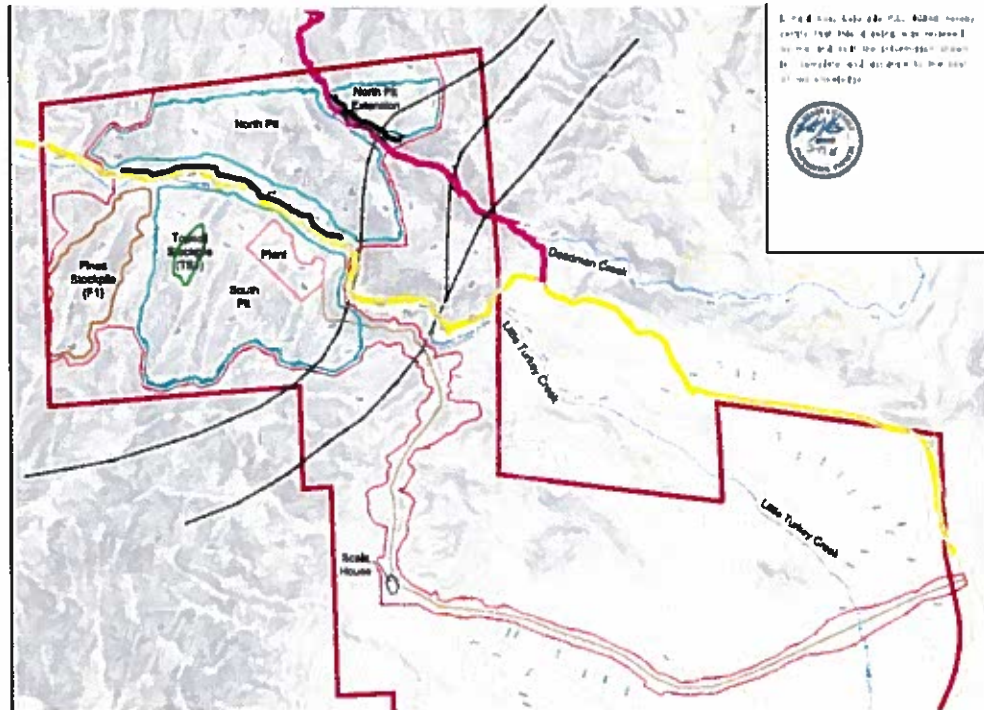


Figure 6 Segment of Road Vulnerable to Landslides within Quarry Pits

Figure 7 shows a Google Earth view looking towards the west into the proposed quarry pits. The yellow line is the segment of Little Turkey Creek Road that is within Little Turkey Creek canyon. The fuchsia line is the segment of Little Turkey Creek Road that is within Deadman Creek canyon. The pink area is the North Pit. The orange area is the North Pit Extension. The green area is the South Pit. As can be seen, Little Turkey Creek Road lies directly beneath the quarry pits. Landslides that flow out of those pits might reach the road.



Figure 7 Google Earth View of Road Below Quarry Pits

2.4 Blockage of Road by Flooding due to Removal of Vegetation within Quarry Operations Area

There has been a history of flooding in the Little Turkey Creek canyon, with significant flooding in 1921, 1935, 1965, 1995, 1997, 2013 and 2015, and minor flooding in other years. In 1921 an earthen dam built near the proposed Plant location failed, flooding the lower canyon. Four times in the past 20 years portions of Little Turkey Creek Road within Section 16 have been badly damaged by floods.

There are four locations on Hitch Rack Ranch within Section 16 where the ingress/egress road crosses over Little Turkey Creek, one in the proposed quarry operations area and three within the lower canyon below the proposed quarry operations area. Before Eagles Nest landowners installed culverts on the stream crossings in 2013, the water depth at the stream crossings would run above 2 feet during heavy rains - an unsafe depth to drive through. During the flooding in 2015 after the culverts were installed, the volume of water running in Little Turkey Creek exceeded the capacity of the two 30 inch culvert pipes installed at each stream crossing and caused the creek to overtop the new culverts. The black circles in Figure 8 show the locations of these four crossings.

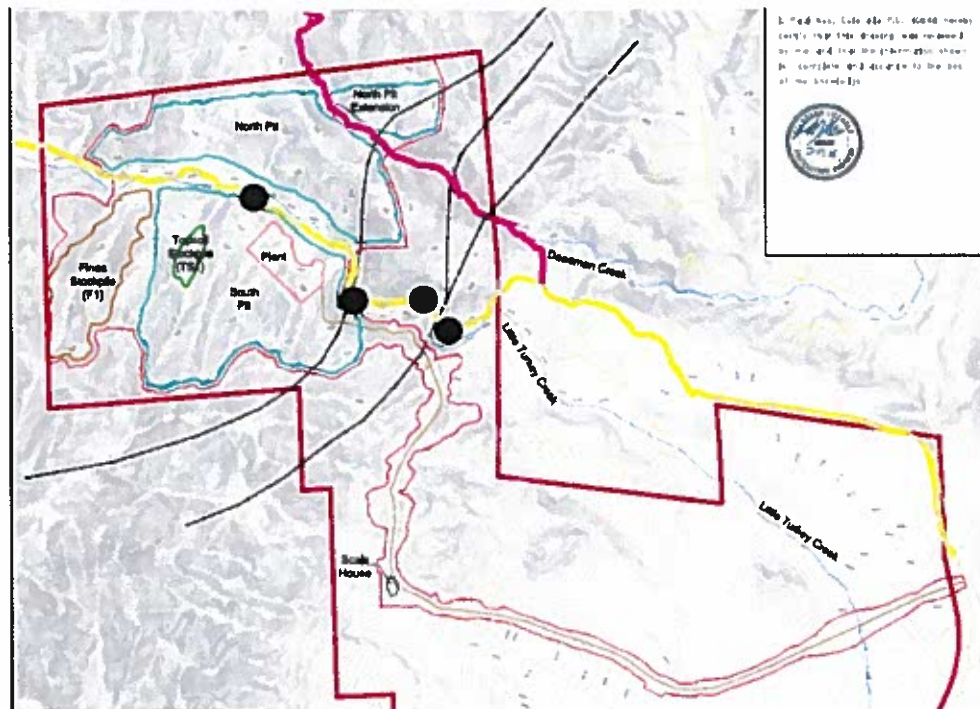


Figure 8 Stream Crossings within Upper Hitch Rack Ranch

There are also several sections of the road that run beside the stream in the lower canyon, only a few feet above the level of the creek bed (highlighted in black in Figure 9). There have been instances where the creek flooded over its banks and ran down portions of the road. There are other locations where side canyons within the Little Turkey Creek watershed drain across the road and down into the creek (highlighted in green in Figure 9). These

draws are normally dry, but can run during heavy rains. At times, the water flowing down these side draws has turned and run down the road, causing damage to the road.

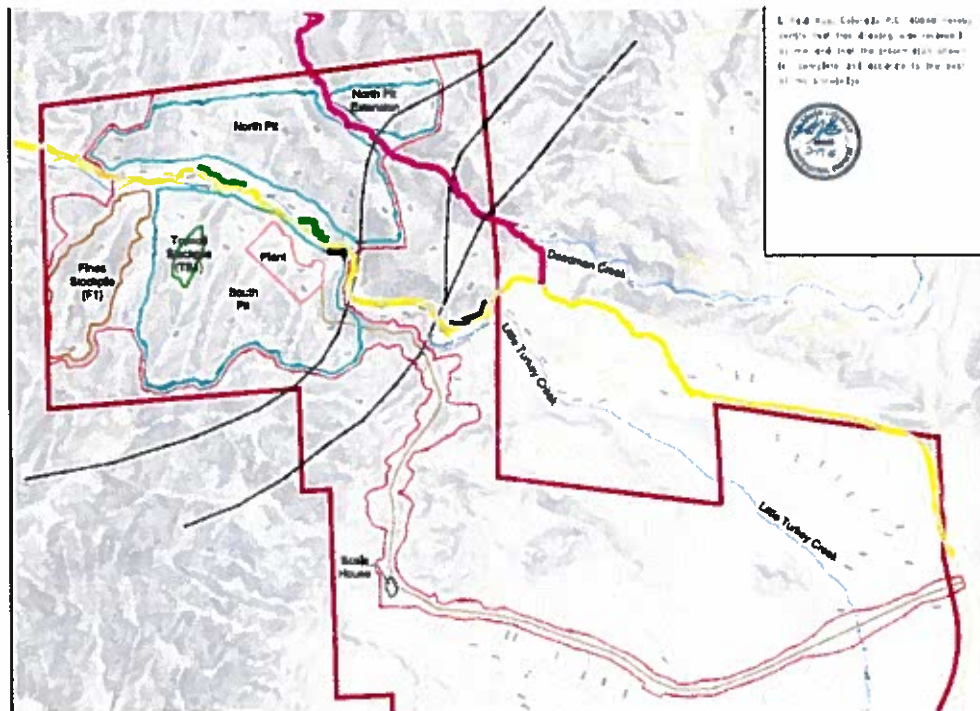


Figure 9 Sections of Road Prone to Flooding

Removal of vegetation within the quarry operations area will increase the frequency and severity of flooding within the lower canyon, resulting in even greater risks to blockage of portions of the road during heavy rains. Figure 10 presents a view of lower Little Turkey Creek Canyon using Google Earth, looking towards the east from the quarry operations area. The white line is Little Turkey Creek Road. The pink area is the proposed North Pit. The green area is the proposed South Pit. The yellow line outlines the lower canyon. As can be seen, the canyon is quite narrow to the east of the proposed quarry operations area. Given the topography of the canyon with its steep canyon walls, flooding within the lower Little Turkey Creek canyon might be as severe as flooding experienced in other areas of Colorado where vegetation was destroyed by wildfires.

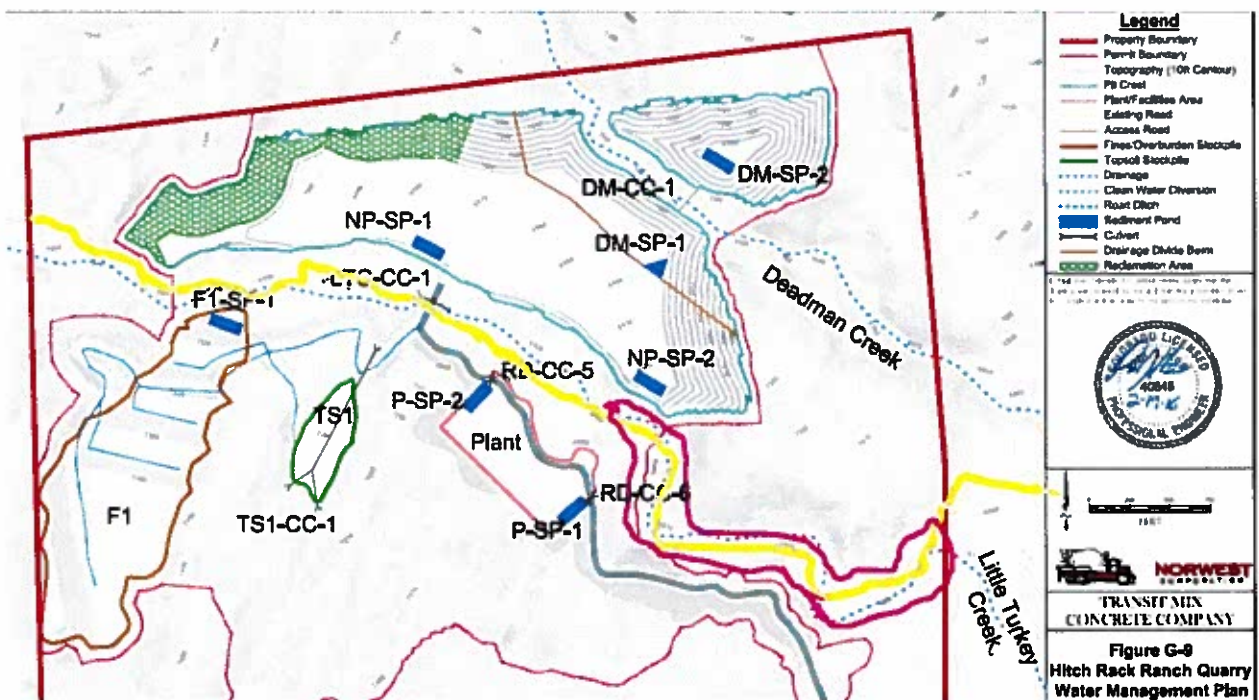


Figure 10 Google Earth View of Lower Little Turkey Creek Canyon

2.5 Blockage of Road by Flooding due to Failure of Water Management Structures

The mining plan calls for top soil and "fines" to be stored in piles within the canyon, south of Little Turkey Creek. These piles are shown as TS1 and F1 in Figure 8 below. Presumably, there will also be piles of raw rock awaiting processing as well as finished quarry product awaiting transport that will be stored within the Plant area. Over the life of the quarry, the mining plan indicates that there will be millions of tons of material stored in these piles. The proposed location of these piles is within side canyons of the Little Turkey Creek watershed. Material stored anywhere within the watershed, as well as vegetation and soil remaining within the watershed, may be washed down into the lower canyon during major flooding.

The Transit Mix application includes a water management plan which calls for the construction of ditches and sediment ponds to manage water flows during major flood events. The plan calls for culverts and ditches to handle a 10 year flood event and the sediment ponds to handle a 100 year flood event. Figure 11 shows the water management structures within Little Turkey Creek canyon proposed in the application. These include LTC-CC-1, a culvert on Little Turkey Creek, plus a number of sediment ponds within the Little Turkey Creek watershed (F1-SP-1, P-SP-1, P-SP-2, NP-SP-1 and NP-SP-2). The yellow line in the figure is Little Turkey Creek Road.



The analyses used to design water management structures in Exhibit G used a 10 year flood event of 3.03 inches of precipitation in a 24 hour period and a 100 year flood event of 5.38 inches in a 24 hour period. These figures appear to be based on historical precipitation records collected at the Colorado Springs airport. However, Exhibit K (Climate) within the application indicates that the precipitation figures from the Colorado Springs airport should

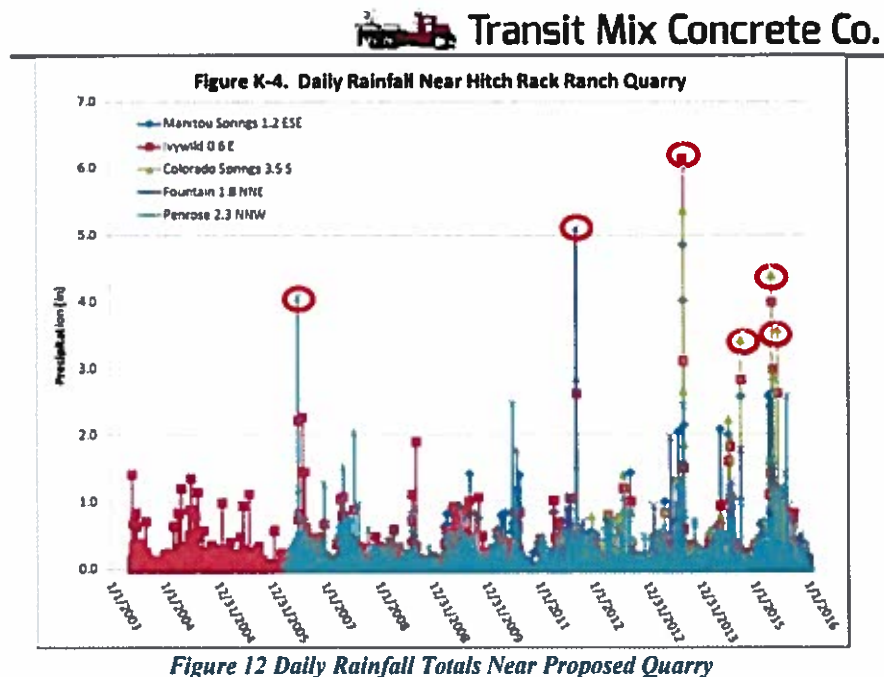
not be used without adjustments for the location of the quarry. Below are several quotations from Exhibit K:

Perhaps the most distinguishing characteristic of the Colorado Springs climate is the frequency and intensity of thunderstorms during summer. Colorado Springs, according to weather records, is the most thunderstorm prone city west of the Mississippi River followed closely by Flagstaff, Arizona and Garden City, Kansas. Although the city itself has never experienced a super-thunderstorm, the Palmer Divide a few miles north of Colorado Springs has experienced some of the most severe thunderstorms on record anywhere in the world.

On May 30, 1935, Elbert, located 35 miles northeast of Colorado Springs, received 24 inches of rain in 24 hours and most of it fell in only 3 hours. Colorado Springs itself received 7 inches of rain in 24 hours on the same date from a related storm to the one that affected Elbert. Monument to the north of Colorado Springs received 14 inches of rain in 24 hours on June 16, 1965. In September 2013, Fort Carson reported received nearly 19 inches of precipitation, and Colorado Springs received 10 inches of rain.

Another feature of the Colorado Springs local climate is high geographic variability depending upon the location of the recording equipment. The weather station is east of the city, but limited data from the west side of the city suggests a reasonably different climate, both with respect to precipitation and temperature. Therefore, attempting to apply the official weather station data to conditions on this quarry located in the hills southwest of the city must be done with considerable caution and interpretation. [Emphasis added.]

Figure 12, extracted from Exhibit K, shows Daily Rainfalls for various weather stations near the proposed Hitch Rack Ranch Quarry. Note that there are six days in the past 10 years where the rainfall amount exceeded 3 inches (circled in red). This would suggest that the use of 3.03 inches for a 10 year storm is not adequate.



Furthermore, Eagles Nest landowners have discovered that significant rain during a single day is not the only thing which causes flooding within the canyon. During the May 2015 flooding, single day measurements never exceeded a 10 year flood event. However, heavy rains extending throughout the month caused significant flood damage to Little Turkey Creek Road.

If the LTC-CC-1 culvert fails during a storm, Little Turkey Creek Road below that culvert may be blocked by the flood damage.

The sediment ponds within the Little Turkey Creek watershed are designed to impound over 82 acre feet water if filled to capacity (over 26 million gallons of water). If these sediment ponds fail during a severe flood event, the large volume of water stored in those ponds, plus top soil, fines and other quarry material may be transported down the canyon during that flood event. This may entirely block the road within the lower canyon (highlighted in fuchsia in Figure 13).

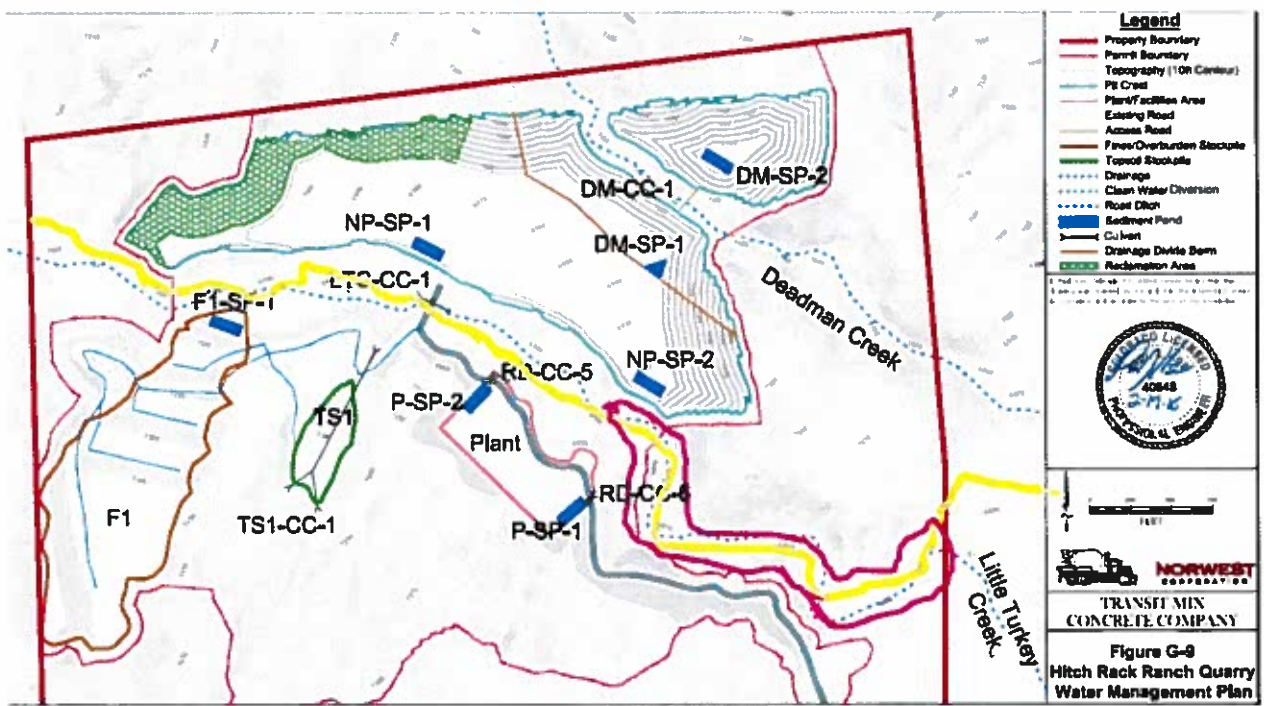


Figure 13 Portion of Little Turkey Creek Road in Lower Canyon

2.6 Blockage of Road by Flooding due to Flows from Reclamation Ditches

Figure 14 is extracted from Figure G-12 of the Transit Mix application. It shows the Water Management Plan for the Final Reclamation Phase. In this plan, there are several ditches which will be built to drain the reclaimed North Pit, South Pit and Fines storage area into Little Turkey Creek. These ditches are the blue lines drawn on the image. Depending on the exact location of these ditches, water flowing from these ditches may run across Little Turkey Creek Road, blocking the road. The possible locations where these ditches may impact the road are circled in red.

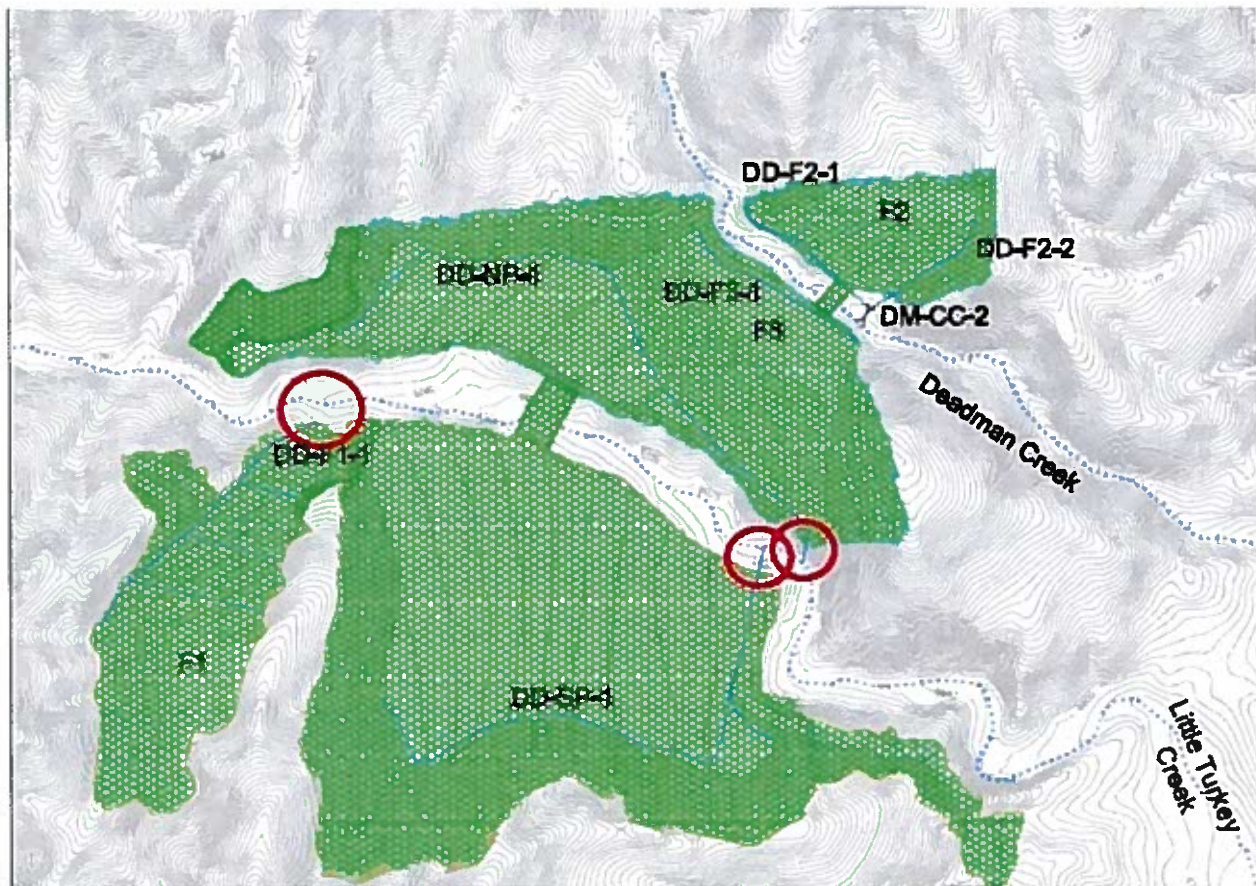


Figure 14 Reclamation Ditches near Little Turkey Creek Road

3. FINANCIAL IMPACT OF FLOOD DAMAGE

3.1 Cost of Repairing Road after Flood Events

Little Turkey Creek Road is a private road maintained by property owners along the road. For almost 50 years, landowners within Eagles Nest have maintained the portion of the road within the south canyon that runs across Hitch Rack Ranch. Little Turkey Creek road is the yellow line in Figure 15. The green oval highlights the portion of the road that runs across Hitch Rack Ranch land within Section 16.

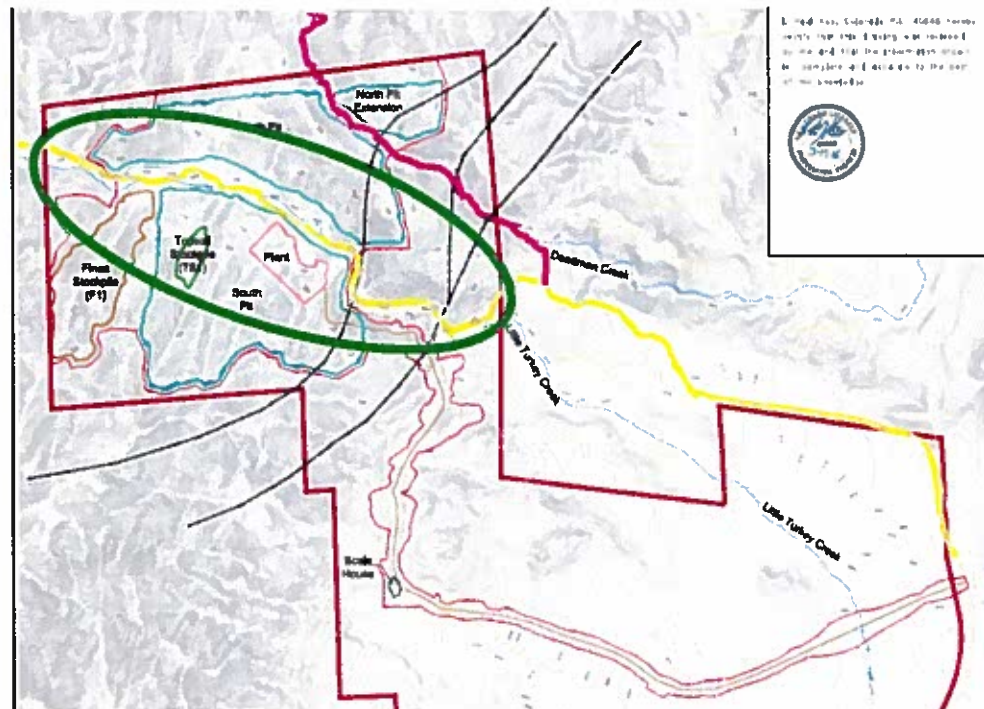


Figure 15 Portion of Little Turkey Creek Road in Section 16

In the 1990s the Hitch Rack Ranch owner realigned the road between the first gate and the first stream crossing to redirect water from Little Turkey Creek into her irrigation ditch. After the 2013 flood, the ranch gave permission to Eagles Nest landowners to use rocks from the historic dam as fill material to repair a segment of the road that was destroyed by water washing onto the road near that dam. Other than those two instances, Hitch Rack Ranch has never contributed towards the maintenance or repair of the road. As a result, maintenance, repairs and improvements of the road within Section 16 have been a financial burden borne entirely by Eagles Nest landowners. That burden has been particularly significant after major flooding events. Any increased frequency or severity of flooding or landslides damaging the road may increase the cost to repair the road, placing an even greater financial burden on Eagles Nest landowners.

If the road is damaged in the future and the landowners are then forced to prove that the quarry operations were responsible for that damage, the legal expenses and expenses for hydrology and geotechnical experts would be an additional financial burden on Eagles Nest landowners.

“Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Material” defines “Structure, Significant, Valuable and Man-made” as

“ a nonportable improvement to real property which has defined, current and recognizable value of an economic nature; generally including but not limited to: buildings, houses, barns, fences, above or below ground utilities, irrigation ditches, maintained or public roads, bridges, railroad tracks, cemeteries, communication antennas, pipelines, water wells, water storage structures, discharge and conveyance structures, etc.

From this definition we conclude that maintained or public roads are included within permanent, man-made structures. Little Turkey Creek Road is a private road maintained by Eagles Nest landowners. While that road may appear to be an “unimproved road” to outsiders, over the past forty years, Eagles Nest owners have spent tens of thousands of dollars on legal expenses related to the use of that road as an ingress/egress easement as well tens of thousands of dollars on improving, repairing and maintaining the road. That road has considerable value to these owners.

Instructions for Exhibit S related to Permanent Man-Made Structures state that “

“Where the mining operation will adversely affect the stability of any significant, valuable and permanent man-made structure located within two hundred (200) feet of the affected land, the applicant may either:

- (a) provide a notarized agreement between the applicant and the person(s) having an interest in the structure, that the applicant is to provide compensation for any damage to the structure; or*
- (b) where such an agreement cannot be reached, the applicant shall provide an appropriate engineering evaluation that demonstrates that such structure shall not be damaged by activities occurring at the mining operation*

Little Turkey Creek Road, which runs right through the middle of the quarry operations area is not mentioned within Exhibit S as a permanent structure impacted by quarry operations. We believe that the road is at risk of damage due to landslides and flooding caused by quarry operations. No effort has been made by Transit Mix to discuss an agreement with Eagles Nest landowners concerning compensation for future damages to the road.

3.2 Cost of Repairing Property after Flood Events

Catastrophic flood events, which may be more frequent or more severe due to removal of vegetation within the Little Turkey Creek watershed, may damage property and houses located outside the canyon along Little Turkey Creek. Figure 16 shows a small segment of the 2011 Mount Big Chief Colorado Map. The blue line is Little Turkey Creek. The white line is Little Turkey Creek Road. The green oval highlights properties located at the mouth of the canyon

vulnerable to flood events within the Little Turkey Creek watershed. While this property damage will not directly impact Eagles Nest owners, it will certainly impact our neighbors who live further down our road.

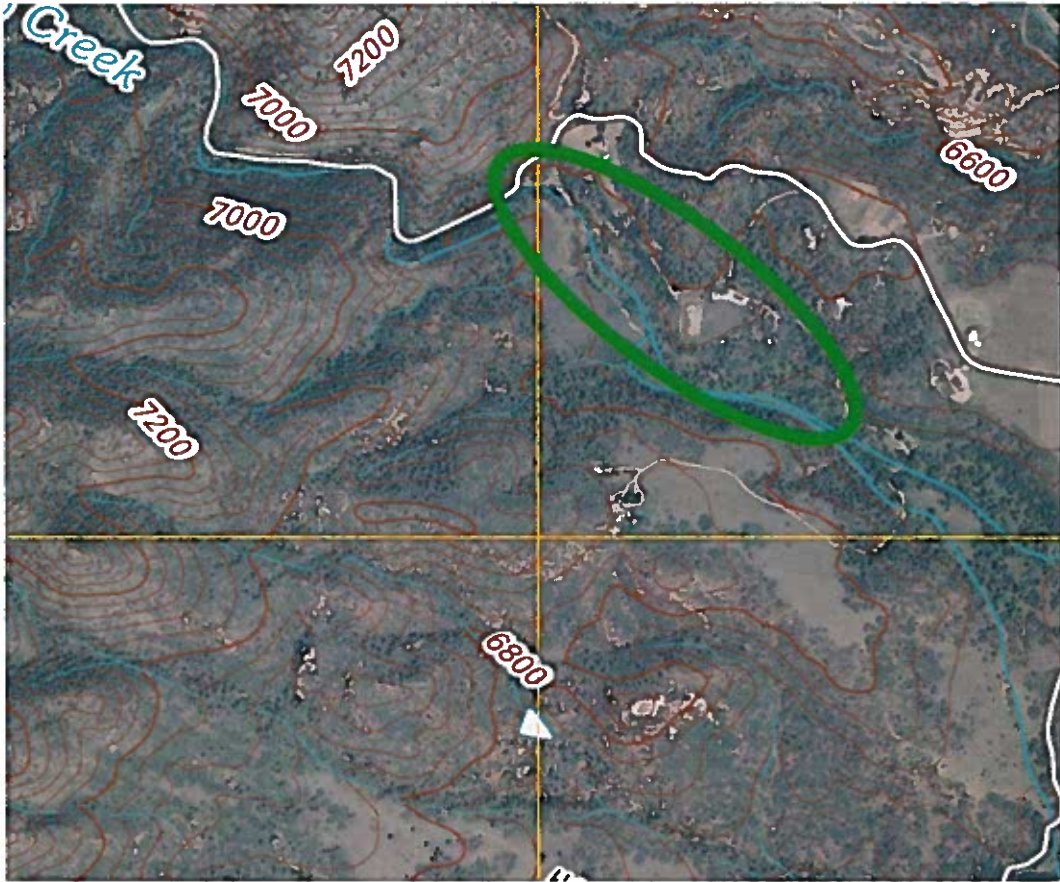


Figure 16 Area at Mouth of Little Turkey Creek Canyon Vulnerable to Flooding

4. WATER ISSUES

4.1 Water Wells

Properties along Little Turkey Creek Road rely on private residential wells. As shown in Exhibit G of the Application, the Transit Mix application identified and located a number of wells within a short distance of the proposed quarry operations area. Figure 17 is extracted from Exhibit G (FIGURE 2 Transit Mix Hitch Rack Ranch Surface Water Feature Location Map).

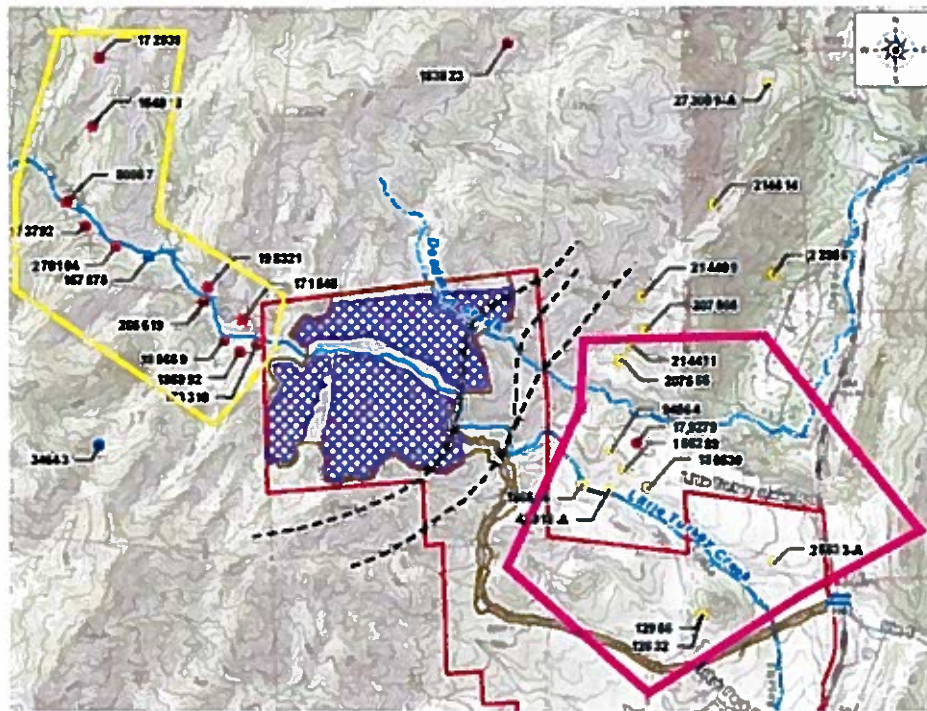


Figure 17 Nearby Water Wells

At least one of the wells within Eagles Nest was omitted from the application information. It happens to be one of the wells closest to the northwest quarry operations boundary. This raised the question of how many additional affected wells were not included in the research and analysis.

Those wells in Eagles Nest located to the northwest of the quarry operations area obtain water from rock fractures (those highlighted in yellow). Any earth movement caused by blasting may disrupt those rock fractures, which may impact the quantity of water available to these wells or damage submersible pumping equipment within the wells. Quarry operations may also inadvertently drain water from these rock fractures, impacting the availability of water to the residential wells above the quarry. The plan recommends the drilling of a test well on the west side of section 16 to monitor if wells above the quarry have been affected by quarry operations. However, if that test well does not happen to hit the same rock fracture as the affected wells, it would be inconclusive whether the operations at the quarry did, indeed, affect wells.

If a landowner's well ceases to yield water, there may be costs associated with trucking water to their property and drilling a new well. If the burden of proof were to fall on the landowners that

quarry operations did, indeed, damage their well, then there could also be a significant financial burden to the landowner to hire geotechnical, hydrology, and legal experts to prove their case.

Fuel oils stored on site or chemicals brought into the canyon and used for blasting operations may contaminate wells located below the proposed operations area (those highlighted in fuchsia). Herbicides used to spray for noxious weeds might also contaminate ground water.

Any heavy metals uncovered by quarry operations may also contaminate wells below the quarry. For example, water tests from one of the landowner's wells located just west of the proposed quarry area identified a high level of lead. The location of this well (highlighted in yellow in Figure 18) may mean that lead deposits will be found within the North and South pits even though test bores did not indicate the presence of lead. Other heavy metals may be found as well during quarry excavations.

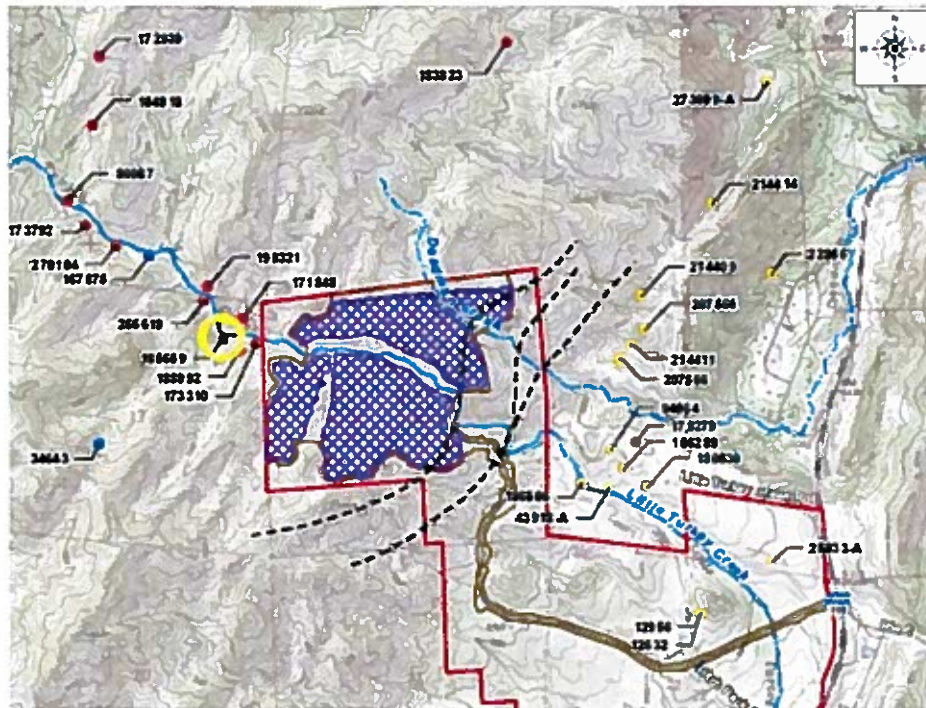


Figure 18 Lead Found in Water Well Test

4.2 Water Rights

The quarry application is supposed to discuss the potential impact of quarry operations on existing water rights. Little Turkey Creek flows through the middle of the proposed quarry operations area. Although Hitch Rack Ranch owns some water rights associated with Little Turkey Creek, these water rights have specific limits. Furthermore, Hitch Rack Ranch does not own *all* of the Little Turkey Creek water rights.

The quarry application indicates that Transit Mix does not plan to divert any water from Little Turkey Creek for quarry operations. However, in 2015 the contractor hired to drill test bores for

the quarry placed a line into Little Turkey Creek and pumped water out of the creek within the proposed quarry operations area for months. Any such pumping in the future would impact water rights associated with diversion of water from the creek.

The water management plan calls for a number of large sediment ponds. Those within the Little Turkey Creek watershed are designed to hold over 82 acre feet water if the ponds are ever filled to capacity. These ponds within the Little Turkey Creek watershed were not discussed within the application in relation to water rights associated with the impoundment of water.

5. SAFETY AND SECURITY ISSUES

5.1 Safety at Intersection of New Quarry Road and Little Turkey Creek Road

The maps provided by Transit Mix shows their new quarry road intersecting Little Turkey Creek Road in the middle of their quarry operations area within the south canyon. Little Turkey Creek Road is the yellow line in Figure 19. The intersection of the new quarry road and Little Turkey Creek road is highlighted in fuchsia.

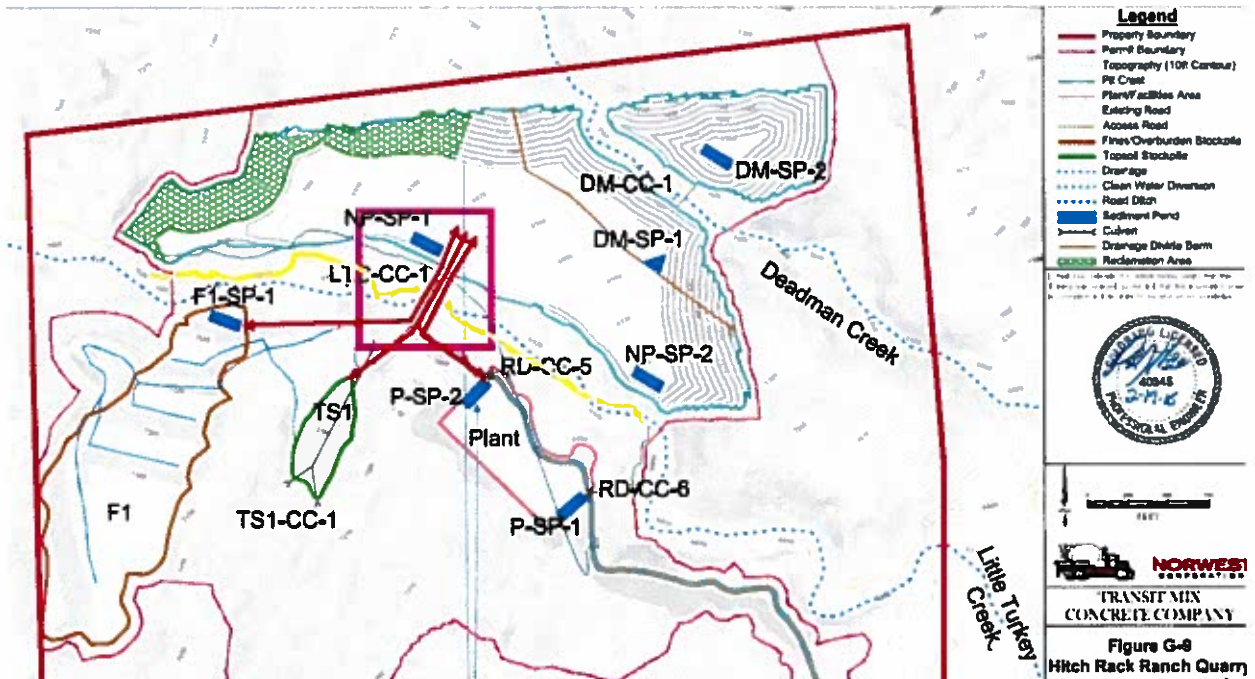


Figure 19 Intersection of New Quarry Road and Little Turkey Creek Road

Over the life of the quarry, millions of tons of material will be moved from the North Pit to the Top Soil Pile (TS1) during the preparation of the North Pit as well as from the North Pit to the Fines Pile (F1) while the temporary processing equipment is located within the North Pit. After the processing equipment is moved to the Plant during regular operations, raw material will be moved from the North Pit to the Plant. In order to move all of this material, large haul trucks will move through that intersection thousands of times a year during peak quarry operations. The size and frequency of haul trucks passing through that intersection may cause a significant safety issue as Eagles Nest landowners and their guests pass through that intersection to reach their properties. The intersection would be especially dangerous if there is no flagman or traffic management at that location, as is usually the case when heavy construction equipment crosses a road during highway projects.

5.2 Safety at Intersection of New Quarry Road and Highway 115.

Figure 20 is a portion of the map provided by Transit Mix which shows the proposed new quarry road coming out to Highway 115 a short distance south of Little Turkey Creek Road. The

yellow line is the existing Little Turkey Creek Road. The green line is Highway 115. The fuchsia circle highlights the intersection.

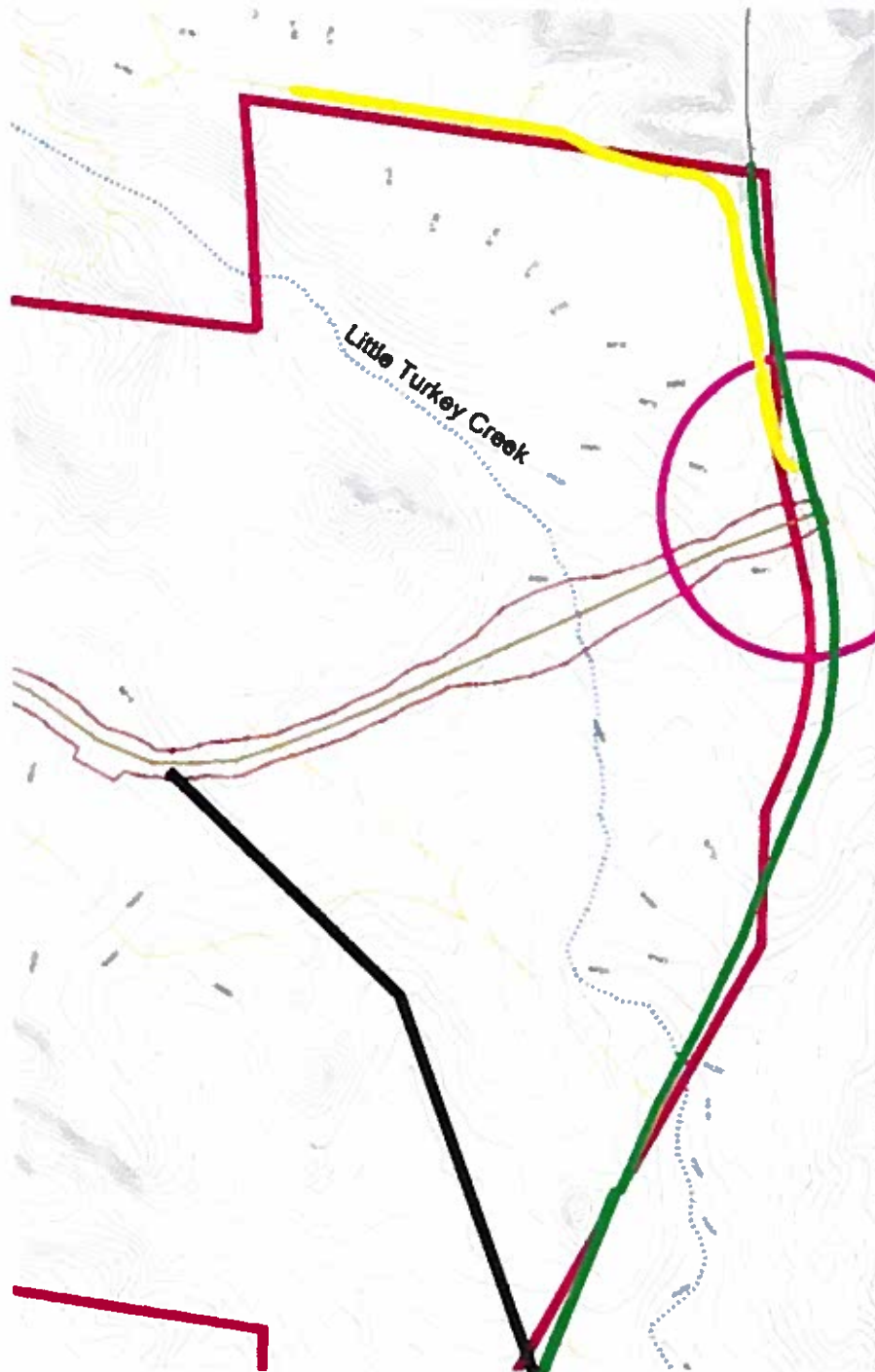


Figure 20 Intersection of New Quarry Road and Highway 115

The Transit Mix flyer and application indicates that there will be up to 2.0 million tons of material removed from the quarry per year during peak operations. This would result in

hundreds of trucks leaving and entering Highway 115 each day at this intersection. That high volume of commercial truck traffic using an intersection such a short distance from Little Turkey Creek Road will increase the risk to landowners or their guests as they use Little Turkey Creek Road.

The proposed intersection is just north of a curve on Highway 115. This curve blocks the view of motorists driving north on Highway 115, making it difficult for them to see the trucks entering the highway.

The proposed new quarry road also enters Highway 115 along a section that is just two lanes wide. Transit Mix has indicated that they plan to add acceleration and deceleration lanes at the new intersection. However, having trucks decelerate just as they approach Little Turkey Creek Road will make it even more difficult for vehicles trying to enter Highway 115 from Little Turkey Creek Road.

Moving the new quarry road further south (as illustrated by the black line in figure 20) would eliminate the issue of the new intersection being so close to Little Turkey Creek Road intersection as well as the of line-of-sight issue with the nearby curve in Highway 115. The proposed relocation of the Highway 115 access point would also eliminate the requirement to build a stream crossing structure over Little Turkey Creek within the lower ranch.

5.3 Safety during Quarry Blasting

The mining plan calls for the evacuation of quarry employees to the scale house during blasting operations. The fact that everyone is being evacuated from the canyon during these blasting operations indicates that people remaining too close to the blasting site may be at risk. It is not clear whether people driving on Little Turkey Creek Road above or below the blast guards, or whether people remaining on their property within Eagles Nest would ever be at risk.

Furthermore, there are several rock formations on properties within Eagles Nest located west of the quarry. Earth vibrations from the blasting may loosen rocks within these outcroppings, causing them to tumble onto the properties below.

5.4 Safety along Little Turkey Creek Road due to Failure of Impoundment Ponds, Stockpiles or Slopes

Rule 8 within “Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials” indicates that

“Operators shall notify the Office, as soon as reasonably practicable, but no later than twenty-four (24) hours, after the Operator has knowledge of a failure or imminent failure of any impoundment, embankment, stockpile or slope that poses a reasonable potential for danger to persons or property”.

Nothing was included in the Emergency Action Plan about notifying anyone of imminent dangers related to these risks. Failure of any of the impoundment ponds, stockpiles or slopes could have a devastating impact on Little Turkey Creek Road and therefore endanger the lives of people using that road to access their properties within Eagles Nest.

5.5 Increased Fire Risk Posed by Quarry Operations

Transit Mix has acknowledged that quarry operations may increase the risk of a wildfire within the canyon. The topography of the narrow canyon may allow a fire to spread very rapidly, placing homes and property within the canyon at risk.

The Emergency Action Plan in Exhibit T does not address wildfires within the canyon, although that is probably the greatest risk due to natural disasters that is likely to occur at the proposed quarry site.

5.6 Security Risk from Trespassers with Eagles Nest

There are currently two locked gates along the segment of Little Turkey Creek Road that runs up to the Eagles Nest area, one at the mouth of the canyon and another at the entrance to Eagles Nest. These locked gates limit access to the Little Turkey Creek canyon and provide at least some measure of security to the property owners within the Eagles Nest. The new planned quarry road will come into the canyon above the gate located at the mouth of the canyon, thereby bypassing one of those locked gates. Quarry operations will also increase the number of people coming into the south canyon, including employees working for the quarry as well as truckers coming into the canyon to pick up material.

A combination of the reduced access control on the road with an increased number of people coming into the canyon may result in more trespassers trying to get into the Eagles Nest, which would impact the security of property within Eagles Nest.

6. IMPACT ON ENVIRONMENT AND QUALITY OF LIFE

6.1 Scenic Views Damaged by Quarry operations

The proposed location of the quarry is within a scenic canyon to the west of Highway 115. That canyon is a combination of steep rocky walls and natural vegetation. Quarry operations will drastically alter a large portion of that canyon.

The quarry plan calls for reducing visibility of the quarry to passing motorists. While this may be the case for motorists passing along Highway 115, the quarry operations area will not be hidden from motorists driving along Little Turkey Creek Road to reach their properties within Eagles Nest.

Eagles Nest is located to the west of the proposed quarry operations area at a higher elevation than the quarry. Today, a number of owners within Eagles Nest enjoy dramatic, scenic views looking east down Little Turkey Creek canyon toward the plains below. In the future, these owners will look down into portions of the quarry operations area.

6.2 Noise Generated by Quarry Operations

The noise associated with blasting and crushing quarry rocks, as well as the noise associated with the operation of large haul vehicles within the quarry operations area and dump trucks transporting material out of the quarry may significantly increase the level of noise in what has historically been a very quiet rural area. The topography of the canyon creates acoustic phenomena in which sound travels a great distance up and down the canyon. For example, property owners living in the canyon four miles from Highway 115 have heard sirens from emergency vehicles on the highway. This doesn't happen all the time, so it is unclear what factors cause this to happen. Limited, short duration, tests intended to determine decibel levels of sounds generated by quarry operations may not uncover this acoustic issue.

Although the application states that Transit Mix plans to meet current regulations regarding noise, nothing is specifically mentioned in the application about how they intend to adequately control the noise from excavation, rock processing equipment or haul trucks.

6.3 Dust Generated by Quarry Operations.

Quarry operations will significantly increase dust in the air within the quarry operations area in the canyon. Transit Mix has indicated that they plan to spray water on the quarry roads, which may help reduce dust from truck traffic. However, the current mining plan calls for "dry" operations. The application does not describe specific steps which Transit Mix plans to take to mitigate the dust generated by drilling operations for blasting, nor for the crushing and screening of rocks. For example, no mention is made whether the processing plant will be enclosed in order to reduce the amount of dust sent into the canyon from rock processing.

Until vegetation covers the top soil and fines piles, there will also be a significant amount of exposed soil stored in piles within the canyon. The topography of the quarry operations area will cause much of the dust to settle temporarily within the quarry operations area in the canyon, as

Transit Mix indicated in their 17 March meeting with landowners. However, the steep sides of the canyon can result in very high winds channeling down the canyon. When these winds occur, the dust which has settled within the quarry operations area will be picked up by these winds and blown out at the canyon mouth.

6.4 Destruction of Bio-diversity of Canyon Environment.

A Colorado state biologist who performed a bird survey in the canyon about ten years ago indicated that this canyon was the most bio-diverse ecosystem within the state of Colorado. Quarry operations will destroy that environment.

The reclamation plan calls for revegetation using a much more limited variety of plants than exists within the canyon today. The Reclamation Plan mentions a Noxious Weed Management Plan as being attached, but no such plan was included in the application.

The estimate for the cost of reclamation appears to be much too low. Statements made in Exhibit L indicate that

"Costs are based on a conservative scenario which the mine is developed to full extent of the Phase III, which is approximately 10 years in the future".

And that

"This area does not include areas of Phase I that will be reclaimed during Phase II mining."

These two assumptions result in a significant portion of the disturbed area being excluded from the reclamation cost estimate. For example, Table D-1 indicates that a total of 392.75 acres will be disturbed during quarry operations, but the reclamation cost estimate only includes revegetation of 107 acres. Table D-1 indicates that 316,816 bank cubic yards (bcy) of topsoil will be removed from the quarry pits during the life of the quarry, but the reclamation cost estimate only calls for 86,644 bcy of topsoil to be returned during the reclamation.

Furthermore, the cost estimate includes a "one mile, downhill haul distance". At least a portion of the distance from the fines and topsoil piles to the quarry pits will need to be uphill to return the material to the terraces within the mine pits.



30 property owners

yellow = Cabins

purple = vacant lots

**STATE OF
COLORADO**

Eschberger - DNR, Amy <amy.eschberger@state.co.us>

Letter of Concern related to Hitch Rack Ranch Quarry

1 message

Nancy Reed <ncr.turkeycreek@gmail.com>

Tue, Apr 12, 2016 at 4:58 PM

To: amy.eschberger@state.co.us

Amy:

Let me introduce myself. I am the president of the Eagles Nest Association, which is an organization of property owners in the Eagles Nest development. This development is located on Little Turkey Creek Road to the west of the proposed Hitch Rack Ranch quarry.

To give you a context for where this development is located, I have attached a Google Earth map. The view is looking from above the proposed quarry towards the northwest. The red house icons are the permanent homes in the development. The yellow house icons indicate the various cabins within the development. The purple pins are vacant lots. There are a total of 36 lots in the development and 30 property owners, since some people own multiple lots.

The owners within Eagles Nest have deep concerns about the proposed quarry. Attached is a letter and report that document those concerns in more detail. I have also attached a second letter which lists a number of questions that I had after I reviewed the Colorado mining rules and regulations as well as the application. In many cases, there was insufficient detail or the wording in the application was such that I wasn't sure whether I had a concern about a given topic until these questions could be answered. I sent both of these via US Mail, but discovered that I could also email them to you. Given that the postal service is likely to be overwhelmed with tax returns this week, I wanted to be sure that you got this material before the deadline next week.

Little Turkey Creek Road is the only means we have to access our properties within Eagles Nest. Our association performs all of the maintenance on the road from the first gate just outside the canyon, then westward into the canyon and all the way through the Eagles Nest development. As expressed in the attached reports, we are especially concerned that quarry operations may block our ingress/egress access road or may damage our road.

I understand that you were going to visit the quarry site today. I saw a group of people standing by cars within the proposed quarry area as I drove home this afternoon. You may have seen me; I was driving the silver SUV. Hopefully, your visit to the canyon today will help you better understand our concerns.

I apologize for the current condition of the road; it must have been quite an adventure for you driving into the canyon today. The association has very limited funds and the canyon has been hit by two major floods in just over two years. The flood in September 2013 took out major sections of the road. During that flood we were blocked in the canyon for nine days by dangerously high levels of water flowing through the stream crossings. We put culverts into the stream crossings in Oct 2013 to try to make the crossings safer during high water flows. We had not fully repaired the road from the 2013 flood damage when the floods in May 2015 took out most of the repairs we had done in 2013 and caused additional damage. We repaired the road three times during the month, only to have subsequent flooding take out the repairs that we had just done. As you can imagine,

given our recent history with flooding in the canyon, we are especially concerned that the quarry will remove vegetation from large segments of the canyon within the quarry operations area. We think that this will cause even worse flooding in the lower canyon, similar to what was experienced in the Waldo Canyon burn area where vegetation was lost due to the wildfire there.

Sincerely,

Nancy Reed

President, Eagles Nest Association

3 attachments



Eagles Nest looking northwest.pdf
487K



Eagles Nest Letter to State with Concerns Report.pdf
6941K



Letter with Questions.pdf
1085K

Gerry Klein

40

April 12, 2016

Colorado Division of Reclamation, Mining and Safety
1313 Sherman Street, Room 215
Denver, CO 80203

Rec: 4/12/16

Ms. Amy Eschberger:

I live in Red Rock Valley Estates and my home is approximately 1 mile from Hitch Rack Ranch Road. Transit Mix Concrete Company is seeking a permit (#M-2016-010) to operate a quarry in this area. After reading over their 809 page permit request and doing my own research, I am very much **OPPOSED** to the Hitch Rack Quarry Project.

The proposed Reclamation and Mining development at Hitch Rack Ranch would bring a large-scale aggregate mining development unnecessarily close, and, abutting in at least two areas, to residential [A-5] neighborhoods. This proposal will result in **long-term consequences** to the environment, public health, safety, and well being of the affected and adjoining neighborhoods. There will be substantially increased truck traffic, dust, and noise pollution. This area is known for its strapped water resources, and is located in an area of the highest fire danger. Why would you want to put a quarry in an area of unparalleled natural beauty, abundant wildlife, wildlife habitats, and wildlife migratory trails, when another quarry is not even needed in this area? As a resident of Red Rock Valley Estates Neighborhood, I cannot support this development and; therefore, I am opposed to the development for the following reasons:

- Quarrying requires drilling and blasting with explosives, which create vibrations, noise, and dust. Once this process is completed, rock-crushing machines crush the rock, conveyor belt machines move the rock around the processing plant; and trucks are loaded and unloaded. **The process and heavy machinery required to mine is intrusive and creates significant noise and air pollution; and has a direct impact on the surrounding areas and community.** I do not want to listen to daily pounding, crushing and blasting noises that will disrupt the quality of life in the neighborhood where I live. Why do we need a company from Illinois, with the main motive of financial gain, to come in and affect the health, lives, and environment of people who live in Colorado when **there are already 3 operational quarries in this area that can do the same job and are not operating at their capacity?** Colorado Springs does not need another quarry to fulfill the needs of the city.
- Air quality is compromised and diminished by the fugitive dust associated with aggregate mining. **Dust generated by mining granite contains silica, a common naturally occurring crystal found in most rock beds. Prolonged exposure to silica may result in silicosis.** According the Centers for Disease Control, "[s]ilicosis is a disabling, nonreversible and sometimes fatal lung disease caused by over exposure to respirable crystalline silica...Over exposure to dust that contains microscopic particles of crystalline silica can cause scar tissue to form in the lungs, which reduces lung's ability to extract oxygen from the air we breathe." In addition to silicosis, inhalation of crystalline silica particles has been associated with other diseases, such as bronchitis and tuberculosis. **The larger particles PM10 (micrometers) can travel as much as 30 miles. The smaller particles PM2.5**

(micrometers) can travel many hundreds of miles and is responsible for much of Denver's Brown Cloud (<http://www.fcgov.com/airquality/particulate-matter.php>.) The strong winds in this area will help carry the particles over greater distances

- This is a health issue for the abutting and nearby residential homeowners and their livestock. My sister uses an oxygen concentrator to breathe and she stays with me 4-5 months every year. If this is approved, will the concentrated oxygen she breathes contain silica and affect her breathing even more? I didn't see any data included in their permit application concerning silica exposure for people who live near quarries, or baseline air quality studies for this area. Although there are reports on water, wildlife, soils and vegetation, I didn't see any data at all concerning human studies, especially the effects on those who have asthma or COPD. **While they may use water to mitigate the dust while mining, the water will dry, the silica dust will remain, and the high winds will blow it great distances. This may affect the health of humans, pets, and livestock; cover the interior of our homes; deplete nutrients in the soil; and create a haze over the natural beauty of our area, as well as extend the effects of their mining throughout El Paso County.**
- The proposed quarry will increase truck traffic by approximately 624 trucks per day, in addition to the existing truck traffic from the three operating quarries. **These trucks will have to travel over several older bridges that may not be capable of handling the additional traffic and may affect their limited lifespans.** The increased number of trucks will also create traffic hazards detrimental to the safety of El Paso County residents. When there is an accident on Hwy. 115, the road is often closed in one or both directions for an extended period of time, and individual lives come to a complete standstill. Medical emergencies may be affected if the road is impassable. The increase of approximately 18,720 trucks on the road, per month, will increase accident potential. Safety issues will also affect the bicyclist and motor bike clubs and individual "bikers" who use the 115 Southwestern Corridor as a major thoroughfare due to the area's geographic and aesthetic appeal.
- The Bauer Ranch and Eagle's Nest neighborhoods have one entrance and one exit rendering them land locked in the event of fire, traffic accident, blasting accident, landslides due to blasting, etc.
- At the present time, there are 3 existing quarries within an 8-mile radius; these quarries are currently operating at half their capacity. **Transit Mix would like us to believe that Colorado Springs and El Paso County could not function without the addition of the Hitch Rack Quarry. However, IF there were so much demand for aggregates in El Paso County, the existing quarries would already be operating at full capacity. A better plan, and a plan that would have less impact to the community and surrounding areas, would be to expand the existing quarries.... if more aggregate than is being produced is ever needed.** Refusing to add an unnecessary additional quarry would also be consistent with our Master Plan: Southwestern/Highway 115 Comprehensive Plan.
- Wildlife, wildlife habitats, wildlife migratory paths and biodiversity will be lost. The proposed quarry site could also be in violation of the Federal and State Endangered Species Act. **While reclamation is the goal, it may not be possible to "put Humpty Dumpty back together again" after 50 years of abuse and depletion....and then what????**
- As a native of New Orleans, I can't help but question TMC's level of commitment to this project when their safety plans include hurricanes! I don't feel like they customized their research to apply only to this project, but dealt in generalizations. I wonder if this carried over to other aspects of the details they provided, and if they were not as conscientious about this as they should be.

- Moving dirt and extracting rock from the ground alters the flow of water runoff. The **abutting and adjoining neighborhoods depend strictly on well water supplies for all their water needs.** There is **potential for well contamination and/or damage, or complete loss of all well water** from nearby blasting, contamination from blowing dust, and water runoff. **Transit Mix can't guarantee it won't happen, and nothing has been put into place to fully compensate us if it does happen.** Blasting can change the water flow. Additionally, the heavy equipment necessary for quarrying uses gasoline, diesel, oil and transmission fluids. These fluids can potentially leak. Small amounts to larger spills can contaminate 100's to 1000's of gallons of ground water.
- While TMC lists 8 adjacent properties to the site: **many more neighborhoods and families will be affected.** Red Rock Valley Estates alone is home to about 82 families.

Quarrying requires heavy equipment, blasting, drilling, earthmoving, all of which create noise and dust, and, would certainly diminish the quality of life and well being of the adjacent land owners and surrounding area. Southwestern/Highway 115 Corridor's unparalleled natural beauty will be compromised and the landscape densely populated with quarries and their side effects. The 115 Southwestern Highway area is currently taxed by the activities and traffic associated with Fort Carson, Cheyenne Mountain State Park, RV Parks, and privately owned parks opened to the public, within the surrounding area. Protection of the land, environment, and public health, safety, and wellbeing is consistent with my constitutional rights. In alliance with the "Highway 115 Citizen's Advisory Committee", the citizens, and the fellow neighborhoods along the corridor, I am opposed to the quarry development.

And finally, I ask, how would you react to a quarry that was being proposed in YOUR neighborhood? Would you want your children or grandchildren to be exposed to the effects of breathing silica on a day-to-day basis??? Would you want to listen to pounding and /or explosions on a daily basis and have dust covering everything you touch? Would you want your only water source to possibly dry up or your home value to drop? These are very real possibilities. Please support us by denying this request, and letting us continue to breathe the fresh Colorado mountain air we now enjoy. Thank you for your time and consideration of this letter.

Sincerely,

Gerry Klein
 11580 Calle Corvo
 Colorado Springs, Colorado 80926
 719-375-4144

**STATE OF
COLORADO**

Eschberger - DNR, Amy <amy.eschberger@state.co.us>

Permit #M-2016-010

2 messages

Gerry Klein Glass <gerryklein777@gmail.com>

Tue, Apr 12, 2016 at 12:21 PM

To: Amy.Eschberger@state.co.us

Dear Ms. Eschberger,

I would like to submit this letter to object to the proposed Hitch Rack Quarry Project #M-2016-010.
Please consider this letter electronically signed as a duplicate signed hard copy will be sent in the mail.

Thank you,

Gerry Klein
11580 Calle Corvo
Colorado Springs, CO 80926
[719-375-4144](tel:719-375-4144)

Gerry Klein
[719.375.4144](tel:719.375.4144)
www.GerryKlein.com
www.GerryKlein.wordpress.com
www.CottonwoodCenterForTheArts.com

**My CDRMS Letter.docx**

27K

Eschberger - DNR, Amy <amy.eschberger@state.co.us>

Thu, Apr 14, 2016 at 8:50 AM

To: Gerry Klein Glass <gerryklein777@gmail.com>

Cc: Wally Erickson - DNR <wally.erickson@state.co.us>

Hi Gerry,

I have received your timely objection and will add it to the permit file. I appreciate your participation in the application review process for the proposed Hitch Rack Ranch Quarry (Permit No. M-2016-010).

Thanks,

Amy Eschberger
Environmental Protection Specialist



COLORADO

**Division of Reclamation,
Mining and Safety**

Department of Natural Resources

P 303.866.3567 x8129 | F 303.832.8106 | C 303.945.9014
1313 Sherman Street, Room 215, Denver, CO 80203
Amy.Eschberger@state.co.us | <http://www.mining.state.co.us>

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[Quoted text hidden]

~~~~~  
Gerry Klein  
719.375.4144  
[www.GerryKlein.com](http://www.GerryKlein.com)  
[www.GerryKlein.wordpress.com](http://www.GerryKlein.wordpress.com)  
[www.CottonwoodCenterForTheArts.com](http://www.CottonwoodCenterForTheArts.com)

AME

Brett E.  
Powell

RECEIVED

APR 13 2016

DIVISION OF RECLAMATION  
MINING AND SAFETY

41

*Brett E. Powell*  
Brett E. Powell

March 31, 2016

Ms. Amy Eschberger  
Colorado Division of Reclamation, Mining and Safety  
1313 Sherman Street, Room 215  
Denver, Colorado 80203

Re: Transit Mix Concrete Company application for Reclamation Permit, Hitch Rack Ranch Quarry  
(# M2016010)

Dear Ms. Eschberger

I am submitting this letter on behalf of the 13 property owners within the Ridgewood Estates (Glenrock Drive). Ridgewood Estates is located along Highway 115, two miles North of the proposed Hitch Rack Ranch Quarry operation.

Based on our investigations and research, the owners and residents within the Ridgewood Estates are unanimously opposed to bringing an additional large-scale aggregate mining operation to our community, as there are already three quarries in service along this five mile stretch of Highway 115.

Our research has unveiled significant constraints to additional quarry development in the proposed location including: limited water supplies, a fragile groundwater system, rich wildlife and vegetation resources, public health and safety, air and noise contamination, compromised transportation within the community, traffic hazards along Highway 115, existing quarries that satisfy the demand, violation of current development plans for the area, proximity to local residents, and limited or no alternatives for residents.

**Water Supply:** All residents in Ridgewood Estates and surrounding neighbors along the Highway 115 corridor depend on ground water for their domestic water supply. These wells likely depend on the fracture system within the granitic rock for water supply, while wells in the adjacent upturned sedimentary rocks may depend upon both these fracture systems and infiltration along the granite-sedimentary rock boundary for recharge. This situation makes such wells dependent on the quality of the recharging surface water and highly susceptible to contamination. **The Heavy rains of 2014 proved this when many of our wells water changed color to tea like, due to the increased run off that shocked the aquifer. Despite the fact that many of these wells receive water from over 200 feet below the surface, the color change remained for several months.** Contamination from mining operations can travel very quickly through the fracture system to affect domestic wells. The very geology and topography of the proposed Hitch Rack Ranch Quarry site makes such effects exceedingly difficult to predict. Further, the effect from blasting operations (which Transit Mix proposes to conduct two or three times each week) on the fracture system will likely exacerbate the problem, and is equally difficult to predict. **In 1996 when we experienced an aftershock of an earth quake, several wells in our community had a drastic reduction in water production or had to be abandoned.**

**Wildlife:** An independent and objective wildlife study needs to be completed, rather than accept questionable statements by the applicant. The proposed quarry site is adjacent to and contiguous with the Aiken Canyon Preserve (managed by the Nature Conservancy of Colorado), and included as part of the Aiken Canyon Potential Conservation Area. This area is identified by the Colorado Natural Heritage Program as a B2 site – Very High significance. It should be noted that the Nature Conservancy shares our opposition to the quarry permit. The quarry site is an area rich in wildlife. It lies between large concentrations of wildlife in the federal lands to the west and Fort Carson to the east, and serves as a major migration route between the two ecotypes. It is inhabited by a great diversity and in some cases high density of wildlife. Most notably, the site is mapped by the US Fish and Wildlife Service as Critical Potential Conservation Habitat for the Mexican Spotted Owl, a federally listed threatened species. **The Mexican Spotted Owl has been documented in the immediate area. The applicant's statement that "turkeys are not common in the mining area" is ludicrous. Anyone who frequents this area knows it harbors one of the largest concentrations of turkeys in this part of Colorado. Sighting of turkeys is an almost daily occurrence here. Turkeys, in particular, are intolerant of industrial operations such as mining. Colorado Parks and Wildlife identifies the proposed quarry site as a primary elk residence and migration area. More than 100 species of birds have been documented using the area, and the stream corridors are known to be important movement areas for wide-ranging animals such as mountain lions, black bear, mule deer, and elk. There are unconfirmed reports of the presence of Canada Lynx, an endangered species recently reintroduced into Colorado, in the area. The proposed mining plan does not appear to provide an adequate buffer to protect the use of intermittent stream corridors by these sensitive species.**

**Vegetation:** The vegetation analysis sections of the application contain several inaccuracies. The quarry site provides high quality foothills plant communities that are rapidly being converted to development north and south of this area. The dry (xeric) tallgrass sites along the Front Range are also rarely found in the high quality condition in evidence at this site. It contains excellent to good examples of globally-imperiled mountain mahogany/needlegrass community, an excellent occurrence of globally vulnerable piñon pine/Scribner needlegrass community, as well as an excellent occurrence of mesic oak thicket community. The lodgepole pine and blue spruce mentioned repeatedly in the application do not appear in significant numbers, while the white pine, which is very common at the site, is not mentioned at all.

**Noise and Air Contamination:** Quarrying requires drilling and blasting with explosives, which create vibrations, noise, and dust. Once this process is completed, rock crushing machines crush the rock, conveyor belt machines move the rock around the processing plant; trucks are loaded and unloaded. The process and heavy machinery required to mine, is intrusive and creates significant noise and air pollution; thus having a direct impact on the surrounding areas and community. Air quality is compromised and diminished by the fugitive dust associated with aggregate mining. Dust generated by mining often contains silica, a common naturally occurring crystal found in most rock beds. Prolonged exposure to silica may result in silicosis. According the Centers for Disease Control, "silicosis is a disabling, nonreversible and sometimes fatal lung disease caused by over exposure to respirable crystalline silica. Over exposure to dust that contains microscopic particles of crystalline silica can cause scar tissue to form in the lungs, which reduces the lung's ability to extract oxygen from the air we breathe." In addition to silicosis, inhalation of crystalline silica particles has been associated with other diseases, such as bronchitis and tuberculosis.

**Noise and Air Contamination continued:** Due to our unique dry climate with sustained Chinook winds of 20 to 40 miles per hour this is a health issue for both humans and animals living within a four mile radius of this quarry. Dr. Robert Nathan, MD, a Diplomate of the American Board of Allergy and Immunology, and known world wide for his research and knowledge, noted in a letter to your office that the Silica dust behaves similarly to pollen, "it can impact the airways of asthma and COPD patients as far a 3-4 miles away." We have several of those patients living here daily on Glenrock Drive.

**Transportation:** Transportation in the Highway 115 area is unique in that the normal hierarchy of roads do not exist. Highway 115 is the lifeline upon which residents depend. It is the only means of transportation into, out of, and within the community. **There are no other alternatives, and residents cannot avoid using Highway 115 for their life-sustaining transportation needs.** Thus, the condition and safety of Highway 115 are primary concerns of all residents. According to the El Paso County Major Transportation Corridors Plan (MTCP), Highway 115 south of Fort Carson's main gate is functionally classified as "congested". Major sections of the highway are two lane, including the point at which Transit Mix proposes to access the highway. The proposed highway access point is also located at a historically dangerous place, with multiple fatal traffic accidents in recent years. Unfortunately, the 2040 MTCP Roadway Plan does not call for any improvements to Highway 115 through the year 2040, so the highway we have now is what we will live with for many years to come. If the Hitch Rack Ranch Quarry is allowed to proceed, an already congested highway, currently bearing truck traffic from three active quarries, will be burdened by as many as 624 additional trucks per day when the quarry is at full production. This additional traffic will exacerbate traffic hazards not only for the local residents, but also for the many commuters who use this major thoroughfare to Colorado Springs, as well as the many tourists, bicyclists, and motorcycle clubs who frequent the area for it's unique geographic and aesthetic appeal.

**Existing Quarries:** There are currently three quarries operating within a five mile stretch along Highway 115, the nearest less than three miles from the proposed Hitch Rack Ranch Quarry site. The quarry operators report they are currently operating at roughly half their capacity. When questioned why such low production, the response is "insufficient demand". This calls into question the need for yet another quarry on the backs of the already burdened local residents.

**Proximity to Local Residents:** There are more than 140 properties within two miles of the proposed quarry site, some as close as 1200 feet and with direct line-of-sight to the quarry operations. The vast majority, if not all, of these property owners are vehemently opposed to the applicant's quarry plans. The policies incorporated in the El Paso County Southwestern Highway 115 Comprehensive Plan (see below) state "any resource extraction operation should be located a minimum of two miles distant from any dissenting residents".

**Comprehensive Development Plan:** This application for permit is in clear violation of the current Southwestern (Highway 115) Comprehensive Plan. This is a plan commissioned and adopted by the El Paso County Board of County Commissioners for the Highway 115 area. This comprehensive plan foresaw the potential for future demands for mineral resource extraction in the area, and adopted specific policies to address it. The Hitch Rack Ranch Quarry application is in specific violation of the following policies in this plan:

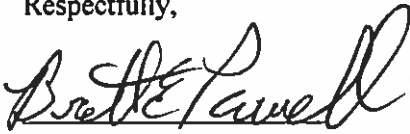
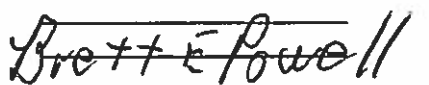
1. The entire burden of proof for demonstrating the existence of extractable mineral resources should lie with the applicant. Designation of potentially extractable mineral resources in the Master Plan for the Extraction of Commercial Mineral Deposits should in no way be seen as a justification or an implied right for mining.
2. Resource extraction operations in general are not supported in the planning area. However, the presence of existing operations is recognized, and if future conditions dictate the necessity for additional supplies of aggregate, the expansion of existing operations is preferred over new quarries.
3. At no time during their operations should resource extraction affect the quantity, quality, or dependability of residents' existing water supplies or result in the diversion of existing water supplies. The full burden of proof for assuring this will lie with the applicant.
4. Access from Highway 115 to any resource extraction operation should not affect the quality of the existing access to area residents.
5. Unless it can be demonstrated that topography will shield existing residents from visual, noise, and dust impacts, all resource extraction operations should be located a minimum of two miles distant from any dissenting residents.
6. Wildlife and wildlife protection routes should be protected through the development of a wildlife overlay zone, addressing the need for protecting critical habitat areas.
7. Development should not be allowed in riparian areas, both because the hazard of flooding and because of their exceptionally high wildlife values. Any drainage improvements undertaken in the area should be treated in the most natural way possible to minimize any impacts on riparian areas.
8. The specific area of Aiken Canyon is identified as a unique and significant biological resource of state-wide significance that should continue to be preserved. Preservation is not compatible with most public access, and management should maximize wildlife and scientific values.

**No Alternatives:** Residents in close proximity to the proposed quarry have no other alternatives but their status quo. They have but one source of water, their individual wells. They have but one route of ingress and egress to their properties, Little Turkey Creek Road. They have but one transportation corridor into and out of the community, Highway 115. Even routine operations of a Hitch Rack Ranch Quarry will have a significant impact on residents. For example, blasting operations, which Transit Mix proposes to conduct two or three times each week, will require closing Little Turkey Creek Road, precluding the owners and residents of 43 lots from leaving or returning to their properties. More severe occurrences run the risk of closing the only highway and/or effectively sealing off access to properties in the area.

The objections addressed above should be considered representative, but incomplete due to the limited time frame available to us for review, research and analysis. We reiterate our request that the study period be extended to give us a reasonable amount of time to conduct a thorough and meaningful study.

Thank you for your time and consideration.

Respectfully,

Copy to:

Congressman Doug Lamborn, U.S. House of Representatives, Colorado's Fifth District  
1125 Kelly Johnson Blvd., #330, Colorado Springs, CO 80920

Senator Kevin Grantham, Colorado State Senator, District 2  
200 E. Colfax Ave., Denver, CO 80203

Representative Lois Landgraf, Colorado State Representative, District 21  
200 E. Colfax Ave., Denver, CO 80203

AME

✓R  
David + Linda Martin  
8905 Old Canon City RD  
Colorado Springs, CO 80926

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✓ APR 13 2016

DIVISION OF RECLAMATION  
MINING AND SAFETY

March 31, 2016

Ms. Amy Eschberger  
Colorado Division of Reclamation, Mining and Safety  
1313 Sherman Street, Room 215  
Denver, Colorado 80203

Re: Transit Mix Concrete Company application for Reclamation Permit, Hitch Rack Ranch Quarry  
(# M2016010)

Dear Ms. Eschberger

I am submitting this letter on behalf of the 13 property owners within the Ridgewood Estates (Glenrock Drive). Ridgewood Estates is located along Highway 115, two miles North of the proposed Hitch Rack Ranch Quarry operation.

Based on our investigations and research, the owners and residents within the Ridgewood Estates are unanimously opposed to bringing an additional large-scale aggregate mining operation to our community, as there are already three quarries in service along this five mile stretch of Highway 115.

Our research has unveiled significant constraints to additional quarry development in the proposed location including: limited water supplies, a fragile groundwater system, rich wildlife and vegetation resources, public health and safety, air and noise contamination, compromised transportation within the community, traffic hazards along Highway 115, existing quarries that satisfy the demand, violation of current development plans for the area, proximity to local residents, and limited or no alternatives for residents.



**Water Supply:** All residents in Ridgewood Estates and surrounding neighbors along the Highway 115 corridor depend on ground water for their domestic water supply. These wells likely depend on the fracture system within the granitic rock for water supply, while wells in the adjacent upturned sedimentary rocks may depend upon both these fracture systems and infiltration along the granite-sedimentary rock boundary for recharge. This situation makes such wells dependent on the quality of the recharging surface water and highly susceptible to contamination. **The Heavy rains of 2014 proved this when many of our wells water changed color to tea like, due to the increased run off that shocked the aquifer. Despite the fact that many of these wells receive water from over 200 feet below the surface, the color change remained for several months.** Contamination from mining operations can travel very quickly through the fracture system to affect domestic wells. The very geology and topography of the proposed Hitch Rack Ranch Quarry site makes such effects exceedingly difficult to predict. Further, the effect from blasting operations (which Transit Mix proposes to conduct two or three times each week) on the fracture system will likely exacerbate the problem, and is equally difficult to predict. **In 1996 when we experienced an aftershock of an earth quake, several wells in our community had a drastic reduction in water production or had to be abandoned.**

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**Vegetation:** The vegetation analysis sections of the application contain several inaccuracies. The quarry site provides high quality foothills plant communities that are rapidly being converted to development north and south of this area. The dry (xeric) tallgrass sites along the Front Range are also rarely found in the high quality condition in evidence at this site. It contains excellent to good examples of globally-imperiled mountain mahogany/needlegrass community, an excellent occurrence of globally vulnerable piñon pine/Scribner needlegrass community, as well as an excellent occurrence of mesic oak thicket community. The lodgepole pine and blue spruce mentioned repeatedly in the application do not appear in significant numbers, while the white pine, which is very common at the site, is not mentioned at all.

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**Noise and Air Contamination continued:** Due to our unique dry climate with sustained Chinook winds of 20 to 40 miles per hour this is a health issue for both humans and animals living within a four mile radius of this quarry. Dr. Robert Nathan, MD, a Diplomate of the American Board of Allergy and Immunology, and known world wide for his research and knowledge, noted in a letter to your office that the Silica dust behaves similarly to pollen, "it can impact the airways of asthma and COPD patients as far as 3-4 miles away." We have several of those patients living here daily on Glenrock Drive.

**Transportation:** Transportation in the Highway 115 area is unique in that the normal hierarchy of roads do not exist. Highway 115 is the lifeline upon which residents depend. It is the only means of transportation into, out of, and within the community. **There are no other alternatives, and residents cannot avoid using Highway 115 for their life-sustaining transportation needs.** Thus, the condition and safety of Highway 115 are primary concerns of all residents. According to the El Paso County Major Transportation Corridors Plan (MTCP), Highway 115 south of Fort Carson's main gate is functionally classified as "congested". Major sections of the highway are two lane, including the point at which Transit Mix proposes to access the highway. The proposed highway access point is also located at a historically dangerous place, with multiple fatal traffic accidents in recent years. Unfortunately, the 2040 MTCP Roadway Plan does not call for any improvements to Highway 115 through the year 2040, so the highway we have now is what we will live with for many years to come. If the Hitch Rack Ranch Quarry is allowed to proceed, an already congested highway, currently bearing truck traffic from three active quarries, will be burdened by as many as 624 additional trucks per day when the quarry is at full production. This additional traffic will exacerbate traffic hazards not only for the local residents, but also for the many commuters who use this major thoroughfare to Colorado Springs, as well as the many tourists, bicyclists, and motorcycle clubs who frequent the area for its unique geographic and aesthetic appeal.

**Existing Quarries:** There are currently three quarries operating within a five mile stretch along Highway 115, the nearest less than three miles from the proposed Hitch Rack Ranch Quarry site. The quarry operators report they are currently operating at roughly half their capacity. When questioned why such low production, the response is "insufficient demand". This calls into question the need for yet another quarry on the backs of the already burdened local residents.

**Proximity to Local Residents:** There are more than 140 properties within two miles of the proposed quarry site, some as close as 1200 feet and with direct line-of-sight to the quarry operations. The vast majority, if not all, of these property owners are vehemently opposed to the applicant's quarry plans. **The policies incorporated in the El Paso County Southwestern Highway 115 Comprehensive Plan (see below) state "any resource extraction operation should be located a minimum of two miles distant from any dissenting residents".**

**Comprehensive Development Plan:** This application for permit is in clear violation of the current Southwestern (Highway 115) Comprehensive Plan. This is a plan commissioned and adopted by the El Paso County Board of County Commissioners for the Highway 115 area. This comprehensive plan foresaw the potential for future demands for mineral resource extraction in the area, and adopted specific policies to address it. The Hitch Rack Ranch Quarry application is in specific violation of the following policies in this plan:

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2. Resource extraction operations in general are not supported in the planning area. However, the presence of existing operations is recognized, and if future conditions dictate the necessity for additional supplies of aggregate, the expansion of existing operations is preferred over new quarries.
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Colorado Springs, CO 80926  
719 540 0382

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Nancy Reed

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Rec: 4/13/2016  
(via email)

11 April 2016

Colorado Division of Reclamation, Mining and Safety  
1313 Sherman Street, Room 215  
Denver, CO 80203

Ms. Amy Eschberger:

This letter is in response to the proposed Reclamation and Mining development at Hitch Rack Ranch, submitted by Transit Mix Concrete Company, Permit No. M2016010.

I have reviewed the Transit Mix application as well as the Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials. The attached document contains questions that I have about the application based on my review of the material. In a number of cases, due to the lack of detail or exact wording within the application, I don't know whether I have concerns about a specific area or not.

Sincerely,

Nancy Reed

Nancy Reed  
4848 Little Turkey Creek Road  
Colorado Springs, CO 80926  
Phone: 719-445-2030

## Questions about Transit Mix Application

| Section                       | Page | #  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|-------------------------------|------|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Exhibit C: Maps</b>        | C-2. | 1. | <p><b>Hitch Rack Ranch Ownership map.</b></p> <p>Questions: What criteria were used to determine which property owners were shown on this map. Owners within Red Rock Valley were included. Why were very few owners within the Eagles Nest development located to the west of the proposed quarry operations area included? Why were very few owners within the former Bauers ranch located to the northwest of the proposed quarry operations area included?</p> |
| <b>Exhibit C: Maps</b>        | C-2. | 2. | <p><b>Hitch Rack Ranch Ownership map.</b></p> <p>Question: What criteria were used to determine which road segments were shown on this map? Some segments of Little Turkey Creek Road within the quarry operations area are not included.</p>                                                                                                                                                                                                                      |
| <b>Exhibit D: Mining Plan</b> | D-3  | 3. | <p>“The ultimate pit is designed to maximize resource recovery and to minimize the visibility of the quarry.”</p> <p>Questions: Visibility by whom? Motorists on Highway 115? Motorists on Little Turkey Creek Road? Landowners located to the east of the proposed quarry? Landowners located to the west of the proposed quarry, with views down Little Turkey Creek canyon towards the east?</p>                                                                |
|                               | D-3. | 4. | <p>“The existing local, unimproved private access roads adjacent to Little Turkey Creek and adjacent to Deadman Creek, also remain intact and available for use.”</p> <p>Questions: What is meant by “unimproved”? Is that meant to imply that it is “NOT maintained”? Will these roads ever be used by quarry operations? If so, for what purpose and how frequently?</p>                                                                                         |
|                               | D-4  | 5. | <p>“The actual number of pieces of equipment onsite will increase as production increases.”</p> <p>Question: What is the maximum number of each piece of equipment anticipated at peak production?</p>                                                                                                                                                                                                                                                             |
|                               | D-4  | 6. | <p>“Following construction of erosion control measures...”</p> <p>Question: What, specifically, are these measures?</p>                                                                                                                                                                                                                                                                                                                                            |
|                               | D-5  | 7. | <p>“Blasting will be scheduled in such a way that the impact will be minimized to the nearby areas.</p> <p>Question: Which areas are considered to be “nearby”? Just those properties immediately adjacent to the quarry? All property owners on Little Turkey Creek Road? All property owners within Eagles Nest? Does it include all segments of Little Turkey Creek that pass through Section 16?</p>                                                           |
|                               | D-6  | 8. | <p>“The exact location of in-pit access and haul road will be based on field observations during the execution of the Plan.”</p> <p>Question: Will any of these haul roads intersect with Little Turkey Creek Road?</p>                                                                                                                                                                                                                                            |
|                               | D-16 | 9. | <p><b>Explosives use and proof of surrounding stability:</b> “The plan demonstrates that off-site areas will not be adversely affected by blasting per Rule 6.5(4) of the Construction Materials Rules and Regulations”.</p> <p>Question: How, specifically, does the plan demonstrate that vibrations are within the required limits for properties located outside of the quarry operations area? What plans are in place to compensate landowners</p>           |

|                            |      |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|----------------------------|------|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                            |      |     | for damage to their property due to blasting? What about damage to Little Turkey Creek Road due to rockslides or flying rocks?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Exhibit D<br>Blasting Plan | D-20 | 10. | <b>Purpose:</b> "Access to all working areas and particularly those within the impact radius of each blast will be strictly controlled".<br><b>Question:</b> In this context, what is meant by "impact radius"? Will the impact radius ever extend beyond the boundary of the quarry operations area? Specifically, will it ever extend to property within Eagles Nest or to anywhere on Little Turkey Creek Road?                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                            | D-22 | 11. | <b>Types of Explosives Used.</b> "Bulk Explosives... ANFO and Fuel oil..."<br><b>Question:</b> What type and quantity of chemical residue will collect within the Little Turkey Creek watershed from the chemicals used in blasting?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|                            | D-23 | 12. | <b>Date and Times of Blasting:</b> "... will schedule the blast for an appropriate date and time".<br><b>Question:</b> How far in advance will this schedule be known?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|                            | D-23 | 13. | <b>Date and Times of Blasting:</b> Blasting will occur between the hours of 10:00 AM and 4:00 PM, not to exceed a maximum of 3 blasts per week.<br><b>Questions:</b> If the quarry needed to blast more than 3 times per week, is there a process for requesting additional blasting? Who would approve those additional blasts?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|                            | D-24 | 14. | <b>Signage</b> "Blast notification signs will be placed at each entrance to Hitch Rack Ranch Quarry to notify customers, as well as the neighbors who use corridors through the active mining area, of the blast schedule. This will require 5 signs in total. Each sign will state whether there is a blast scheduled for the day or not. If there is a blast scheduled, the sign will also display the time the blast is scheduled for.<br><b>Questions:</b> Where, exactly, will be signs be located on Little Turkey Creek Road? If the time of the blast is modified, will the signs be updated? When will the sign be posted? The day of the blast or before? How close to the actual scheduled time is the blast likely to occur? Is it likely to be delayed? How far in advance of that scheduled time will the road be blocked? |
|                            | D-24 | 15. | <b>Signage</b> "These signs will also communicate the blasting audible signal guide including length of audible signal relating to the timeline before or after the blast.<br><b>Question:</b> Will there be different combinations of signals depending on factors related to the planned blast, or will the signals always be the same?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|                            | D-24 | 16. | <b>Communication:</b> "Specific notification of blasting may be given to the nearest neighbors in the event that a blast is planned outside of the normal daily blasting operations."<br><b>Questions:</b> What is considered to be "nearest neighbors"? Will that include all landowners within Eagles Nest? Will notification only be provided if blast is outside of normal daily blasting? Could the affected landowners request notification of EVERY planned blast?                                                                                                                                                                                                                                                                                                                                                                |
|                            | D-25 | 17. | <b>Blast Area Clearing and Firing Procedures</b> "Blast guards will be posted at all entrances to the property".<br><b>Questions:</b> Does this include locations along Little Turkey Creek Road? If so, where exactly, will the blast guards be positioned? Will BOTH branches of the road (within the Little Turkey Creek watershed and                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

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|                                                           |       |     | within the Deadman's Creek watershed) be blocked for every blast?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|                                                           | D-25  | 18. | <b>Blast Area Clearing and Firing Procedures</b> "Audible blast signals will be utilized" ...<br>Question: How far away will this sound be heard?                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|                                                           | D-25  | 19. | <b>Misfire Procedures.</b><br>Questions: In a normal blast, how long will Little Turkey Creek Road be blocked? In a typical misfire, how long will Little Turkey Creek Road be blocked? How frequently would misfires be expected? In a "worst case" scenario misfire, how long will Little Turkey Creek Road be blocked?                                                                                                                                                                                                                                                                 |
|                                                           | D-26  | 20. | <b>Blast Monitoring Procedures</b> "Seismic instrument(s) will be used to measure ground vibration and peak particle velocity"<br>Questions: Where will these monitors be located? How many? How long will the records be retained after each blast? Will these records be available for viewing by interested landowners within Eagles Nest?                                                                                                                                                                                                                                             |
|                                                           | D-26  | 21. | <b>Blast Monitoring Procedures</b> Microphones will be used" ...<br>Question: where will these monitors be located? How many? How long will the records be retained after each blast? Will these records be available for viewing by landowners within Eagles Nest?                                                                                                                                                                                                                                                                                                                       |
| <b><u>Exhibit E</u></b><br><b><u>Exclamation Plan</u></b> | E-2   | 22. | "The surrounding land uses are Wildlife Habitat (National Forest) and agricultural to the East."<br>Question: Why is no mention made that there are residential properties to the north and west of the proposed quarry?                                                                                                                                                                                                                                                                                                                                                                  |
|                                                           | E-3   | 23. | Top Soil Preservation "Additionally, stockpiled topsoil will be seeded, following initial removal, with a seed mixture that will establish quickly and prevent topsoil loss due to wind and water erosion, as discussed below.<br>Questions: What is the maximum time that the top soil pile will be exposed? Will the top soil pile be seeded only after <i>all</i> of the top soil has been removed during a particular phase of the project?                                                                                                                                           |
|                                                           | E-3   | 24. | "...As outlined in Rule 3.1.9, Woody vegetation at the site will be removed from or <u>appropriately incorporated in the existing topsoil</u> prior to excavation"<br>Question: Does that mean that the material will be chipped and added to the topsoil pile?                                                                                                                                                                                                                                                                                                                           |
|                                                           | E-3   | 25. | "If this is not practicable, the woody vegetation will be chipped to incorporate into subsoils, or used as brush windrows for the project storm management plan".<br>Question: When will the storm water management plan be published?                                                                                                                                                                                                                                                                                                                                                    |
|                                                           | E-3   | 26. | "Topsoil removed from the access road corridor will be stockpiled in windrows adjacent to the access road."<br>Question: How will dust blowing from these stockpiles of topsoil be mitigated?                                                                                                                                                                                                                                                                                                                                                                                             |
|                                                           | E-4 " | 27. | "Storm water will be managed throughout both mining and reclamation as discussed in <b>Exhibit G</b> . Storm water from all areas of disturbance will be directed into the existing sedimentation systems for the mine. After the water is clarified it will be discharged into existing drainages. A Colorado Pollutant Discharge System CDPS discharge permit will be obtained and a Storm Water Management Plan (SWMP) prepared and implemented throughout the life of the mine."<br>Questions: When will Colorado Pollutant Discharge System CDPS discharge permit be obtained?: When |

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|                                |     |     | will the SWMP be available for review? Will the Colorado Water Commissioner be reviewing the plans for the sediment ponds to assess the impact of these ponds on water rights of the Little Turkey Creek watershed?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|                                | e-5 | 28. | <b>Revegetation.</b> "All areas will be seeded with the grass seed mix included in <b>Table E-1</b> to provide a base revegetated cover."<br>Question: Could wild flower seeds be added to this mix to improve the aesthetics of the revegetated areas?                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|                                | E-5 | 29. | <b>Revegetation.</b> "The reclamation plan for the quarry areas includes re-establishment of a Douglas Fir-Lodgepole pine forest."<br>Questions: There is a much greater diversity of trees currently in the canyon than proposed to be replaced within the reclamation plan. There currently are no Lodgepole pines in the canyon; why are these going to be introduced into the canyon? Why isn't the same level of diversity planned for reclamation? Could aspen be added to this mix to improve the aesthetics of the revegetated areas?                                                                                                                                                                   |
|                                | E-5 | 30. | "A mixed shrub community of Gambel's Oak and Mountain Mahogany will be established along the access road corridor. The Gambel's Oak-Mountain Mahogany community near the base of the property will be planted with 336 oak or mahogany plugs/acre, supplemented by other woody species including soapweed yucca, Wood's rose, Cliff spirea at a rate of 200 stems per acre."<br>Question: Gambel Oak can present an extreme fire hazard; many homeowners in the area are attempting to remove or reduce the number of these. Can plants be selected for their fire resistance?                                                                                                                                  |
|                                | E-5 | 31. | "Plantings along waterways will be supplemented with deciduous species, including cottonless cottonwood, native willow species, wild plum, snowberry and chokecherry to enhance diversity for wildlife."<br>Question: the plan indicated that there would be no disturbance within 100 feet of Little Turkey Creek or Deadman's creek. What waterways are meant here? Just the crossing at Little Turkey Creek and the crossing at Deadman's creek                                                                                                                                                                                                                                                              |
|                                | E-5 | 32. | "Timing of reseeding will be key to the success of the reclamation effort."<br>Question: Since this is a phased reclamation process, how often will the topsoil and fines piles be reseeded?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|                                | E-5 | 33. | "Prior to planting, bare root seedlings will be dipped in a mycorrhizal solution or inoculant."<br>Question: What other chemicals will be used in quarry reclamation?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Exhibit G<br>Water Information | G-5 | 34. | "Due to the small data set of measured flow, maximum calculated flow was set at the maximum measured flow plus two standard deviations of the data set resulting in a maximum calculated flow cap of 20.11 cfs".<br>Questions: What is meant by the "maximum calculated flow cap"? How is that figure used in later analyses? Given that only three data points were collected over a three month period, is the data even sufficient to be used in later analyses? The maximum flow that we have seen in recent floods in the lower canyon is FAR greater than the 20.11 cfs. For example, the floods last May overwhelmed the culverts about 200 yards west of the measuring site. Their capacity was 70 cfs. |
|                                | G-6 | 35. | " <b>Figure G-4</b> illustrated the flow hydrograph at USGS 7092220 during its operating                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |



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|         |       | <p>period of 1978 to 1988. Calculated flows at the LTC-1 station are similar to the historic flows at USGS 7099220, with higher flows during the spring runoff and summer months and mostly dry conditions during the fall and winter months.”</p> <p>Questions: Given that the LTC-1 station only collected three data points, how can the statement even be made that the flows at the station are “similar to historic flows”? Were no sources available that included the significant floods of 1921, 1935, 1965, 1995, 1997, 2013 and 2015? Without considering the precipitation levels of these flood years in the design of the water management plan, the planned structures may be undersized for the conditions of the canyon.</p> |
|         | G-10  | <p>36.</p> <p>“It is likely that storms larger than this will be controlled to some extent, but sediment loads and volumes from larger storms will probably exceed the capability of the system to provide full control.</p> <p>Questions: What 24 hour rain amount was used for this “maximum storm” estimate? What damage is expected to occur to Little Turkey Creek Road or property below the quarry if these structures do NOT provide full control of the flood event? What plans does Transit Mix have to compensate landowners for damage if the water management system is overwhelmed by a flood because they have improperly sized the capacity of the water management structures to deal with flood events?</p>                 |
|         | G-10  | <p>37.</p> <p>“Table G-2 shows the 24-hour storm event data developed based on calculations performed by the National Oceanic and Atmospheric Administration (NOAA, 2013).”</p> <p>Questions: Is this table based on rain figures for the Colorado Springs airport? If so, why were no adjustments were made for the higher rain rates that the canyon experiences, compared to the airport?</p>                                                                                                                                                                                                                                                                                                                                              |
|         | G-15  | <p>38.</p> <p>Comment: Table G-6 seems to have the columns incorrectly labeled. The column labeled “100 Yr. 24 hr peak flow appears to be the culvert diameter for a 10 year event. There is therefore NO column for culvert diameter for the 100 year event.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|         | G-16  | <p>39.</p> <p>“In addition to the primary water management structures, secondary sediment control measures should be installed to reduce water and sediment loads on the primary ponds.</p> <p>“Sediment levels should be examined annually following the highest runoff season(i.e. summer), and sediment removal should be undertaken in the fall to prepare the sediment pond for the next rainy season. “</p> <p>Question: The wording in the document says “SHOULD BE”. Will these measures be included in the Transit Mix plan or not?</p>                                                                                                                                                                                              |
|         | G-17  | <p>40.</p> <p>“No acid-forming or toxic materials were identified during the exploratory drilling and sampling program; therefore, no release of pollutants to groundwater is expected”</p> <p>Question: The exploratory drilling collected samples from a VERY small portion of the overall quarry area. Will there be an ongoing testing of excavated material during future quarry operations to determine if acid-forming or toxic producing materials are found during future excavation? If so, what plans do Transit Mix have if these materials are found?</p>                                                                                                                                                                        |
| SECAD 4 | Hitch | <p>41.</p> <p>100 year, 24 hour event</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

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|                                                                                                           | Rack Ranch Quarry Access Road 100 year 24 hr event |     | Questions: Why is this 100 year storm design included? Earlier the report indicates the design for ditches and culverts is planned to handle a 10 year storm event. Will the culverts be designed for a 10 year storm or a 100 year event?                                                                                                                                                                                                                                                                                                                                                 |
| SECAD 4                                                                                                   | Hitch Rack Ranch Culverts, 10 year, 24 hour storm. | 42. | TSI-CC-1 and LTC-CC-5 are shown as 100 foot culverts.<br>Question: Is that, in fact, the planned length for these culverts?                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| SECAD StreamStats Version 3                                                                               |                                                    | 43. | “Warning: The selected watershed is partly in an area for which flow equations were not defined. Whole-watershed flow estimates have been provided using the regional equations that are available for other parts of the watershed. Weighted flows were not calculated. Users should be careful to evaluate the applicability of the provided estimates.”<br>Questions: Has Transit Mix confirmed that the estimates, are indeed, applicable and appropriate for the canyon? Has Transit Mix discussed the rainfall estimates with the Colorado Division of Water Resources?              |
| Review of Potential Ground and Surface Water Impacts Associated with the Proposed Hitch Rack Ranch Quarry | Page 5                                             | 44. | “Earlier in this memo, we acknowledged uncertainty about the possibility of the mine interacting with ground water at distances from the Little Turkey Creek. Specifically, we lack the data to definitively determine that ground water will not be encountered in the southwestern portions of the mining area where mining depths will be as much as approximately 340 feet. Data are not available for us to determine current depths to ground water in these areas.<br>Question: What data would need to be collected to better determine whether ground water would be encountered? |
| Review of Potential Ground and Surface Water Impacts Associated with the Proposed Hitch Rack Ranch Quarry | Page 5                                             | 45. | “ However, there are no water supply wells present in the south half of Section 16, the southeast quarter of Section 17 or all of Sections 20 and 21.”<br>Question: Although there are currently no wells in Section 17, there is vacant land owners by people within Eagles Nest. What happens if wells <i>are</i> drilled in Section 17 in the future? Could they be impacted?                                                                                                                                                                                                           |

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| Review of Potential Ground and Surface Water Impacts Associated with the Proposed Hitch Rack Ranch Quarry | Page 6                           | 46. | <p>“Nevertheless, we recommend the installation of two monitoring wells before mining begins to quantify and confirm that ground water level changes are not occurring in water supply wells west and east of the proposed mine.</p> <p>Question: Does the Transmit Mix plan to follow this recommendation and drill these monitoring wells?</p>                                                                                                                                                                                                                                                                                                                                       |
| Review of Potential Ground and Surface Water Impacts Associated with the Proposed Hitch Rack Ranch Quarry | Page 6                           | 47. | <p>“The monitoring wells will act as an early warning system that will identify any changes in water level associated with the operation of the quarry to the extent that ground water is encountered in the mine area. The monitoring wells will also provide data that may be used by Transit Mix to confirm water level conditions in the event a neighboring well owner claims the operation of the mine has detrimentally impacted water levels in their well.”</p> <p>Question: If the western monitoring well does not tap the same rock fracture as wells located above the quarry, how would that monitoring well effectively determine whether wells have been impacted?</p> |
| Review of Potential Ground and Surface Water Impacts Associated with the Proposed Hitch Rack Ranch Quarry | Page 7                           | 48. | <p>“The local aquifer and stream system will not be developed for water supply purposes.”</p> <p>Question: This appears to contradict an earlier statement in the application that states that Transit Mix <i>may</i> use Hitch Rack Ranch water or <i>may</i> drill wells. Which is correct?</p>                                                                                                                                                                                                                                                                                                                                                                                      |
| Review of Potential Ground and Surface Water Impacts Associated with the Proposed Hitch Rack Ranch Quarry | Figure 3 Well Water Location Map | 49. | <p>Question: Not all Eagles Nest wells were included, including one that is probably the closest to the proposed quarry operations area. What process was used to identify and select wells for this map?</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Wildlife Exhibit                                                                                          | H-2                              | 50. | <p>“Turkeys are common on the lower part of the property year round, and the lower eastern part of the permit area is within turkey winter range, winter concentration area, and production area. Turkeys mostly use the lower parts of the Ranch and are not common in the mining area.”</p> <p>Question: What research or investigation was used as the basis for this statement? Eagles Nest property</p>                                                                                                                                                                                                                                                                           |

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|                                                                                |      |     | owners who regularly drive on Little Turkey Creek Road within the proposed quarry area FREQUENTLY see turkeys within this area.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Exhibit L<br>Reclamation Costs                                                 | L-6  | 51. | Table L-1 indicates costs to move 86,644 bcy of topsoil. Table D-2 shows that 316,816 bcy of topsoil is planned to be removed over the life of the quarry.<br>Question: Why is there such a large difference in the amount of topsoil removed versus the amount being replaced during reclamation?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Exhibit L<br>Reclamation Costs                                                 | L-6  | 52. | Table L-1 indicates costs to revegetate 107 acres.<br>Question: Table D-2 shows an area of almost 393 acres that will be mined. Why is there such a large difference in the acres mined versus the acres revegetated?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Exhibit L<br>Reclamation Costs                                                 | L-6  | 53. | Table L-1 indicates hauling "One-mile, downhill, one-way haul distance".<br>Question: Does this "downhill" haul of 35 ton haul trucks adequately account for delivering material up to the terraces within the quarry pits?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Exhibit S                                                                      |      | 54. | "The only man-made structures are utility lines along Highway 115 near the entrance to the property on the east end of the permit boundary. There are no permanent man-made structures within 200-feet of the permit area other than the Hitch Rack Ranch Quarry itself."<br>Question: The Mining Rules and Regulations define Permanent Structure to include " <u>Maintained and public roads</u> ". Little Turkey Creek Road is a private road, but it IS maintained by owners within Eagles Nest. The road will traverse right through the middle of the quarry operations area. Why was the road not mentioned as a permanent structure within 200 feet of the quarry operations? Why was no attempt made by Transit Mix to discuss possible damage to the road by quarry operations (such as blasting and rockslides). |
| Exhibit T<br>Emergency Action Plan                                             | T-14 | 55. | <b>SEVERE WEATHER AND NATURAL DISASTERS.</b> The emergency plan provides steps to take for a hurricane (which seems rather unlikely in the area of the quarry), but does NOT include plans for a wildfire – which seems <i>much</i> more likely. (The plan does include structure fires.)<br>Questions: Why is there no emergency plan for a wildfire? The FAQ on the Transit Mix web site indicates that Transit Mix employees will be trained to be wildland firefighters. Where is this mentioned in the application?                                                                                                                                                                                                                                                                                                    |
| Exhibit T<br>Emergency Action Plan                                             | T-14 | 56. | <b>SEVERE WEATHER AND NATURAL DISASTERS</b><br>Question: Why is there no mention in the emergency plan of the situation where the sediment ponds overflow during heavy rain events, as required by RULE 8 in the Mining Rules and Regulations?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Hitch Rack Ranch<br>Pit Wall<br>Geotechnical<br>Assessment – Rev.<br>B / 591-4 | 17   | 57. | "Instrumented groundwater monitoring holes should be considered behind highwalls where natural topography continues above the pit crest (i.e., where there is potential to develop pore pressures higher than a simple saturated slope; although this is considered unlikely in a blocky rock mass). Proposed pit development for the area north of Little Turkey Creek indicates four (4) potential locations for installations.<br>Question: The wording says "SHOULD BE CONSIDERED". Does Transit Mix, in fact, plan to include these groundwater monitoring holes?                                                                                                                                                                                                                                                      |
| Hitch Rack Ranch                                                               | P 17 | 58. | "Controlled blasting practices should be utilized in order to minimize damage to the final                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

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| Pit Wall<br>Geotechnical<br>Assessment – Rev.<br>B / 591-4                                                                       |            |     | walls.”<br>Question: This only mentions minimizing damage to final walls of the quarry; no mention is made of impacts to off-site locations (such as property within Eagles Nest or Little Turkey Creek Road). What measures will be taken to assure that there is no impact to off-site locations?                                                                                                                                                                              |
| Hitch Rack Ranch<br>Pit Wall<br>Geotechnical<br>Assessment – Rev.<br>B / 591-4                                                   | P 17       | 59. | “Pit slope movement monitoring should be conducted at routine time intervals with EDM/Prism surveying, laser scanning, and/or extensometers. It is recommended that the movement monitoring plan be developed during initial mining as it will be influenced by wall performance. The plan should be implemented as final highwalls start to be developed.”<br>Question: Wording says “SHOULD BE CONSIDERED”. Does Transit Mix, in fact, plan to perform these monitoring tasks? |
| Hitch Rack Ranch<br>Pit Wall<br>Geotechnical<br>Assessment – Rev.<br>B / 591-4 Appendix<br>G, Bench L-R and<br>Rock Fall results | Figure G.2 | 60. | Figure shows the proposed design for catch berms. As designed, these will catch 99% of the rocks that fall.<br>Question: Given that 1% of the rocks will NOT be caught by the berms, what protection will be added to ensure that rocks do not fall or roll onto the Little Turkey Creek Road at the base of the quarry pits?                                                                                                                                                    |

**Questions about Transit Mix Application**

| <b>Section</b>                | <b>Page</b> | <b>#</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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| <b>Exhibit C: Maps</b>        | C-2.        | 1.       | <b>Hitch Rack Ranch Ownership map.</b><br>Questions: What criteria were used to determine which property owners were shown on this map. Owners within Red Rock Valley were included. Why were very few owners within the Eagles Nest development located to the west of the proposed quarry operations area included? Why were very few owners within the former Bauers ranch located to the northwest of the proposed quarry operations area included? |
| <b>Exhibit C: Maps</b>        | C-2.        | 2.       | <b>Hitch Rack Ranch Ownership map.</b><br>Question: What criteria were used to determine which road segments were shown on this map? Some segments of Little Turkey Creek Road within the quarry operations area are not included.                                                                                                                                                                                                                      |
| <b>Exhibit D: Mining Plan</b> | D-3         | 3.       | “The ultimate pit is designed to maximize resource recovery and to minimize the visibility of the quarry.”<br>Questions: Visibility by whom? Motorists on Highway 115? Motorists on Little Turkey Creek Road? Landowners located to the east of the proposed quarry? Landowners located to the west of the proposed quarry, with views down Little Turkey Creek canyon towards the east?                                                                |
|                               | D-3.        | 4.       | “The existing local, unimproved private access roads adjacent to Little Turkey Creek and adjacent to Deadman Creek, also remain intact and available for use.”<br>Questions: What is meant by “unimproved”? Is that meant to imply that it is “NOT maintained”? Will these roads ever be used by quarry operations? If so, for what purpose and how frequently?                                                                                         |
|                               | D-4         | 5.       | “The actual number of pieces of equipment onsite will increase as production increases.”<br>Question: What is the maximum number of each piece of equipment anticipated at peak production?                                                                                                                                                                                                                                                             |
|                               | D-4         | 6.       | “Following construction of erosion control measures....”<br>Question: What, specifically, are these measures?                                                                                                                                                                                                                                                                                                                                           |
|                               | D-5         | 7.       | “Blasting will be scheduled in such a way that the impact will be minimized to the nearby areas.<br>Question: Which areas are considered to be “nearby”? Just those properties immediately adjacent to the quarry? All property owners on Little Turkey Creek Road? All property owners within Eagles Nest? Does it include all segments of Little Turkey Creek that pass through Section 16?                                                           |
|                               | D-6         | 8.       | “The exact location of in-pit access and haul road will be based on field observations during the execution of the Plan.”<br>Question: Will any of these haul roads intersect with Little Turkey Creek Road?                                                                                                                                                                                                                                            |
|                               | D-16        | 9.       | <b>Explosives use and proof of surrounding stability:</b> “The plan demonstrates that off-site areas will not be adversely affected by blasting per Rule 6.5(4) of the Construction Materials Rules and Regulations”.<br>Question: How, specifically, does the plan demonstrate that vibrations are within the required limits for properties located outside of the quarry operations area? What plans are in place to compensate landowners           |

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|                            |      |     | for damage to their property due to blasting? What about damage to Little Turkey Creek Road due to rockslides or flying rocks?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Exhibit D<br>Blasting Plan | D-20 | 10. | <p><b>Purpose:</b> "Access to all working areas and particularly those within the impact radius of each blast will be strictly controlled".</p> <p>Question: In this context, what is meant by "impact radius"? Will the impact radius ever extend beyond the boundary of the quarry operations area? Specifically, will it ever extend to property within Eagles Nest or to anywhere on Little Turkey Creek Road?</p>                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                            | D-22 | 11. | <p><b>Types of Explosives Used.</b> "Bulk Explosives... ANFO and Fuel oil..."</p> <p>Question: What type and quantity of chemical residue will collect within the Little Turkey Creek watershed from the chemicals used in blasting?</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|                            | D-23 | 12. | <p><b>Date and Times of Blasting:</b> "... will schedule the blast for an appropriate date and time".</p> <p>Question: How far in advance will this schedule be known?</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|                            | D-23 | 13. | <p><b>Date and Times of Blasting:</b> Blasting will occur between the hours of 10:00 AM and 4:00 PM, not to exceed a maximum of 3 blasts per week.</p> <p>Questions: If the quarry needed to blast more than 3 times per week, is there a process for requesting additional blasting? Who would approve those additional blasts?</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|                            | D-24 | 14. | <p><b>Signage</b> "Blast notification signs will be placed at each entrance to Hitch Rack Ranch Quarry to notify customers, as well as the neighbors who use corridors through the active mining area, of the blast schedule. This will require 5 signs in total. Each sign will state whether there is a blast scheduled for the day or not. If there is a blast scheduled, the sign will also display the time the blast is scheduled for.</p> <p>Questions: Where, exactly, will be signs be located on Little Turkey Creek Road? If the time of the blast is modified, will the signs be updated? When will the sign be posted? The day of the blast or before? How close to the actual scheduled time is the blast likely to occur? Is it likely to be delayed? How far in advance of that scheduled time will the road be blocked?</p> |
|                            | D-24 | 15. | <p><b>Signage</b> "These signs will also communicate the blasting audible signal guide including length of audible signal relating to the timeline before or after the blast.</p> <p>Question: Will there be different combinations of signals depending on factors related to the planned blast, or will the signals always be the same?</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|                            | D-24 | 16. | <p><b>Communication:</b> "Specific notification of blasting may be given to the nearest neighbors in the event that a blast is planned outside of the normal daily blasting operations."</p> <p>Questions: What is considered to be "nearest neighbors"? Will that include all landowners within Eagles Nest? Will notification only be provided if blast is outside of normal daily blasting? Could the affected landowners request notification of EVERY planned blast?</p>                                                                                                                                                                                                                                                                                                                                                                |
|                            | D-25 | 17. | <p><b>Blast Area Clearing and Firing Procedures</b> "Blast guards will be posted at all entrances to the property".</p> <p>Questions: Does this include locations along Little Turkey Creek Road? If so, where exactly, will the blast guards be positioned? Will BOTH branches of the road (within the Little Turkey Creek watershed and</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |



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|                                             |       |     | within the Deadman's Creek watershed) be blocked for every blast?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|                                             | D-25  | 18. | <b>Blast Area Clearing and Firing Procedures</b> "Audible blast signals will be utilized" ...<br>Question: How far away will this sound be heard?                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|                                             | D-25  | 19. | <b>Misfire Procedures.</b><br>Questions: In a normal blast, how long will Little Turkey Creek Road be blocked? In a typical misfire, how long will Little Turkey Creek Road be blocked? How frequently would misfires be expected? In a "worst case" scenario misfire, how long will Little Turkey Creek Road be blocked?                                                                                                                                                                                                                                                                 |
|                                             | D-26  | 20. | <b>Blast Monitoring Procedures</b> "Seismic instrument(s) will be used to measure ground vibration and peak particle velocity"<br>Questions: Where will these monitors be located? How many? How long will the records be retained after each blast? Will these records be available for viewing by interested landowners within Eagles Nest?                                                                                                                                                                                                                                             |
|                                             | D-26  | 21. | <b>Blast Monitoring Procedures</b> Microphones will be used" ...<br>Question: where will these monitors be located? How many? How long will the records be retained after each blast? Will these records be available for viewing by landowners within Eagles Nest?                                                                                                                                                                                                                                                                                                                       |
| <b>Exhibit E</b><br><b>Exclamation Plan</b> | E-2   | 22. | "The surrounding land uses are Wildlife Habitat (National Forest) and agricultural to the East."<br>Question: Why is no mention made that there are residential properties to the north and west of the proposed quarry?                                                                                                                                                                                                                                                                                                                                                                  |
|                                             | E-3   | 23. | Top Soil Preservation "Additionally, stockpiled topsoil will be seeded, following initial removal, with a seed mixture that will establish quickly and prevent topsoil loss due to wind and water erosion, as discussed below.<br>Questions: What is the maximum time that the top soil pile will be exposed? Will the top soil pile be seeded only after <i>all</i> of the top soil has been removed during a particular phase of the project?                                                                                                                                           |
|                                             | E-3   | 24. | "... As outlined in Rule 3.1.9, Woody vegetation at the site will be removed from or <u>appropriately incorporated in the existing topsoil</u> prior to excavation"<br>Question: Does that mean that the material will be chipped and added to the topsoil pile?                                                                                                                                                                                                                                                                                                                          |
|                                             | E-3   | 25. | "If this is not practicable, the woody vegetation will be chipped and added to the topsoil pile, or used as brush windrows for the project storm management plan".<br>Question: When will the storm water management plan be published?                                                                                                                                                                                                                                                                                                                                                   |
|                                             | E-3   | 26. | "Topsoil removed from the access road corridor will be stockpiled in windrows adjacent to the access road."<br>Question: How will dust blowing from these stockpiles of topsoil be mitigated?                                                                                                                                                                                                                                                                                                                                                                                             |
|                                             | E-4 " | 27. | "Storm water will be managed throughout both mining and reclamation as discussed in <b>Exhibit G</b> . Storm water from all areas of disturbance will be directed into the existing sedimentation systems for the mine. After the water is clarified it will be discharged into existing drainages. A Colorado Pollutant Discharge System CDPS discharge permit will be obtained and a Storm Water Management Plan (SWMP) prepared and implemented throughout the life of the mine."<br>Questions: When will Colorado Pollutant Discharge System CDPS discharge permit be obtained?: When |

|                                |     |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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|                                |     |     | will the SWMP be available for review? Will the Colorado Water Commissioner be reviewing the plans for the sediment ponds to assess the impact of these ponds on water rights of the Little Turkey Creek watershed?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|                                | e-5 | 28. | <b>Revegetation.</b> "All areas will be seeded with the grass seed mix included in <b>Table E-1</b> to provide a base revegetated cover."<br>Question: Could wild flower seeds be added to this mix to improve the aesthetics of the revegetated areas?                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|                                | E-5 | 29. | <b>Revegetation.</b> "The reclamation plan for the quarry areas includes re-establishment of a Douglas Fir-Lodgepole pine forest."<br>Questions: There is a much greater diversity of trees currently in the canyon than proposed to be replaced within the reclamation plan. There currently are no Lodgepole pines in the canyon; why are these going to be introduced into the canyon? Why isn't the same level of diversity planned for reclamation? Could aspen be added to this mix to improve the aesthetics of the revegetated areas?                                                                                                                                                                   |
|                                | E-5 | 30. | "A mixed shrub community of Gambel's Oak and Mountain Mahogany will be established along the access road corridor. The Gambel's Oak-Mountain Mahogany community near the base of the property will be planted with 336 oak or mahogany plugs/acre, supplemented by other woody species including soapweed yucca, Wood's rose, Cliff spirea at a rate of 200 stems per acre."<br>Question: Gambel Oak can present an extreme fire hazard; many homeowners in the area are attempting to remove or reduce the number of these. Can plants be selected for their fire resistance?                                                                                                                                  |
|                                | E-5 | 31. | "Plantings along waterways will be supplemented with deciduous species, including cottonless cottonwood, native willow species, wild plum, snowberry and chokecherry to enhance diversity for wildlife."<br>Question: the plan indicated that there would be no disturbance within 100 feet of Little Turkey Creek or Deadman's creek. What waterways are meant here? Just the crossing at Little Turkey Creek and the crossing at Deadman's creek                                                                                                                                                                                                                                                              |
|                                | E-5 | 32. | "Timing of reseeding will be key to the success of the reclamation effort."<br>Question: Since this is a phased reclamation process, how often will the topsoil and fines piles be reseeded?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|                                | E-5 | 33. | "Prior to planting, bare root seedlings will be dipped in a mycorrhizal solution or inoculant."<br>Question: What other chemicals will be used in quarry reclamation?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Exhibit G<br>Water Information | G-5 | 34. | "Due to the small data set of measured flow, maximum calculated flow was set at the maximum measured flow plus two standard deviations of the data set resulting in a maximum calculated flow cap of 20.11 cfs".<br>Questions: What is meant by the "maximum calculated flow cap"? How is that figure used in later analyses? Given that only three data points were collected over a three month period, is the data even sufficient to be used in later analyses? The maximum flow that we have seen in recent floods in the lower canyon is FAR greater than the 20.11 cfs. For example, the floods last May overwhelmed the culverts about 200 yards west of the measuring site. Their capacity was 70 cfs. |
|                                | G-6 | 35. | " <b>Figure G-4</b> illustrated the flow hydrograph at USGS 709220 during its operating                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

|         |       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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|         |       | <p>period of 1978 to 1988. Calculated flows at the LTC-1 station are similar to the historic flows at USGS 7099220, with higher flows during the spring runoff and summer months and mostly dry conditions during the fall and winter months.”</p> <p>Questions: Given that the LTC-1 station only collected three data points, how can the statement even be made that the flows at the station are “similar to historic flows”? Were no sources available that included the significant floods of 1921, 1935, 1965, 1995, 1997, 2013 and 2015? Without considering the precipitation levels of these flood years in the design of the water management plan, the planned structures may be undersized for the conditions of the canyon.</p> |
|         | G-10  | <p>36.</p> <p>“It is likely that storms larger than this will be controlled to some extent, but sediment loads and volumes from larger storms will probably exceed the capability of the system to provide full control.</p> <p>Questions: What 24 hour rain amount was used for this “maximum storm” estimate? What damage is expected to occur to Little Turkey Creek Road or property below the quarry if these structures do NOT provide full control of the flood event? What plans does Transit Mix have to compensate landowners for damage if the water management system is overwhelmed by a flood because they have improperly sized the capacity of the water management structures to deal with flood events?</p>                 |
|         | G-10  | <p>37.</p> <p>“Table G-2 shows the 24-hour storm event data developed based on calculations performed by the National Oceanic and Atmospheric Administration (NOAA, 2013).”</p> <p>Questions: Is this table based on rain figures for the Colorado Springs airport? If so, why were no adjustments were made for the higher rain rates that the canyon experiences, compared to the airport?</p>                                                                                                                                                                                                                                                                                                                                              |
|         | G-15  | <p>38.</p> <p>Comment: Table G-6 seems to have the columns incorrectly labeled. The column labeled “100 Yr. 24 hr peak flow appears to be the culvert diameter for a 10 year event. There is therefore NO column for culvert diameter for the 100 year event.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|         | G-16  | <p>39.</p> <p>“In addition to the primary water management structures, secondary sediment control measures should be installed to reduce water and sediment loads on the primary ponds.</p> <p>“Sediment levels should be examined annually following the highest runoff season(i.e. summer), and sediment removal should be undertaken in the fall to prepare the sediment pond for the next rainy season. “</p> <p>Question: The wording in the document says “SHOULD BE”. Will these measures be included in the Transit Mix plan or not?</p>                                                                                                                                                                                              |
|         | G-17  | <p>40.</p> <p>“No acid-forming or toxic materials were identified during the exploratory drilling and sampling program; therefore, no release of pollutants to groundwater is expected”</p> <p>Question: The exploratory drilling collected samples from a VERY small portion of the overall quarry area. Will there be an ongoing testing of excavated material during future quarry operations to determine if acid-forming or toxic producing materials are found during future excavation? If so, what plans do Transit Mix have if these materials are found?</p>                                                                                                                                                                        |
| SECAD 4 | Hitch | <p>41.</p> <p>100 year, 24 hour event</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

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|                                                                                                           | Rack Ranch Quarry Access Road 100 year 24 hr event |     | Questions: Why is this 100 year storm design included? Earlier the report indicates the design for ditches and culverts is planned to handle a 10 year storm event. Will the culverts be designed for a 10 year storm or a 100 year event?                                                                                                                                                                                                                                                                                                                                                 |
| SECAD 4                                                                                                   | Hitch Rack Ranch Culverts, 10 year, 24 hour storm. | 42. | TS1-CC-1 and LTC-CC-1 through LTC-CC-5 are shown as 100 foot culverts.<br>Question: Is that, in fact, the planned length for these culverts?                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| SECAD StreamStats Version 3                                                                               |                                                    | 43. | “Warning: The selected watershed is partly in an area for which flow equations were not defined. Whole-watershed flow estimates have been provided using the regional equations that are available for other parts of the watershed. Weighted flows were not calculated. Users should be careful to evaluate the applicability of the provided estimates.”<br>Questions: Has Transit Mix confirmed that the estimates, are indeed, applicable and appropriate for the canyon? Has Transit Mix discussed the rainfall estimates with the Colorado Division of Water Resources?              |
| Review of Potential Ground and Surface Water Impacts Associated with the Proposed Hitch Rack Ranch Quarry | Page 5                                             | 44. | “Earlier in this memo, we acknowledged uncertainty about the possibility of the mine interacting with ground water at distances from the Little Turkey Creek. Specifically, we lack the data to definitively determine that ground water will not be encountered in the southwestern portions of the mining area where mining depths will be as much as approximately 340 feet. Data are not available for us to determine current depths to ground water in these areas.<br>Question: What data would need to be collected to better determine whether ground water would be encountered? |
| Review of Potential Ground and Surface Water Impacts Associated with the Proposed Hitch Rack Ranch Quarry | Page 5                                             | 45. | “ However, there are no water supply wells present in the south half of Section 16, the southeast quarter of Section 17 or all of Sections 20 and 21.”<br>Question: Although there are currently no wells in Section 17, there is vacant land owners by people within Eagles Nest. What happens if wells are drilled in Section 17 in the future? Could they be impacted?                                                                                                                                                                                                                  |

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| Review of Potential Ground and Surface Water Impacts Associated with the Proposed Hitch Rack Ranch Quarry | Page 6                           | 46. | <p>“Nevertheless, we recommend the installation of two monitoring wells before mining begins to quantify and confirm that ground water level changes are not occurring in water supply wells west and east of the proposed mine.</p> <p>Question: Does the Transmitt Mix plan to follow this recommendation and drill these monitoring wells?</p>                                                                                                                                                                                                                                                                                                                                      |
| Review of Potential Ground and Surface Water Impacts Associated with the Proposed Hitch Rack Ranch Quarry | Page 6                           | 47. | <p>“The monitoring wells will act as an early warning system that will identify any changes in water level associated with the operation of the quarry to the extent that ground water is encountered in the mine area. The monitoring wells will also provide data that may be used by Transit Mix to confirm water level conditions in the event a neighboring well owner claims the operation of the mine has detrimentally impacted water levels in their well.”</p> <p>Question: If the western monitoring well does not tap the same rock fracture as wells located above the quarry, how would that monitoring well effectively determine whether wells have been impacted?</p> |
| Review of Potential Ground and Surface Water Impacts Associated with the Proposed Hitch Rack Ranch Quarry | Page 7                           | 48. | <p>“The local aquifer and stream system will not be developed for water supply purposes.”</p> <p>Question: This appears to contradict an earlier statement in the application that states that Transit Mix <i>may</i> use Hitch Rack Ranch water or <i>may</i> drill wells. Which is correct?</p>                                                                                                                                                                                                                                                                                                                                                                                      |
| Review of Potential Ground and Surface Water Impacts Associated with the Proposed Hitch Rack Ranch Quarry | Figure 3 Well Water Location Map | 49. | <p>Question: Not all Eagles Nest wells were included, including one that is probably the closest to the proposed quarry operations area. What process was used to identify and select wells for this map?</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Wildlife Exhibit                                                                                          | H-2                              | 50. | <p>“Turkeys are common on the lower part of the property year round, and the lower eastern part of the permit area is within turkey winter range, winter concentration area, and production area. Turkeys mostly use the lower parts of the Ranch and are not common in the mining area.”</p> <p>Question: What research or investigation was used as the basis for this statement? Eagles Nest property</p>                                                                                                                                                                                                                                                                           |

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|                                                                                |      |     | owners who regularly drive on Little Turkey Creek Road within the proposed quarry area FREQUENTLY see turkeys within this area.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Exhibit L<br>Reclamation Costs                                                 | L-6  | 51. | Table L-1 indicates costs to move 86,644 bcy of topsoil. Table D-2 shows that 316,816 bcy of topsoil is planned to be removed over the life of the quarry.<br>Question: Why is there such a large difference in the amount of topsoil removed versus the amount being replaced during reclamation?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Exhibit L<br>Reclamation Costs                                                 | L-6  | 52. | Table L-1 indicates costs to revegetate 107 acres.<br>Question: Table D-2 shows an area of almost 393 acres that will be mined. Why is there such a large difference in the acres mined versus the acres revegetated?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Exhibit L<br>Reclamation Costs                                                 | L-6  | 53. | Table L-1 indicates hauling "One-mile, downhill, one-way haul distance".<br>Question: Does this "downhill" haul of 35 ton haul trucks adequately account for delivering material up to the terraces within the quarry pits?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Exhibit S                                                                      |      | 54. | "The only man-made structures are utility lines along Highway 115 near the entrance to the property on the east end of the permit boundary. There are no permanent man-made structures within 200-feet of the permit area other than the Hitch Rack Ranch Quarry itself."<br>Question: The Mining Rules and Regulations define Permanent Structure to include " <u>Maintained and public roads</u> ". Little Turkey Creek Road is a private road, but it IS maintained by owners within Eagles Nest. The road will traverse right through the middle of the quarry operations area. Why was the road not mentioned as a permanent structure within 200 feet of the quarry operations? Why was no attempt made by Transit Mix to discuss possible damage to the road by quarry operations (such as blasting and rockslides). |
| Exhibit T<br>Emergency Action<br>Plan                                          | T-14 | 55. | <b>SEVERE WEATHER AND NATURAL DISASTERS.</b> The emergency plan provides steps to take for a hurricane (which seems rather unlikely in the area of the quarry), but does NOT include plans for a wildfire – which seems <i>much</i> more likely. (The plan does include structure fires.)<br>Questions: Why is there no emergency plan for a wildfire? The FAQ on the Transit Mix web site indicates that Transit Mix employees will be trained to be wildland firefighters. Where is this mentioned in the application?                                                                                                                                                                                                                                                                                                    |
| Exhibit T<br>Emergency Action<br>Plan                                          | T-14 | 56. | <b>SEVERE WEATHER AND NATURAL DISASTERS</b><br>Question: Why is there no mention in the emergency plan of the situation where the sediment ponds overflow during heavy rain events, as required by RULE 8 in the Mining Rules and Regulations?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Hitch Rack Ranch<br>Pit Wall<br>Geotechnical<br>Assessment – Rev.<br>B / 591-4 | 17   | 57. | "Instrumented groundwater monitoring holes should be considered behind highwalls where natural topography continues above the pit crest (i.e., where there is potential to develop pore pressures higher than a simple saturated slope; although this is considered unlikely in a blocky rock mass). Proposed pit development for the area north of Little Turkey Creek indicates four (4) potential locations for installations.<br>Question: The wording says "SHOULD BE CONSIDERED". Does Transit Mix, in fact, plan to include these groundwater monitoring holes?                                                                                                                                                                                                                                                      |
| Hitch Rack Ranch                                                               | P 17 | 58. | "Controlled blasting practices should be utilized in order to minimize damage to the final                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

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| Pit Wall<br>Geotechnical<br>Assessment – Rev.<br>B / 591-4                                                                       |            |     | walls.”<br>Question: This only mentions minimizing damage to final walls of the quarry; no mention is made of impacts to off-site locations (such as property within Eagles Nest or Little Turkey Creek Road). What measures will be taken to assure that there is no impact to off-site locations?                                                                                                                                                                              |
| Hitch Rack Ranch<br>Pit Wall<br>Geotechnical<br>Assessment – Rev.<br>B / 591-4                                                   | P 17       | 59. | “Pit slope movement monitoring should be conducted at routine time intervals with EDM/Prism surveying, laser scanning, and/or extensometers. It is recommended that the movement monitoring plan be developed during initial mining as it will be influenced by wall performance. The plan should be implemented as final highwalls start to be developed.”<br>Question: Wording says “SHOULD BE CONSIDERED”. Does Transit Mix, in fact, plan to perform these monitoring tasks? |
| Hitch Rack Ranch<br>Pit Wall<br>Geotechnical<br>Assessment – Rev.<br>B / 591-4 Appendix<br>G, Bench L-R and<br>Rock Fall results | Figure G.2 | 60. | Figure shows the proposed design for catch berms. As designed, these will catch 99% of the rocks that fall.<br>Question: Given that 1% of the rocks will NOT be caught by the berms, what protection will be added to ensure that rocks do not fall or roll onto the Little Turkey Creek Road at the base of the quarry pits?                                                                                                                                                    |





STATE OF  
COLORADO

Eschberger - DNR, Amy <amy.eschberger@state.co.us>

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## Sending the CORRECT copy of my letter with attached list of questions

1 message

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Nancy Reed <ncr.turkeycreek@gmail.com>  
To: amy.eschberger@state.co.us

Wed, Apr 13, 2016 at 9:33 AM

Amy:

I discovered that I sent you the WRONG file yesterday containing my second letter, which included a list of questions about the application. Here is the correct file.

Nancy Reed

Eagles Nest Association



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**Letter with Questions and Attached list.pdf**  
1541K



Tina Swonger

45

Phone: 4/13/16



Tina Swonger  
REALTOR®

04/13/2016

Colorado Division of Reclamation, Mining and Safety  
1313 Sherman Street, Room 215  
Denver, CO 80203  
Ms. Amy Eschberger:

I am Tina Swonger, Resident of 2220 Paseo Corto Colorado Springs, Co 80926, I completely agree with all of the following comments and observations- I also am concerned with property values as I am also a 25 year licensed Realtor here in Colorado Springs. I have been contacted by several of our neighbors recently with the desire to get values of their homes to prepare for sale. When several homes go on the market at the same time this will significantly reduce their property value and destabilize a very good and appreciating area. People are very concerned about the area, the noise and traffic as well as what this project might do to their values. I OPPOSE this project!

The proposed Reclamation and Mining development at Hitch Rack Ranch; submitted by Transit Mix Concrete Company, Permit No. M-2016-010, would bring a large-scale aggregate mining development unnecessarily close, and abutting in at least two areas, to residential, [A-5] neighborhoods. Quarry development brings significant, *long-term* consequences to the environment, public health, safety, and well-being of the effected and adjoining neighborhoods due to: substantially increased truck traffic, dust, and noise pollution, to an area that is known for its strapped natural resources - water, and highest fire danger area. All the while, juxtaposed to the area's unparalleled natural beauty, abundant wildlife, wildlife habitats, and wildlife migratory trails, make this development both undesirable and unsustainable. As a resident of Red Rock Valley Estates Neighborhood, I cannot support this development and; therefore, opposed to the development for the following reasons:

- Quarrying requires drilling and blasting with explosives, which create vibrations, noise, and dust. Once this process is completed, rock crushing machines crush the rock, conveyor belt machines move the rock around the processing plant; trucks are loaded and unloaded. The process and heavy machinery required to mine, is intrusive and creates significant noise and air pollution; thus having a direct impact on the surrounding areas and community.



**RE/MAX** Properties, Inc.  
2630 Tenderfoot Hill St  
Ste 100  
Colorado Springs, CO 80906  
Cell (719) 229-2153, T-Free (800) 325-0466  
Office (719) 578-5000, Fax (719) 578-1748  
tina.swonger@remax.net, www.TinaSwongerRealty.com

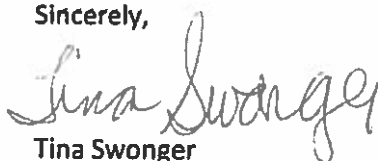
- Air quality is compromised and diminished by the fugitive dust associated with aggregate mining. Dust generated by mining often contains silica, a common naturally occurring crystal found in most rock beds. Prolonged exposure to silica may result in silicosis. According to the Centers for Disease Control, “[s]ilicosis is a disabling, nonreversible and sometimes fatal lung disease caused by over exposure to respirable crystalline silica...Over exposure to dust that contains microscopic particles of crystalline silica can cause scar tissue to form in the lungs, which reduces lung’s ability to extract oxygen from the air we breathe.” In addition to silicosis, inhalation of crystalline silica particles has been associated with other diseases, such as bronchitis and tuberculosis. This is a health issue for the abutting and nearby residential home owners and their livestock.
- The proposed quarry will create increased truck traffic by approximately 624 trucks per day, in addition to the existing truck traffic from the three operating quarries. This will create traffic hazards detrimental to the safety of County residents as well as the bicyclist and motor bike clubs and individual “bikers” who use the 115 Southwestern Corridor as a major thoroughfare due to the area’s geographic and aesthetic appeal.
- The Bauer Ranch and Eagle’s Nest neighborhoods have one entrance and one exit rendering them land locked in the event of fire, traffic accident, blasting accident, landslides due to blasting, etc.
- Currently there are three existing quarries within an 8-mile radius; these quarries are currently operating at half their capacity. A better plan; and a plan that would have less impact to the community and surrounding area would be to expand the existing quarries. This would also be consistent with our Master Plan – Southwestern/Highway 115 Comprehensive Plan.
- Wildlife, wildlife habitats, wildlife migratory paths and biodiversity will be lost. An environmental study needs to be completed, rather than take the word of the applicant, that there are no endangered species located on the land or nearby lands. The proposed quarry site could be in violation of the Federal and State Endangered Species Act. The Mexican Spotted Owl, “*Strix occidentalis lucida*”, is State and federally threatened, and has been identified in the Southwestern/Highway 115 Corridor.
- Moving dirt and extracting rock from the ground alters the flow of water runoff. The abutting neighborhoods depend strictly on well water supplies for all their water needs. There is potential for well contamination and/or damage, or complete loss from nearby blasting, contamination from blowing dust, and water runoff. Additionally, the heavy equipment necessary for quarrying, and that uses gasoline, diesel, oil and transmission fluids; can potentially leak these fluids. Small amounts to larger spills can contaminate 100' to 1000's of gallons of ground water.

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Quarrying requires heavy equipment, blasting, drilling, earthmoving, all of which create noise and dust, and, would certainly diminish the quality of life and well-being of the adjacent land owners and surrounding area. Southwestern/Highway 115 Corridor's unparalleled natural beauty will be compromised and the landscape densely populated with quarries and their side effects. The 115 Southwestern Highway area is currently taxed by the activities and traffic associated with Fort Carson, Cheyenne Mountain State Park, RV Parks, and privately owned parks opened to the public, within the surrounding area. Protection of the land, environment, and public health, safety, and wellbeing is consistent with my constitutional rights. In alliance with the "Highway 115 Citizen's Advisory Committee", the citizens, and the fellow neighborhoods along the corridor,

I am opposed to the quarry development.

Sincerely,

  
Tina Swonger

ANE

Charles & Patricia Watkins

RECEIVED

46

APR 14 2016

DIVISION OF RECLAMATION  
MINING AND SAFETY

March 31, 2016

Ms. Amy Eschberger  
Colorado Division of Reclamation, Mining and Safety  
1313 Sherman Street, Room 215  
Denver, Colorado 80203

Re: Transit Mix Concrete Company application for Reclamation Permit, Hitch Rack Ranch Quarry  
(# M2016010)

Dear Ms. Eschberger

I am submitting this letter on behalf of the 13 property owners within the Ridgewood Estates (Glenrock Drive). Ridgewood Estates is located along Highway 115, two miles North of the proposed Hitch Rack Ranch Quarry operation.

Based on our investigations and research, the owners and residents within the Ridgewood Estates are unanimously opposed to bringing an additional large-scale aggregate mining operation to our community, as there are already three quarries in service along this five mile stretch of Highway 115.

Our research has unveiled significant constraints to additional quarry development in the proposed location including: limited water supplies, a fragile groundwater system, rich wildlife and vegetation resources, public health and safety, air and noise contamination, compromised transportation within the community, traffic hazards along Highway 115, existing quarries that satisfy the demand, violation of current development plans for the area, proximity to local residents, and limited or no alternatives for residents.

**Water Supply:** All residents in Ridgewood Estates and surrounding neighbors along the Highway 115 corridor depend on ground water for their domestic water supply. These wells likely depend on the fracture system within the granitic rock for water supply, while wells in the adjacent upturned sedimentary rocks may depend upon both these fracture systems and infiltration along the granite-sedimentary rock boundary for recharge. This situation makes such wells dependent on the quality of the recharging surface water and highly susceptible to contamination. **The Heavy rains of 2014 proved this when many of our wells water changed color to tea like, due to the increased run off that shocked the aquifer. Despite the fact that many of these wells receive water from over 200 feet below the surface, the color change remained for several months.** Contamination from mining operations can travel very quickly through the fracture system to affect domestic wells. The very geology and topography of the proposed Hitch Rack Ranch Quarry site makes such effects exceedingly difficult to predict. Further, the effect from blasting operations (which Transit Mix proposes to conduct two or three times each week) on the fracture system will likely exacerbate the problem, and is equally difficult to predict. **In 1996 when we experienced an aftershock of an earth quake, several wells in our community had a drastic reduction in water production or had to be abandoned.**

**Wildlife:** An independent and objective wildlife study needs to be completed, rather than accept questionable statements by the applicant. The proposed quarry site is adjacent to and contiguous with the Aiken Canyon Preserve (managed by the Nature Conservancy of Colorado), and included as part of the Aiken Canyon Potential Conservation Area. This area is identified by the Colorado Natural Heritage Program as a B2 site – Very High significance. It should be noted that the Nature Conservancy shares our opposition to the quarry permit. The quarry site is an area rich in wildlife. It lies between large concentrations of wildlife in the federal lands to the west and Fort Carson to the east, and serves as a major migration route between the two ecotypes. It is inhabited by a great diversity and in some cases high density of wildlife. Most notably, the site is mapped by the US Fish and Wildlife Service as Critical Potential Conservation Habitat for the Mexican Spotted Owl, a federally listed threatened species. **The Mexican Spotted Owl has been documented in the immediate area. The applicant's statement that "turkeys are not common in the mining area" is ludicrous. Anyone who frequents this area knows it harbors one of the largest concentrations of turkeys in this part of Colorado. Sighting of turkeys is an almost daily occurrence here. Turkeys, in particular, are intolerant of industrial operations such as mining. Colorado Parks and Wildlife identifies the proposed quarry site as a primary elk residence and migration area.** More than 100 species of birds have been documented using the area, and the stream corridors are known to be important movement areas for wide-ranging animals such as mountain lions, black bear, mule deer, and elk. There are unconfirmed reports of the presence of Canada Lynx, an endangered species recently reintroduced into Colorado, in the area. The proposed mining plan does not appear to provide an adequate buffer to protect the use of intermittent stream corridors by these sensitive species.

**Vegetation:** The vegetation analysis sections of the application contain several inaccuracies. The quarry site provides high quality foothills plant communities that are rapidly being converted to development north and south of this area. The dry (xeric) tallgrass sites along the Front Range are also rarely found in the high quality condition in evidence at this site. It contains excellent to good examples of globally-imperiled mountain mahogany/needlegrass community, an excellent occurrence of globally vulnerable piñon pine/Scribner needlegrass community, as well as an excellent occurrence of mesic oak thicket community. The lodgepole pine and blue spruce mentioned repeatedly in the application do not appear in significant numbers, while the white pine, which is very common at the site, is not mentioned at all.

**Noise and Air Contamination:** Quarrying requires drilling and blasting with explosives, which create vibrations, noise, and dust. Once this process is completed, rock crushing machines crush the rock, conveyor belt machines move the rock around the processing plant; trucks are loaded and unloaded. The process and heavy machinery required to mine, is intrusive and creates significant noise and air pollution; thus having a direct impact on the surrounding areas and community. Air quality is compromised and diminished by the fugitive dust associated with aggregate mining. Dust generated by mining often contains silica, a common naturally occurring crystal found in most rock beds. Prolonged exposure to silica may result in silicosis. According the Centers for Disease Control, "silicosis is a disabling, nonreversible and sometimes fatal lung disease caused by over exposure to respirable crystalline silica. Over exposure to dust that contains microscopic particles of crystalline silica can cause scar tissue to form in the lungs, which reduces the lung's ability to extract oxygen from the air we breathe." In addition to silicosis, inhalation of crystalline silica particles has been associated with other diseases, such as bronchitis and tuberculosis.

**Noise and Air Contamination continued:** Due to our unique dry climate with sustained Chinook winds of 20 to 40 miles per hour this is a health issue for both humans and animals living within a four mile radius of this quarry. Dr. Robert Nathan, MD, a Diplomate of the American Board of Allergy and Immunology, and known world wide for his research and knowledge, noted in a letter to your office that the Silica dust behaves similarly to pollen, "it can impact the airways of asthma and COPD patients as far a 3-4 miles away." We have several of those patients living here daily on Glenrock Drive.

**Transportation:** Transportation in the Highway 115 area is unique in that the normal hierarchy of roads do not exist. Highway 115 is the lifeline upon which residents depend. It is the only means of transportation into, out of, and within the community. **There are no other alternatives, and residents cannot avoid using Highway 115 for their life-sustaining transportation needs.** Thus, the condition and safety of Highway 115 are primary concerns of all residents. According to the El Paso County Major Transportation Corridors Plan (MTCP), Highway 115 south of Fort Carson's main gate is functionally classified as "congested". Major sections of the highway are two lane, including the point at which Transit Mix proposes to access the highway. The proposed highway access point is also located at a historically dangerous place, with multiple fatal traffic accidents in recent years. **Unfortunately, the 2040 MTCP Roadway Plan does not call for any improvements to Highway 115 through the year 2040, so the highway we have now is what we will live with for many years to come.** If the Hitch Rack Ranch Quarry is allowed to proceed, an already congested highway, currently bearing truck traffic from three active quarries, will be burdened by as many as **624 additional** trucks per day when the quarry is at full production. This additional traffic will exacerbate traffic hazards not only for the local residents, but also for the many commuters who use this major thoroughfare to Colorado Springs, as well as the many tourists, bicyclists, and motorcycle clubs who frequent the area for it's unique geographic and aesthetic appeal.

**Existing Quarries:** There are currently three quarries operating within a five mile stretch along Highway 115, the nearest less than three miles from the proposed Hitch Rack Ranch Quarry site. The quarry operators report they are currently operating at roughly half their capacity. When questioned why such low production, the response is "insufficient demand". This calls into question the need for yet another quarry on the backs of the already burdened local residents.



**Proximity to Local Residents:** There are more than 140 properties within two miles of the proposed quarry site, some as close as 1200 feet and with direct line-of-sight to the quarry operations. The vast majority, if not all, of these property owners are vehemently opposed to the applicant's quarry plans. The policies incorporated in the El Paso County Southwestern Highway 115 Comprehensive Plan (see below) state "any resource extraction operation should be located a minimum of two miles distant from any dissenting residents".

**Comprehensive Development Plan:** This application for permit is in clear violation of the current Southwestern (Highway 115) Comprehensive Plan. This is a plan commissioned and adopted by the El Paso County Board of County Commissioners for the Highway 115 area. This comprehensive plan foresaw the potential for future demands for mineral resource extraction in the area, and adopted specific policies to address it. The Hitch Rack Ranch Quarry application is in specific violation of the following policies in this plan:

1. The entire burden of proof for demonstrating the existence of extractable mineral resources should lie with the applicant. Designation of potentially extractable mineral resources in the Master Plan for the Extraction of Commercial Mineral Deposits should in no way be seen as a justification or an implied right for mining.
2. Resource extraction operations in general are not supported in the planning area. However, the presence of existing operations is recognized, and if future conditions dictate the necessity for additional supplies of aggregate, the expansion of existing operations is preferred over new quarries.
3. At no time during their operations should resource extraction affect the quantity, quality, or dependability of residents' existing water supplies or result in the diversion of existing water supplies. The full burden of proof for assuring this will lie with the applicant.
4. Access from Highway 115 to any resource extraction operation should not affect the quality of the existing access to area residents.
5. Unless it can be demonstrated that topography will shield existing residents from visual, noise, and dust impacts, all resource extraction operations should be located a minimum of two miles distant from any dissenting residents.
6. Wildlife and wildlife protection routes should be protected through the development of a wildlife overlay zone, addressing the need for protecting critical habitat areas.
7. Development should not be allowed in riparian areas, both because the hazard of flooding and because of their exceptionally high wildlife values. Any drainage improvements undertaken in the area should be treated in the most natural way possible to minimize any impacts on riparian areas.
8. The specific area of Aiken Canyon is identified as a unique and significant biological resource of state-wide significance that should continue to be preserved. Preservation is not compatible with most public access, and management should maximize wildlife and scientific values.

**No Alternatives:** Residents in close proximity to the proposed quarry have no other alternatives but their status quo. They have but one source of water, their individual wells. They have but one route of ingress and egress to their properties, Little Turkey Creek Road. They have but one transportation corridor into and out of the community, Highway 115. Even routine operations of a Hitch Rack Ranch Quarry will have a significant impact on residents. For example, blasting operations, which Transit Mix proposes to conduct two or three times each week, will require closing Little Turkey Creek Road, precluding the owners and residents of 43 lots from leaving or returning to their properties. More severe occurrences run the risk of closing the only highway and/or effectively sealing off access to properties in the area.

The objections addressed above should be considered representative, but incomplete due to the limited time frame available to us for review, research and analysis. We reiterate our request that the study period be extended to give us a reasonable amount of time to conduct a thorough and meaningful study.

Thank you for your time and consideration.

Respectfully,

*Charles A. Watkins*

CHARLES A. WATKINS

*Patricia L. Watkins*

PATRICIA L. WATKINS

9580 STATE HWY 115  
COLORADO SPRINGS, CO 80926

Copy to:

Congressman Doug Lamborn, U.S. House of Representatives, Colorado's Fifth District  
1125 Kelly Johnson Blvd., #330, Colorado Springs, CO 80920

Senator Kevin Grantham, Colorado State Senator, District 2  
200 E. Colfax Ave., Denver, CO 80203

Representative Lois Landgraf, Colorado State Representative, District 21  
200 E. Colfax Ave., Denver, CO 80203

AME

Robert W. Pacy

RECEIVED

47

✓ APR 14 2016

Division of Reclamation, Mining, and Safety  
1313 Sherman Street, Room 215  
Denver, Colorado 80203

DIVISION OF RECLAMATION  
MINING AND SAFETY

07 April 2016

M-2016-010

To Whom It May Concern,

We are writing in regards to the application for quarry permits sought by, Transit Mix and their sister company, Castle Concrete. Application for the quarry permits location would be in the Turkey Creek area, up off of Little Turkey Creek Road, along Highway 115.

We currently own property on the 115 corridor and are concerned about the destruction of habitat and the devaluation of our properties that come from mining; the noise and tearing up of roads, the heavy equipment and truck traffic; there are the issues of water usage and the increase of fine dust with other pollutants.

This may not had been a concern at one time, but Castle Concrete has an extreme history of not following through with their promises of reclamation, and when if any partial measures were taken, what methods were used to do so.

Here are a few examples of company ethics;

- **The 31st Bock Pit** was turned into a park; buried under the park is the remains of demolition material, (located next to the landfill).
- **Castle Sand Plant** on Highway 85/87 is now a junk yard and rightly so, buried under the yard are contaminates and old equipment. One can only wonder what the cost may have been to the El Paso tax payers for clean-up had this cite been pawned off on the city.
- **Continental** was pawned off and left to the city of Colorado Springs to reckon with. It was turned into a recycle plant and is located across the highway from the Castle Sand Plant junkyard.
- **Black Canyon Quarry**, neighboring the Cedar Heights area, has had no mining for many years; of course a truck may occasionally be seen entering and exiting the quarry, but rarely. It would seem that as long as the permit is kept up to date, that eyes will continue to look the other way than deal with issues
- **Daniel Sand**, off of Academy and Bradley Road buried top soil that was to be used for reclamations, with mud from the clarifier and recycled concrete waste.

- **Queen's Quarry** is still an eye sore, particularly to those that live above it and **Pike View** is a complete wreck.

These examples are not hear say or made up stories dear sirs and madams. They are only a few examples of what represent how business has been conducted in the past and what can actually be viewed in the present.

We can only pray that you will take these matters to heart and possibly do some investigations into these matters before considering the approval or disapproval of the quarry permits.

We thank you for you valuable time,

  
Robert W. Pace

  
07 April 2016

1080 Corral Valley Road  
Colorado Springs, Colorado 80929  
719-683-2816

HOME

Charles & Denise  
Hancock

RECEIVED

✓ APR 14 2016

Charles & Denise  
Hancock

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Ms. Amy Eschberger:

DIVISION OF RECLAMATION  
MINING AND SAFETY

April/10/2016

This letter is in response to the proposed Reclamation, Mining and Safety of the development at Hitch Rack Ranch submitted by Transit Mix Concrete Company. Permit No. M2016010

Charles and Denise Hancock are writing this letter to voice our concerns and objections in the matter of the quarry installation proposal by Transit Mix Concrete Company. Our primary residence in the Eagles Nest Subdivision west of the proposed quarry.

First here is a little of our endeavors to full fill our dream of having a home in the mountains away from town. It first began in 1994 when we purchased land off of Little Turkey Creek Rd. We worked weekends and workdays after work to get what we dreamed of; such as solitude, wildlife viewing, peace and serenity, away from all the city noise and hustle and bustle. We worked hard to build our own ¼ mile long driveway. We leveled off the top of our mountain. We stayed in a tent, then a pop up camper, then my folks motor home. Finally lived 4 years in the garage we built, during which time we saved money and sacrificed family and social life to keep going. After 4 long years in the garage, we finally finished our home in 2009. That is 15 years of our lives. We are going to have everything we worked so hard for, taken away from us.

We are suppose to see a quarry in our back yard practically (1200' or so away). Hear all the equipment, blasting, and trucks coming and going, as well as with the possibility of water loss. We are one of one of the closes wells to the quarry. Which we found is not on any of your research work paper. Home damage and property landslides around natural retaining walls. We all stand to suffer great financial loss do to depreciation in home and property value or can even sell at all. Our house appraisal came in at \$500,000.00 in 2009. We are quite confident that if an appraisal were done before this Quarry proposal, it would be much higher.

We all are suppose to go through lengthy delays coming and going do to the blasting out of 3 days a week from 10:00 a.m.- 4:00 p.m. That is a MAJOR concern with EMERGENCIES that may occur during blasting. One minute between LIFE or DEATH. That doesn't make anyone feel safe. If any complications may occur, (which was stated) we could be put out or in from our homes for an hr - all day. What happens if there is a fire? They have to wait 20 minutes, 1 hr, all day before being able to get back in and save lives or homes, or a fire from getting out of control? What happens if we went grocery shopping and came back to that incident? What are we suppose to do with our groceries? There is so many concerns due to blasting and OUR

road. Would you like to be told when you can come in or out and how long it could be? Especially when you have children and or animals, appointments, emergencies. This interferes with everyone's life.

We are also concerned with flooding that has happened here and may occur more from rain on stripped areas do to quarry excavations, damaging and or destroying the main road. This is OUR only road in and out for all of us back in here. Everyone that owns or lives here, pitches in to maintain this road. Not the city, nor has Hitch Rack Ranch. This is her ingress/egress road too. How much more of a financial burden could that be on all of us.

The other concern is the dust being carried by locally heavy winds which are prevalent here in this canyon. As my wife has Asthma, that is a concern for both of us. As stated it is dry drilling.

We are concerned for all owners and guests that use this road, SAFETY.

Afraid of land slides do to the blasting as people come in and out.

We believe there must be a way for existing Quarries to bear the load of aggregate rather than stripping another stretch of beautiful land and destroying our dreams and so many others like us, and that live back here.

Chuck had stopped and talked to one of the men that was drilling up in here (on his way out to a doctor appt.) the worker said "Yeah, I see you from the site every morning sitting on your deck drinking your coffee". Which is



disturbing to us. We feel like this is an invasion of our privacy. So how many other workers that we don't even know about. Part of another reason we moved up here.

Sincerely,

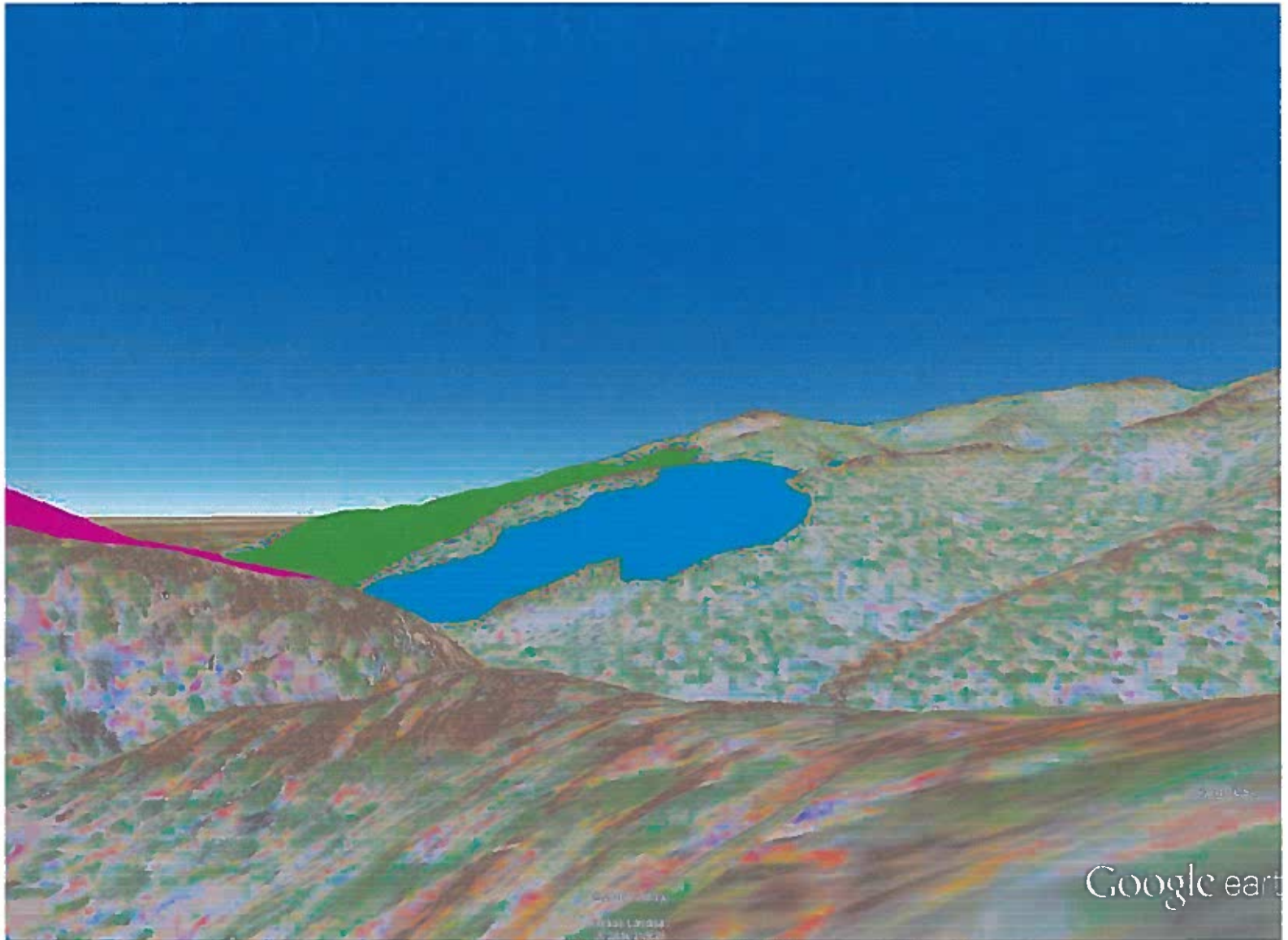
*Charles H Hancock*  
*Denise A. Hancock*

Permit No. M2016010  
4241 Little Turkey Creek Rd.  
Colorado Springs, Co. 80926  
719-445-2088 / home  
719-651-3285/ cell-Chuck  
719-650-3285/ cell-Dee

# Legend

- Pink is North Quarry Pit
- Orange is North Quarry Pit Extension
- Blue is Fines Pile
- Green is South Quarry Pit

View From Hancock Property



Richard & Susan Larsen

49

11 April 2016

rec'd 4/14/16

Colorado Division of Reclamation, Mining and Safety  
1313 Sherman Street, Room 215  
Denver, CO 80203

Ms. Amy Eschberger:

This letter is in response to the proposed Reclamation and Mining development at Hitch Rack Ranch, submitted by Transit Mix Concrete Company, Permit No. M2016010. We own property within the Eagles Nest development, which is located on Little Turkey Creek Road to the west of the proposed quarry.

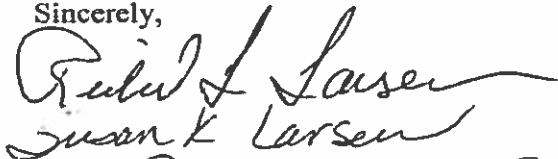
We object to the application as currently written for the following reasons:

- 1) Quarry operations within Little Turkey Creek canyon will adversely impact property values within Eagles Nest.
- 2) Quarry operations will block Little Turkey Creek Road, which is our ingress/egress easement road and provides the only means we have to access our property.
- 3) Quarry operations will cause more frequent and more severe flooding and landslides within the Little Turkey Creek watershed, which will place a financial burden on affected landowners to repair the road.
- 4) Quarry operations may have an adverse impact on nearby water wells and may impact water rights within the Little Turkey Creek watershed
- 5) Quarry operations will adversely affect the safety and security of Eagles Nest landowners and their guests
- 6) Quarry operations will adversely impact the environment and quality of life within Little Turkey Creek canyon

We agree with the detailed concerns expressed in the report sent to you by Charles and Nancy Reed.

Please notify us of any scheduled meetings concerning the quarry application.

Sincerely,



Name: RICHARD L. & SUSAN K. LARSEN

mailing Address: 6980 Granite Peak Drive Colorado Springs, CO 80923

Phone: (719) 531-6785 (H) (219) 660-9852 cell

our Little Turkey Creek Address is 4365 Little Turkey Creek

STATE OF  
COLORADO

Eschberger - DNR, Amy <amy.eschberger@state.co.us>

**Reclamation and Mining development Permit #M2016010**

3 messages

Rich Larsen <RLarsen@skywaypark.net>

Thu, Apr 14, 2016 at 8:22 AM

To: "amy.eschberger@state.co.us" <amy.eschberger@state.co.us>

Cc: "ncr.turkeycreek@gmail.com" <ncr.turkeycreek@gmail.com>

**Ms. Eschberger;**

As a property owner, 4365 Little Turkey Creek Road, Colorado Springs, CO we are submitting the attached letter objecting to the proposed reclamation and mining development at Hitch Rack Ranch, submitted by Transit Mix Concrete Company, Permit No. M2016010.

Respectfully;

Richard &amp; Susan Larsen

6980 Granite Peak Drive

Colorado Springs, CO 80923

719-660-9852 (M)

719-531-6785

[rdarsensh@aol.com](mailto:rdarsensh@aol.com)



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342K

**Eschberger - DNR, Amy** <amy.eschberger@state.co.us>

Thu, Apr 14, 2016 at 8:27 AM

To: Rich Larsen <RLarsen@skywaypark.net>

Dear Mr. and Mrs. Larsen,

I have received your timely objection and will add it to the permit file. I appreciate your participation in the application review process for the proposed Hitch Rack Ranch Quarry (Permit No. M-2016-010).

Thanks,

**Amy Eschberger**  
**Environmental Protection Specialist**

11 April 2016

(Michael & Laura  
Harvey)

Mar: 21/14/16

(50)

Colorado Division of Reclamation, Mining and Safety  
1313 Sherman Street, Room 215  
Denver, CO 80203

Ms. Amy Eschberger:

This letter is in response to the proposed Reclamation and Mining development at Hitch Rack Ranch, submitted by Transit Mix Concrete Company, Permit No. M2016010. We own property within the Eagles Nest development, which is located on Little Turkey Creek Road to the west of the proposed quarry.

We object to the application as currently written for the following reasons:

- 1) Quarry operations within Little Turkey Creek canyon will adversely impact property values within Eagles Nest.
- 2) Quarry operations will block Little Turkey Creek Road, which is our ingress/egress easement road and provides the only means we have to access our property.
- 3) Quarry operations will cause more frequent and more severe flooding and landslides within the Little Turkey Creek watershed, which will place a financial burden on affected landowners to repair the road.
- 4) Quarry operations may have an adverse impact on nearby water wells and may impact water rights within the Little Turkey Creek watershed
- 5) Quarry operations will adversely affect the safety and security of Eagles Nest landowners and their guests
- 6) Quarry operations will adversely impact the environment and quality of life within Little Turkey Creek canyon

We agree with the detailed concerns expressed in the report sent to you by Charles and Nancy Reed.

Please notify us of any scheduled meetings concerning the quarry application.

Sincerely,

Laura Harvey Phil Th...

Name: Michael + Laura Harvey (Lot 3)

Address: 910 U.S. Embassy Abuja, Nigeria 11050

Phone: 714-471-2297 (Mike's mom)

STATE OF  
COLORADO

Eschberger - DNR, Amy &lt;amy.eschberger@state.co.us&gt;

---

## Proposed Quarry near Eagles Nest Development

2 messages

Laura and Mike Harvey &lt;lamiharvey@hotmail.com&gt;

Thu, Apr 14, 2016 at 6:28 AM

To: "eaglesnestassociation@gmail.com" <eaglesnestassociation@gmail.com>, "ncr.turkeycreek@gmail.com" <ncr.turkeycreek@gmail.com>, "amy.eschberger@state.co.us" <amy.eschberger@state.co.us>, Mike Harvey <mharvey@usaid.gov>

Dear Ms. Eschberger:

Please find attached our signed letter of concern regarding the Reclamation and Mining development at Hitch Rack Ranch, Permit #M2016010. We own property on Little Turkey Creek Road. If you have any questions or concerns, please reach us through this email.

Thank you very much.

Laura and Mike Harvey



enestquarryconcern.pdf

125K

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Eschberger - DNR, Amy <amy.eschberger@state.co.us>

Thu, Apr 14, 2016 at 8:20 AM

To: Laura and Mike Harvey &lt;lamiharvey@hotmail.com&gt;

Cc: Wally Erickson - DNR &lt;wally.erickson@state.co.us&gt;

Dear Mr. and Mrs. Harvey,

I appreciate your participation in our application review process for the proposed Hitch Rack Ranch Quarry (Permit No. M-2016-010). Throughout the process, the Division will be communicating with you via the mailing address you provide. Important information will be sent via mailed correspondence. However, you did not provide a mailing address with your objection letter. If you would like all correspondence to be mailed to the U.S. Embassy in Abuja, Nigeria, please provide the mailing address for this location. Additionally, the phone number provided must be that of the objecting party. You provided a phone number for "Mike's mom". If you would like to be considered an objecting party, please provide your phone number.

Because it appears that one or both of you may be stationed outside of the country at this time, please be aware that if you will not be able to attend the Pre-hearing conference held for this application (later this summer), you may designate another party to appear on your behalf without losing your party status. The Authorization to Appear on Behalf of a Party form will be sent to you at the mailing address you provide with your objection letter. Your representative would need to bring the original notarized form to the Pre-hearing conference.

Thanks,

Amy Eschberger

Environmental Protection Specialist



COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources

P 303.866.3567 x8129 | F 303.832.8106 | C 303.945.9014

1313 Sherman Street, Room 215, Denver, CO 80203

Amy.Eschberger@state.co.us | <http://www.mining.state.co.us>

[Quoted text hidden]

Gary H. McCowen

(51)

April 13th, 2016

rec: 4/14/16

Ms. Amy Eschberger  
Colorado Division of Reclamation, Mining and Safety  
1313 Sherman Street, Room 215  
Denver, CO 80203

Dear Ms. Eschberger,

We recently received notice that Transit Mix Concrete Company (a subsidiary of Continental Materials Corporation, a non-resident entity based in Chicago, IL) has applied for DRMS Permit No. M-2016-010 to open a new quarry on Hitch Rack Ranch near Colorado Springs, Colorado.

On March 2nd, Mr. Jerry Schnabel of Transit Mix Concrete Co., presented the quarry plan to the property owners and residents along Highway 115. No one in attendance expressed support for the quarry.

As a committee comprised of property owners along Southwest Highway 115 that encompasses over 250 properties, including the Turkey Canyon Ranch (TCR) Homeowners Association (HOA), the Pinons of TCR HOA, Highlands of TCR HOA, Red Rock Valley Estates Neighborhood Association, Eagle's Nest Association, the Ridgewood Estates HOA and property owners within the former Bauer Ranch, the committee unanimously objects to Transit Mix Concrete Company's proposal for the following reasons:

1. Transit Mix's proposal to open and operate a quarry in this area does not comply with El Paso County's *Southwest Highway 115 Development Plan*.

2. There are already three quarries in operation along a five mile stretch of Highway 115. The Transit Mix proposal would make it four quarries within eight miles of roadway that provides no alternative routes for residents.

3. Little Turkey Creek Road is the sole access road for the home and property owners in the Eagle's Nest development located to the west of the proposed quarry operations area. Likewise, the road that runs along Deadman's Creek is the sole access road for those property owners of the former Bauer Ranch area located to the north of the quarry area. Blasting and quarry operations will deny or inhibit these property owners access to their homes and properties.

4. Blasting operations and excavation will generate landslides affecting access along Little Turkey Creek Road.

5. Despite claims made in Transit Mix's application, long term blasting operations will impact wells, the underlying water table, and water quality. The President of Transit Mix Concrete Co. personally told one resident that he would feel the effects of blasting at his home. Additionally, excavation and the removal of vegetation in the quarry areas will exacerbate flash flooding and contaminate runoff along Little Turkey Creek. Potential fuel spills, use of herbicides to clear noxious weeds and other contaminate run off will impact wells located near the creek. The data in Transit Mix's application for the 100 year, 24 hour and 10 year, 24 hour storms is not accurate for the proposed mining area and, therefore, the proposed mitigation measures are inadequate.

6. Any industrial activity in this area increases the risk of wildfire which, is the number one threat to the people and properties along SW Highway 115. It is interesting that Transit Mix's application addresses hurricanes in the Emergency Action Plan but does not address wildfires.

7. The proposed quarry area is a part of the The Nature Conservancy of Colorado's *Aiken Canyon Potential Conservation Area* and identified by the Colorado Natural Heritage Program as a B2 site (Very high significance). The site is mapped by the US Fish and Wildlife



Service as Critical Habitat for the Mexican Spotted Owl, a federal and state listed threatened species. Wildlife (elk, deer, black bear, bobcat, mountain lion, wild turkey, numerous other bird species and animals) will be dispersed as a result of blasting operations, heavy equipment used for mining, truck traffic and loss of habitat. The statement in Transit Mix's application "*The temporary loss of habitat would not be likely to jeopardize the continued existence of any wildlife species in the area or cause a permanent change in abundance*" is ill-considered at best, as loss of habitat poses the greatest threat to species.

8. Air quality will be severely degraded. A review of several studies indicate that blasting and excavation operations produce silica dust and other particulate matter that are suspended in the air over long periods. Emissions from thousands of truck trips per year used to haul aggregate from the pits will further degrade air quality. Persistent silica dust, particulate matter and engine emissions present an unacceptable health hazard to residents in the area. Transit Mix's application does not adequately address this issue.

9. Noise will be persistent. Noise produced by blasting, excavation machinery and truck traffic will travel up and down Little Turkey Creek canyon and Deadman Creek canyon to residents along Little Turkey Creek Road and in Red Rock Valley. Decibel studies are incomplete and impacts are not addressed in the application.

10. While Transit Mix proposes to shield views of the quarry from Highway 115, there will be views of the quarry from several properties in the area. Views of the quarry will have a negative economic and aesthetic impact on property owners.

Mr. Schnabel admitted that Transit Mix has been studying this project for two and one half years. The committee and property owners have only been aware of the quarry proposal since approximately March 2nd, 2016. Obviously, we are at a severe disadvantage in that we have only a short time to review the 800 plus page Transit Mix application, consult with several government agencies, other organizations and subject matter experts in order to analyze the impacts of a mining operation in this neighborhood. The ten points listed above provide a snapshot of the issues that require detailed study, review and analysis. While we will continue to research the technical aspects and analyze the adverse impacts in greater detail, we hope that the Colorado DRMS will acknowledge our limited ability to do so within time constraints.

Respectfully,



G.K. McCowen  
On behalf of the Highway 115 Citizens Advisory Committee

3070 Little Turkey Creek Road  
Colorado Springs, CO 80926  
Phone: (719) 352-1519

Highway 115 Citizens Advisory Committee:

Mr. Steve Firks

President, The Piñons of Turkey Cañon Ranch Homeowners' Association

15580 Cala Rojo Drive

Colorado Springs, Colorado 80926-9303

Phone: (719) 576-0321

Mr. Chris Burnell

President Turkey Canyon Ranch Homeowners Association

15575 Henry Ride Heights, Colorado Springs, CO 80926

Phone: (719) 576-3706

Mrs. Sara Harper

President, Red Rock Valley Estates Neighborhood Association

11465 Calle Corvo

Colorado Springs, CO 80926

719-226-6746, Ext. 12

Dr. Nancy Reed

President, Eagles Nest Association

4848 Little Turkey Creek Road

Colorado Springs, CO 80926

Phone: (719) 445-2030

Mr. Mark McClurg

President, Highlands of Turkey Canon Ranch Homeowners Association

15795 Phantom Canyon View

Colorado Springs, CO 80926

Phone: (719) 310-8627

Mrs. Jean Miller

12025 Calle Corvo

Colorado Springs, CO 80926

Phone: (719) 527-9817

Mr. Reece Eddy

President, Ridgewood Estates Homeowners Association

1285 Glenrock

Colorado Springs, CO 80926

Phone: (719) 235-6414

Copy to:

Congressman Doug Lamborn, U.S. House of Representatives, Colorado's Fifth District

1125 Kelly Johnson Blvd., #330, Colorado Springs, CO 80920

Senator Kevin Grantham, Colorado State Senator, District 2

200 E. Colfax Ave., Denver, CO 80203

Representative Lois Landgraf, Colorado State Representative, District 21

200 E. Colfax Ave., Denver, CO 80203

Jerry & Karen Moore

Rec: 4/14/16 (52)

Colorado Division of Reclamation, Mining and Safety  
1313 Sherman Street, Room 215  
Denver, CO 80203

**Objections to Permitting Hitch Rack Ranch Quarry**  
**Permit Number M-2016-010**  
Ms. Amy Eschberger Lead Specialist

Prepared by Jerry P Moore  
15836 Spanish Peak Vw  
Colorado Springs, CO 80926  
832-875-7030  
832-875-7020

  
Jerry P Moore

and

  
Karen B Moore

With three quarries currently in operation within eight miles of the proposed site for the Hitch Rack Ranch Quarry, and the existing quarries operating at well below capacity, the sole purpose for this application is to increase revenue for Transit Mix. If this quarry permit is not approved there will be no negative consequences to ANYONE else.

**Impact If Permit is Denied:**

- Critical habitat for threatened species not destroyed
- Site of high conservation significance not destroyed
- No additional injuries and fatalities from dramatic increases in truck traffic on 115
- No possible loss of domestic water supplies
- No noise pollution
- No dust pollution
- No loss of ingress and egress control by property owners
- Transit Mix makes less money

# **Geologic and Hydrologic Reasons for Not Approving Application**

## **Risk to Residents' Ground Water Supply**

As an exploration geologist I have spent a significant portion of my forty year career attempting to predict and understand hydrocarbon fault traps as well as fractured reservoirs. Although all of my professional experience dealt with hydrocarbons, I believe my understanding of fractured reservoirs and faults as fluid barriers are applicable to ground water as well.

The only source of household/domestic water in the area is water wells. The primary aquifer is the Pikes Peak Granite, which produces from fractures in the crystalline rock. Other wells have been completed in localized alluvium lenses and in the Fountain Sandstone, but could be expected to be in communication with the primary aquifer. Most of these wells are marginal producers, typically under 10 CFM, with many requiring a cistern to meet normal household needs. This is a fragile water system requiring protection. The Westcliffe earthquake (2008, magnitude 2.5, 48 miles southwest of the proposed quarry location) caused a water well in the area of the proposed quarry location to immediately quit producing and required a new well to be drilled. Although on a larger scale but in the same hydrological environment, the granite removal which took place during the building of the NORAD complex stopped most of the ground water supply to large areas down gradient.

The permit should not be approved for many reasons, but my objections here will be geologic and hydrologic. Because of the complex structural geologic setting and the characteristics of the aquifer system, a quarry operation at this location has a significant possibility of disrupting or diverting ground water and surface water. If this happens it is impossible to predict how it would impact the surrounding domestic water wells.

- The billion-plus years of almost continuous structural deformation and uplift surrounding the Pikes Peak batholith has created an area of fractured rock and a very faulted terrain.
- The proposed area to be quarried is at the intersection of major faults and aquifers in fractured rock.
- The ground water recharge and surface water is funneled through a canyon that narrows to 300 feet when entering the quarry.
- The flow through the quarry is in and below the Little Turkey Creek creekbed and alluvium. Based on Transit Mix coring, this is a highly fractured fault zone. Deadman Creek has the same situation, with drainage through the quarry in a highly faulted creekbed.

- Based on my experience and the information available on Front Range aquifers, with this degree of fracturing and faulting the surface and ground waters are going to be in communication.
  - In the Pikes Peak granite almost all effective permeability and porosity will be provided by fractures. The amount will vary depending upon the amount of stress and weathering. To some degree this should be true for all the aquifers in the quarry site.
- The intersection of the creek bed fault zones and the thrust faults in these fractured rock aquifers should **not** provide an effective aquitard.
  - If the thrust faults are “sealed” it is very doubtful that sealing would be continuous
  - The fault planes are as likely to provide a conduit as a barrier.

In the setting detailed above and with the removal of 393 acres of material with blasting it is **impossible** to predict that ground water and surface water flow, and therefore aquifer recharge, will not be significantly altered. These changes could cause the stoppage or reduction of the ground water supply to residents.



FIGURE A

- Yellow and Black are Thrust Fault System
- Cyan and White are creek fault zones
- Green Cyan Purple Orange are rock removal "pits"

### **Ground Water Contamination**

Disturbing 393 acres provides an entry point for contamination of the surface waters and ground water. Because of fracturing and faulting the surface and ground water are probably in communication to some degree. Any contaminants could easily permeate the localized hydrodynamic system.

#### **Lead contamination**

- Larsen Well 185659
  - Not potable water source because of lead
  - 1800 feet from North Ridge Excavation
  - Removal of 100,000,000 tons of stone provides opportunity for pyrite in waste rock to oxidize mobilize the lead allowing it to enter and contaminate surface and ground water
- If well 185659 has a sufficient lead levels to contaminate ground water to levels making not potable how can contamination possibly be controlled 1800 feet down gradient where 100,000,000 bank cubic yards of material are going to be removed?

#### **Equipment leaks and spills**

- With the proposed 22 pieces of heavy equipment the opportunity for spills and leaks of diesel, motor oil, or hydraulic fluid to contaminate the ground water and surface water are an additional risk to the area's well water quality.

## **Rockfall Hazards and Ingress/Egress Blockage**

- Colorado Geological Survey Rockfall Hazard Information
  - Definition: Rockfall is the falling of a newly detached mass of rock from a cliff or down a very steep slope. Rocks in a rockfall can be of any dimension, from the size of baseballs to houses.
  - Improper utilization of rockfall areas is any use for which occasional, unpredictable, rolling, bounding, or falling of rocks could constitute a threat to life or property.
  - Areas of potential rockfall are subject to constraints similar to those of active rockfall areas. However, if activation can be prevented, such areas could be used safely, but the cost of protection from the potential hazard can in many cases exceed the economic gain from the change in land use.
  - Man's activities often cause rocks to fall sooner than they would naturally. Excavations into hill and mountainsides for highways and building frequently aggravate rockfalls. Vibration from passing trains or blasting can trigger them, as can changes in surface and ground water conditions. Rockfalls have been attributed to earthquakes and sonic booms.
- Little Turkey Creek Rockfall Hazards
  - Little Turkey Creek canyon has near vertical walls in places and narrows to a few hundred feet. The vertical walls are primarily composed of the highly fractured Pikes Peak Granite and possible unmapped faults. With regular blasting in the quarry acting as a trigger, the rockfall hazard would be greatly increased.
  - The only access to the homes and cabins in the canyon above the proposed quarry site is an unpaved road following the creek bed. With the canyon narrowing, the road is forced to approach the base of the vertical canyon walls. The width and character of the roadbed and the stream do not permit any vehicle traffic to maneuver.
  - The confinement and proximity of the vertical walls would:
    - Make travel dangerous
    - A medical emergency in the canyon could block individuals in the canyon without emergency vehicle access or evacuation.
    - Emergency helicopter service would be difficult and dangerous
    - Map and photos will be provided



### **Quarry Operations Affecting Access**

- With only one road in and out of the canyon normal quarry operations and emergencies would also isolate residents in the canyon
- Resident ingress and egress on a road which the residents own would be completely controlled by quarry operations and decisions
- Currently the residents' access in the canyon is controlled by two security gates. The quarry road would bypass the first security gate, creating an unfavorable security environment for the residents.

## **Refutation of BBA Water Consultants Executive Summary of Potential Ground and Surface Impacts**

Note: Numbered paragraphs below are copied from the BBA Water Consultants report. Underlined items in those paragraphs are items I am addressing in my refutation. My refutations are italicized and underlined immediately following the BBA sections. Refer to Figure B on the following page for the Transit Mix geologic interpretation used by the BBA consultants.

1. The operation of the proposed quarry is not expected to directly affect surface or ground water systems.

*What exactly do "not expected to" and "directly affect" mean? What assurance is that to the property owners?*

2. Test drilling at the property performed for Transit Mix did not reveal saturated bedrock conditions within the mining interval and, therefore, mining will probably not impact surface or ground water systems by intercepting ground water.

*The test coring was done using water based mud in a highly fractured zone. This makes the statements about "highly productive aquifer zones not encountered", "no ground water interception", and "probably not impact surface or ground water systems" a guess based on easily misinterpreted data.*

3. Mining operations will be limited to areas 100 feet away and elevations 10 feet above the existing channel of Little Turkey Creek, the primary drainage within the property. Mining will not induce seepage from the creek and will not directly impact flow in the creek. Mining adjacent to Deadman Creek will extend below the elevation of the creek (subject to the 100 foot setback), but the creek is typically dry and saturated conditions therefore do not exist immediately below the streambed. There is not a hydraulic connection between the streambed and the deeper aquifer system and, therefore, mining will not interact with this drainage.

*The 100 foot lateral and 10 foot vertical separations are not sufficient aquitards in this structural setting to support the statements that I have highlighted in the above paragraphs. Fractured crystalline rock sitting on highly brecciated faulted creek beds that intersect with a regional thrust fault system make the effectiveness unpredictable. Also, after blasting and removal of 393 acres of granite, it is possible that communication may be created between isolated aquifers if they were not already.*

4. The proposed quarry area will maintain existing drainages such that existing precipitation and surface runoff flow paths will be maintained. Surface water present in drainage ways will not be intercepted.

*In this structural setting, where the hydrodynamics of the surface and subsurface are probably connected to some degree, you cannot make statements like the above with any degree of certainty.*

5. A seep area with two existing springs within the proposed quarry area will be mined out, but water discharged from the springs will continue to drain to Little Turkey Creek.

*With the blasting in this fractured and faulted area it is impossible to state as fact that the discharge will all continue to drain into Little Turkey Creek.*

6. Based on the available geologic information and information provided by Transit Mix, nearby wells in the vicinity of and west of the mine produce water from geologic fault zones associated with the drainages. The proposed quarry will not intersect the drainages and will therefore not directly interact with these fault zones. As stated above, mining is not expected to intercept ground water. For these reasons, mining will have little potential to impact nearby wells.

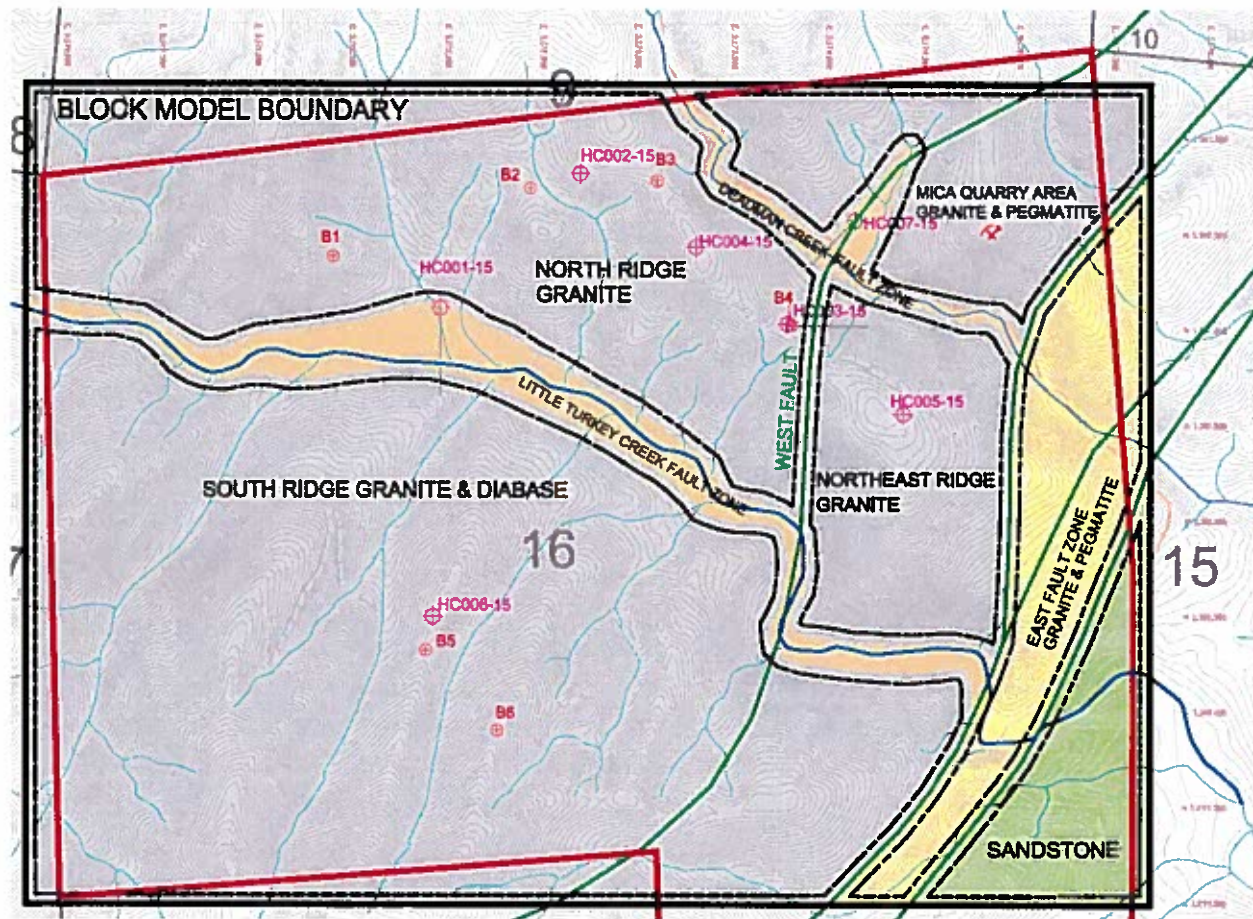
*There is insufficient geologic information to know specifically the source of the water produced by the wells in the vicinity and west of the mine. It is possible that the alluvium, sandstone, crystalline fractured granite, and brecciated fault zone are all connected by fractures and faults.*

7. Water demand at the site will be limited to sanitary uses within an office and dust suppression of the quarry roads. The mining plan does not include the exposure of ground water or washing of mined rock product. The currently proposed water source for these water uses is water purchased from Colorado Spring Utilities that will be trucked to the site. Local ground and surface water sources will not be developed for water supply, therefore, there is no potential for depletion to local ground and surface water supplies or water rights.

*Are they planning to use the property's ground water or not? On page G-16, it states the following, which is in direct contradiction to the above statement:*

*"Water needs for the operation include dust control on the roads and in the crushing and screening process. Water will be recycled whenever practical. The water usage plan prevents impacts to downstream water rights holders, and the sediment pond outlet works prevent impacts to water quality. The primary source of water will likely be via purchase from Colorado Springs Utilities with water hauled from Colorado Springs and stored on site. The Hitch Rack Ranch owns surface and ground water rights, and Transit Mix is evaluating the potential for future use of these waters. Transit Mix may in the future also install groundwater wells on the property to provide a supplemental water supply. Wells would be installed to prevent impacts to existing nearby water wells."*

**Figure B**  
***Transit Mix Geology Interpretation***



**STATE OF  
COLORADO**

Eschberger - DNR, Amy &lt;amy.eschberger@state.co.us&gt;

**Objections to Permitting Hitch Rack Ranch Quarry Permit Number M-2016-010**

2 messages

Jerry P Moore &lt;jerrypaulmoore@icloud.com&gt;

Thu, Apr 14, 2016 at 7:52 AM

To: amy.eschberger@state.co.us

Cc: Jerry &amp; Karen Moore &lt;jerrypaulmoore@icloud.com&gt;, Jerry &amp; Karen Moore &lt;karenbmoore@icloud.com&gt;

Amy,

Attached is a pdf file stating our objections to the proposed Hitch Rack Ranch Quarry. Please email confirmation you have received this document.

Please contact Jerry if you have any questions.

Jerry P Moore and Karen B Moore  
15836 Spanish Peak Vw  
Colorado Springs, Co, 80926  
[jerrypaulmoore@icloud.com](mailto:jerrypaulmoore@icloud.com)  
Cell 832-875-7030

**Objections to Permitting Hitch Rack Ranch Quarry Submitted\_Signed.pdf**

7350K

Eschberger - DNR, Amy &lt;amy.eschberger@state.co.us&gt;

Thu, Apr 14, 2016 at 8:24 AM

To: Jerry P Moore &lt;jerrypaulmoore@icloud.com&gt;

Dear Mr. and Mrs. Moore,

I have received your timely objection and will add it to the permit file. I appreciate your participation in the application review process for the proposed Hitch Rack Ranch Quarry (Permit No. M-2016-010).

Thanks,

Amy Eschberger  
Environmental Protection Specialist

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

Department of Natural Resources

P 303.866.3567 x8129 | F 303.832.8106 | C 303.945.9014

Mark Henslee

53

April 14, 2016

Per: 4/14/16

Colorado Division of Reclamation, Mining and Safety  
1313 Sherman Street, Room 215  
Denver, CO 80203

Ms. Amy Eschberger:

This letter is in response to the proposed Reclamation and Mining development at Hitch Rack Ranch, submitted by Transit Mix Concrete Company, Permit No. M2016010. We own property within the Eagles Nest development, which is located on Little Turkey Creek Road to the west of the proposed quarry.

We object to the application as currently written for the following reasons:

- 1) Quarry operations within Little Turkey Creek canyon will adversely impact property values within Eagles Nest.
- 2) Quarry operations will block Little Turkey Creek Road, which is our ingress/egress easement road and provides the only means we have to access our property.
- 3) Quarry operations will cause more frequent and more severe flooding and landslides within the Little Turkey Creek watershed, which will place a financial burden on affected landowners to repair the road.
- 4) Quarry operations may have an adverse impact on nearby water wells and may impact water rights within the Little Turkey Creek watershed
- 5) Quarry operations will adversely affect the safety and security of Eagles Nest landowners and their guests
- 6) Quarry operations will adversely impact the environment and quality of life within Little Turkey Creek canyon

We agree with the detailed concerns expressed in the report sent to you by Charles and Nancy Reed.

Please notify us of any scheduled meetings concerning the quarry application.

Sincerely,



Mark A Henslee, Managing Member  
Henslee Family Investments, LLC  
245 E Cheyenne Mountain Blvd  
Colorado Springs, CO 80906  
719-238-5868

**STATE OF  
COLORADO**

Eschberger - DNR, Amy &lt;amy.eschberger@state.co.us&gt;

---

**Transit Mix Concrete Company Permit No M2016010**

2 messages

**Mark Henslee** <markhenslee@gmail.com>

To: amy.eschberger@state.co.us

Thu, Apr 14, 2016 at 8:05 AM

Ms Eschberger,

Find attached a letter objecting to the permit application made by Transit Mix Concrete Company. Please advise if additional information is needed from the state from us prior to the April 19th deadline.

Sincerely,

Mark Henslee

**Letter to the State 04-14-16.pdf**

102K

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**Eschberger - DNR, Amy** <amy.eschberger@state.co.us>

To: Mark Henslee &lt;markhenslee@gmail.com&gt;

Thu, Apr 14, 2016 at 8:26 AM

Dear Mr. Henslee,

I have received your timely objection and will add it to the permit file. I appreciate your participation in the application review process for the proposed Hitch Rack Ranch Quarry (Permit No. M-2016-010).

Thanks,

Amy Eschberger  
Environmental Protection Specialist

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

Department of Natural Resources

P 303.866.3567 x8129 | F 303.832.8106 | C 303.945.9014

1313 Sherman Street, Room 215, Denver, CO 80203

Amy.Eschberger@state.co.us | <http://www.mining.state.co.us>

[Quoted text hidden]

Stephen Sovaiko

54

Rec: 4/14/16

April 14, 2016

Stephen Sovaiko  
11335 Valle Verde Dr  
Colorado Springs CO 80926

Colorado Division of Reclamation, Mining and Safety  
1313 Sherman Street, Room 215  
Denver, CO 80203  
Ms. Amy Eschberger:

The proposed Reclamation and Mining development at Hitch Rack Ranch; submitted by Transit Mix Concrete Company, Permit No. M-2016-010, would bring a large-scale aggregate mining development unnecessarily close, and abutting in at least two areas, to residential, [A-5] neighborhoods. Quarry development brings significant, *long-term* consequences to the environment, public health, safety, and well-being of the effected and adjoining neighborhoods due to: substantially increased truck traffic, dust, and noise pollution, to an area that is known for its strapped natural resources - water, and highest fire danger area. All the while, juxtaposed to the area's unparalleled natural beauty, abundant wildlife, wildlife habitats, and wildlife migratory trails, make this development both undesirable and unsustainable. As a resident of Red Rock Valley Estates Neighborhood, a ***Volunteer Firefighter with the SW Hwy 115 Fire Protection District who trains for more than 300 hours per year without compensation to protect this area, and a Red Rock Valley Estates Water District elected Board member who is sworn to protect our adjacent water sources, yet was never notified of this project until the recent public notice***, I cannot support this development and; therefore, am opposed to the development for the following reasons:

- Quarrying requires drilling and blasting with explosives, which create vibrations, noise, and dust. Once this process is completed, rock crushing machines crush the rock, conveyor belt machines move the rock around the processing plant; trucks are loaded and unloaded. The process and heavy machinery required to mine, is intrusive and creates significant noise and air pollution; thus having a direct impact on the surrounding areas and community.
- Air quality is compromised and diminished by the fugitive dust associated with aggregate mining. Dust generated by mining often contains silica, a common naturally occurring crystal found in most rock beds. Prolonged exposure to silica may result in silicosis. According the Centers for Disease Control, "[s]ilicosis is a disabling, nonreversible and sometimes fatal lung disease caused by over exposure to respirable crystalline silica...Over exposure to dust that contains microscopic particles of crystalline silica can cause scar tissue to form in the lungs, which reduces lung's ability to extract oxygen from the air we breathe." In addition to silicosis, inhalation of crystalline silica particles has been associated with other diseases, such as



bronchitis and tuberculosis. This is a health issue for the abutting and nearby residential home owners and their livestock.

- The proposed quarry will create increased truck traffic by approximately 624 trucks per day, in addition to the existing truck traffic from the three operating quarries. This will create traffic hazards detrimental to the safety of County residents as well as the bicyclist and motor bike clubs and individual “bikers” who use the 115 Southwestern Corridor as a major thoroughfare due to the area’s geographic and aesthetic appeal.
- The Bauer Ranch and Eagle’s Nest neighborhoods have one entrance and one exit rendering them land locked in the event of fire, traffic accident, blasting accident, landslides due to blasting, etc.
- Currently there are three existing quarries within an 8 mile radius; these quarries are currently operating at half their capacity. A better plan; and a plan that would have less impact to the community and surrounding area would be to expand the existing quarries. This would also be consistent with our Master Plan – Southwestern/Highway 115 Comprehensive Plan.
- Wildlife, wildlife habitats, wildlife migratory paths and biodiversity will be lost. An environmental study needs to be completed, rather than take the word of the applicant, that there are no endangered species located on the land or nearby lands. The proposed quarry site could be in violation of the Federal and State Endangered Species Act. The Mexican Spotted Owl, “*Strix occidentalis lucida*”, is State and federally threatened, and has been identified in the Southwestern/Highway 115 Corridor.
- Moving dirt and extracting rock from the ground alters the flow of water runoff. The abutting neighborhoods depend strictly on well water supplies for all their water needs. There is potential for well contamination and/or damage, or complete loss from nearby blasting, contamination from blowing dust, and water runoff. Additionally, the heavy equipment necessary for quarrying, and that uses gasoline, diesel, oil and transmission fluids; can potentially leak these fluids. Small amounts to larger spills can contaminate 100' to 1000's of gallons of ground water. ***The proposal adversely impacts and threatens the Red Rock Valley Estates Water District as documented in the State-approved Source Water Protection Plan for PWS ID 121700.***

Quarrying requires heavy equipment, blasting, drilling, earthmoving, all of which create noise and dust, and, would certainly diminish the quality of life and well-being of the adjacent land owners and surrounding area. Southwestern/Highway 115 Corridor’s unparalleled natural beauty will be compromised and the landscape densely populated with quarries and their side effects. The 115 Highway area is currently taxed by the activities and traffic associated with Fort Carson, Cheyenne Mountain State Park, RV Parks, and privately owned parks opened to the public, within the surrounding area. Protection of the land, environment, and public health, safety, and wellbeing is consistent with my

constitutional rights. In alliance with the "Highway 115 Citizen's Advisory Committee", the citizens, and the fellow neighborhoods along the corridor, I object and am opposed to the proposed quarry development.

Sincerely,

A handwritten signature in black ink, appearing to read 'SS', enclosed within a faint, hand-drawn oval.

Stephen Sovaiko  
11335 Valle Verde Drive  
Colorado Springs CO 80926  
719-540-6381



**STATE OF  
COLORADO**

Eschberger - DNR, Amy <amy.eschberger@state.co.us>

---

## M-2016-010 Quarry Objection Letter

1 message

---

**Sf Sovaiko** <oak2106@gmail.com>

Thu, Apr 14, 2016 at 10:37 AM

To: amy.eschberger@state.co.us

Ms Eschberger,

Please find my signed letter of objection to the M-2016-010 quarry proposal.

Stephen Sovaiko  
11335 Valle Verde Dr  
Colorado Springs CO 80926  
[719-540-6381](tel:719-540-6381)



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**M-2016-010 Quarry Letter - Sovaiko.pdf**  
430K

(55)

Received:

4/14/2016

(via email)

14 April 2016

Colorado Division of Reclamation, Mining and Safety  
1313 Sherman Street, Room 215  
Denver, CO 80203

Ms. Amy Eschberger:

This letter is in response to the proposed Reclamation and Mining development at Hitch Rack Ranch, submitted by Transit Mix Concrete Company, Permit No. M2016010. I own property within the Eagles Nest development, which is located on Little Turkey Creek Road to the west of the proposed quarry. While I do not have an address assigned, my property schedule #'s with El Paso County are 7600000286, 7600000287, and 7600000288.

I object to the application as currently written for the following reasons:

- 1) Quarry operations within Little Turkey Creek canyon will adversely impact property values within Eagles Nest.
- 2) Quarry operations will block Little Turkey Creek Road, which is my ingress/egress easement road and provides the only means I have to access our property.
- 3) Quarry operations will cause more frequent and more severe flooding and landslides within the Little Turkey Creek watershed, which will place a financial burden on affected landowners to repair the road.
- 4) Quarry operations may have an adverse impact on nearby water wells and may impact water rights within the Little Turkey Creek watershed
- 5) Quarry operations will adversely affect the safety and security of Eagles Nest landowners and their guests
- 6) Quarry operations will adversely impact the environment and quality of life within Little Turkey Creek canyon

I also agree with the detailed concerns expressed in the report sent to you by Charles and Nancy Reed.

Please notify me of any scheduled meetings concerning the quarry application.

Sincerely,

Matthew D Cook

 4/14/16

355 Oakhurst Ln, Colorado Springs, CO 80906

708-287-2037 // mdc\_sjc@yahoo.com

**STATE OF  
COLORADO**

Eschberger - DNR, Amy &lt;amy.eschberger@state.co.us&gt;

---

**Re: Permit No. M2016010**

1 message

**Matthew D. Cook** <mdc\_sjc@yahoo.com>

Thu, Apr 14, 2016 at 2:31 PM

Reply-To: "Matthew D. Cook" &lt;mdc\_sjc@yahoo.com&gt;

To: "amy.eschberger@state.co.us" &lt;amy.eschberger@state.co.us&gt;

Cc: "wally.erickson@state.co.us" &lt;wally.erickson@state.co.us&gt;

Hello Amy (and Wally),

Attached to this email is my letter of objection to the proposed quarry at Hitch Rack Ranch, permit no. M2016010. As a landowner whose only access to my property is directly through the heart of this quarry, I have very serious concerns about safety, accessibility, and property values.

Please confirm you have received my letter. Is it required that I also mail a hardcopy of this letter to you, or is the scanned and emailed copy attached acceptable?

Thanks,

Matt

---

 **2016-04-14 Letter to the State re Quarry SIGNED.pdf**  
221K

(56)

Received:  
4/14/2016  
(via email)

11 April 2016

Colorado Division of Reclamation, Mining and Safety  
1313 Sherman Street, Room 215  
Denver, CO 80203

Ms. Amy Eschberger:

This letter is in response to the proposed Reclamation and Mining development at Hitch Rack Ranch, submitted by Transit Mix Concrete Company, Permit No. M2016010. I own property within the Eagles Nest development, which is located on Little Turkey Creek Road to the west of the proposed quarry.

I object to the application as currently written for the following reasons:

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- 2) Quarry operations will block Little Turkey Creek Road, which is my ingress/egress easement road and provides the only means I have to access our property.
- 3) Quarry operations will cause more frequent and more severe flooding and landslides within the Little Turkey Creek watershed, which will place a financial burden on affected landowners to repair the road.
- 4) Quarry operations may have an adverse impact on nearby water wells and may impact water rights within the Little Turkey Creek watershed
- 5) Quarry operations will adversely affect the safety and security of Eagles Nest landowners and their guests
- 6) Quarry operations will adversely impact the environment and quality of life within Little Turkey Creek canyon

I agree with the detailed concerns expressed in the report sent to you by Charles and Nancy Reed.

Please notify me of any scheduled meetings concerning the quarry application.

Sincerely,



Name: Jagger Lawrence  
Address: 3510 E. David Ln, Colorado Springs, CO 80917  
Phone: Home (719) 596-7459 or Cell (719) 237-9085



STATE OF  
COLORADO

Eschberger - DNR, Amy <amy.eschberger@state.co.us>

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## letter of concern for permit No. M2016010

1 message

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**BRYANT LAWRENCE** <sblawrence1@msn.com>

Thu, Apr 14, 2016 at 6:42 PM

To: "wally.erickson@state.co.us" <wally.erickson@state.co.us>, "amy.eschberger@state.co.us" <amy.eschberger@state.co.us>

To Whom it May Concern,

I have attached my letter of concern regarding the quarry application permit No. M2016010 to add my name to the list of aggrieved parties.

Thank You



aggrieved party letter 2016.pdf  
339K