



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources
1313 Sherman Street, Room 215
Denver, CO 80203

MEMORANDUM

DATE: June 30, 2016

TO: Permit File, Hitch Rack Ranch Quarry, File No. M-2016-010

FROM: Amy Eschberger, DRMS

RE: *Informal Public Meeting – DRMS Presentation*

The Division held an Informal Public Meeting at the Centennial Hall Facility in Colorado Springs, Colorado on Thursday, June 30, 2016, from 6:00 pm – 9:00 pm. The Division mailed notice of the meeting to all parties and interested persons on June 09, 2016.

The purpose of the meeting was to inform parties and interested persons to the 112c Reclamation Permit Application (filed on March 8, 2016 by Transit Mix Concrete Co.) of the Division's permitting process, describe party status, and explain the upcoming Pre-Hearing Conference and formal Board Hearing.

The Division was represented at the meeting by Tony Waldron, Wally Erickson, Amy Eschberger, Peter Hays, Tim Cazier, Jeff Fugate, and Scott Schultz. Approximately 105 members of the public attended the meeting. The exact number is not known as the meeting sign-in sheet was taken after the meeting and mailed back to the Division without a return address on July 06, 2016.

Attached to this memorandum are the Division's PowerPoint presentation and the returned meeting sign-in sheet with contact information redacted.



Informal Public Meeting on Proposed Hitch Rack Ranch Quarry

(DRMS File No. M-2016-010)

June 30th, 2016
Colorado Springs, CO

Presentation By:
Tony Waldron, DRMS



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

DRMS *Informal* Public Meeting

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- What is the Division of Reclamation, Mining and Safety (DRMS)?
- Explain the reclamation permit application process
- Identify issues that the Mined Land Reclamation Board (MLRB) has statutory jurisdiction to address
- Describe Party Status
- Explain the Pre-Hearing Conference Process
- Explain the Formal MLRB Hearing Process

ORGANIZATION CHART

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DEPARTMENT OF NATURAL RESOURCES
Robert Randall, Executive Director

DIVISION OF RECLAMATION, MINING & SAFETY
Ginny Brannon

**MINED LAND
RECLAMATION BOARD**

**Information
Technology**

**OFFICE OF ACTIVE &
INACTIVE MINES**

Jeff Graves

Inactive Mine
Reclamation
Program

Non-point Source
Program

Mine Subsidence
Protection Prog.

Mine Safety
and Training
Program

Coal Mine
Board of
Examiners

**OFFICE OF MINED LAND
RECLAMATION**

Michael Boulay

Coal
Regulatory
Program

Tony Waldron

Minerals
Regulatory
Program

**FISCAL MGMT.
Administration**

Jill McLemore

Accounting
Board Support

DRMS Jurisdiction

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- **The Mined Land Reclamation Board** is the expert agency established by the General Assembly to promulgate mining operation permit regulations and reclamation standards, which includes identifying what is or is not a reclamation standard.
- **DRMS** - Administers the Colorado Land Reclamation Act for Extraction of Construction Materials C.R.S. 34-32.5-101 *et seq.*
- **DRMS** - Oversees technical aspects of reclamation and off-site damage.

Statutory and Regulatory Authorities

Construction Materials:

- ***Colorado Land Reclamation Act for the Extraction of Construction Materials, 1995 as Amended, CRS 34-32.5-101 et seq.***
- Minerals Rules and Regulation of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials.

Hard Rock:

- ***Colorado Mined Land Reclamation Act, as Amended, CRS 34-32-101 et seq.***
- Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for Hard Rock, Metal, and Designated Mining Operations.

Statutory and Regulatory Authorities

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- *Colorado Land Reclamation Act for the Extraction of Construction Materials, 1995 as Amended, CRS 34-32.5-101 et seq.*
- **Minerals Rules and Regulation of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials**

Minerals Program

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- **34-32.5-102. Legislative declaration.** (1) The general assembly hereby declares that the extraction of construction materials for government and private enterprise and the reclamation of land affected by such extraction are necessary and proper activities that are compatible. It is the intent of the general assembly to foster and encourage the development of an economically sound and stable extraction materials industry and to encourage the orderly development of the state's natural resources while requiring those persons involved in extraction operations to reclaim land affected so that it may be put to a use beneficial to the people of this state. It is the further intent of the general assembly to conserve natural resources, aid in the protection of wildlife and aquatic resources, establish agricultural, recreational, residential, and industrial sites, and protect and promote the health, safety, and general welfare of the people of this state.

Objectives of Minerals Regulatory Program

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- **Objective #1:** Promote the responsible development of the State's mineral and energy resources while protecting public health, safety, welfare, and the environment.
- **Objective #2:** Reclaim mineral mined acres to beneficial post-mining land use.
- **Objective #3:** Protect the environment by ensuring regulatory compliance at mineral mine sites.
- **Objective #4:** Coordinate permitting, regulatory, and public review processes with federal, state and local agencies, and implement interagency agreements for groundwater, storm water, point source and mine waste issues.

DRMS Jurisdiction

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Bonding – DRMS is the only authorized agency to require bonding/financial warranty.

C.R.S. 34-32.5-109(3)

No governmental office of the state, other than the Board, nor any political subdivision of the state shall have the authority to issue a reclamation permit pursuant to this article, to require reclamation standards different than those established in this article, or to require any performance or financial warranty of any kind for mining operations.

DRMS Jurisdiction

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CRS 34-32.5-109(3) (cont'd)

The operator shall be responsible for assuring that the mining operation and the postmining land use comply with city, town, county, or city and county land use regulations and any master plan for extraction adopted pursuant to section 34-1-304 unless a prior declaration of intent to change or waive the prohibition is obtained by the applicant from the affected political subdivisions. Any mining operator subject to this article shall also be subject to zoning and land use authority and regulation by political subdivisions as provided by law.

County Authorities

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- **DRMS** - does not decide “Should a mine be at this location?”
- **DRMS** - no jurisdiction over matters controlled by other agencies or local government/municipalities (i.e., noise, dust, traffic, hours of operation, visual impacts, aesthetics).
- **Counties have the authority to permit all aspects of land use for mining, including the location of mining operations.**

Processes

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- Permitting
- Bonding
- Inspections
- Enforcement
- Reclamation

Minerals - New 112c Application Requirements (Rule 6)

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- Legal Description
- Index Map
- Pre-Mining & Mining Plan Maps
- Mining Plan
- Reclamation Plan
- Reclamation Plan Map
- Water Information
- Wildlife Information
- Soils/Vegetation/Climate
- Reclamation Costs
- Other Permits/Licenses
- Legal Right of Entry
- Owners of Record of Surface and Mineral Rights of Affected Land
- Municipalities within 2 Miles
- Proof of Notice to Board of County Comm. & SCD
- Proof of Filing w/County Clerk & Recorder
- Permanent Man-Made Structures
- Geotechnical Stability (on site-specific basis)

Types of Notifications by Operator

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Prior to Application Submittal:

- Send Notice to local Board of County Commissioners
- Send Notice to local Soil Conservation District
- Place copy of all permit documents with County Clerk and Recorder
- Post public notices (signs) at proposed mine site

After Application is Filed:

- Send Notice to Owners of Record of surface and mineral rights of the affected land
- Send Notice to Owners of Record of all land surface within 200 feet of affected lands
- Send Notice to any other Owners of Record as designated by the Division
- Publish public notice in newspaper of general circulation in locality of proposed mine site

Minerals - 112c Reclamation Permit Application

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- Application must meet the requirements of the Act and Rules to be considered filed.
- Applicant must publish newspaper notice 4 times, once a week, for 4 consecutive weeks.
- Division's decision due within 90 days / extend by 60 days if application considered complex per Rule 1.4.1(7).
- If objections are received, the matter will be scheduled before the MLRB before the 120th day /180th day (if complex).
- Required bond/financial warranty is actual current cost of fulfilling requirements of reclamation plan.

Division Notifications

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After Application is Filed, the Division sends Notice to the following agencies:

- The Colorado State Historical Preservation Office regarding properties of historical significance including the need for an archeological survey, procedures for requesting a file search, and inventory forms to identify structures.
- Colorado Division of Water Resources regarding the administration of water rights.
- Colorado Department of Public Health & Environment, Water Quality Control Division regarding the discharge of pollutants into State waters.
- Colorado Department of Public Health & Environment, Air Pollution Control Division, regarding the need for a fugitive dust permit.

Division Notifications

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After Application is Filed, the Division sends Notice to the following agencies (cont'd):

- U.S. Bureau of Land Management or the U.S. Forest Service for proposed operations on federal lands.
- U.S. Army Corps of Engineers regarding a dredge and fill (404) permit.
- The County Planning Department for the county or counties in which the proposed operation is located. Section 34-32.5-109(3), C.R.S., as amended, requires a mining operator to be responsible for assuring that the mining operation and the post-mining land use comply with local land use regulations and any master plan for extraction adopted pursuant to Section 34-1-304, C.R.S.
- Colorado State Land Board
- Local Soil Conservation District

Types of Notifications by Operator

18

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Public Participation

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- Comments and objections are allowed on all permit applications, amendments, surety releases, etc.
- Division consideration is limited to jurisdictional issues as dictated by the Act and Rules.
- Timeframes for Division consideration of comments and objections are defined by the Act and Rules.

Permit Application/Reclamation Plan Review

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- Evaluates whether the plan will meet the stated post-mining land use
- Assures the plan has enough detail to calculate an adequate reclamation bond/financial warranty
- Ensures that environmental compliance continues even if the mine is not in operation
- Ensures site is geotechnically stable once reclamation is completed

Bonding/Cost For Reclamation

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- Based on approved Reclamation Plan.
- What it would cost the State of Colorado to reclaim the site in the event the permittee could not fulfill obligations of the approved permit, and the permit is revoked and the bond forfeited (by the MLRB).
- Indirect Costs (profit, administration fees, project mgmt. fees, insurance) are included in the bond amount.

MLRB Authority – Minerals

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- Division staff has authority to make decisions on 112c applications, unless the action receives an objection, in which case the MLRB hears and decides the permitting action.
- All other actions or decisions can be appealed to the MLRB.
- All Minerals enforcement actions are brought to the MLRB for consideration and decision by the MLRB.

Informal Public Meeting on Proposed Hitch Rack Ranch Quarry

(DRMS File No. M-2016-010)

June 30th, 2016
Colorado Springs, CO

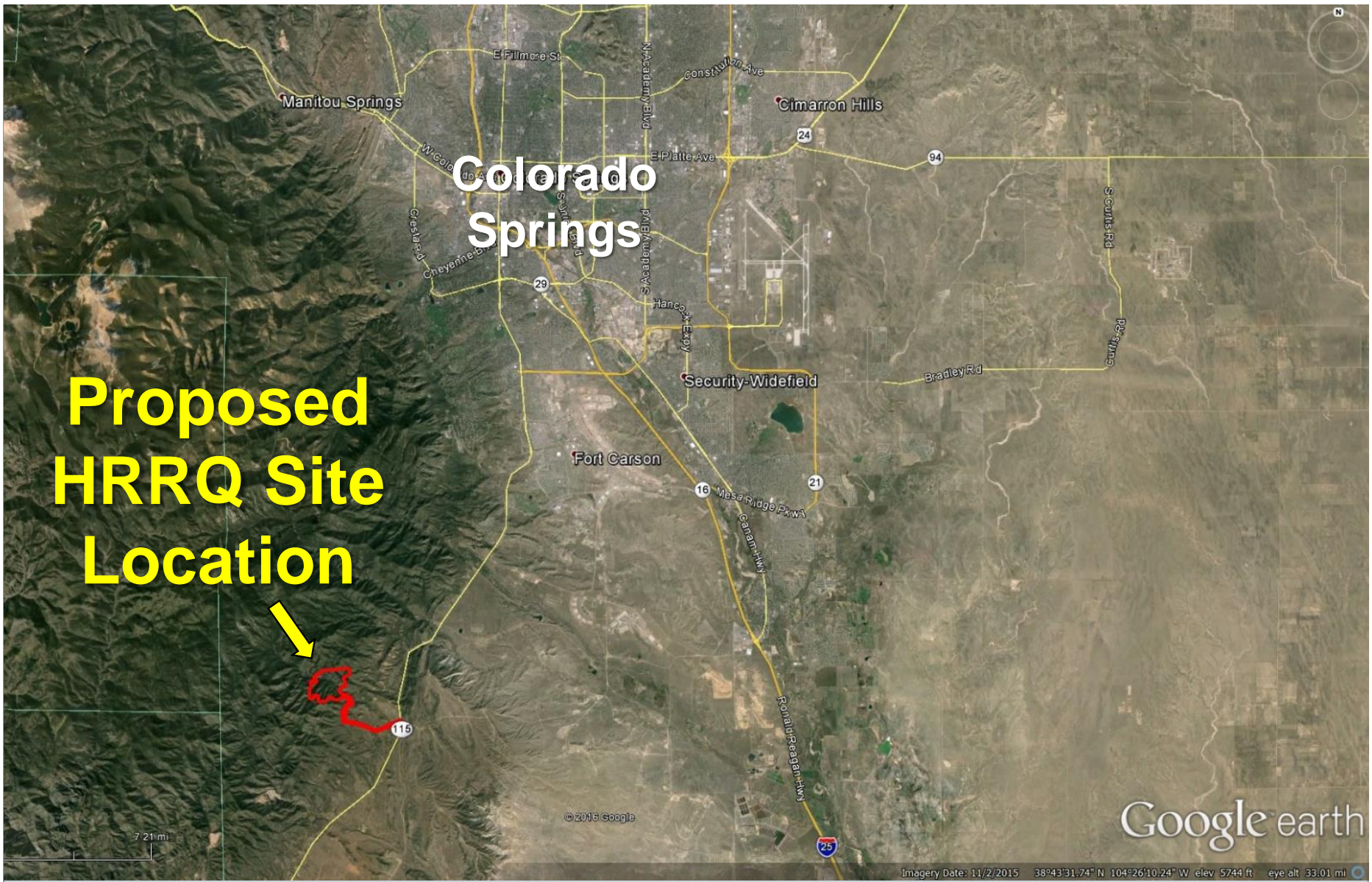
Presentation By:
Amy Eschberger, DRMS



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources



**Proposed
HRRQ Site
Location**

Proposed HRRQ Affected Land (Approximate)



6730 ft

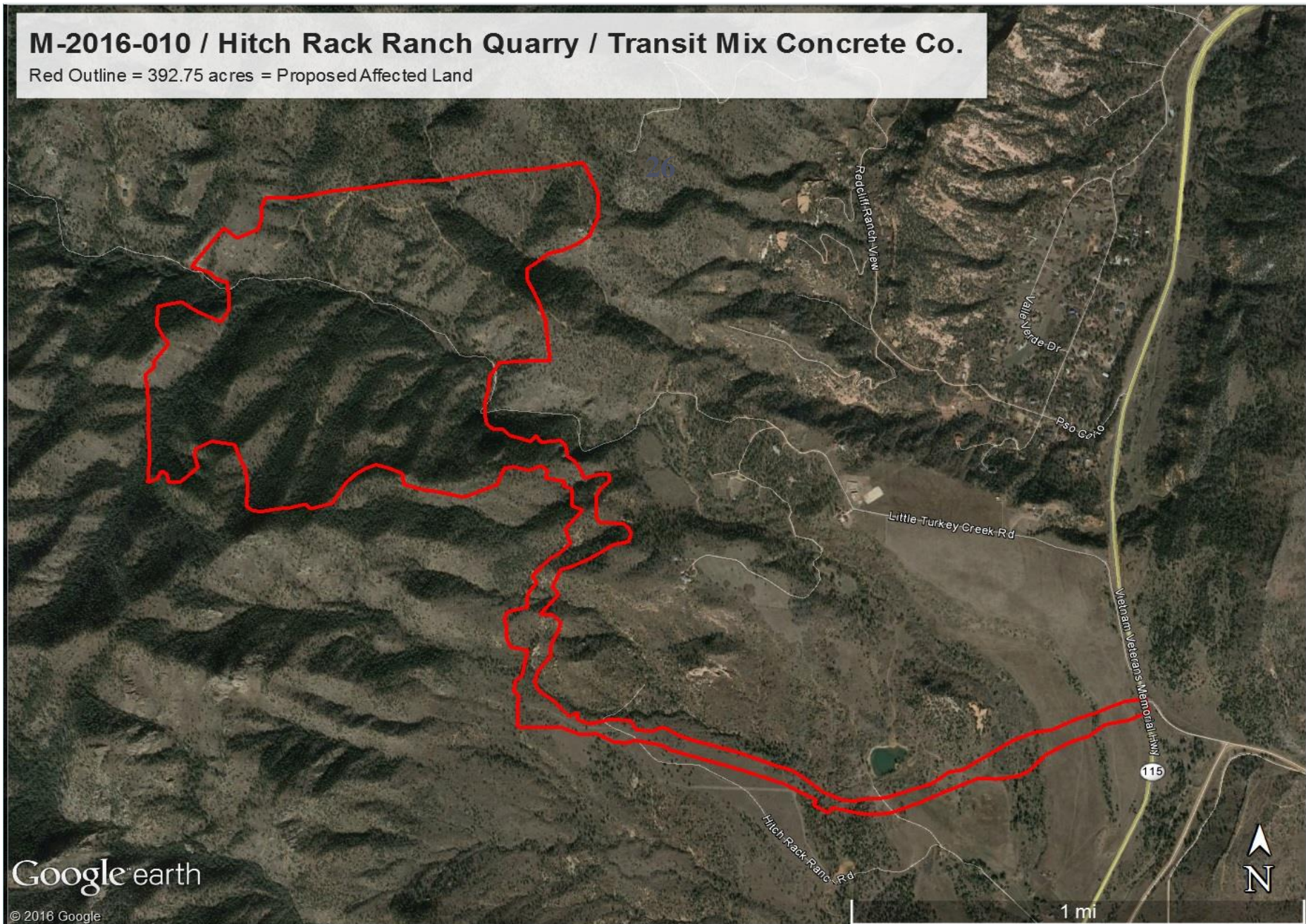
© 2016 Google

Google earth

Imagery Date: 11/2/2015 38°38'38.40" N 104°49'54.10" W elev 6570 ft eye alt 37712 ft

M-2016-010 / Hitch Rack Ranch Quarry / Transit Mix Concrete Co.

Red Outline = 392.75 acres = Proposed Affected Land



Hitch Rack Ranch Quarry

112c Reclamation Permit Application – Important Dates

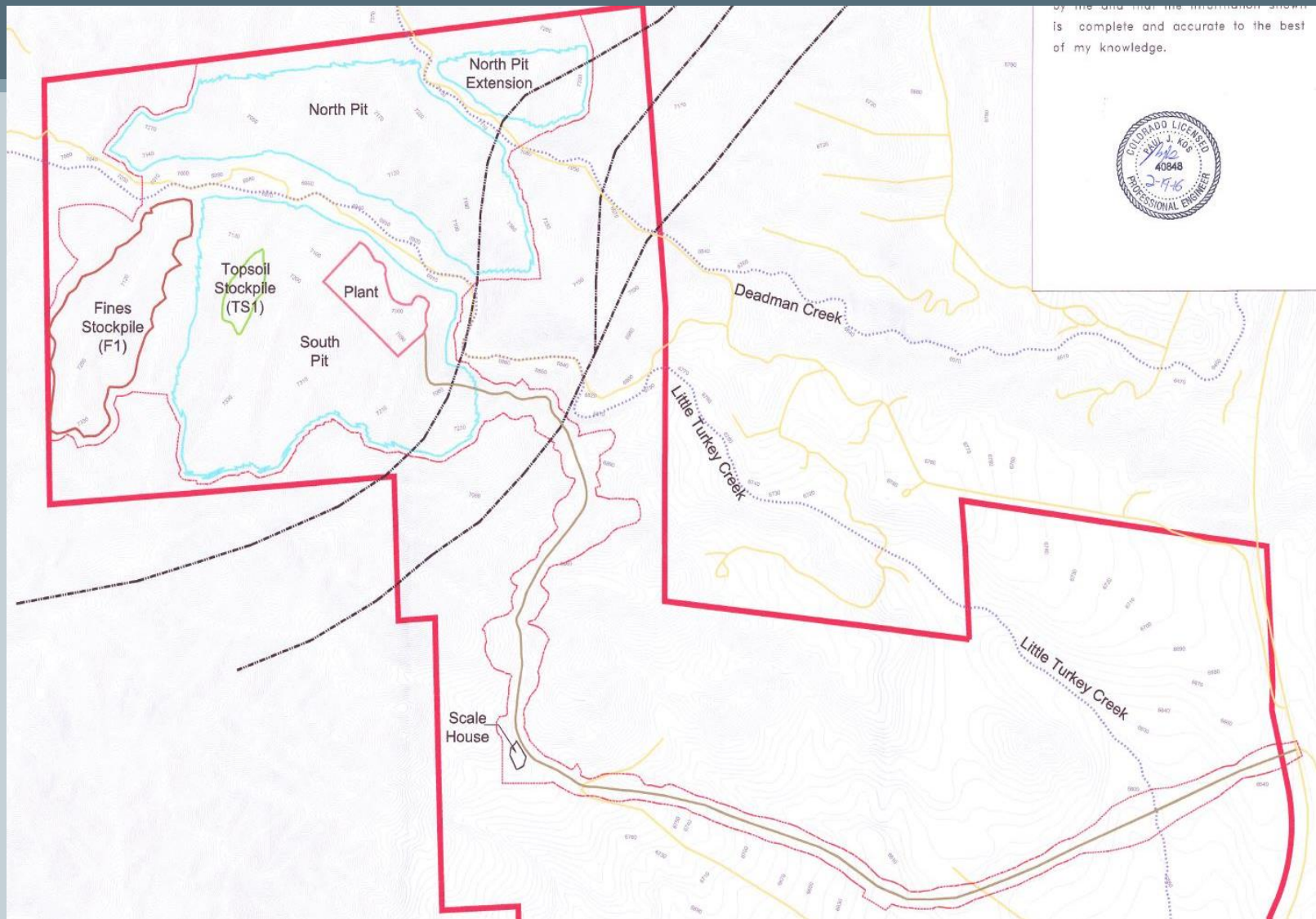
- February 19, 2016 - Application received
- March 8, 2016 - Application filed for review
- March 9, 2016 - Application classified as “complex”, extending Decision/Recommendation Date by 60 days
- April 19, 2016 - Close of public comment period
- May 27, 2016 - Preliminary adequacy review sent to operator
- June 14, 2016 - 2nd adequacy review sent to operator
- **June 30, 2016 - Informal public meeting**

Hitch Rack Ranch Quarry

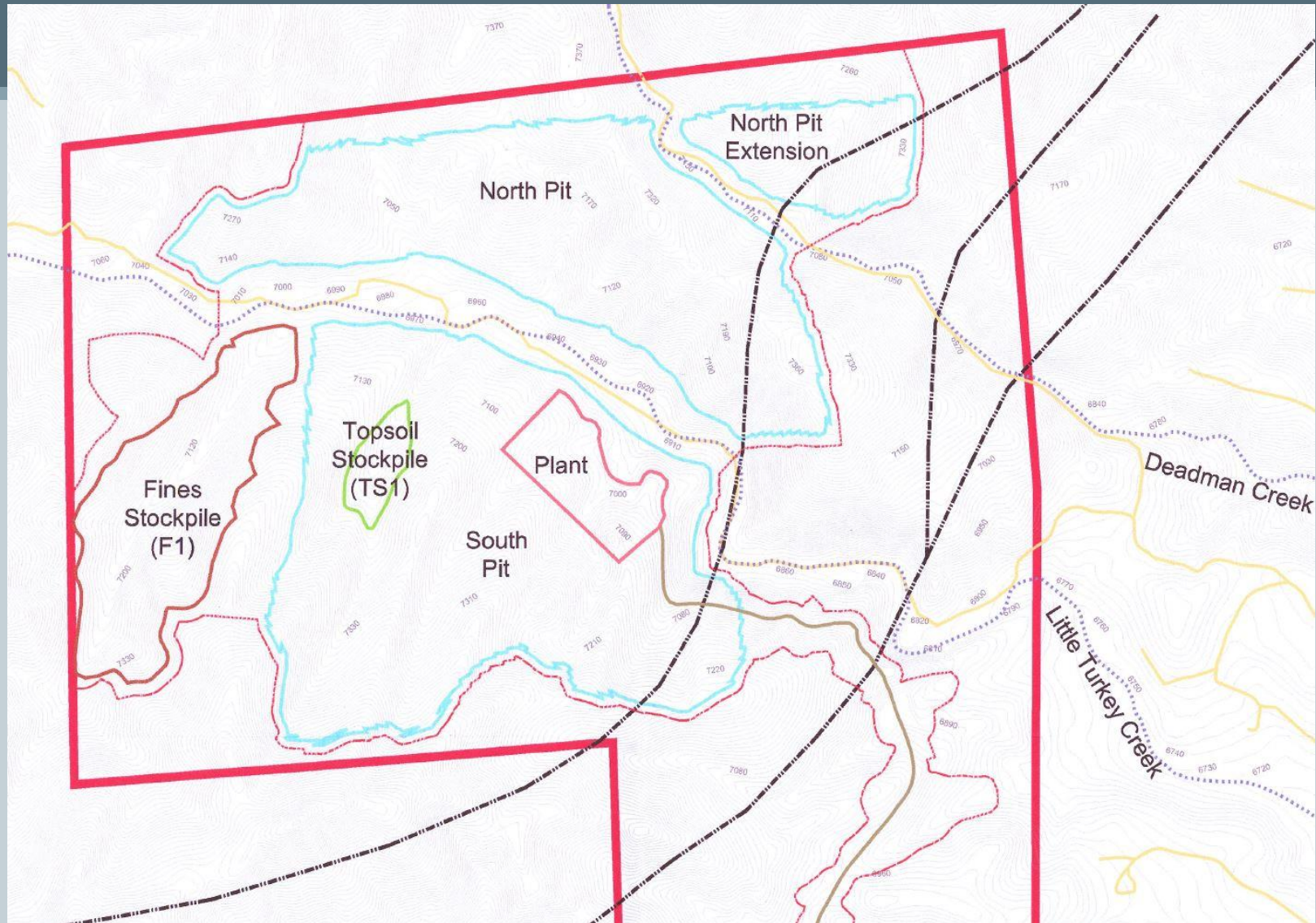
112c Reclamation Permit Application – General Information

- Proposed Affected Land: 392.75 acres
- Primary Commodity: Granite
- Anticipated Commodity Use: Construction Aggregate
- Surface Owner of Affected Land: RMBC Group LLC
- Subsurface Owner of Affected Land: Colorado State Land Board
- Type of Mining Proposed: Surface – Open Pit
- Method of Mining Proposed: Drill and blast granite highwall bench sequence, truck and shovel to crusher
- Post-Mining Land Use: Wildlife Habitat

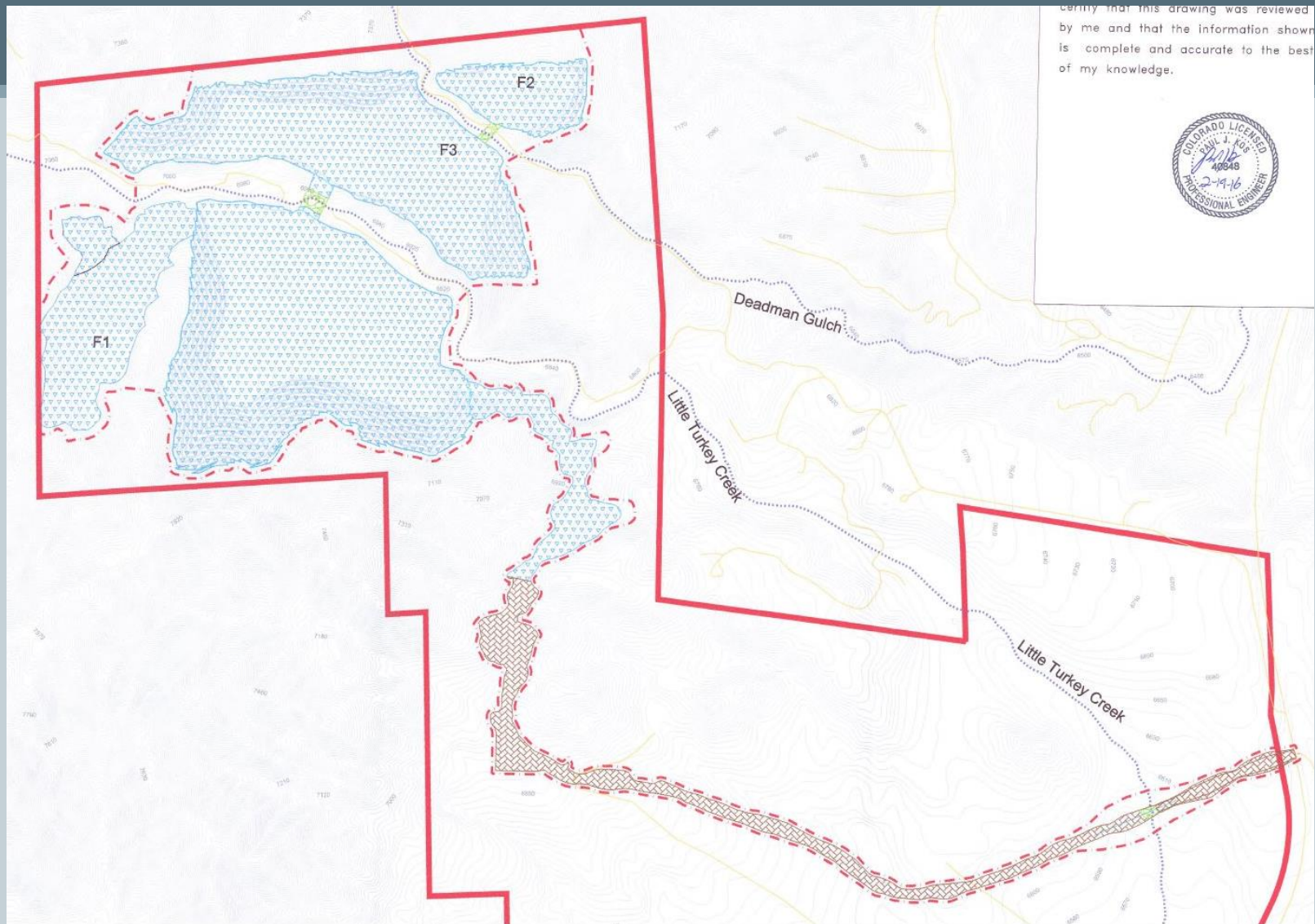
Proposed Mining Plan - General Layout



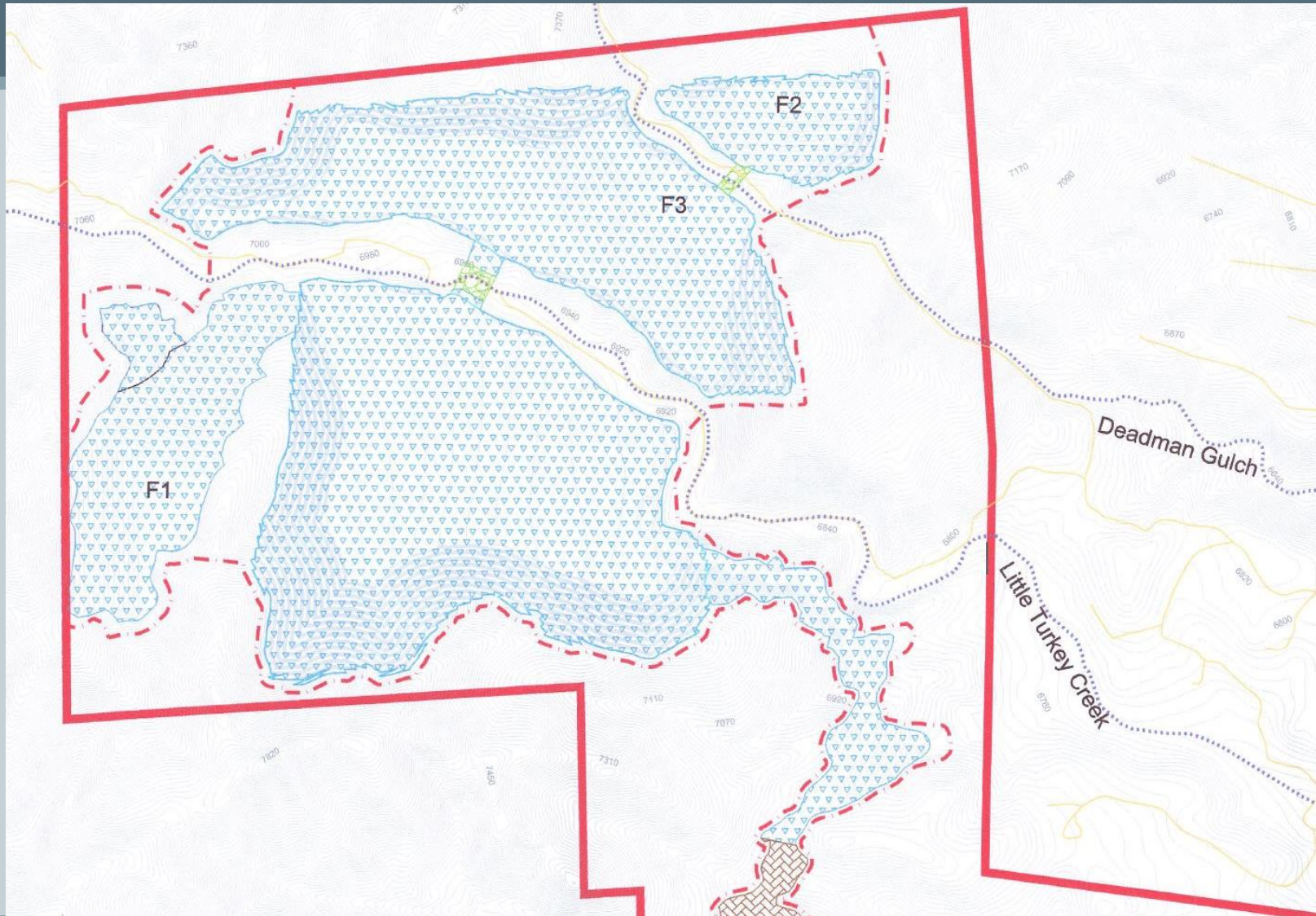
Proposed Mining Plan – Mining Area



Proposed Reclamation Plan



Proposed Reclamation Plan – Mining Area



Hitch Rack Ranch Quarry

112c Reclamation Permit Application – Objections/Comments

- The Division received 106 timely objection letters from approximately 137 objecting parties.
- The Division received comments on the application from 3 agencies, including History Colorado, CPW, and DWR.
- All objection/comment letters have been reviewed by the Division.
- Many of the concerns raised by objecting parties are concerns of the Division which will be addressed through the adequacy review process.
- Adequacy review process is underway – involves an exchange of review letters from Division and response letters from Applicant.
- All permit documents can be viewed at our website:
<http://mining.state.co.us>

DRMS Website:
<http://mining.state.co.us>

To Access Permit Documents :

- 1) Go to DRMS Home Page
- 2) Hover over “Reports & Data”
- 3) Click on “Imaged Document Data”

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Colorado
Division of Reclamation Mining & Safety
Department of Natural Resources

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Reports
Mining Data
GIS Data
Imaged Document Data

Welcome to the Colorado Division of Reclamation Mining and Safety

DRMS -- Mission:

To protect the public, miners and the environment during current mining operations, restore abandoned mines, and to ensure that all mined land is reclaimed to beneficial use.

DRMS -- Vision:

The division is committed to balance the need for mineral resource production with protection of the public, environment and Colorado's natural resources.

[ePermitting](#)

Public Meetings

Colorado Mined Land Reclamation Board (CMLRB) is a multi-interest citizen board which establishes the regulations, standards and policies that guide the Division of Reclamation, Mining and Safety.

- Board Meeting Agenda
- Board Meeting Calendar

News & Notices

- Preliminary Map of Legacy Draining Mine Adits
- Draining Mines GIS Data
- Hitch Rack Ranch Quarry - Notice of Informal Public Meeting

About DRMS

- Learn More About DRMS
- Frequently Asked Questions
- DRMS History
- Staff Directory
- Organization Chart

DRMS Website:


<http://mining.state.co.us>

To Access Permit Documents (cont'd):

4) Click on “Click here to access Imaged Document Data”

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COLORADO
Division of Reclamation Mining & Safety
Department of Natural Resources

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Reports & Data

Reports

- Coal Production
- AML Program
- Activity/Agenda
- General

Mining Data

- Search by County
- Search By Operator
- Search By Permit
- Search By Mine
- Imaged Document Data

GIS Data


Imaged Document Data

Imaged Document Data

[Click here to access Imaged Document Data](#)

Documents available on-line include non-confidential documents for:

Coal, Minerals, Prospecting Permits as well as Historical Mining Books.



How to use the DRMS document management system

Enter the Permit number in the Permit No box to search for related documents. Any field or combination of fields can be used to search. Wild card * and ? can be used.

For Example:

Enter M2010* in the *Permit No* box to return all Mineral Permits from the year 2010.

OR

Enter P2008042 (no dashes) in the *Permit No* box to return all documents for the specified permit

Click Search to return documents

For additional information see our [Document Management User Guide \(PDF\)](#)

DRMS Website:

<http://mining.state.co.us>

To Access Permit Documents (cont'd):

- 5) Type Permit Number (no dashes or spaces) into “Permit No.” Field (Ex: M2016010)
- 5) Hit Enter OR Click on “Search” Button at Bottom Left

The screenshot shows the Laserfiche WebLink search interface. At the top, there is a search bar with a 'Search' button. Below this, the 'Home' link is visible. The main search form is titled 'Field' and includes a 'Customize Search' dropdown. The 'Template' is set to 'DRMS Permit Index'. The 'Permit No.' field contains the text 'm2016010'. Other fields include 'IBM Index Class Name', 'Doc Date', 'Doc Name', 'Annual Report Year', 'Report Quarter_Month', 'From', 'To', 'Permit Index Doc Type', 'Section_Exhibit Name', 'Inspection Date', 'Type & Sequence', 'Violation No.', 'Email Name', 'Permit Order', 'Media Type', and 'Archive'. At the bottom of the form, there is a 'WebLink Search' section with an 'Enter search' field. The 'Search' and 'Reset' buttons are located at the bottom of the page.


DRMS Website:

<http://mining.state.co.us>

You'll get a screen like this listing all permit documents on file for the Permit No. you entered.

Helpful Hint:

You can click on "Doc Date" column header to sort documents by date.



Home

Customize Search

Field

Template: DRMS Permit Index

Permit No: m2016010

IBM Index Class Name

Doc Date

to

Doc Name

Annual Report Year

Report Quarter_Month

From

To

Permit Index Doc Type

Section_Exhibit Name

Inspection Date

to

Type & Sequence

Violation No.

Email Name

Permit Order

Media Type

Archive

WebLink Search

Enter search

Name	Hits	Page Count	Permit No	IBM Index Class Name	Doc Date
_PERMIT FILE - M2016010	0	3	M2016010	Permit File	
2016-02-19_APPLICATION CORRESPONDENCE - M2016010	0	10	M2016010	Application Correspondence	2/19/2016 12:00:00 AM
2016-02-19_PERMIT FILE - M2016010	0	167	M2016010	Permit File	2/19/2016 12:00:00 AM
2016-02-19_PERMIT FILE - M2016010 (2)	0	1	M2016010	Permit File	2/19/2016 12:00:00 AM
2016-02-19_PERMIT FILE - M2016010 (3)	0	155	M2016010	Permit File	2/19/2016 12:00:00 AM
2016-02-19_PERMIT FILE - M2016010 (4)	0	267	M2016010	Permit File	2/19/2016 12:00:00 AM
2016-02-19_PERMIT FILE - M2016010 (5)	0	222	M2016010	Permit File	2/19/2016 12:00:00 AM
2016-02-22_PERMIT FILE - M2016010	0	1	M2016010	PERMIT FILE	3/22/2016 12:00:00 AM
2016-03-03_APPLICATION CORRESPONDENCE - M2016010	0	2	M2016010	Application Correspondence	3/3/2016 12:00:00 AM
2016-03-07_PERMIT FILE - M2016010	0	9	M2016010	PERMIT FILE	3/7/2016 12:00:00 AM
2016-03-08_PERMIT FILE - M2016010	0	1	M2016010	Permit File	3/8/2016 12:00:00 AM
2016-03-09_GENERAL DOCUMENTS - M2016010	0	1	M2016010	General Documents	3/9/2016 12:00:00 AM
2016-03-09_PERMIT FILE - M2016010	0	1	M2016010	Permit File	3/9/2016 12:00:00 AM
2016-03-11_PERMIT FILE - M2016010	0	21	M2016010	PERMIT FILE	3/11/2016 12:00:00 AM
2016-03-15_PERMIT FILE - M2016010	0	2	M2016010	Permit File	3/15/2016 12:00:00 AM
2016-03-18_PERMIT FILE - M2016010	0	3	M2016010	Permit File	3/18/2016 12:00:00 AM
2016-03-21_GENERAL DOCUMENTS - M2016010	0	1	M2016010	General Documents	3/21/2016 12:00:00 AM
2016-03-21_GENERAL DOCUMENTS - M2016010 (2)	0	1	M2016010	General Documents	3/21/2016 12:00:00 AM
2016-03-22_GENERAL DOCUMENTS - M2016010	0	1	M2016010	GENERAL DOCUMENTS	3/22/2016 12:00:00 AM
2016-03-22_PERMIT FILE - M2016010	0	1	M2016010	Permit File	3/22/2016 12:00:00 AM


1 2 3 4 5 6 7 8 9 >

161 Entries Results

DRMS Website:
<http://mining.state.co.us>

To print a Document (as PDF):

- 1) Click on “PDF”
button at top of page



Home

2016-06-14_PERMIT FILE - M2016010

Metadata | Thumbnails | Annotations

2016-06-14_PERMIT FILE - M2016010

Last Modified
6/21/2016 11:02:03 AM
Creation Date
6/20/2016 12:51:55 PM


Fields

Template: DRMS Permit Index

Permit No
M2016010
IBM Index Class Name
Permit File
Doc Date
6/14/2016
Doc Name
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From
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Transit Mix Concrete Co.
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1 / 2 Go PDF

Print (as PDF)



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources
1313 Sherman Street, Room 215
Denver, Colorado 80203

June 14, 2016

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

**Re: Hitch Rack Ranch Quarry, DRMS File No.
112 Construction Materials Reclamation P**

Mr. LaRoche:

Upon further review of the Hitch Rack Ranch Qu

DRMS Website:

<http://mining.state.co.us>

To print a Document (as PDF):

2) On the pop-up window, click
“Download & Print”

The screenshot displays the Laserfiche WebLink interface for a permit document. The document title is "2016-06-14_PERMIT FILE - M2016010". The left sidebar shows metadata including "Last Modified: 6/21/2016 11:02:03 AM" and "Creation Date: 6/20/2016 12:51:55 PM". The main content area shows the Colorado Division of Reclamation, Mining and Safety logo and the text "June 14, 2016", "Andre LaRoche", "Transit Mix Concrete Co.", "444 E. Costilla St.", "Colorado Springs, CO 80903", and "Re: Hitch Rack Ranch Quarry, DRMS File No. M-2016-010 112 Construction Materials Reclamation Permit Application". A "Print" dialog box is open, showing "Pages to Print: 1 - 2" and a "Download & Print" button.

Laserfiche WebLink

Home 2016-06-14_PERMIT FILE - M2016010

Metadata | Thumbnails | Annotations

2016-06-14_PERMIT FILE - M2016010

Last Modified: 6/21/2016 11:02:03 AM
Creation Date: 6/20/2016 12:51:55 PM

Fields

Template: DRMS Permit Index

Permit No: M2016010
IBM Index Class Name: Permit File
Doc Date: 6/14/2016
Doc Name: Adequacy Review No. 2
From: DRMS
To: Transit Mix Concrete Co.
Email Name: AME
Media Type: D
Archive: No

COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources
1313 Sherman Street - Room 215
Denver, Colorado

June 14, 2016

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

Re: Hitch Rack Ranch Quarry, DRMS File No. M-2016-010
112 Construction Materials Reclamation Permit Application

Mr. LaRoche:

Upon further review of the Hitch Rack Ranch Quarry application Reclamation, Mining and Safety (Division) on March 8, 2016, the following additional adequacy item shall be addressed immediately

Document management portal powered by Laserfiche WebLink 6.0.1 © 1995-2008 Laserfiche

Print

Pages to Print: 1 - 2
Enter page numbers and/or page ranges separated by commas. For example, 1,3,5-12.

After downloading, print the document using a PDF reader (e.g., Adobe Acrobat).

Download & Print **Cancel**

Informal Public Meeting on Proposed Hitch Rack Ranch Quarry

(DRMS File No. M-2016-010)

June 30th, 2016
Colorado Springs, CO

Presentation By:
Jeff Fugate and Scott Schultz,
Colorado Office of the Attorney General



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

Party Status

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- Any person may become involved in the Permit application process as either a Party or a Non-Party.
- Distinct legal classifications and different legal rights and responsibilities.
- All persons are afforded an opportunity to be heard at the Formal Public Hearing before the Mined Land Reclamation Board
- Party Status affords additional rights while also having the obligation to comply with additional administrative procedures.

Party Status—Rights and Responsibilities

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- **Acquiring Party Status**—To participate as a Party a person must 1) fall within the regulatory definition of a Party **and** 2) file a timely objection or comment to the permit application.
- “*Party*” is defined as: “a person who demonstrates that he/she/it is directly and adversely affected or aggrieved by the conduct of a...proposed mining operation...and whose interest is entitled to legal protection under the Act.” **Rule 1.1(34.1)**
- Must have submitted a timely letter of objection or comment in writing to the Division by the regulatory deadline. **Rule 1.7.1**

Party Status—Rights and Responsibilities

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Rule 2.7.3

A Party may:

- Present evidence and call witnesses at the Formal Board Hearing.
- Cross-examine and provide rebuttal testimony to other parties' witnesses.
- File a motion for reconsideration, or the right to appeal the Mined Land Reclamation Board's decision in District Court.
- A Party must participate in the Pre-Hearing Conference and follow applicable procedural Rules.

Non-Party Status

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- **Non-Party Status**—anyone who does not meet the regulatory definition of a party, chooses to be a Non-Party, did not file a timely comment or objection to the permit, or fails to fulfill Party requirements.
- Subject to Board approval, Non-Parties may address the Board on matters of concern during the Initial Presentation portion of the Formal Board Hearing—Board historically provides 2 minutes to speak.

Pre-Hearing Conference

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Rule 2.7

- There will be a Pre-Hearing Conference (PHC) in this matter—Notice will be provided to all interested persons.
- The purpose of the PHC is: describe the Division's review process, discuss and resolve contested issues (if possible), describe the Board Hearing processes, propose a list of issues under the Board's jurisdiction, and identify parties.

Pre-Hearing Order

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Rule 2.7.1(3) and (4) and Rule 2.7.2

The proposed Pre-hearing Order shall include:

- list of the Parties;
- a recommended list of issues to be considered by the Board at the Formal Board Hearing;
- a recommended schedule for the hearing with time allotments set for presentation by each party and the Division.

Pre-Hearing Conference

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- Parties must be present at the PHC—non-attending parties forfeit his/her Party Status and all associated rights and privileges.
- Parties may be represented by an attorney or designate a proxy as a representative to appear on their behalf at the PHC.
- Must present a list of witnesses and exhibits at the PHC. Rule 2.6(2)
- Those with Party Status who wish to withdraw as a Party must do so in writing prior to the Formal Board Hearing, or in person at the Hearing.

Pre-Hearing Procedures

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Rule 2.6

- Motions must be made in writing and filed by Parties with the Board no later than 2 working days following the Pre-hearing Conference.
- The Board must receive written responses to all motions at least 3 working days prior to the Formal Board Hearing.

Formal Hearing Process

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Rule 2.8

- Rules of evidence and requirements of proof shall conform, to the extent practicable, with those in civil non-injury cases in district courts.
- However, when necessary to do so in order to ascertain facts affecting the substantial rights of the parties to the proceeding, the Board may receive and consider evidence not admissible under such rules, if such evidence possesses sufficient probative value.

Formal Hearing Process

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- The Board may utilize its experience, technical competence, and specialized knowledge in the evaluation of the evidence presented.
- Any party who does not attend the Board Hearing forfeits its party status and all associated rights and privileges—cannot appear at the formal hearing by proxy.
- The Board will deliberate and issue its decision. A written Order will be provided to all parties.

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Questions?

MEETING SIGN-IN SHEET

Subject: Hitch Rack Ranch Quarry - *Informal* Public Meeting

Meeting Date: June 30, 2016

Facilitator: Colorado Division of Reclamation, Mining and Safety

Place/Room: Centennial Hall Facility, Colorado Springs, CO

No.	Name	Email	Phone
1	Charles Reed		
2	Anita McLowen		
3	CHUCK BRICE		
4	Kris McLowen		
5	Anita McLowen		
6	Nancy Reed		
7	Susan Pringle		
8	Pheri King		
9	Michael R. Heer		
10	James Swonger		
11	CAESAR Gutierrez		
12	JACK Koscove		
13	Wayne Bantley		
14	ROBERT WELLES		
15	Joe Koscove		
16	Suzie Koscove		
17	Jane Hodges		
18	Beverly Hodges		
19	Gerry Klein		

MEETING SIGN-IN SHEET

Subject: Hitch Rack Ranch Quarry - *Informal* Public Meeting

Meeting Date: June 30, 2016

Facilitator: Colorado Division of Reclamation, Mining and Safety

Place/Room: Centennial Hall Facility, Colorado Springs, CO

No.	Name	Email	Phone
20	RICHARD PORTER		
21	William Baker		
22	Debbie GARD		
23	Jack Rigdon		
24	John Rigdon		
25	XXXXXXXXXXXXXXXXXXXX		
26	Grand Miller		
27	Tristan Rigdon		
28	MARK WEIDNER		
29	BRANDON HESER		
30	Beverly A. Hodges		
31	Glaspe		
32	Richard Larsen		
33	Sue Larsen		
34	Lee Jensen		
35	Terry Jensen		
36	Pam Kos		
37	RHAT		
38	M. BAKER		

MEETING SIGN-IN SHEET

Subject: Hitch Rack Ranch Quarry - *Informal* Public Meeting

Meeting Date: June 30, 2016

Facilitator: Colorado Division of Reclamation, Mining and Safety

Place/Room: Centennial Hall Facility, Colorado Springs, CO

No.	Name	Email	Phone
39	Dustin Larsen		
40	Obileman		
41	John Crowley		
42	Bob Strabo		
43	Warren Dean		
44	NORMAN BRYANT		
45	CHARLES WATKINS		
46	George Regdon		
47	Susan Isaman		
48	Gabriel Isaman		
49	BERT LEEGLER		
50	Tom Hight		
51	Subone Hight		
52	Teresa Cheek		
53	Don Murry		
54	Breece Eddy		
55	Michael Van Winkle		
56	James Van Winkle		
57	Lynn Handford		

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Place/Room: Centennial Hall Facility, Colorado Springs, CO

No.	Name	Email	Phone
58	David Bieber		
59	Sharon Reinsma		
60	Barbara Lewis		
61	Steven Woodcock		
62	Jerry P. Moon		
63	Deb Muehleisen		
64	Kathleen Keely		
65	Jennifer Rivers Day		
66	Alli Murphy		
67	Doug Weikamp		
68	Victoria Weikamp		
69	STEVE MALIKOV		
70	Teer Kerr		
71	Polly Keren		
72	Raimese Fitzpatrick		
73	Jagger & Sharon Lawrence		
74	Amanda Bradley		
75	JAMES LUTZALL		
76	Paul Blitchford		

MEETING SIGN-IN SHEET

Subject: Hitch Rack Ranch Quarry - *Informal* Public Meeting

Meeting Date: June 30, 2016

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Place/Room: Centennial Hall Facility, Colorado Springs, CO

No.	Name	Email	Phone
96	TIM DOWNEY		
97	BARBARA DOWNEY		
98	Madaline States		
99	Wayne States		
100	J. Michael Turley		
101	Cheryl L. Hall		
102	Anna Swartz		
103	JOSEPH SALAZAR Jr		
104	Geni Soriano		
105	K Rawson		
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Place/Room: Centennial Hall Facility, Colorado Springs, CO

No.	Name	Email	Phone
115	MARK ISAMAN		
116	Key L Tallent		
117	Mark W Tallent		
118	MARK/SISIE MCQUILL		
119	WELDON FLAMMARTY		
120	JENNIFER FLAMMARTY		
121	TROY L. DAY		
122	Sarah McGarry		
123	Mark McGarry		
124	Keith Newby		
125	Walt Wright		
126	Larry Beruff		
127	Dora Perez		
128	Nichelle Vandegrass		
129	Francis Handford		
130	Ann Gerton		
131	Andrew Simmons		
132	Debra Zawacky		
133	John Land		

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Colorado Division of Reclamation
Mining & Safety

ATTN: Amy

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DENVER, CO. 80203

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