



**COLORADO**

**Division of Reclamation,  
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

July 29, 2016

John P. Ary  
Fremont Paving & Redi-Mix, Inc.  
839 MacKenzie Avenue  
P.O. Box 841  
Cañon City, CO 81212

Angela M. Bellantoni  
Environmental Alternatives Inc.  
1107 Main Street  
Cañon City, CO 81212

**Re: Pueblo County Aggregate Project, DRMS File No. M-2016-009,  
112 Construction Materials Reclamation Permit Application,  
Fourth Letter Regarding Objections Received**

Dear Mr. Ary and Ms. Bellantoni:

On February 26, 2016, the Division of Reclamation, Mining and Safety (Division) determined that the 112 Construction Materials Reclamation Permit Application for the Pueblo County Aggregate Project was complete for the purposes of filing. On June 14, 2016, the Division received the amendment application to the 112 Construction Materials Reclamation Permit Application in review. On June 14, 2016, the Division determined that the Amendment to the 112 Construction Materials Reclamation Permit Application was complete for the purposes of filing. Therefore, the public comment period for the Pueblo County Aggregate Project reopened on June 14, 2016. On August 4, 2016, the public comment period for the Pueblo County Aggregate Project will close. During the public comment period for the original application the Division received the timely objections, which have already been forwarded to the Operator from the following parties and/or interested persons:

Letter of objections already forwarded to the Operator:

- 1) Karen R. Jones, received March 29, 2016
- 2) Hobbs Family Farm, letter dated April 13, 2016, received April 14, 2016, signed by: Daniel G. Hobbs
- 3) Rusler Produce, Inc., letter dated April 13, 2016, received April 14, 2016, signed by: Thomas S. Rusler, M. Lynn Rusler, Thomas W. Rusler, and Nicholas S. Rusler
- 4) South Pueblo Soil Conservation District, letter dated April 13, 2016, received April 14, 2016, signed by: Ryan Froman



- 5) David Cockrell, letter dated April 15, 2016, received April 15, 2016
- 6) Sierra Club - Sangre De Cristo Group, received April 15, 2016, signed by: Charlotte Tournay
- 7) Dan Henrichs, received April 14, 2016
- 8) Kelly G. Bond, received April 15, 2016
- 9) Pisciotta Farms and Produce Marketing, letter dated April 12, 2016, received April 15, 2016, signed by: Joe P. Pisciotta

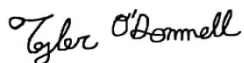
During the public comment period for the amendment to the application in review the Division received the enclosed timely objection, from the following party and/or interested person:

- 10) State Senator Larry Crowder, letter dated July 17, 2016, received July 21, 2016, signed by: Larry Crowder

Please find the enclosed copy of the written objection identified above as items 10. Copies of all other written Objections have been previously forwarded. Please inform the Division how the Applicant intends to address the jurisdictional issues raised by the Objectors.

If you need additional information please contact me at the Division of Reclamation, Mining and Safety, 1313 Sherman St., Room 215, Denver, CO 80203, by telephone at 303-866-3567, extension 8131, or by email at [Tyler.ODonnell@state.co.us](mailto:Tyler.ODonnell@state.co.us).

Sincerely,



Tyler O'Donnell  
Environmental Protection Specialist

Enclosure: 10) State Senator Larry Crowder, letter dated July 17, 2016, received July 21, 2016, signed by: Larry Crowder

cc: Wally Erickson, DRMS

TOD  
WHE

LARRY W. CROWDER

State Senator

State Capitol

Denver, Colorado 80203

303.866.4875

larry.crowder.senate@state.co.us



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DENVER

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DIVISION OF RECLAMATION  
MINING AND SAFETY

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

July 17, 2016

m-2016-009

To whom it may concern:

I'm writing in opposition to the "Pueblo County Aggregate Project" that is being considered in eastern Pueblo County for the purpose of a gravel pit extraction.

The reasons for my opposition are many.

1. The site is in close proximity to the Bessemer Canal.

The canal is the main irrigation source for multiple family farms with recorded second feet from 1874. Excavating a gravel pit in the immediate vicinity of this vital water source would cause subterranean seepage, causing irrefutable harm to the canal system that typically sees 300 CFS. The amount of increased seepage at the state of Colorado's seepage allowance on pond loss would result in damage to downstream users.

2. The disruption to an established population.

The proposal states that 120 loads per day will be made to the site. That equates to 240 trips through a quiet, established neighborhood. People who live in this area are not accustomed to this type of traffic, nor did the neighborhood expect this amount of traffic when it granted a right of way exemption. When the original proposal was put forth, it was never mentioned the scope of the project would expand to this degree.

3. The project has been rejected twice before by the Pueblo County Commissioners.

On two previous occasions, Pueblo County Commissioners denied this project giving me no reason to believe this project will be approved on the third try.

The great state of Colorado offers many other suitable sites that would not impact residents who have invested their lives in this area. Their contributions to agriculture are immeasurable, and we should take steps to protect their homes, peace of mind and livelihoods. Please do not allow this to happen.

Sincerely,

Senator Larry Crowder  
Senate District 35