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## Letter of Objection

1 message

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**Denise Brice** <callecervo@netzero.net>

Tue, Dec 19, 2017 at 9:13 PM

To: amy.eschberger@state.co.us

Dear Ms. Eschberger,

Attached is my Letter of Objection. I am sending a signed hardcopy by overnight mail as well.

Thank you,

Sincerely,

Signed,

Charlton L. Brice

11735 Calle Corvo

Colorado Springs, CO 80926

(719) 527-0433



**BriceObjectionLetter122017.docx**

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December 19, 2017

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

RE: Permit No. M2017049

Ms. Amy Eschberger;

I am writing to object to the latest Transit Mix Application to the CDRMS, application number M2017-049 because, quite simply, their application fails to protect our critical water resources, significant wildlife habitat and the easement rights of several property owners along Little Turkey Creek Road. As such, I am an aggrieved party and an interested person per CRS 24-4-102. (3.5) (6.2)(11) seeking relief per CRS 24-4-102. (14).

I attended the previous MLRB Hearing for Transit Mix's original application and this effort to rework their original presentation does not address the dynamics of the entire fracture system that controls the subsurface water moving through the Little Turkey Creek Canyon structure, nor does it adequately protect the hydrologic balance for down stream and adjacent users. The subsurface impact of an operation directly astride this area is not adequately researched nor is the risk they are willing to take to all our affected water resources justifiable. Transit Mix bears no risk to their own water resources, but are willing to cause all the residents to do so in order to expand their business into our existing communities.

By keeping all but their own hired researchers off the Turkey Creek Ranch, they can argue that wildlife will cope and adjust to this intrusive operation for 55 years plus, but it is specious to allow the present valuable riparian corridor to be altered permanently for a commodity (granite gravel) that is neither scarce nor unique to the Colorado Front range, while surface watered canyons are demonstrably the exception. Little Turkey Creek Canyon is "exceptional" to many species of plants and wildlife precisely and simply because it is not a dry corridor.

Finally, as pointed out in the findings of the MLRB on their first application, Transit Mix has not taken any steps to seek the required Declaratory Judgment concerning the Little Turkey Creek Easement issue, which I find to be in contempt of the board's findings.

While they have the right under the statutes to reapply, and the funds to drag this out, Transit Mix has not changed their fundamentally flawed premise that we need or want a quarry injected into the wrong location for many basic reasons.

Sincerely,

Signed,

Charlton L. Brice  
11735 Calle Corvo  
Colorado Springs, CO 80926  
(719) 527-0433