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COLORADO

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M-2017-049 / Transit Mix Concrete Co. Witness and Exhibit List

1 message

O'Connell, Aaron J. <aaron.oconnell@hoganlovells.com>

Tue, Apr 10, 2018 at 2:39 PM

To: "drms.temp@state.co.us" <drms.temp@state.co.us>

Cc: "Anderson, Scot W." <scot.anderson@hoganlovells.com>, "Titus, Elizabeth H. \Liz\" <liz.titus@hoganlovells.com>

Attached please find Transit Mix Concrete Co.'s Witness and Exhibit List for filing, pursuant to the Mined Land Reclamation Board Order dated March 19, 2018. Due to the large file size of certain exhibits, this email will be followed by Transit Mix Concrete Co.'s exhibits submitted via file transfer.

Thank you.

Aaron O'Connell

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4/10/2018

State.co.us Executive Branch Mail - M-2017-049 / Transit Mix Concrete Co. Witness and Exhibit List



Witness and Exhibit List.pdf

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BEFORE THE MINED LAND RECLAMATION BOARD
STATE OF COLORADO

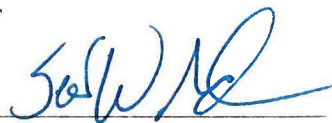
IN THE MATTER OF THE APPLICATION OF TRANSIT MIX CONCRETE COMPANY
FOR A 112 CONSTRUCTION MATERIALS RECLAMATION PERMIT,
File No. M-2017-049

WITNESS LIST, EXHIBIT LIST AND EXHIBITS PROVIDED BY TRANSIT MIX
CONCRETE CO.

Transit Mix Concrete Co. hereby submits the attached Witness List, Exhibit List, and Exhibits pursuant to the Mined Land Reclamation Board Order Regarding Deadlines for And Service Of Motions, Witness and Exhibit Lists, and Exhibits.

Respectfully submitted,

/s/ Scot W. Anderson



John W. Cook (#9670)

Scot W. Anderson (#17395)

Elizabeth H. Titus (#38070)

*Attorneys for Applicant Transit Mix Concrete
Co.*

TRANSIT MIX CONCRETE CO. WITNESS LIST

PERMIT NUMBER: M-2017-049

CAPTION: Transit Mix Concrete Co. Hitch Rack Ranch Quarry Application, Received October 5, 2017

HEARING DATE: April 25-26, 2018

SUBMITTED BY: Transit Mix Concrete Co., 444 E. Costilla St., Colorado Springs, CO, 80903, (719) 475-0700

REPRESENTED BY: Hogan Lovells US LLP, 1601 Wewatta St. #900, Denver, CO, 80202, (303) 899-7300

WITNESS	TITLE	COMPANY/FIRM	ADDRESS	PHONE	NATURE OF EXPERTISE	SUBJECT AREA WITNESS WILL ADDRESS
Jerald Schnabel	President	Transit Mix Concrete Co.	444 E. Costilla St., Colorado Springs, CO, 80903	(719) 475-0700	Mining	Hitch Rack Ranch Quarry project and company overview
Brandon Hesel	Aggregates Engineer / Production Manager	Transit Mix Concrete Co.	444 E. Costilla St., Colorado Springs, CO, 80903	(719) 475-0700	Operations	Operations at the Hitch Rack Ranch Quarry
Paul Kos	Senior Geological Engineer	Norwest Corporation	950 South Cherry Street, Suite 800, Denver, CO 80246	(303) 782-0164	Mine design, reclamation development	Permit application and any issues arising out of permit application or Norwest reports
Sean Ennis	Vice President, Mining	Norwest Corporation	Suite 1830, 1066 W. Hastings St. Vancouver, BC Canada V6E 3X2	(604) 602-8992	Geotechnical analysis	Stockpile and quarry wall stability calculations, analysis, and results
Mike Day	Senior Hydrogeologist	Hydro-Logic Solutions, Inc.	6100 Montview Blvd., Denver, CO 80207	(303) 570-9527	Hydrology and geology	Protection of hydrologic balance and groundwater and any issues arising out of reports provided by Hydro-Logic
Larry Mirabelli	Senior Manager – Explosives and Blasting Technologies	Buckley Powder Co.	42 Inverness Drive East, Englewood CO, 80112	(303) 790-7007	Explosives and blasting	Blasting operations and any issues arising out of the report provided by Larry Mirabelli
Charles Johnson	Principal, Senior Project Manager	Ensignt, LLC	3533 Sunflower Way Fort Collins, CO 80521	(970) 631-6792	Wildlife biology	Wildlife and habitat near the Hitch Rack Ranch Quarry, including habitat fragmentation and any issues arising out of reports provided by Charles Johnson or Stantec

Scot Anderson	Partner	Hogan Lovells	1601 Wewatta St. #900, Denver, CO, 80202	(303) 899-7300	Legal issues related to mining operations in Colorado	Legal right to enter, mining operations and reclamation
Cindi Almendinger	Property Owner	N/A	2485 Hitch Rack Ranch Rd., Colorado Springs, CO 80926	(719) 576-3890	Understanding of Hitch Rack Ranch property	Development of the Hitch Rack Ranch Quarry
John Cook	Partner	Hogan Lovells	2 N Cascade Ave # 1300, Colorado Springs, CO 80903	(719) 448-5900	Legal issues related to mining operations in Colorado	Hitch Rack Ranch Quarry project and regional impacts
Elizabeth Titus	Counsel	Hogan Lovells	1601 Wewatta St. #900, Denver, CO, 80202	(303) 899-7300	Legal issues related to mining operations in Colorado	Legal standards related to permitting of Hitch Rack Ranch Quarry

TRANSIT MIX CONCRETE CO. EXHIBIT LIST

PERMIT NUMBER: M-2017-049

CAPTION: Transit Mix Concrete Co. Hitch Rack Ranch Quarry Application, Received October 5, 2017

HEARING DATE: April 25-26, 2018

SUBMITTED BY: Transit Mix Concrete Co., 444 E. Costilla St., Colorado Springs, CO, 80903, (719) 475-0700

REPRESENTED BY: Hogan Lovells US LLP, 1601 Wewatta St. #900, Denver, CO, 80202, (303) 899-7300

I. EXHIBITS SUBMITTED PURSUANT TO RULE 2.6(2)(b)(i)		
EXHIBIT NO.	DESCRIPTION	DOCUMENT AVAILABILITY
A	“Punches thrown ahead of round two over proposed quarry south of Colorado Springs” Rachel Riley, Colorado Springs Gazette, March 10, 2018	Copies provided to Parties pursuant to Rule 2.6(2)(b)(i)
B	Hitch Rack Ranch Quarry Report: Blasting Plan Review dated April 5, 2018	Copies provided to Parties pursuant to Rule 2.6(2)(b)(i)
C	Final Designation of Critical Habitat for the Mexican Spotted Owl, 66 Fed. Reg. 8530-01 (Feb. 1, 2001)	Copies provided to Parties pursuant to Rule 2.6(2)(b)(i)
D	Demonstratives for Transit Mix testimony	Copies provided to Parties pursuant to Rule 2.6(2)(b)(i)
E	Transit Mix PowerPoint presentation	Copies provided to Parties pursuant to Rule 2.6(2)(b)(i)
II. EXHIBITS SUBMITTED PURSUANT TO RULE 2.6(2)(b)(ii)		
EXHIBIT NO.	DESCRIPTION	DOCUMENT AVAILABILITY
F	Preliminary Adequacy Review for File No. M-2017-049 dated February 12, 2018, including all attachments and memoranda submitted with the adequacy review	Available in electronic DRMS records
G	Adequacy Review No. 2 for File No. M-2017-049 dated March 16, 2018, including all attachments and memoranda submitted with the adequacy review	Available in electronic DRMS records
H	Adequacy Review No. 3 for File No. M-2017-049 dated March 22, 2018	Available in electronic DRMS records
I	Hitch Rack Ranch Quarry Adequacy Review Response, received March 09, 2018, including responses to comments attachments, figures and reports submitted with the response	Available in electronic DRMS records
J	Hitch Rack Ranch Quarry Adequacy Review Response, received March 14, 2018, including responses to comments and attachments, figures and reports submitted with the response	Available in electronic DRMS records

K	Hitch Rack Ranch Quarry Adequacy Review Response, received March 20, 2018, including responses to comments and attachments, figures and reports submitted with the response	Available in electronic DRMS records
L	Hitch Rack Ranch Quarry Adequacy Review Response, received March 23, 2018, including responses to comments and attachments, figures and reports submitted with the response	Available in electronic DRMS records
M	Hitch Rack Ranch Quarry Adequacy Review Response, received March 26, 2018, including response to comments and attachments, figures and reports submitted with the response	Available in electronic DRMS records
N	Permit Application Submitted by Transit Mix to the Division of Mined Land Reclamation Board, received October 5, 2017 including all attachments, figures and reports submitted with the application	Available in electronic DRMS records
O	Division of Reclamation, Mining and Safety Recommendation to Approve 112 Construction Materials Reclamation Permit for File No. M-2017-049 dated April 3, 2018	Available in electronic DRMS records
P	Southwestern Highway 115 Fire Protection District Objection Letter dated December 18, 2017	Available in electronic DRMS records
Q	Red Rocks Valley Estates Objection Letter dated December 1, 2017	Available in electronic DRMS records
R	Pikes Peak Trout Unlimited Objection Letter dated December 17, 2017	Available in electronic DRMS records
S	Pamela P. Mazanec Letter of Support received December 21, 2017	Available in electronic DRMS records
T	Office of Archaeology and Historic Preservation Letter received December 5, 2017	Available in electronic DRMS records
U	The Nature Conservancy Objection Letter dated December 20, 2017	Available in electronic DRMS records
V	Audubon Rockies Objection Letter dated December 20, 2017	Available in electronic DRMS records
W	Nancy Reed Objection Letters dated December 9, 2017, including attachments	Available in electronic DRMS records
X	Steven K. Mulliken Objection Letter dated December 19, 2017, including all attachments	Available in electronic DRMS records
Y	Jerry P. Moore Objection Letter received December 20, 2017	Available in electronic DRMS records
Z	Gary Bradley Letter of Support dated December 13, 2017	Available in electronic DRMS records
AA	Colorado State Land Board Letter of Support dated December 11, 2017	Available in electronic DRMS records
BB	Joyce Rankin Letter of Support dated December 22, 2017	Available in electronic DRMS records
CC	Colorado Division of Water Resources Response to Reclamation Permit Application Consideration dated January 4, 2018	Available in electronic DRMS records
DD	Cheryl Kimble Objection Letter dated December 14, 2017	Available in electronic DRMS records
EE	Alderman Bernstein Objection Letter dated December 20, 2017, including all attachments	Available in electronic DRMS records
FF	Aiken Audubon Society Objection Letter dated December 19, 2017	Available in electronic DRMS records

GG	All Motions Submitted By Transit Mix Concrete Co.	Available in electronic DRMS records
HH		
II		

EXHIBITS PROVIDED PURSUANT TO RULE 2.6.2(b)(i)

(See attached)