

To: Division of Reclamation, Mining & Safety

From: Jennifer Curtis & Kimberly Chainhalt

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**DIVISION OF RECLAMATION,
MINING & SAFETY-MINERALS
~~FEE REPORT MAP~~**

April 6, 2019

Subject: AFS-Bennett Pit # M-2001-038 Permit Amendment Comments

I petition for a hearing to discuss the proposed amendment considerations to the original Permit granted to Bennett Sand and Gravel to Mr. Dave Lincoln. I have several concerns as a property owner whose property will be bordered on two sides by the proposed expansion proposed by AFS.

One concern is the proposed expansion doubling the size of the sand and gravel pit. The previous permit was authorized based upon the small impact the previous owner's business had on the environment and neighbors. Routinely, Bennett Sand and Gravel averaged 20 loads of material being mined and transported daily. This was appropriate and did not adversely affect the environment, wildlife, air quality, water quantity and quality and impact on the quality of life of affected neighbors.

There is a herd of about 20-30 deer who live in the neighborhood. There are many different birds who provide pest and rodent control to the neighborhood. The neighborhood enjoys the rural setting that affords its residents clean, dust free air; a beautiful view of the front range mountains, clean and plentiful water and a stillness that allows its residents the enjoyment of birds singing and bees buzzing. These qualities are the intangible benefits of living in this neighborhood and Bennett Sand and Gravel respected this by ensuring the business did not consume the whole area. Bennett Sand and Gravel maintained the road and removed snow, contacted the neighbors about any concerns and ensured the business did not adversely affect the neighborhood or environment.

Due to the drastic changes AFS is proposing in their request for an Amendment to the Original Permit issued to Mr. Dave Lincoln, I am petitioning for a hearing, as well as a request AFS seek a new Permit at 50500 E 72nd Ave.

Currently, AFS has been operating the Sand and Gravel Pit for approximately a year. They did not reach out to the neighbors to share their intention of expanding the Sand and Gravel Pit until February 2019. List of concerns:

1. They did not let the neighbors know that truck traffic would increase from approximately 20 loads daily (CDOT Permits Unit 12-16-2015) to approximately 20 loads hourly causing extreme damage to E 72nd Ave and jeopardizing the safety of those using the road and causing vehicle damage. It also creates safety issues turning onto or off State Highway 79.
2. Since AFS has operated the sand and gravel pit, the noise levels have increased dramatically.
3. Truck traffic has increased dramatically. Per the CDOT Permits Unit 12-16-2015, the proposed traffic of 20 ADT has not been adhered to. AFS should seek a new State Highway Access permit at E 72nd Ave and State Highway 79.
4. Trucks are parking on E 72nd Ave instead of parking on the sand pit road causing traffic safety concerns.
5. Trucks travel faster than the posted 25 mph speed zone and then use their jake brake to slow down causing noise pollution in the neighborhood.
6. Approximately half of the trucks don't cover the loads as required by the original permit.
7. Unknown liquids and solid materials have been dumped the pit area.
8. Large rifle gunfire heard around dusk from the sand and gravel pit area and 49950 E 72nd Ave (used against the local deer herd).
9. Barbed wire fencing used instead of the required mesh fencing to protect wildlife, farm animals and people from death or injury at the sand and gravel pit.
10. Plan for noxious weed mitigation.
11. Plan for wildfire mitigation.
12. Will explosives be used in the mining operation?
13. Any chemicals used in the mining or processing of materials?
14. Depth of the gravel and sand deposits and how deep will the pit dig to excavate the materials.
15. Will water be used in the process of excavating or processing the materials?
16. Is there an Environmental Protection Plan to address noise?
17. Is there a Water Plan in place to ensure the quality and quantity of water the area currently uses is not affected by its operations?
18. Is there a new Mining Plan?
19. Is there a new Site Description?
20. Is there a Reclamation Plan and Map?
21. Can neighbors see required Permits, Licenses and Inspection Reports?
22. Is there a Geotechnical Stability Exhibit?
23. A list of inert materials and liquids used to backfill the pit and inspections to ensure ground water, air and land non-toxicity?
24. Original Permit for the sand and gravel pit.
25. How will the materials be processed?
26. Dust Control at site and on the road. Watering, carpeting roads with aggregate and speed restrictions are suitable methods. The use of chemical stabilizers

creates a road safety problem when it rains or snows by making the dirt road very slippery and mushy.

27. Inspections in air quality, noise mitigation, hydrology and water quality/quantity, the safety and protection of wildlife, explosives and chemicals.
28. Date and results of ambient groundwater quality and quantity.
29. Plans to dig a well.
30. Engineering plan to describe how materials will be placed and stabilized to avoid settling and voids.
31. Water Plan to include if the pit will be lined and the use of dewatering techniques.
32. Plan to address the public roads (E 72nd Ave).
33. Plan to pave E 72nd Ave.
34. Has AFS operated the sand and gravel pit under the original Permit?
35. Has AFS followed the provisions in the original Permit?
36. Can a company be sold, and the original Permit be used by the purchasing company without amendments; i.e. name change, loads per day, road maintenance?

I realize some of my concerns ~~are~~ fall under Adams County jurisdiction. I will be sending them a copy of this letter as well.

Due to the concerns listed, the lack of transparency by AFS and the proposed drastic changes to the neighborhood, I respectfully petition for a hearing. Thank you very much for your time and thoughtful consideration to this matter.

Sincerely,



Jennifer Curtis


Kimberly Chalmers

Copy sent to:

1. Albert Frei & Sons

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Henderson, CO 80640

2. Adams County

Community & Economic Development Department

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