



STATE OF  
COLORADO

Cazier - DNR, Tim <tim.cazier@state.co.us>

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## Proofs of attempted structure contacts and agreements, Colo Springs Utilities, Road and El Paso County Rds

1 message

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**Humphries** <hlhumphries2@comcast.net>

Mon, Jul 29, 2019 at 3:42 PM

To: "Cazier - DNR, Tim" <tim.cazier@state.co.us>

Cc: Joel Bolduc <joel.bolduc@aggregate-us.com>, "andre.laroche@aggregate-us.com" <andre.laroche@aggregate-us.com>

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### 4 attachments



**7-29-2019 CDOT contact emails.pdf**

1960K



**7-29-2019 CenturyLink Fiber Optic structures emails.pdf**

1433K



**7-29-2019 CS Utilities Emails.pdf**

12931K



**7-29-2019 El Paso County Contact.pdf**

403K

**From:** Sword - CDOT, Valerie  
**Sent:** Thursday, June 13, 2019 10:43 AM  
**To:** hlhumphries2@comcast.net  
**Subject:** Mining Affidavit

Hi Bruce,

I checked and this portion of S. Academy is outside of CDOT jurisdiction. Please coordinate with the City of CS. You should contact Mr. Todd Frisbie with the City at [todd.frisbie@ColoradoSprings.gov](mailto:todd.frisbie@ColoradoSprings.gov)

**Valerie Sword**

**Permits Manager**  
Traffic and Safety



[719.546.5407](tel:719.546.5407) | [C 719.251.7803](tel:719.251.7803) | [F 719.546.5414](tel:719.546.5414)

[valerie.sword@state.co.us](mailto:valerie.sword@state.co.us) | <http://www.codot.gov> | [www.cotrip.org](http://www.cotrip.org)

[5615 Wills Blvd., Pueblo, CO 81008](https://www.google.com/maps/place/5615+Wills+Blvd,+Pueblo,+CO+81008)

- On the west side of Academy, our access point to the west side of the pit is within 200 feet of Drennan Rd.

It is my understanding, but not positive that Bradley Rd, the intersection of Bradley Rd and Cod DR, Cassidy St. may belong to El Paso County?

We have until the 29<sup>th</sup> of July to either get the signed structure agreements or have an engineering evaluation done that shows no impact. Time is short.

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**From:** [Frisbie, Todd](#)

**Sent:** Wednesday, July 17, 2019 7:28 AM

**To:** [bruce humphries](#)

**Cc:** [Andre LA ROCHE](#)

**Subject:** RE: Structure compensation agreements for roads owned by CS surrounding the Daniels Sand Pit

Bruce – I heard back from our attorneys on this one. The City does not have a structure compensation agreement but will use the CSU agreement as a starting point for the same type of agreement for the City's Public Works department.

Our attorneys said that they can work on the agreement but the biggest part of the effort is figuring out what structures and/or roadways need to be included. Your previous correspondence mentioned Academy Boulevard as under the ownership of Colorado Springs. This is correct and I was wondering if you had a list or a map of roads and structures that need to be covered by the agreement.

Thanks,

**Todd Frisbie, P.E., PTOE**

City Traffic Engineer

Office: 719-385-7628

Cell: 719-201-1804

[todd.frisbie@coloradosprings.gov](mailto:todd.frisbie@coloradosprings.gov)

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**From:** bruce humphries [mailto:[hlhumphries2@comcast.net](mailto:hlhumphries2@comcast.net)]

**Sent:** Friday, June 14, 2019 10:01 AM

**To:** Frisbie, Todd

**Cc:** Andre LA ROCHE

**Subject:** Structure compensation agreements for roads owned by CS surrounding the Daniels Sand Pit

**CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!**

I am a consultant working for Aggregate Industries. We purchased the Daniels Sand Pit a few months ago. The Colorado Division of Reclamation, Mining and Safety requires us to obtain Structure Compensation Agreements (SCA) for all permanent, man-made structures within 200 feet of the Daniels Sand Pit mining operation affected land. There are a number of roads which apparently belong to Colorado Springs surrounding the mining operation. We understood that part of Academy Blvd. was

owned by CDOT. I have been in contact with Ms. Valerie Sword (CDOT) concerning that issue. She said that they do not have any ownership of Academy Blvd in the that area and she referred me to you. I have also been referred to you Legal Dept. I sent them an email concerning the CS roads next to the Daniels Sand pit but have not had a response. If you are not the correct person to deal with this issue (SCA), please provide a contact.

I have included a short document that more fully explains what is needed and why, along with a typical SCA. Attached is a similar agreement prepared by your Legal Department for utilities (a draft) which is longer and is also acceptable to the Colorado Division of Reclamation, Mining and Safety. I appreciate your time and help in getting this matter addressed.

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**From:** Frisbie, Todd  
**Sent:** Tuesday, July 23, 2019 3:18 PM  
**To:** Humphries  
**Cc:** andre.laroche@aggregate-us.com; Joel Bolduc  
**Subject:** RE: Structure compensation agreements for roads owned by CSsurrounding the Daniels Sand Pit

The attached map provides information on road ownership.

**Todd Frisbie, P.E., PTOE**

City Traffic Engineer  
Office: 719-385-7628  
Cell: 719-201-1804  
[todd.frisbie@coloradosprings.gov](mailto:todd.frisbie@coloradosprings.gov)

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**From:** Frisbie, Todd  
**Sent:** Friday, July 19, 2019 5:42 PM  
**To:** 'Humphries'  
**Cc:** andre.laroche@aggregate-us.com; Joel Bolduc  
**Subject:** RE: Structure compensation agreements for roads owned by CSsurrounding the Daniels Sand Pit

I will put together a map of road under the control of Colorado Springs. With regards to any engineering evaluations, this effort would fall upon the operator of the mine to document increase traffic and whether that traffic has an impact on city roads.

**Todd Frisbie, P.E., PTOE**

City Traffic Engineer  
Office: 719-385-7628  
Cell: 719-201-1804  
[todd.frisbie@coloradosprings.gov](mailto:todd.frisbie@coloradosprings.gov)

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**From:** Humphries [mailto:hlhumphries2@comcast.net]  
**Sent:** Friday, July 19, 2019 11:32 AM  
**To:** Frisbie, Todd  
**Cc:** andre.laroche@aggregate-us.com; Joel Bolduc  
**Subject:** RE: Structure compensation agreements for roads owned by CSsurrounding the Daniels Sand Pit

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It has been difficult to id the roads under the control of El Paso County and those under the control of Colorado Springs. To the best of my knowledge the following are under Colo Springs control:

- Milton E. Proby Parkway
- Dreanan Rd on the west side of S. Academy Blvd, and
- S. Academy Blvd.

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**From:** Tomaselli, Robert  
**Sent:** Monday, June 17, 2019 4:38 PM  
**To:** 'bruce humphries'  
**Cc:** Moore, Patti A  
**Subject:** RE: Daniels mine site

Bruce,

Attached are the Utility Letter and an aerial view of where our facilities fall within the project boundaries. I don't have a Notary on staff so I will have go to a local bank and have the other form notarized hopefully tomorrow.

Thanks,

Robert Tomaselli  
Engineer II  
719.647.5231 - Office  
719.248.7819 - Cell  
[robert.tomaselli@centurylink.com](mailto:robert.tomaselli@centurylink.com)

BRISTOL-GRANADA, CAMPO, CHERAW,  
FOUNTAIN, FOWLER, HOLLY, LA JUNTA,  
LAMAR, LAS ANIMAS, MANZANOLA, ORDWAY,  
ROCKY FORD, SECURITY, SPRINGFIELD,  
TWO BUTTES, WALSH AND WILEY



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**From:** bruce humphries <[h1humphries2@comcast.net](mailto:h1humphries2@comcast.net)>  
**Sent:** Monday, June 17, 2019 10:42 AM  
**To:** Tomaselli, Robert <[Robert.Tomaselli@CenturyLink.com](mailto:Robert.Tomaselli@CenturyLink.com)>  
**Subject:** RE: Daniels mine site

Thanks much

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**From:** [Tomaselli, Robert](#)  
**Sent:** Monday, June 17, 2019 8:58 AM  
**To:** [bruce humphries](#)  
**Cc:** [Moore, Patti A](#)  
**Subject:** Re: Daniels mine site

Bruce,

I have reviewed the location map and we only have 2 small areas that have facilities within the 200ft mark. I will get the paperwork filled out this afternoon when I get back to the office and get it over to you.

Thanks,  
Rob Tomaselli.

Sent from my iPhone

On Jun 11, 2019, at 9:09 AM, bruce humphries <[hlhumphries2@comcast.net](mailto:hlhumphries2@comcast.net)> wrote:

Good morning Mr. Tomaselli, have you had a chance to review the materials Ms. Moore copied you and do you have any question?  
thanks

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**From:** [Moore, Patti A](#)  
**Sent:** Friday, June 7, 2019 2:26 PM  
**To:** [Tomaselli, Robert](#); '[bruce humphries](#)'  
**Subject:** FW: Daniels mine site

Rob,  
This is at SE corner Milton E Proby Pkwy and s Academy.

Bruce, adding the engineer Robert Tomaselli

Thanks  
Patti

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**From:** bruce humphries <[hlhumphries2@comcast.net](mailto:hlhumphries2@comcast.net)>  
**Sent:** Friday, June 07, 2019 2:01 PM  
**To:** Moore, Patti A <[Patti.Moore@CenturyLink.com](mailto:Patti.Moore@CenturyLink.com)>  
**Subject:** RE: Daniels mine site

Ok thanks  
I have also included examples of the Utility letter and of a structure agreement.

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**From:** [Moore, Patti A](#)  
**Sent:** Friday, June 7, 2019 1:41 PM  
**To:** '[bruce humphries](#)'  
**Subject:** Daniels mine site

Hi Bruce,

Go ahead and send me the map with the location of where this is and I will see which engineer it would go to.

Thanks

**Patti Moore**  
**Senior LNI Engineer**  
**7925 Industry Rd**  
**Colorado Springs, Co 80939**  
**719-386-9926**  
**[Patti.Moore@CenturyLink.com](mailto:Patti.Moore@CenturyLink.com)**

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**From:** Andre LA ROCHE  
**Sent:** Wednesday, May 8, 2019 9:15 AM  
**To:** Bruce Humphries  
**Subject:** CSU Contact

Bruce:

Below is my contact at for Colorado Springs Utilities. Please let Bryan know that I provided you with his information. Bryan may also be able to assist you with other contacts you may need for the Structure Agreements.

Bryan T. English | Service Contract Associate

**Customer Contract Administration | Colorado Springs Utilities**

O: 719-668-8119 | F: 719-668-8130

[benglish@csu.org](mailto:benglish@csu.org) | [www.csu.org](http://www.csu.org)

Thanks,

**Andre Laroche** | Permit Specialist  
Transit Mix Concrete Co. | 719-491-0288 mobile



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**From:** Bryan English  
**Sent:** Tuesday, May 21, 2019 2:28 PM  
**To:** bruce humphries  
**Cc:** Andre LA ROCHE; Andre Laroche  
**Subject:** RE: Daniels Sand Pit no. 2 structure agreements

Thank you. I'll review and confirm who the appropriate contacts are for you to work with. Quick follow-up question for you. Will you need a document for each utility type or would one universal document covering all applicable utilities within the 200 foot boundary suffice?

Regarding the roadways listed, again, since they're not within our jurisdiction, I recommend that you contact the City of Colorado Springs Public Works Department at 719-385-5918 for assistance. You can also e-mail them at [CityEngineering@springsgov.com](mailto:CityEngineering@springsgov.com).

-Bryan

Bryan T. English, PMP | Development Projects Manager  
**System Extensions | Colorado Springs Utilities**  
O: 719-668-8119 | F: 719-668-8130  
2880 International Cir, Suite 210 | Colorado Springs, CO 80910  
[benglish@csu.org](mailto:benglish@csu.org) | [www.csu.org](http://www.csu.org)

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**From:** bruce humphries [mailto:[h1humphries2@comcast.net](mailto:h1humphries2@comcast.net)]  
**Sent:** Tuesday, May 21, 2019 12:46 PM  
**To:** Bryan English <[benglish@csu.org](mailto:benglish@csu.org)>  
**Cc:** Andre LA ROCHE <[andre.laroche@aggregate-us.com](mailto:andre.laroche@aggregate-us.com)>; Andre Laroche <[Andre\\_Laroche@transitmix.com](mailto:Andre_Laroche@transitmix.com)>  
**Subject:** RE: Daniels Sand Pit no. 2 structure agreements

**[External Email - Be careful! DO NOT open attachments or click links from unknown senders or unexpected email.]**

Attached are the working maps I downloaded from your site. A bit rough  
Also, I will need contacts for Bradley, Academy, Milton-Proby and Drennan Rd, thanks

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**From:** [Bryan English](#)  
**Sent:** Tuesday, May 21, 2019 12:35 PM  
**To:** [bruce humphries](#)  
**Cc:** [Andre LA ROCHE](#); [Andre LA ROCHE](#)  
**Subject:** RE: Daniels Sand Pit no. 2 structure agreements

Mr. Humphries,



Thank you for summarizing the various utilities impacted by and subject to structure agreements or otherwise. Do you happen to have an exhibit(s) or map(s) clearly identifying the affected areas that you could send me for the purposes of cross-referencing it against your list below?

-Bryan

Bryan T. English, PMP | Development Projects Manager  
**System Extensions | Colorado Springs Utilities**  
O: 719-668-8119 | F: 719-668-8130  
2880 International Cir, Suite 210 | Colorado Springs, CO 80910  
[benglish@csu.org](mailto:benglish@csu.org) | [www.csu.org](http://www.csu.org)

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**From:** bruce humphries [<mailto:hlhumphries2@comcast.net>]  
**Sent:** Friday, May 17, 2019 12:09 PM  
**To:** Bryan English <[benglish@csu.org](mailto:benglish@csu.org)>  
**Cc:** Andre LA ROCHE <[andre.laroche@aggregate-us.com](mailto:andre.laroche@aggregate-us.com)>; Andre LA ROCHE <[Andre.Laroche@transitmix.com](mailto:Andre.Laroche@transitmix.com)>  
**Subject:** RE: Daniels Sand Pit no. 2 structure agreements

**[External Email - Be careful! DO NOT open attachments or click links from unknown senders or unexpected email.]**

Good morning Mr. English,  
Based on your utility link and maps. I have identified the following utilities which surround the Daniels Sand Pit. The affected area are those areas now affected by the mining operations. IF you agree with my list, please provide me the utility contact person, email and phone number. I will need to provide them examples of the two primary types of documents the Division of Reclamation will accept which are intended to address utility/structure impacts from mining. I am listing the utilities by adjacent road for identification, with the exception of the north side of the Daniels Sand Pit:

- Bradley Road:
  - \* Underground Electric Lines, Overhead Electric Lines, Underground Electric Structures, Electric Support Structures.
  - \*Gas MainI did not find any other utilities within 200 feet of the affected area.
- Academy Blvd:
  - \*High Voltage Transmission Lines, , Electric Support Structures, Underground Electric lines, Electric Underground StructuresI did not find any other utilities within 200 feet of the affected area.
- Milton-Proby Parkway:
  - \*Street Lights, Underground electric Structures, Underground Electric Lines
  - \*Water Line and HydrantI did not find any other utilities within 200 feet of the affected area.
- Area on the North side of the Daniels Sand Pit Permit Boundary:
  - \*Water Line, Hydrant, Water Line Valve
  - \*Underground Electric Line, Underground Electric StructureI did not find any other utilities within 200 feet of the affected area.
- South Side of Academy Blvd, and at the Mine Site Access to Drennan Rd:

\*Electric Underground Structure, Underground Electric Lines, Street Lights, Electric Support Structures, Overhead Electric Lines

\*Gas Main

\*Water Lines, Hydrants, Line Valves

\*Waste water Lines and Encasements

I did not find any other utilities within 200 feet of the affected area.

I would also like the contact(s) for the three roads which surround the Daniels Sand Pit and within 200 feet of the affected area.

Thanks for your help

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**From:** [Bryan English](#)

**Sent:** Friday, May 10, 2019 10:43 AM

**To:** [bruce humphries](#)

**Cc:** [Andre Laroche](#)

**Subject:** RE: Daniels Sand Pit no. 2 structure agreements

Hi Bruce,

It was a pleasure speaking with you this morning. Per our conversation, click [here](#) to access Springs Utilities' public utility mapping system. Again, we are a four-service utility provider (water, wastewater/sewer, gas and electric) and this system should allow you to activate layers for each utility type and identify which ones reside within 200 feet of the affected area and will require compensation agreements or the acknowledgement letter(s) described during our discussion. For assistance with roadways, please contact City of Colorado Springs Public Works at [719-385-5918](tel:719-385-5918).

Once you've had an opportunity to confirm impacted utilities, please send me the exhibit we discussed for review and I'll either reach out to or put you in touch with the appropriate Springs Utilities contact(s) or coordinate a meeting where we can all come together, review everything and develop a game plan.

Until then, please feel free to contact me with any questions or if I can offer further assistance or guidance.

Kind Regards,

-Bryan

Bryan T. English, PMP | Development Projects Manager

**System Extensions | Colorado Springs Utilities**

O: [719-668-8119](tel:719-668-8119) | F: [719-668-8130](tel:719-668-8130)

2880 International Cir, Suite 210 | Colorado Springs, CO 80910

[benglish@csu.org](mailto:benglish@csu.org) | [www.csu.org](http://www.csu.org)



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**From:** bruce humphries [<mailto:hlhumphries2@comcast.net>]  
**Sent:** Thursday, May 09, 2019 6:29 AM  
**To:** Bryan English <[benglish@csu.org](mailto:benglish@csu.org)>  
**Cc:** Andre Laroche <[Andre.Laroche@transitmix.com](mailto:Andre.Laroche@transitmix.com)>  
**Subject:** Daniels Sand Pit no. 2 structure agreements

**[External Email - Be careful! DO NOT open attachments or click links from unknown senders or unexpected email.]**

Good day Mr. English. Andre La Roche asked I contact you concerning structure agreements for the Daniels Sand Pit #2. Such agreements are usually obtained during the permitting process for a new Division of Reclamation, Mining and Safety (DRMS) mining permit or an expansion of an existing permit. In this case Aggregate Industries (AI) purchased the Daniels Sand Pit #2 from Transit Mix Concrete Co. The DRMS requires AI to secure new compensation agreements from all owners of structures and utilities within 200 feet of the area affected by on-going mining operations. I will draft the appropriate documents and send them to you for your review. However I would like to talk with you first. Will you be available tomorrow to discuss the utilities and roads which are owned by the City of Colorado Sprigs? ( I will be out of the office today.)

Thank you for your time

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**From:** City Engineering  
**Sent:** Wednesday, June 5, 2019 10:49 AM  
**To:** hbhumphries  
**Subject:** RE: Daniels Sand Pit Compensation Agreement

Hi Bruce,

Would you be able to identify the areas on a map so the City can clearly see what may be impacted?

Thanks,

**Maren McDowell**

Citizen Relations and Information Specialist  
City of Colorado Springs, Dept. of Public Works  
30 S. Nevada Ave., Suite 401  
Colorado Springs, CO 80901  
Office: 719-385-5460  
Cell: 719-627-1004  
Email: [Maren.McDowell@coloradosprings.gov](mailto:Maren.McDowell@coloradosprings.gov) <---new!



---

**From:** hbhumphries <hlhumphries2@comcast.net>  
**Sent:** Friday, May 31, 2019 3:57 PM  
**To:** City Engineering <City.Engineering@coloradosprings.gov>  
**Subject:** Daniels Sand Pit Compensation Agreement

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I am a consultant working for Aggregate Industries. The Colorado Division of Reclamation Mining and Safety (DRMS) Requires us to obtain compensation agreements for potential damage to permanent, man-made structures within 200 feet of the Daniels Sand Pit area affected or to be affected by its mining operation. I have attached a draft of the compensation agreement for your review and comment. The intent of the comp agreement is to provide protection to owners of permanent, man-made structures within 200 feet of the mining operations affected area. It does not mean there is now any damage.

The basic compensation agreement is a Mined Land Reclamation Board approved document. All that may be changed is the list of potentially affected structures. I have listed the roads which I believe surround the Daniels Sand Pit and made the list of potentially affected roads rather general hoping to include everything without having to list everything. You will note I have an unnamed road off Drennan Rd. in red font. I could not tell if that is a driveway or public road?

I will be out of town until late afternoon on Wednesday of next week. I will be checking my email and cell phone messages. Please email me or call if you have questions. If you are in agreement with the draft document, please let me know and I will get you a final version for your signature and notarization.

Thanks for your help  
Bruce Humphries, Regulatory Permits Management. Inc  
303 854-7499

Sent from [Mail](#) for Windows 10



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**From:** City Engineering  
**Sent:** Thursday, June 6, 2019 11:55 AM  
**To:** bruce humphries  
**Subject:** RE: Daniels Sand Pit Affected area Map for determining structures within 200 ft of affected area

Bruce, it looks like you need to get in touch with Colorado Springs Utilities. Here is their website:  
<https://www.csu.org/Pages/default.aspx>

Thanks!

---

**From:** bruce humphries <hlhumphries2@comcast.net>  
**Sent:** Thursday, June 6, 2019 11:37 AM  
**To:** City Engineering <City.Engineering@coloradosprings.gov>  
**Cc:** Andre LA ROCHE <andre.laroche@aggregate-us.com>; Bryan English <benglish@csu.org>  
**Subject:** RE: Daniels Sand Pit Affected area Map for determining structures within 200 ft of affected area

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I understand I will be working with you on the need for compensation agreements for permanent, man-made structures within 200 feet of the Daniels Sand Pit #2 affected area. We are allowed by the Mined Land Reclamation Board Regulations to obtain the following:

- Compensation agreements for permanent, man-made structures within 200 feet of the mine site's affected area;
- A letter of no significant impact from the owner of a utility; or ( only if the structure is a utility)
- And engineering evaluation, prepared by the mine operator of a no impact determination, if the owner of the permanent, man-made structure is unavailable for some reason; or
- Otherwise, the operator must stay 200 plus feet away from the structure.

In this case the mine is already in operation and the area affected. Therefore, the mine operator does not have the option to stay 200 plus feet away from the permanent, man-made structure.

We are to have the final documents to the DRMS (Division of Reclamation, Mining and Safety by no later than June 20<sup>th</sup>.

Thanks and please let me know if you have any questions.

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**From:** [City Engineering](#)  
**Sent:** Wednesday, June 5, 2019 10:49 AM  
**To:** [hbhumphries](#)  
**Subject:** RE: Daniels Sand Pit Compensation Agreement

Hi Bruce,

Would you be able to identify the areas on a map so the City can clearly see what may be impacted?



Thanks,

**Maren McDowell**

Citizen Relations and Information Specialist  
City of Colorado Springs, Dept. of Public Works  
30 S. Nevada Ave., Suite 401  
Colorado Springs, CO 80901  
Office: 719-385-5460  
Cell: 719-627-1004  
Email: [Maren.McDowell@coloradosprings.gov](mailto:Maren.McDowell@coloradosprings.gov) <---new!



---

**From:** hbhumphries <[hlhumphries2@comcast.net](mailto:hlhumphries2@comcast.net)>  
**Sent:** Friday, May 31, 2019 3:57 PM  
**To:** City Engineering <[City.Engineering@coloradosprings.gov](mailto:City.Engineering@coloradosprings.gov)>  
**Subject:** Daniels Sand Pit Compensation Agreement

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Thanks for your help  
Bruce Humphries, Regulatory Permits Management. Inc

303 854-7499

Sent from [Mail](#) for Windows 10

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**From:** City Engineering  
**Sent:** Thursday, June 6, 2019 12:01 PM  
**To:** bruce humphries  
**Subject:** RE: Daniels Sand Pit Affected area Map for determining structures within 200 ft of affected area

I will find out.

---

**From:** bruce humphries <hlhumphries2@comcast.net>  
**Sent:** Thursday, June 6, 2019 11:58 AM  
**To:** City Engineering <City.Engineering@coloradosprings.gov>  
**Cc:** Andre LA ROCHE <andre.laroche@aggregate-us.com>  
**Subject:** RE: Daniels Sand Pit Affected area Map for determining structures within 200 ft of affected area

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Are you to handle the road infrastructure agreements?

Sent from [Mail](#) for Windows 10

---

**From:** [City Engineering](#)  
**Sent:** Thursday, June 6, 2019 11:55 AM  
**To:** [bruce humphries](#)  
**Subject:** RE: Daniels Sand Pit Affected area Map for determining structures within 200 ft of affected area

Bruce, it looks like you need to get in touch with Colorado Springs Utilities. Here is their website:  
<https://www.csu.org/Pages/default.aspx>

Thanks!

---

**From:** bruce humphries <hlhumphries2@comcast.net>  
**Sent:** Thursday, June 6, 2019 11:37 AM  
**To:** City Engineering <City.Engineering@coloradosprings.gov>  
**Cc:** Andre LA ROCHE <andre.laroche@aggregate-us.com>; Bryan English <benglish@csu.org>  
**Subject:** RE: Daniels Sand Pit Affected area Map for determining structures within 200 ft of affected area

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I understand I will be working with you on the need for compensation agreements for permanent, man-made structures within 200 feet of the Daniels Sand Pit #2 affected area. We are allowed by the Mined Land Reclamation Board Regulations to obtain the following:

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- A letter of no significant impact from the owner of a utility; or ( only if the structure is a utility)

- And engineering evaluation, prepared by the mine operator of a no impact determination, if the owner of the permanent, man-made structure is unavailable for some reason; or
- Otherwise, the operator must stay 200 plus feet away from the structure.

In this case the mine is already in operation and the area affected. Therefore, the mine operator does not have the option to stay 200 plus feet away from the permanent, man-made structure.

We are to have the final documents to the DRMS (Division of Reclamation, Mining and Safety by no later than June 20<sup>th</sup>.

Thanks and please let me know if you have any questions.

Sent from [Mail](#) for Windows 10

---

**From:** [City Engineering](#)

**Sent:** Wednesday, June 5, 2019 10:49 AM

**To:** [hbhumphries](#)

**Subject:** RE: Daniels Sand Pit Compensation Agreement

Hi Bruce,

Would you be able to identify the areas on a map so the City can clearly see what may be impacted?

Thanks,

**Maren McDowell**

Citizen Relations and Information Specialist  
City of Colorado Springs, Dept. of Public Works  
30 S. Nevada Ave., Suite 401  
Colorado Springs, CO 80901  
Office: 719-385-5460  
Cell: 719-627-1004  
Email: [Maren.McDowell@coloradosprings.gov](mailto:Maren.McDowell@coloradosprings.gov) <—new!



---

**From:** hbhumphries <[hlhumphries2@comcast.net](mailto:hlhumphries2@comcast.net)>

**Sent:** Friday, May 31, 2019 3:57 PM

**To:** City Engineering <[City.Engineering@coloradosprings.gov](mailto:City.Engineering@coloradosprings.gov)>

**Subject:** Daniels Sand Pit Compensation Agreement

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I am a consultant working for Aggregate Industries. The Colorado Division of Reclamation Mining and Safety (DRMS) Requires us to obtain compensation agreements for potential damage to permanent, man-made structures within 200 feet of the Daniels Sand Pit area affected or to be affected by its mining operation. I have attached a draft of the compensation agreement for your review and comment. The intent of the comp agreement is to provide protection to owners of permanent, man-made structures within 200 feet of the mining operations affected area. It does not mean there is now any damage.

The basic compensation agreement is a Mined Land Reclamation Board approved document. All that may be changed is the list of potentially affected structures. I have listed the roads which I believe surround the Daniels Sand Pit and made the list of potentially affected roads rather general hoping to include everything without having to list everything. You will note I have an unnamed road off Drennan Rd. in red font. I could not tell if that is a driveway or public road?

I will be out of town until late afternoon on Wednesday of next week. I will be checking my email and cell phone messages. Please email me or call if you have questions. If you are in agreement with the draft document, please let me know and I will get you a final version for your signature and notarization.

Thanks for your help  
Bruce Humphries, Regulatory Permits Management. Inc  
303 854-7499

Sent from [Mail](#) for Windows 10

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**From:** DAVID R FRISCH  
**Sent:** Monday, June 10, 2019 5:03 PM  
**To:** hlhumphries2@comcast.net  
**Subject:** Daniels Pit

Bruce

I do not have any records on Fiber Optic lines. If it were me, I would call in a couple of Utility Locates (811) around the property, and typically they will provide the names of the Tier 1 and Tier 2 Utility companies.

Just an idea otherwise no information on my end.

dave

David R. Frisch, P.L.S.



611 N. Weber Street, Suite 300  
Colorado Springs, CO 80903  
Office: 719-475-2935  
FAX: 719-475-2938  
Cell: 719-201-8696



---

**From:** Jessica Davis  
**Sent:** Tuesday, June 11, 2019 1:24 PM  
**To:** bruce humphries  
**Subject:** Revised Map

Mr. Humphries,

Attached is the revised map to include the whole area, but without a legend. I am requesting an exhibit A to be created with a ledger for the agreement, but it takes a couple of days. Please let me know if I have included everything that you wanted to see.

Jessica

CONFIDENTIALITY NOTICE - This email transmission, and any documents, files or previous email messages attached to it, may contain information that is legally privileged or otherwise confidential to include customer and business information. If you are not the intended recipient, or an authorized person for the intended recipient, you are hereby notified that any disclosure, copying or distribution of this information, or any action taken in reliance on the information contained within this email, is strictly prohibited. If you have received this email message in error, please notify the sender and then delete the message (and any attachments) from your computer and/or network. Thank you.

---

**From:** City Engineering  
**Sent:** Tuesday, June 11, 2019 2:04 PM  
**To:** bruce humphries  
**Subject:** RE: Daniels Sand Pit Affected area Map for determining structures within 200 ft of affected area

Bruce,

For any further information or agreements, please contact the City of Colorado Springs Attorney's Office. You can find their contact information here: <https://coloradosprings.gov/city-attorney>

Thank you.

---

**From:** bruce humphries <hlhumphries2@comcast.net>  
**Sent:** Monday, June 10, 2019 3:48 PM  
**To:** City Engineering <City.Engineering@coloradosprings.gov>  
**Cc:** Andre LA ROCHE <andre.laroche@aggregate-us.com>  
**Subject:** RE: Daniels Sand Pit Affected area Map for determining structures within 200 ft of affected area

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From other sources, it looks like the roads around the Daniels Sand Pit which belong to Colorado Springs include Milton-Proby and Drennan Rd? The other roads appear to be owned by CDOT (South Academy which bisects the west and east parts of the pit, and Bradley Rd., Cody Rd., and Cassady Rd. which appear to be owned by El Paso County? If this is correct, do you happen to have a contact number for CDOT?

thanks

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**From:** [City Engineering](#)  
**Sent:** Thursday, June 6, 2019 12:01 PM  
**To:** [bruce humphries](#)  
**Subject:** RE: Daniels Sand Pit Affected area Map for determining structures within 200 ft of affected area

I will find out.

---

**From:** bruce humphries <hlhumphries2@comcast.net>  
**Sent:** Thursday, June 6, 2019 11:58 AM  
**To:** City Engineering <City.Engineering@coloradosprings.gov>  
**Cc:** Andre LA ROCHE <andre.laroche@aggregate-us.com>  
**Subject:** RE: Daniels Sand Pit Affected area Map for determining structures within 200 ft of affected area

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**To:** [bruce humphries](#)  
**Subject:** RE: Daniels Sand Pit Affected area Map for determining structures within 200 ft of affected area

Bruce, it looks like you need to get in touch with Colorado Springs Utilities. Here is their website:  
<https://www.csu.org/Pages/default.aspx>

Thanks!

---

**From:** bruce humphries <[hlhumphries2@comcast.net](mailto:hlhumphries2@comcast.net)>  
**Sent:** Thursday, June 6, 2019 11:37 AM  
**To:** City Engineering <[City.Engineering@coloradosprings.gov](mailto:City.Engineering@coloradosprings.gov)>  
**Cc:** Andre LA ROCHE <[andre.laroche@aggregate-us.com](mailto:andre.laroche@aggregate-us.com)>; Bryan English <[benglish@csu.org](mailto:benglish@csu.org)>  
**Subject:** RE: Daniels Sand Pit Affected area Map for determining structures within 200 ft of affected area

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Thanks and please let me know if you have any questions.

Sent from [Mail](#) for Windows 10

---

**From:** [City Engineering](#)  
**Sent:** Wednesday, June 5, 2019 10:49 AM  
**To:** [hbhumphries](#)  
**Subject:** RE: Daniels Sand Pit Compensation Agreement

Hi Bruce,



Would you be able to identify the areas on a map so the City can clearly see what may be impacted?

Thanks,

**Maren McDowell**

Citizen Relations and Information Specialist  
City of Colorado Springs, Dept. of Public Works  
30 S. Nevada Ave., Suite 401  
Colorado Springs, CO 80901  
Office: 719-385-5460  
Cell: 719-627-1004  
Email: [Maren.McDowell@coloradosprings.gov](mailto:Maren.McDowell@coloradosprings.gov) <---new!



---

**From:** hbhumphries <[hlhumphries2@comcast.net](mailto:hlhumphries2@comcast.net)>  
**Sent:** Friday, May 31, 2019 3:57 PM  
**To:** City Engineering <[City.Engineering@coloradosprings.gov](mailto:City.Engineering@coloradosprings.gov)>  
**Subject:** Daniels Sand Pit Compensation Agreement

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I am a consultant working for Aggregate Industries. The Colorado Division of Reclamation Mining and Safety (DRMS) Requires us to obtain compensation agreements for potential damage to permanent, man-made structures within 200 feet of the Daniels Sand Pit area affected or to be affected by its mining operation. I have attached a draft of the compensation agreement for your review and comment. The intent of the comp agreement is to provide protection to owners of permanent, man-made structures within 200 feet of the mining operations affected area. It does not mean there is now any damage.

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I will be out of town until late afternoon on Wednesday of next week. I will be checking my email and cell phone messages. Please email me or call if you have questions. If you are in agreement with the draft document, please let me know and I will get you a final version for your signature and notarization.

Thanks for your help  
Bruce Humphries, Regulatory Permits Management. Inc  
303 854-7499

Sent from [Mail](#) for Windows 10

---

**From:** Jessica Davis  
**Sent:** Thursday, July 18, 2019 2:22 PM  
**To:** Humphries  
**Subject:** RE: CSU Structure Agreement

Sounds good. Thank you!

---

**From:** Humphries [mailto:hlhumphries2@comcast.net]  
**Sent:** Thursday, July 18, 2019 2:22 PM  
**To:** Jessica Davis <jedavis@csu.org>  
**Subject:** RE: CSU Structure Agreement

**[External Email - Be careful! DO NOT open attachments or click links from unknown senders or unexpected email.]**

Thanks I will send on to AI

Sent from [Mail](#) for Windows 10

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**From:** [Jessica Davis](#)  
**Sent:** Wednesday, July 17, 2019 4:07 PM  
**To:** [Bruce](#)  
**Subject:** RE: CSU Structure Agreement

Bruce,

Our attorneys have reviewed the document. We are waiting on signatures or revisions from your team. I have attached the agreement. Please let me know if you need anything from us.

Thank you,

Jessica

---

**From:** Bruce [mailto:hlhumphries2@comcast.net]  
**Sent:** Wednesday, July 17, 2019 4:05 PM  
**To:** Jessica Davis <jedavis@csu.org>  
**Subject:** Re: CSU Structure Agreement

**[External Email - Be careful! DO NOT open attachments or click links from unknown senders or unexpected email.]**

No and don't know in the hands of csu And AI attorneys?

Sent from my iPhone

On Jul 17, 2019, at 2:16 PM, Jessica Davis <jedavis@csu.org> wrote:



Bruce,

Good afternoon. I just wanted to check in and see if you had a signed structure agreement or if there were any revisions?

Thank you,

**Jessica Davis** | Principal Land Resource Specialist  
Colorado Springs Utilities | Land Resource Management  
121 South Tejon Street, Fifth Floor | MC: 950 | Colorado Springs, CO 80903  
O 719-668-7581 | C 719-640-3103 |

---

**From:** bruce humphries [<mailto:hlhumphries2@comcast.net>]  
**Sent:** Monday, June 10, 2019 3:19 PM  
**To:** Jessica Davis <[jedavis@csu.org](mailto:jedavis@csu.org)>  
**Cc:** Bryan English <[benglish@csu.org](mailto:benglish@csu.org)>; Andre LA ROCHE <[andre.laroche@aggregate-us.com](mailto:andre.laroche@aggregate-us.com)>  
**Subject:** RE: CSU Structure Agreement

**[External Email - Be careful! DO NOT open attachments or click links from unknown senders or unexpected email.]**

I forwarded your draft Compensation Agreement to the Division of Reclamation, Mining and safety, and to Aggregate Industries US for review. I do not yet have an AI official's name which will sign the document once it is in final draft. The Pit DRMS Permit number is M-1973-007-SG. It is known as the Daniels Sand Pit #2.

I want to thank you for your help in this matter.

Sent from [Mail](#) for Windows 10

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**From:** [Jessica Davis](#)  
**Sent:** Monday, June 10, 2019 11:47 AM  
**To:** [Bruce](#)  
**Cc:** [Bryan English](#)  
**Subject:** CSU Structure Agreement

Mr. Humphries,

Good morning. Thank you again for your call. I was reading through the structure agreement that the Division provided to AI. AI will need to supply the Division with a notarized agreement as stated in section "a". Please see below.

a) *Provide a notarized agreement between the Applicant and the Person(s) having an interest in the structure, that the Applicant is to provide compensation for any damage to the structure; or*

Attached is the draft agreement that Utilities will be asking AI to sign. I have highlighted in yellow the items that I will need your assistance in filling in.

Please let me know if you have any questions.

Thank you,

Jessica Davis  
Principal Land Resource Specialist  
Colorado Springs Utilities  
d: 719-668-7581 | c: 719-640-3103 | [www.csu.org](http://www.csu.org)  
<image001.jpg>

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prohibited. If you have received this email message in error, please notify the sender and then delete the message (and any attachments) from your computer and/or network. Thank you.

---

**From:** Andre LA ROCHE  
**Sent:** Monday, June 17, 2019 8:18 AM  
**To:** Joel Bolduc  
**Cc:** Bruce Humphries  
**Subject:** Fwd: Revised structure agreement

Hello Joel:

I am forwarding you the Structure Agreement for the Daniels Pit that was revised by Colorado Springs Utilities. Bruce Humphries sent the agreement to Michael Cunningham, Senior Environmental Specialist, Division of Reclamation Mining and Safety. Michael informed Bruce that the revised Structure Agreement was acceptable. Is this something Matt should also review before John signs it?

Thanks,

**Andre Laroche** | Permit Specialist  
Transit Mix Concrete Co. | 719-491-0288 mobile

----- Forwarded message -----

**From:** Jessica Davis <[jedavis@csu.org](mailto:jedavis@csu.org)>  
**Date:** Wed, Jun 12, 2019 at 1:22 PM  
**Subject:** RE: Revised structure agreement  
**To:** bruce humphries <[hlhumphries2@comcast.net](mailto:hlhumphries2@comcast.net)>  
**Cc:** Andre LA ROCHE <[andre.laroche@aggregate-us.com](mailto:andre.laroche@aggregate-us.com)>

Here is the final completed package. Please let me know if AI has any changes. If not, please have them sign and return the agreement.

Thank you,

Jessica

---

**From:** bruce humphries [mailto:[hlhumphries2@comcast.net](mailto:hlhumphries2@comcast.net)]  
**Sent:** Wednesday, June 12, 2019 11:17 AM  
**To:** Jessica Davis <[jedavis@csu.org](mailto:jedavis@csu.org)>  
**Cc:** Andre LA ROCHE <[andre.laroche@aggregate-us.com](mailto:andre.laroche@aggregate-us.com)>  
**Subject:** Revised structure agreement



- Colin's middle initial
  - Address Daniels road P.O.
  - Is the name I have for ATF it full name
- 

John Clack Dept of Public work  
El Paso County

Bradley - Univ. of El Paso  
Cady is  
Cassidy is

Also Academy Interaction w/ S. Academy  
Bradley

6-12 Said will call me back as to  
who to contact. Person who used to  
handle left. Don't know who  
Planning & Community Dev. Now handles  
Decided to go with eng Eval since did not call back

---

CDOT Region 2

Robert Johnson  
LTC-OP'1

Teresa Tabora  
Program Assistant II  
719-544-5452

Arthur T Salmeisters  
Region 4 - Right of way  
Manager