



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

November 18, 2019

Katie Todt
Greg Lewicki and Associates
3375 West Powers Circle
Littleton, CO 80123

**RE: Objection Received, 112c Construction Materials New Permit Application,
Bradford Mesa Quarry, Permit No. M-2019-046**

Dear Ms. Todt:

On October 3, 2019, the Division of Reclamation, Mining and Safety (Division) determined the 112c New Permit Application for the Bradford Mesa Quarry was complete for the purposes of filing. The public comment period for the permit application ends November 27, 2019. During the public comment period the Division received the enclosed timely objection, from the following parties and/or interested persons:

- 1) Michael Bigpond, received November 13, 2019

Please inform the Division how the Applicant intends to address the jurisdictional issues raised by the Objector.

If you need additional information or have any questions, please contact me at Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203, by telephone at **303-866-3567 x8114**, or by email at patrick.lennberg@state.co.us.

Sincerely,

Patrick Lennberg
Environmental Protection Specialist

Enclosure: Objection Letter from Michael Bigpond, received November 13, 2019

cc: Jared Ebert; Division of Reclamation, Mining & Safety



522
To: Division of Reclamation, Mining and Safety
1313 Sherman Street, Room 215
Denver, CO 80203

From: Michael Bigpond
P.O. Box 505
Walsenburg, CO 81089

Date: 11/08/2019

Re: Regular (112) Construction Materials Reclamation Permit filed by Southway Construction Company Inc., 117 White Pine Dr., Alamosa, CO 81101 for Bradford Mesa Quarry, Huerfano County, CO 81089

Dear DRMS,

I have reviewed the 112 permit filed by Southway Construction Company Inc., and take exception that exhibits submitted are not complete.

Exhibit H states that a review was conducted by Colorado Parks and Wildlife (CPW) on 04/18/2007, and again on June 3, 2019, however the 2019 correspondence is missing from the 112 permit. I would request that surveys be done on raptors (there are many Red Tail hawks, Cooper hawks, and many species of owls in the area), bats, Burrowing owls (there are prairie dogs in the area as can be seen on County Road 120, not far from applicants mine entrance), and on the Swift Fox. Also, CPW should conduct surveys on Wolf and Bobcat dens in the area. I have personally seen these animals there. I would request that these studies be conducted over at least a year so that the migratory patterns of some of these animals may be seen. There is a seasonal reservoir (Bradford Reservoir) that some animals come to, only when there is water. The mining operation would take that water source away. Additionally, there is no effort by the applicant to provide perches or other perching structures to raptors once mining is complete.

Exhibit J has very vague information regarding vegetation information. A Google Earth photo is not a vegetative survey, and included pictures are from over 6 years ago. I would request that a complete vegetative survey be done for the entire 1190.2 acres.

Exhibit K shows average temperature and average precipitation. There is no source for this information. I would also contend that there is no data on average wind speed and gusts. Huerfano County is known for having very high winds. I would request that wind speeds be measured at the Bradford Mesa for at least a year, preferably by a third party where the data will be available for public viewing. This would ensure the data cannot be manipulated.

Exhibit M states the State Historic Preservation Office was contacted, but shows no documentation. I would contend that there is an old homestead in the area, and reports of petroglyphs on the rock walls of the mesas themselves. I would request that an in depth study be conducted of the entire mesa area for any historical significance.

I would also request that a complete Environmental Impact Study be done in regards to effects of this mining operation to the 18 properties and 2 homes (mine included) located ½ mile due east, known as Cuerno Verde Subdivision, and to any other properties located near this mine.

I thank you for taking the time to address these concerns and look forward to hearing from you.

Sincerely,


Michael Bigpond

RECEIVED

NOV 13 2019

DIVISION OF RECLAMATION
MINING & SAFETY

M 11/08/2019