



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

1313 Sherman St. Room 215
Denver, CO 80203

October 1, 2020

Ben Langenfeld
Greg Lewicki and Associates
3375 W. Powers Circle
Littleton, CO 80123

**Re: Kilgore Companies, Inc.; Peak Ranch Resource; M2020-041;
Notice of Objections to Construction Materials Regular (112) Amendment Application**

Mr. Langenfeld,

The Division of Reclamation, Mining and Safety (Division/DRMS) received timely objections to the Peak Ranch Resource application, File M2020-041. The objections were received within the public comment period which began on August 28, 2020 and ends October 8, 2020.

Timely objections received:

Date(s) of Objection	First Name	Last Name	Topic
09/24/20	Margaret	Hillman	land use, traffic, GW, SW
09/24/20	Kenneth	Brown	list
09/24/20	Jacob	Browne	traffic
09/25/20	Howard	Carver	traffic
09/26/20	Mary	Amstutz	list
09/26/20	Bette	Casapulla	list
09/27/20	Arthur and Deborah	Scipione	list
09/27/20	Robert	Hill	traffic, wildlife, land use, GW, SW
09/27/20	Frank	Lilly	traffic, wildlife, land use, SW
09/28/20	Glenn	Amstutz	list
09/30/20	Dennis	Heagney	traffic
09/30/20	Paula and David	Kraemer	traffic, land use
10/01/20	Frederick	Fox	list



Copies of the written objections are enclosed for your records pursuant to Rule 1.7.1(3). These objections can also be viewed at: <https://dnrweblink.state.co.us/drms/search.aspx?dbid=0>

If you have any questions, please contact me at eric.scott@state.co.us.

Sincerely,



Eric Scott

Environmental Protection Specialist

Ec: Michael Cunningham; DRMS

September 24, 2020

Colorado Division of Reclamation, Mining and Safety
1313 Sherman St.
Denver, CO 80203
RE: Application by Peak Ranch Resource (File No. M2020041)

To whom it may concern:

I am writing to seek Party status to testify about the above-mentioned application by Peak Materials to establish a gravel mining operation at the site designated as Peak Ranch Resource.

My husband, John, and I have been full-time residents of Summit County's Lower Blue Valley for 24 years. I am active in the county and serve on the Wild Fire Council and Rotary. The turn-off from Highway 9 to our properties is approximately 2 miles south of the proposed gravel mine. **I am specifically aggrieved by this proposed project for the following reasons:**

- Our Lower Blue Valley is a Colorado treasure—really a national treasure, a remarkably beautiful and peaceful setting, a unique mix of nature and agriculture, lined by magnificent peaks, with National Forest and Wilderness on both sides. There are thousands of acres of County-protected open space and working ranches with conservation easements. Except for the gravel operation bordering Silverthorne, there is no existing mining or other industry. It is one of the few remaining pristine highway-valleys in Colorado. Being so close to the Front Range cities, it is a favorite recreational refuge for thousands of people. It would be shameful to start digging it up with a gravel mine. Even more distressing, approval of this mine could set a precedent for future industry up and down the valley.
- I worry about the adverse effects of digging up the river and its banks, on wildlife and fish--and on humans. The machines and trucks—some 230 trips per day—will create noise, increase pollution and magnify our increasingly serious highway-traffic problem. There is a risk of harming neighboring water wells, not to mention what it could do downstream in the river-system.
- Finally, Summit County's Lower Blue Master Plan considers any industrial activity as inconsistent with the natural, rural, and economic values of the valley. A number of people have built lovely homes very close to the proposed gravel mine. I can imagine how upset they must be, having trusted that their peaceful settings would be protected in perpetuity by the Lower Blue Master Plan.

I wish to be heard at the public hearing of the Colorado Mined Land Reclamation Board when the Board takes up this application. Please add me to your email distribution list notifying interested parties of the date, time and location for this meeting. Thank you.

Sincerely,

Margaret F. Hillman

Margaret F. Hillman
178 Arrowhead Bluff Dr.
Silverthorne, CO 80498
970-262-6820
maggie@oneimage.co,



RE: Application by Peak Ranch Resource (File No. M2020041)

1 message

Mike Grady <mikegrady100@gmail.com>
To: drms.temp@state.co.us

Thu, Sep 24, 2020 at 12:29 PM

Colorado Division of Reclamation, Mining and Safety
1313 Sherman St.
Denver, CO 80203
RE: Application by Peak Ranch Resource (File No. M2020041)

To whom it may concern,

I previously submitted this as "NON-PARTY" but am resubmitting it as "PARTY" since we are directly affected. Thank you for allowing me to change this.

I am writing to seek PARTY status to testify about the above-mentioned application by Peak Materials to establish a gravel mining operation at the site designated as Peak Ranch Resource.

I am specifically aggrieved by this proposed project for the following reasons:

1. We chose to live in this area based on the natural beauty of the valley.
2. It will adversely affect wildlife.
3. It will adversely affect the river which is seeking to restore its Gold designation. As a fly fisherman, I am highly concerned this will negatively impact the river all the way and into Green Mountain Reservoir.
4. Traffic on County Road 9 will become more dangerous. We already have concerns where we turn left into our development out of Silverthorne. Our understanding is that approximately 230 aggregate trucks will be passing our development daily. This will increase the danger of accidents.
5. This goes completely against the Summit County Lower Blue Master Plan which was designed to keep the valley non-industrial.
6. There is federal wilderness on both sides of the valley and no existing industrial activity.

I wish MY OPINION be heard at the public hearing of the Colorado Mined Land Reclamation Board when the Board takes up this application. Please add me to your email distribution list notifying interested parties of the date, time and location for this meeting.

Sincerely,

Michael Grady
1436 Blue Ridge Rd.
Silverthorne, CO 80498

970-389-4718

mikegrady100@gmail.com

2 persons in household



GIVING TREE RANCH

September 24, 2020

Colorado Division of Reclamation, Mining and Safety
1313 Sherman St.
Denver, CO 80203
RE: Application by Peak Ranch Resource (File No. M2020041)

To whom it may concern,

I am writing to seek Party status to testify about the above-mentioned application by Peak Materials to establish a gravel mining operation at the site designated as Peak Ranch Resource.

My wife and I own a 22-acre property immediately to the south of the Peak Ranch Resource site. Our address is 35245 Highway 9, Silverthorne, CO and is known as the "Giving Tree Ranch." I am a 5th-generation Coloradoan, born in Fort Collins and raised in Colorado Springs.

We are adamantly opposed to the attempts by Peak Materials and its multi-billion-dollar parent company, Summit Materials, to unnecessarily despoil the unique and precious natural and cultural heritage of the Lower Blue River Valley. Approval of Peak Material's application would be a victory of corporate profit-seeking over the legitimate rights of current residents—forever harming the abundant wildlife, clean waters and unspoiled scenery of this unique mountain valley.

I am specifically aggrieved by this proposed project for the following reasons:

1. Our property is immediately adjacent and south of the proposed mining site. We paid nearly \$3 million dollars for this property in 2016 with confidence that the Summit County Lower Blue Master Plan, adopted in March 2010, offered specific protections for our property and all of the surrounding area by declaring that the overall philosophy of the plan is the protection of the Basin's rural character, specifically, "to maintain the Basin's rural character through protection of elements such as agricultural land uses, accessibility to public lands for dispersed recreation, open spaces, abundant wildlife and fisheries, and scenic views" [*Summit County Lower Blue Master Plan*, p.6, adopted March 4, 2010]. The entire area of the Peak Ranch Resource site and all of the surrounding properties are zoned for low-density rural residential or related agricultural

uses. The proposed mining plan is completely at odds with a land use plan that has been repeatedly approved adopted by Summit County. Our substantial investment was justified in no small way by the belief that development in this area would be consistent with the Lower Blue River Master Plan. We certainly never contemplated that in a few short years a noxious heavy industrial resource extraction activity would be proposed just to the north of us. We believe that, in addition to the severe overall environmental, public safety, water, fisheries and wildlife degradation that the project threatens, we will suffer a significant monetary loss on our investment, and that we will lose the peaceful use of the property that predisposed our investment in 2016. At age 68, the proposed mining development this well could mean a lifetime loss of the peaceful rural surroundings that I anticipated when we bought Giving Tree Ranch. We will not hesitate to seek monetary and punitive damages from Peak Materials, its parent companies, Summit County and the State of Colorado if the proposed Peak Materials gravel mine is allowed to proceed.

2. The proposed mining operation is very likely to have significant deleterious impacts of the quality and volumes of water now rightfully consumed by landowners both adjacent and nearby the proposed pit. We have natural springs on the property which are likely to be impacted, as well as long-standing well and BLM water rights that must be protected.
3. The proposed mining operation will significantly impact the health, safety and habitat of the large number of wildlife and birds that currently populate the immediate area. A substantial factor in the enjoyment and value of our property is the widespread presence of various wildlife species. The presence of the proposed mining operation will have very negative impacts on the presence of wildlife on our property, since the vast majority of wildlife move into and through our grounds from the north side of our property. Clearly, wildlife have adopted patterns of movement along and through the former Hillyard property. Those movements would be thwarted by the presence of the disturbed land, machinery, human activity and noise generated by the proposed Peak Ranch pit. Furthermore, it is clear that the applicant is not aware of a number of wildlife and bird species that regularly inhabit and transit their site and on to our property. They have failed to mention the substantial presence of mountain lion, red fox, coyote, mink, ground squirrels, black-tipped weasel (ermine), osprey, red-tailed hawk, geese, duck, amongst many others. They did not note the presence of a pre-existing raptor nesting station on our property a few hundred feet from the boundary of their proposed operations. Furthermore, the contemplated additional and constant truck traffic that would be generated by this project will present a constant and unmitigable danger to wildlife on Highway 9. We can surely expect a massive increase in wildlife deaths by collision should the project move ahead.
4. The proposed reclamation plan for the Peak Ranch site is wholly inadequate and inconsistent with the natural geology and ecology of the valley. No one is asking for a 26-acre lake in the middle of our valley, but Peak Materials is proposing a reclaimed lake

because it is the cheapest way to meet their reclamation obligations. It is also the most unnatural way to reclaim land and will do nothing to enhance the natural ecosystem. It may, in fact, have serious negative impacts on groundwater and could present a serious hazard to the fragile Blue River ecosystem if it floods or breaches. Peak's proposed handling of sensitive wetland and emerging wetland areas is wholly insensitive to the value of these natural ecosystems in the valley.

5. Even though DRMS is not required to address highway safety, the mining plan proposed by Peak Materials would require at least 130 to 140 semi-trailer dump truck loadings per day during the proposed 8-month operating season. Based on an 8.5-hour workday, this amounts to a huge semi-trailer rock load leaving and arriving the Peak Ranch site every 3 to 4 minutes of the day. This will create a monumental safety hazard not only for wildlife, but for humans, bicyclists and vehicles alike. Furthermore, the presence of multiple semi-trailer rock trucks on every mile of Highway 9 during operating hours will significantly increase the road noise, pollution and dust seriously further degrade the rural character and heritage of the valley. In addition, the impact of Peak Material's proposed 400,000 ton/year operation will impact not just traffic in the 5-mile corridor of Highway 9 to the Maryland Creek plant. If 400,000 tons/year are generated at the Peak Ranch pit, the material will not just sit at Maryland Creek. Rock trucks, ready-mixers and asphalt trucks at the rate of one every few minutes, presumably, will be hauling material out of Maryland Creek and further south along Highway 9—right through the already congested Blue River Parkway in Silverthorne, and thence, perhaps to the equally congested streets of Dillon, Frisco and Breckenridge—or on to I-70 and out of the county (see my complaint #6 below on this issue).
6. Peak Materials must be required to justify their market projections of an actual local need 400,000 tons per year of sand & gravel materials they propose to extract from Peak Ranch. I think they would be hard-pressed to show that the needs of Summit County's residents and businesses are driving their market forecasts. Casual observation of the truck egress from Peak's Maryland Creek operation hardly seem to equate to an annual production rate of 400,000 tons of material—since it would require truck frequency far in excess of what is typically observed in passing each day. I suspect that Summit County demand is not driving their mining application. Instead, I believe that Peak Materials hopes to obtain contracts for large volume work far outside of the bounds of Summit County. In that case, the 31,000 residents of Summit County will bear the costs and inconveniences of hosting a huge sand & gravel pit whose benefits will largely accrue to the residents of other counties and to shareholders in Denver and New York. If in fact, Peak Materials has over-estimated the actual local demand for aggregate, it is apparent that they will use the "market conditions" clause in their permit application to reduce production from the operation substantially but then seek amendments to extend the mine life to impact not just one generation, but several generations of Summit residents, who will have to bear the sight of an unreclaimed gravel pit in the midst of the Lower Blue River Valley. The State should demand a full

accounting from Peak Materials to justify the projected production rate at Peak Ranch in relation to their estimates projected demand, location and sources of demand, and local unit profitability. It is not enough to state that Peak Materials wants to have a local source of high-quality aggregates to feed its Maryland Creek facility beyond 2025, or that, de-facto, Summit County “needs” a source of local aggregate of this scale. [*Peak Materials Site Evaluation Report*, Tetra Tech, March 30, 2020]. Peak Materials must be forced to publicly prove such needs.

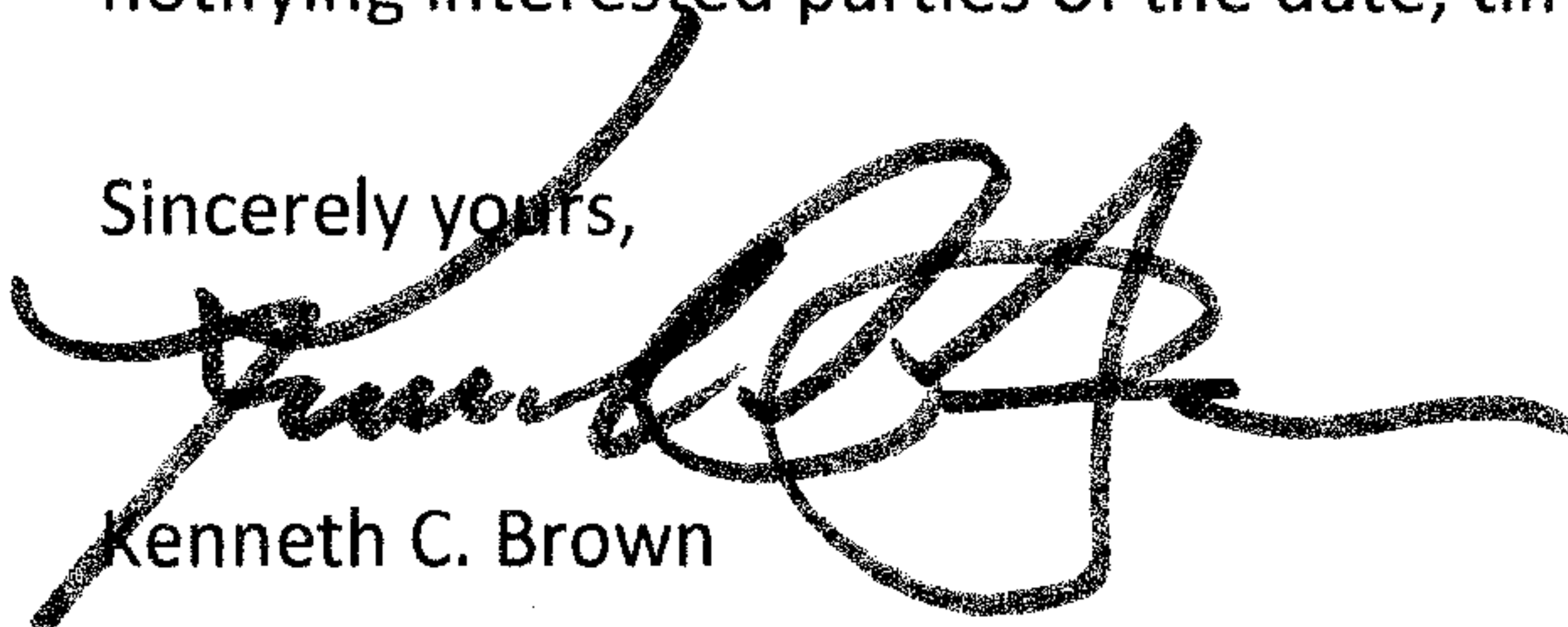
7. There are a number of alternative permitted sites for aggregate extraction in Summit County, several of which are managed by Peak Materials. Furthermore, it is unclear that a proper accounting of available resources and possible production alternatives at the existing Maryland Creek site have been properly assessed. The State should demand a thorough examination of all alternative aggregate extraction sites in Summit County in connection with the above-mentioned review of actual demand forecasts, in order to determine whether a massive new pit at the Peak Ranch is actually necessary.
8. The overwhelming driver of jobs and the economy in Summit County is outdoor recreation. At its peak, I estimate that the Peak Ranch Resource project will employ less than 100 people, including contract truck drivers. Meanwhile, at least 10,000 residents (about half of the total number of jobs in the county) are employed in industries directly related to tourism and recreation. How can we justify handing a mining company the right to exploit a property that will disturb tens of thousands of acres of Federal Wilderness on both sides of the Blue River, thousands of acres of County protected open space, and thousands of acres of working ranches forever protected from development by conservation easements?
9. For years, the Blue River was known as a Gold Medal trout fishing river. That reputation and status brought several hundreds of visitors to the area every year, contributing to the local economy in significant ways. Advocates, landowners and fishery specialists have been working hard to re-establish Gold Medal status. The Peak Ranch gravel pit would have serious negative impacts on these efforts, resulting in deferment of that goal for a very long time.
10. Summit County's Lower Blue Master Land Use Plan was intended to give protection to the Lower Blue Valley from industrial uses which are antithetical to the natural, historical, cultural and scenic values of the valley, and their sustainability. It will be no small matter for Peak Materials to convince Summit County regulators, officials and residents that they deserve both an extension of their processing permits on Maryland Creek, and a new conditional use permit for Peak Ranch that would scar the area for another 15 years. The State should be cognizant of the significant hurdles to necessary local permits still exist, even if a DRMS permit is approved.
11. Under current law and regulation, Peak Materials will not bear anywhere near their fair share of the costs of this massive mining development through normal taxation or fee structures in place in Colorado. Sand and gravel extractors pay no severance tax in Colorado, even though numerous other states do assess state severance taxes on

construction materials. Fees that DRMS collects for granting, monitoring and inspecting mines in this state are truly paltry. Even though Peak Materials paid a reported \$4 million for the Peak Ranch site (via Kilgore Partners LP), their 2019 property taxes after reassessment were only \$6,505, an average of just over \$81/acre. The Giving Tree Ranch paid \$11,779 in taxes to Summit County in 2019, or about \$535/acre. In total, the residential and agricultural landowners surrounding the Peak Ranch site paid \$105,911 in property taxes to Summit County in 2019—16 times the amount currently paid by Kilgore Partners on the Peak Ranch site. It is not clear what Colorado income tax the Peak Materials or its parent companies may have paid in 2019, but I suspect it was probably zero, since the parent, Denver-based Summit Materials, paid only \$17 million in total federal and state income taxes in 2019 on over \$2 billion in revenue! Sand and gravel companies have avoided paying a fair share for the disturbance and destruction they cause for years. At the very least, they should be expected to yield up a fair share of their excessive profits in order to create resource and reclamation plans that truly respect the environment, rather than satisfy their Wall Street shareholders.

12. Finally, with respect to a “fair share”, it is unconscionable that the applicant would propose a reclamation bond of some \$91,000 as surety for its obligations to repair the damage they will do in the Lower Blue River Valley. Potential damages to water, environment, wildlife, scenic resources and to the cultural and natural heritage of the valley are almost incalculable—but for a start, ought to require a reclamation bond liability at least ten times the amount Peak Materials has proposed.

I wish to be heard at the public hearing of the Colorado Mined Land Reclamation Board when the Board takes up this application. Please add me to your email distribution list notifying interested parties of the date, time and location for this meeting.

Sincerely yours,



Kenneth C. Brown

Property Address: Giving Tree Ranch, 35245 Highway 9, Silverthorne, CO 80498

Mailing Address: 145 NW 15th Street, Delray Beach, FL 33444

+1 (954) 551-0031

kenbro74@gmail.com

Number of people in your household: 2



Peak Ranch Resource application

1 message

Jay <btechcorp@comcast.net>
To: drms.temp@state.co.us

Thu, Sep 24, 2020 at 1:59 PM

Colorado Division of Reclamation, Mining and Safety
[1313 Sherman St.](#)
[Denver, CO 80203](#)

RE: Application by Peak Ranch Resource (File No. M2020041)

To whom it may concern,

I am writing to seek Party status to testify about the above-mentioned application by Peak Materials to establish a gravel mining operation at the site designated as Peak Ranch Resource.

I am specifically aggrieved by this proposed project for its impact on Route 9 traffic flow and safety:

- 230 round trips per day has been publicly stated. Assuming 8 hours per day that means that a truck round trip will have to start every 2 minutes.
- A loaded truck will turn south at the mine, then right at the processing plant. The empty truck then needs to cross southbound Route 9 and merge with the northbound lane. Finally the truck needs to cross the southbound lane to enter the mine property.
- The mine is several miles north of the processing plant. There are 9 intersections with Route 9 on this route and several residential communities. Traffic access to Route 9 at these intersections will clearly be significantly impacted.
- The 2 minutes between each truck is the theoretical timing assuming no impact on traffic flow by the trucks trying to cross Route 9 twice during each round trip. Having to wait for any oncoming traffic (especially at the processing plant) will result in multiple trucks being backed up and further exacerbating the traffic flow impact.
- The constant interruption of normal traffic flow and resulting snarls and delays will significantly degrade travel time and safety for both residents, commercial vehicles and tourists on this important stretch of Route 9.

I wish to be heard at the public hearing of the Colorado Mined Land Reclamation Board when the Board takes up this application. Please add me to your email distribution list notifying interested parties of the date, time and location for this meeting.

Sincerely,

Jacob Browne
Pebble Creek Ranch, 397 CR 1353)
720-227-4976
btechcorp@comcast.net



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

1313 Sherman Street, Room 215
Denver, CO 80203

September 28, 2020

Jacob Browne
Pebble Creek Ranch, 397 CR 1353

Re: Kilgore Companies; Peak Ranch Resource; Incomplete Objection Letter

Mr. Browne,

On September 24, 2020 the Division of Reclamation, Mining and Safety (Division/DRMS) received your objection letter for the proposed Peak Ranch Resource reclamation permit, M2020-041. Your submittal was missing some required information. In order to be considered a party to the application process, you must provide your complete mailing address pursuant to Rule 1.7.1(2)(a). Please provide the Division with your full mailing address by the close of the public comment period on October 8, 2020.

If you have any questions, you may contact me at eric.scott@state.co.us or (303) 229-9414.

Sincerely,

Eric Scott
Environmental Protection Specialist

Ec: Michael Cunningham; DRMS



Howard L. Carver
P.O. Box 2743
Silverthorne, CO 80498
970-262-1160
hlcarver@comcast.net

September 25, 2020

Colorado Division of Reclamation, Mining & Safety
1313 Sherman St.
Denver, CO 80203

RE: Application by Peak Ranch Resource (File No. M2020041)

To Who it May Concern:

I am writing to protest this application by Peak Ranch Resource. I am particularly concerned for the following reasons:

-The traffic flow on Route 9 is already very heavy and will become heavier as new development occurs north of Silverthorne and the new Fourth Street Crossing complex is completed. Additional heavy weight trucks passing through this area will create increased traffic dangers and impede traffic flow.

-The current development is already endangering wildlife. More extraction activities and heavy truck traffic will only increase the pressures on wildlife.

Please add me to your email distribution list notifying interested parties of the date, time and location for any public meetings regarding this application.

Thank you for your consideration.

Sincerely,



Howard L. Carver
Legal address: 727 Willowbrook Rd., Silverthorne, CO 80498
Mailing address: PO Box 2743, Silverthorne, CO 80498
Phone: 970-468-7973
Email address: hlcarver@comcast.net
of people in household: 2



Peak Ranch Resource petition File #M2026041

1 message

Glenn Amstutz <glennamstutz@yahoo.com>
To: "drms.temp@state.co.us" <drms.temp@state.co.us>

Mon, Sep 28, 2020 at 9:11 PM

Colorado Bureau of Reclamation

1313 Sherman Street

Denver, CO 80203

Re: #M2026041

Via: email: drms.temp@state.co.us

To Whom It May Concern:

I am writing to protest Peak Ranch Resource petition File #M2026041 which is currently in front of the Bureau of Reclamation.

As a neighbor to the proposed gravel pit, I strongly object to DRMS's potential approval for those previous and the additional following reasons:

1. The water quality of the Blue River will be impacted, no matter how careful the mitigation.
2. The site will divide elk and deer migration patterns which are used three seasons of the year.
3. The air quality will be affected enormously by the gravel trucks driving on Colorado Highway 9 between the proposed pit and the Peak One processing plant.
4. The effect of the proposed number of heavy trucks turning onto and off of Highway 9 will create a safety hazard for other traffic.
5. The thousands of acres of Federal land and Summit County Open Space on both sides of the proposed site and the Blue River will be forever affected by such a development.

6. The noise level will echo up and down the valley, disturbing the peace of the Valley.
7. The night lighting, if similar to the current Peak One processing plant will add considerable light pollution to the night sky, thus dimming and destroying Dark Sky vision.
8. The plant will clearly be hostile to the values of the Lower Blue River Master Plan.

Sincerely,

Glenn Amstutz

[268 Bear Wallow Way](#)

[Lot 10, Acorn Creek](#) Ranch Estates

Silverthorne, CO 80498

970-468-5172

glennamstutz@yahoo.com

Number of people in household: 2



(no subject)

1 message

Bette Casapulla <casaspud@gmail.com>
To: drms.temp@state.co.us

Sat, Sep 26, 2020 at 8:26 PM

no USPS) NO LATER THAN OCT. 8 TO: drms.temp@state.co.us

09/26/2020

Colorado Division of Reclamation, Mining and Safety

1313 Sherman St.

Denver, CO 80203

RE: Application by Peak Ranch Resource (File No. M2020041)

To whom it may concern,

I am writing to seek Party status to testify about the above-mentioned application by Peak Materials to establish a gravel mining operation at the site designated as Peak Ranch Resource.

I am specifically aggrieved by this proposed project for the following reasons:

As a resident of Elk Run Road, I believe this project will very negatively impact our neighborhood in a huge number of ways.

I believe the quality and quantity of our wells will suffer.

The increased amount of traffic on the road will impact the environment, the wildlife, and the safety of travelers on this section of Highway 9.

The Blue River will suffer from the effects of pollution and excess sediment flowing into the river.

This is a residential and wilderness area, which should not have a commercial, industrial project in the middle of it.

There should be inherent protection from Summit County's Blue River Master Plan which deems any industrial activity antithetical to the natural, rural and economic values of this valley, and their sustainability.

The pollution, traffic, noise and degradation of the road will have an adverse affect on my own personal enjoyment of my home.

I wish to be heard at the public hearing of the Colorado Mined Land Reclamation Board when the Board takes up this application. Please add me to your email distribution list notifying interested parties of the date, time and location for this meeting.

Sincerely,

B Casapulla

Bette A Casapulla

1840 Elk Run Rd

Silverthorne, Co 80498

970.390.8914

970.668.5563

casaspud@gmail.com

Number of people in your household - 2



#M2026041

1 message

Lynn Amstutz <lynnamstutz@hotmail.com>
To: "drms.temp@state.co.us" <drms.temp@state.co.us>

Sat, Sep 26, 2020 at 10:50 AM

September 26, 2020

Colorado Bureau of Reclamation
[1313 Sherman Street](#)
[Denver, CO](#) 80203

Re: #M2026041

To Whom It May Concern:

I am writing to seek Party status to testify about this application. I protest Peak Ranch Resource petition File #M2026041 which is currently in front of the Bureau of Reclamation.

I personally spent 13 years on the Summit County Open Space Advisory Committee and the following 5 years on the Continental Divide Land Trust Executive Board before CDLT merged with Colorado Open Lands. The main focus of those boards was/is the purchase and subsequent protection of Summit County's open spaces. The main directives were THE PROTECTION OF THE VIEW CORRIDORS and the MAINTENANCE OF THE COUNTY'S CHARACTER AND QUALITY OF LIFE. 55% of Summit County open spaces (9,626.55 acres) are in the Lower Blue River Valley, and they preserve 10 miles of scenic viewshed. The proposed pit would be in the middle of the preserved viewshed. According to the Lower Blue Planning document, the natural and undeveloped lands separate and buffer the impacts of development, and contribute to the rural mountain quality of the local landscape. A gravel pit would destroy the Open Spaces' protection.

The development of a gravel pit along with its inevitable disturbance of the view corridor on Colorado Highway 9 and the omnipresent heavy truck traffic and disturbance of the Blue River, air quality, and wildlife migration patterns, are antithetical to everything I have, as a Summit County and Lower Blue River Valley resident worked for decades to preserve. I live in Acorn Creek Ranch Estates, a close neighbor (within half a mile as the crow flies) to the proposed gravel pit. I strongly object to DRMS's potential approval for those previous and the additional following reasons:

1. The water quality of the Blue River will be impacted, no matter how careful the mitigation.
2. The site will divide elk and deer migration patterns which are used three seasons of the year.
3. The air quality will be affected enormously by the gravel trucks driving on Colorado Highway 9 between the proposed pit and the Peak One processing plant.
4. The effect of the proposed number of heavy trucks turning onto and off of Highway 9 will create a safety hazard for other traffic.
5. The thousands of acres of Federal land and Summit County Open Space on both sides of the proposed site and the Blue River will be forever affected by such a development.
6. The noise level will echo up and down the valley, disturbing the peace of the Valley.
7. The night lighting, if similar to the current Peak One processing plant will add considerable light pollution to the night sky, thus dimming and destroying Dark Sky vision.
8. The plant will clearly be hostile to the values of the Lower Blue River Master Plan.

I wish to be heard at the public hearing of the Colorado Mine Land Reclamation Board when the Board takes up this application. Please add me to your email distribution list notifying interested parties of the date, time, location and format for this meeting. Thank you for your attention.

Sincerely,

Mary Amstutz

[268 Bear Wallow Way](#)

[Lot 10, Acorn Creek](#) Ranch Estates

Silverthorne, CO 80498

970-468-5172

lynnamstutz@hotmail.com

Number of people in household: 2

Colorado Division of Reclamation, Mining and Safety

1313 Sherman St

Denver, CO 80203

RE: Application by Peak Ranch Resource (File No. M2020041)

To whom it may concern,

I am writing to seek Party status to testify about the above-mentioned application by Peak Materials to establish a gravel mining operation at the site designated as Peak Ranch Resource.

I am specifically aggrieved by this proposal for the following reasons:

1. We chose to live in this area based on the natural beauty of the valley.
2. It will adversely affect wildlife.
3. It will adversely affect the river which is seeking to restore its Gold Medal designation.
4. Traffic on County Road 9 will become more dangerous. We already have concerns when we turn left at the bottom of a long hill into our development, Sierra Bosque. Our understanding is that approximately 230 aggregate trucks will be passing our development daily. This will increase the danger of accidents.
5. This goes completely against the Summit County Lower Blue Master Plan which was designed to keep the valley nonindustrial.
6. There is federal wilderness on both sides of the valley and no existing industrial activity.

I wish my opinion to be heard at the public hearing of the Colorado Mined Land reclamation Board when the Board takes up the application. Please add me to your email distribution list notifying interested parties of the date, time, and location for this meeting.

Sincerely,

Arthur and Deborah Scipione

1456 Blue Ridge Rd.

Silverthorne, CO 80498

970 468 9207

Debscipione@yahoo.com

2 persons in household



application by peak ranch resources file no M2020041

1 message

Rob Hill <idalou86@yahoo.com>
To: drms.temp@state.co.us

Sun, Sep 27, 2020 at 1:01 PM

27 September 2020

Colorado Division of Reclamation, Mining and Safety
1313 Sherman St
Denver, CO 80203

Application by Peak Ranch Resources File No M2020041

To whom it may concern:

I am writing to seek Party status to testify about the above mentioned application by Peak Materials to establish a gravel mining operation at the site designated as Peak Ranch Resource.

I am specifically aggrieved by this proposed project for the following reasons:

My wife Latonya and myself have lived in the Lower Blue River Valley for 14 years and we specifically purchased our home because of the lack of industrial activity in this pristine river valley. This valley is a national treasure and home to National Forests, large ranching, and agricultural operations that coexist with nature. There are multiple raptor nesting sites including the American Bald Eagle, Red Tailed Hawks, and Osprey. This area has thousands of acres that are included in the County protected open space easements. There is currently one operating gravel mine located on the border of Silverthorne and it is the only commercial activity in the entire river valley. This is one of the few areas left that is close to the Denver metro area that allows thousands of visitors to recreate in a pristine Colorado river valley.

We worry about the effects of the increased commercial truck activity on a narrow 2 lane stretch of highway with multiple curves and hills in adverse weather conditions where there have already been multiple accidents. As we live along this stretch of highway and have had multiple incidents trying to enter our neighborhood where we've almost been rear ended while trying to make a left turn I'm highly worried about the safety of a heavily loaded rock truck trying to stop coming down hill on an icy winter road and either killing me or my wife or one of the other people who live in my neighborhood. Without a left turn lane or acceleration lane to enter highway 9 at Sierra Bosque and the increase of commercial traffic I find this to be highly unsafe.

Finally the Summit County Master Plan considers any industrial activity as inconsistent with the natural, rural, and economic values of the valley. The increased traffic noise and pollution from the heavy equipment is in stark contrast to these values. Not to mention the impact on migrating herds of deer and elk from their winter and summer ranges along the valley, the potential effect not only on the well water quality and river water not only for local users but any downstream users.

I wish to be heard at the public hearing of the Colorado Mining Land Reclamation Board when the Board takes up this application. Please add me to your email distribution list notifying interested parties of the date, time, and location for this meeting. Thank you.

Sincerely,
Robert E Hill
316 Blue Ridge Rd
Silverthorne, CO 80498
970-468-9381
idalou86@yahoo.com



Gravel mine in the Lower Blue River Valley

1 message

Frank Lilly <copyfrank@comcast.net>
To: drms.temp@state.co.us

Sun, Sep 27, 2020 at 5:14 PM

Colorado Division of Reclamation, Mining and Safety

1313 Sherman St.

Denver, CO 80203

RE: Application by Peak Ranch Resource (File No. M2020041)

To whom it may concern,

I am writing to seek Party status to testify about the above-mentioned application by Peak Materials to establish a gravel mining operation at the site designated as Peak Ranch Resource.

I am specifically aggrieved by this proposed project for the following reasons:

- 1) the impact that this would have on the character of the lower Blue River Valley. This valley currently has an agricultural character, and contains thousands of acres of protected land, both through conservation easements and Summit County Open Space, as well as federally protected Wilderness areas on both sides of the valley. There is currently no industrial development in the lower Blue Valley, and this would run counter to Summit County's Lower Blue Master Plan.
- 2) major adverse effect on wildlife and water quality in the Blue River.
- 3) adverse impact on traffic and bicycle safety on Highway 9.

Furthermore, Peak Materials reclamation plan is woefully inadequate.

I wish to be heard at the public hearing of the Colorado Mined Land Reclamation Board when the Board takes up this application. Please add me to your email distribution list notifying interested parties of the date, time and location for this meeting.

Sincerely,

Frank Lilly
334 Hillside Dr.

Silverthorne, CO 80498
970-471-0897
copyfrank@comcast.net

Frank Lilly



Application by Peak Ranch Resources (File No. M2020041)

1 message

dheagney@heagney-enterprises.com <dheagney@heagney-enterprises.com>
To: "drms.temp@state.co.us" <drms.temp@state.co.us>

Thu, Oct 1, 2020 at 7:13 AM

To whom it may concern,

Note, this is a repeat of a previous letter but now includes my physical mailing address.

I have a part time residence at Pebble Creek Ranch which is accessed via Rock Creek Road about half way between the existing gravel pit and processing plant and the proposed new gravel pit to the north of Rock Creek Road.

I am against Peak Resource proposing to obtain a permit to open a new gravel pit on HWY 9 for 15 years north of the existing plant and gravel pit.

I am a graduate of the Colorado School of Mines and worked in the oil business all my life. After 50 years of working in an extractive industry I know mining can be done environmentally correct. I am against Peak Materials developing a new mine and trucking the mined materials to their existing plant which is totally irresponsible from an environmental and safety standpoint.

1. There can be nothing good come out of 230 daily one way trips with a gravel truck on HWY 9. The part of the Blue River Valley that they will be driving thru is particularly beautiful country. Road 9 is a two lane State HWY and already has a great deal of traffic.

2. Trucks make noise and they have to both pull and descend a grade along the route. 230 trips with a truck along HWY 9 will spew out a lot of CO2 and other unfriendly gases.
3. Not only our neighborhood but several neighborhoods have to turn right or left to turn on/off HWY 9. It is sometimes difficult to do this safely as there are a many blind corners along the section of road that the Peak trucks will be using.

I do wish to be included as a party in the case but do not wish to testify. Please notify me when there will be a public hearing.

Sincerely,

W. Dennis Heagney

dheagney@heagney-enterprises.com

713-816-7453

Physical mailing address:

700 N. Colo. Blvd.

Ste 511

Denver, CO 80206



Regarding the Peak Materials Application

1 message

Paula Kraemer <opengatepress.psk@gmail.com>
To: drms.temp@state.co.us

Wed, Sep 30, 2020 at 4:06 PM

September 30th, 2020

Colorado Division of Reclamation, Mining and Safety
[1313 Sherman St.](#)
[Denver, CO 80203](#)
RE: Application by Peak Ranch Resource (File No. M2020041)

To whom it may concern,

I am writing to express our opposition to Peak Materials request for a permit to establish a gravel mining operation at the site designated as Peak Ranch Resource.

We are part time (5 months out of the year) residents of Pebble Creek Ranch and often travel north and south on Highway 9. This highway is dangerous as it is and the thought of increased truck traffic, noise and air pollution is horrifying. The highway cannot withstand such increased usage. It is already challenging to make a left hand turn onto Rock Creek and Boulder Creek Roads. In the last 10 years, traffic has increased a great deal and an additional 230 more trucks per day would not only significantly change the safety of travel on that highway, but also affect the rural, pristine atmosphere of the Lower Blue River area.

At the time that Summit County adopted the Lower Blue Master Plan, it was the Lower Blue residents' understanding that the land would be protected from commercial and industrial development and activity. Furthermore, the agricultural heritage was to be defended and maintained. This part of Summit County is extremely important because of its natural beauty, surrounding wilderness areas and wildlife migration. If a gravel pit were to be allowed to exist in this area, it would never be the same again. Its natural character would be marred by noise, pollution, traffic and unsightly disruption of the land. I pity the landowners who are adjacent to this proposed area as their environment could be totally interrupted and their properties significantly devalued.

We urge your agency to DENY a permit to Peak Materials for the purpose of removing gravel from their Peak Ranch Resource.

Thank you for considering our concerns.

Sincerely,
Paula and David Kraemer
[1170 County Road 1353](#)
Pebble Creek
Silverthorne, Co 80498



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

1313 Sherman Street, Room 215
Denver, CO 80203

October 1, 2020

Paula and David Kraemer
1170 County Rd 1353
Pebble Creek
Silverthorne CO 80498

Re: Kilgore Companies; Peak Ranch Resource; Incomplete Objection Letter

Ms. Kraemer,

On October 1, 2020 the Division of Reclamation, Mining and Safety (Division/DRMS) received your objection letter for the proposed Peak Ranch Resource reclamation permit, M2020-041. Your submittal was missing some required information. In order to be considered a party to the application process, you must provide your phone number pursuant to Rule 1.7.1(2)(a). Please provide the Division with your phone number by the close of the public comment period on October 8, 2020.

If you have any questions, you may contact me at eric.scott@state.co.us or (303) 229-9414.

Sincerely,

Eric Scott
Environmental Protection Specialist

Ec: Michael Cunningham; DRMS





Fwd: Colorado Division of Reclamation, Mining and Safety

1 message

foxfirecpd@aol.com <foxfirecpd@aol.com>

Thu, Oct 1, 2020 at 12:26 PM

Reply-To: foxfirecpd@aol.com

To: drms.temp@state.co.us

From: debra.clemfox@shorewood.com

To: Foxfirecpd@aol.com

Sent: 10/1/2020 12:19:04 PM Mountain Standard Time

Subject: Colorado Division of Reclamation, Mining and Safety

October 1, 2020

Colorado Division of Reclamation, Mining and Safety

[1313 Sherman St.](#)

[Denver, CO 80203](#)

RE: Application by Peak Ranch Resource (File No. M2020041)

Email: drms.temp@state.co.us

To whom it may concern:

I am a Property Owner (TR 2-80 Sec 01 Qtr 3 acres 40 SE 1/4 of SW 1/4 in 1-2-80) addressed as 500 SCR 2900; Haystack Mountain Road located in north Summit County. I am opposed to the above detailed mining application and recommend it be denied by the Colorado DRMS.

I am writing to seek Party status to testify about the above-mentioned application by Peak Materials to establish a gravel mining operation at the site designated as Peak Ranch Resource.

I am specifically opposed to this proposed project for the following reasons:

1. The project is Industrial in terms of use - gravel mining;
2. The proposed use is not compatible with the surrounding land use (rural residential/agriculture/open space);
3. Adjacent property owners will be impacted by noise and dust which cannot be totally contained within the boundaries of the site during the hours of operation;
4. Possibility of damage to existing wells that are close to the proposed gravel mine project area;
5. Negative impact to adjacent and nearby property values;
6. The project threatens the continuance of Summit County's planning policies regarding maintaining the integrity of the Lower Blue Master Plan and the designation of Colorado Highway 9 as a Scenic By-way;
7. Traffic impacts will occur since Highway 9 is currently busy and the addition of more heavy vehicles will create a greater safety concern for existing levels of use, including

bicycles.

I wish to be heard at the public hearing of the Colorado Land Reclamation Board when the Board takes up this application. Please add me to your email distribution list notifying interested parties of the date, time and location for this meeting.

Frederick G. Fox

11801 E. Yale Ct.

Aurora, CO 80014

303-898-9678

Foxfirecpd@aol.com

Number of people in household: 2