

January 25, 2021

Dear Jeffco County Commissioners:

We are residents of Jefferson County and are writing to express our opposition to an expansion of the ACME mining operation at 21506 West 56th Avenue, Golden, CO 80403 (PIN 30-163-00-001), situated southwest of the intersection of State Highway 93 and West 56th Avenue. ACME's plan to rezone from Planned Development (PD) and Agricultural-Two (A-2) to a new PD for mining on the approximately 159 acres is simply not congruent with the needs, wants and health and safety of the community.

We are asking for you to join us and publicly oppose this proposal as it makes its way to the State of Colorado's Department of Natural Resources.

Below are just a few of the reasons we have come together to oppose ACME's proposal and to protect the lands in our community.

1. Air quality issues: Kaolin and silica dust are known lung irritants, and possible carcinogens. These dust types are a byproduct of Fire Clay mining and processing.
2. Palustrine area on the property: A 4.8 acre wetlands area is on the property. It is classified as a 100 year Floodplain according to FEMA. Van Bibber Creek to the north and downslope may also be at risk of runoff.
3. Water quality issues: Shallow residential wells are within 1/4 mile or less of the proposed expansion. Some of these wells are less than 150 foot deep. Also, the Denver Aquifer is under the southern half of the property. In this area, the aquifer is close to the surface. It is rated at Moderate Risk.
4. Noise and view issues: The Jeffco Master Plan references the Mineral Extraction Policy and the Aggregate Roundtable Resources Report. All three documents state that noise pollution and disturbance of views are to be avoided when possible. There are residents on all sides of the proposed expansion.
5. Fault line: A fault line runs north south through the property. ACME mine mentioned blasting activity at the mine to help extract ore. Combined with the fact that the area is in a Dipping Bedrock Overlay Zone as prescribed by Jeffco, these types of operations may prove incompatible.
6. Unique Heron footprint fossils on the property: Fossilized footprints of the modern heron's ancestor have been partly studied. The exact location is not disclosed to the public, but the area scholars and professors who wrote the scholarly research have been contacted regarding the mine proposal. The State Archeologist Board has been notified

7. Numerous Environmental violations: ACME Brick has been fined for numerous stormwater, emissions, and other types of environmental violations at locations across the country.
8. Residential safety setbacks: It is our understanding that no oil and gas operation can occur within 2000 ft of a school or residential area; yet, ACME wishes to conduct their industrial operation (i.e., surface mining) within 500 ft of our residences. So, how can one state agency allow a 500 ft setback from one industrial activity, yet another agency dictates 2000 ft to protect Coloradans from another industrial activity?

Please join us in opposition and formally recommend to the State of Colorado's Department of Natural Resources that they deny this request for mining expansion. We are currently in contact with Justin Montgomery from Jefferson County Planning and Zoning, and he has been very responsive. So we look forward to hearing from you and we are available to discuss further via a Zoom meeting with our group, if you have any questions.

Thank you,

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On behalf of Jefferson County Residents, Protect the Hogback

Cc: Justin Montgomery, Jefferson County Planning and Zoning