



STATE OF
COLORADO

Lennberg - DNR, Patrick <patrick.lennberg@state.co.us>

Aggregate Industires Tucson South permit comments

bmlloyd@aol.com <bmlloyd@aol.com>

Mon, Nov 15, 2021 at 1:58 PM

Reply-To: bmlloyd@aol.com

To: "patrick.lennberg@state.co.us" <patrick.lennberg@state.co.us>

Mr. Lennberg,

We have not met or spoken but I received your contact information from Sherie Gould and understand that you are accepting the comments on Aggregate's Tucson South Permit. Attached is a .pdf containing my comments.

Thanks,
Mike Lloyd



Aggregate DMG comments Nov 2021.pdf

434K



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Aggregate Industires Tucson South permit comments

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Mon, Nov 15, 2021 at 3:44 PM

To: bmlloyd@aol.com

Good Afternoon Mr. Lloyd,

I appreciate you for participating in the public comment period of the Tucson South amendment application. I want to clarify something; are you formally objecting to the application? If so, pursuant to Rule 1.7.1(2)(a), you must provide a telephone number which you may be reached at.

A copy of your letter will be uploaded to the permit file and sent to the applicant.

Please let me know if you have any questions.

Thank you,
Patrick

[Quoted text hidden]

[Quoted text hidden]



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Aggregate Industires Tucson South permit comments

bmlloyd@aol.com <bmlloyd@aol.com>

Mon, Nov 15, 2021 at 4:57 PM

Reply-To: bmlloyd@aol.com

To: "patrick.lennberg@state.co.us" <patrick.lennberg@state.co.us>

Yes I am objecting to the permit. My telephone number is 303-659-4545. I attached a copy of my letter with the phone number written on it..

[Quoted text hidden]

[Quoted text hidden]



Aggregate DMG comments Nov 2021.pdf

438K

B. Michl Lloyd
12202 East 168th Avenue
Brighton, CO 80602
303-659-4545

November 15, 2021

Colorado Mined Land Reclamation Board
Division of Reclamation Mining and Safety
1313 Sherman Street, Room 215
Denver, Colorado 80203

C/O Patrick Lennberg
Environmental Protection Specialist

RE: Comments on Aggregate Industries' ("AI")
Application for Mining Permit
"Tucson South Mine"

Dear Ladies and Gentlemen:

I am a resident of Adams County and have lived on an 18 acre property adjacent to a portion of AI's proposed "Tucson South" project for over 21 years.

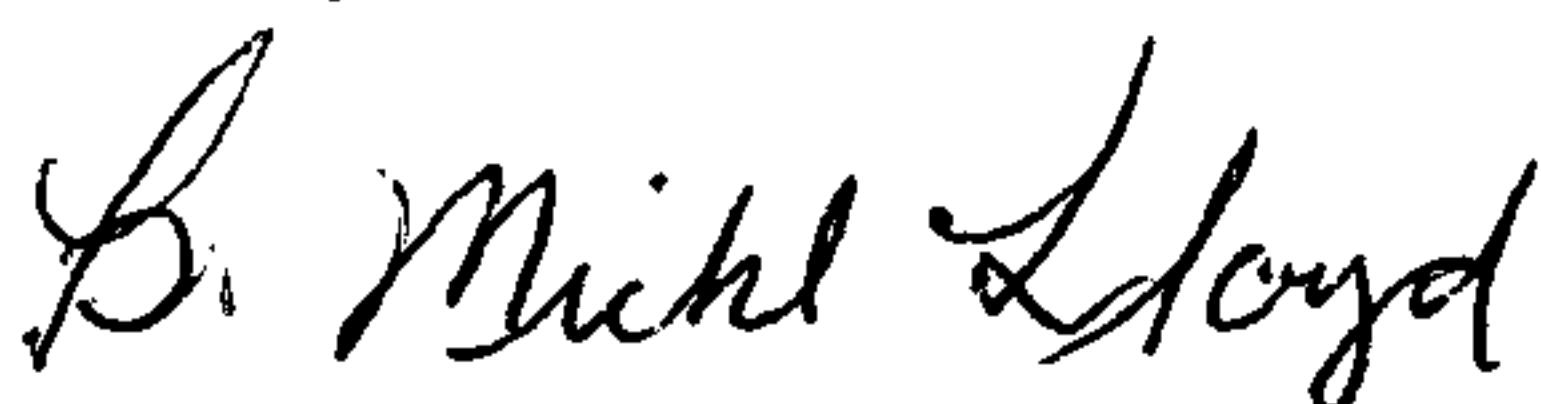
My concerns and opposition to this project and to AI's operations has been expressed in over 8 comment letters to State and County governmental bodies in 2019, 2020 and 2021, numerous comment letters prior to the 2004 original approval of this project and comments I have made in public meetings. As I have previously stated, I am not opposed to mining as long as it is done right. What I have witnessed over the past 20 years is that AI does anything they can get away with and only takes corrective action when they are forced to. They readily say or promise what they think people want to hear but in reality they have very little if any regard for the effect they have on the public.

Current case in point. In applying for the current Adams County Conditional Use Permit AI made all kinds of promises regarding dust control and mitigation. Within the last few weeks they were preparing the area for slurry wall installation and for more than a week they were creating huge dust clouds every day with no on site watering or mitigation of any kind. It took over a week (after they were basically done) to get any dust mitigation.

I was not able to dedicate the time or cost necessary to access the amendment in question. I understand it is over 500 pages and I do not believe the public should be subjected to the fees to obtain a copy (I was told \$150) or the time required to try to determine the changes from what was previously approved. I am not going to waste your time or my time repeating my previous comments however since I am very unclear about what falls within the Division's authority, I am merely going to list a few of the topics on which I have commented.

- Conveyor
 - As I understand it AI does not have all agreements for easements in place to be able to install the conveyor and does not have the necessary approvals as to how the conveyor is going to cross 168th Avenue/ Road 2. So how does one get approval to install it when there is no assurance it can be done?
 - Also I understand that AI has scheduled to meet with certain residents that will be significantly affected by the conveyor and has cancelled every such meeting. How would you like a gravel conveyor running in front of your residence with no agreed upon mitigation of sight lines, noise and dust.
 - Certain wildlife will not be able to access the river for a distance of around 2 miles or more. That means more wildlife crossing the roads. Has the Colorado department responsible for wildlife been contacted to comment on this amendment?
 - Is there mandated conveyor dust control or do we just smile and suck it up?
- "Reclamation" - AI claims to perform concurrent reclamation. This term is not defined and historically it has come to mean what ever AI wants it to mean. Reclamation has to be defined.
- Slurry Walls – I do not believe a comprehensive study of the effect of over a mile of virtually solid slurry wall impeding flow of ground water to the river has been performed. The potential damage is more than just wells – it is septic systems being destroyed, flooded basements, foundations being damaged, etc. with no equitable remedies for property owners. I am aware of more than one response by Aurora, AI, and even Adams County to responsibility for damages of "this is a civil matter and not our responsibility" and/or "sue us" when they well know individuals do not have \$100,000 to \$200,000 or more to spend on litigation.
- Pits will be empty for a long time – There are several pits in the immediate area and all but 1 is owned or will be owned by City of Aurora. Aurora water head personnel have admitted they do not have infrastructure to get water into or out of the existing pits much less the one being proposed and they do not have the water to put in them. They have said that it could be 35 years before the pits are used for water storage. Two or more of the existing pits have been illegally leaking ground water for years and there is presently no way to drain them because of lack of infrastructure. To My knowledge, the effect of draining and fixing these pits on the flow of ground water has not been determined.
- Consequences to AI for Non-compliance – Consequences (ie fines, shutting down operations, etc) to AI for non-compliance and/ or violation of terms of a permit should be specified.
- AI Agreed to Conditions – AI has agreed to various conditions (some of which go back to 2004) involving environmental factors, berming, Landscaping, size and maintenance of top soil, overburden and materials piles, etc. Some of these items have been and are time sensitive and any required compliance to date should be verified prior to approving any amendment.

Thank you,



B. Michl Lloyd