STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY
Department of Natural Resources

1313 Sherman St., Room 215
Denver, Colorado 80203
Phone: (303) 866-3567
FAX: (303) 832-8106

COLORADO DIVISION OF RECLAMATION MINING —&— SAFETY

CONSTRUCTION MATERIAL
REGULAR (112) OPERATION
RECLAMATION PERMIT APPLICATION PACKAGE

APPLICABILITY:

This application package is for a construction materials operation which affects 10 acres or more.
If you plan to conduct a construction materials extraction operation which meets these criteria, please follow the instructions provided in this package, in the Rules and Regulations, and in the Colorado Land Reclamation Act for the Extraction of Construction Materials, as required.

RECOMMENDATIONS PRIOR TO FILING:

The Construction Material Rules and Regulations (the Colorado Land Reclamation Act for the Extraction of Construction Materials, Section 34-32.5-101, et seq., C.R.S., and 2 CCR 407-1) and the Colorado Mined Land Reclamation Board (the "Board") regulate the permitting, operational and reclamation requirements for all construction material extraction operations in Colorado. It is your obligation to comply with the Act and Regulations. You are encouraged to obtain and review a copy of the Rules, available for $8.00 from the Division of Reclamation, Mining, and Safety (the "Office"). In order to submit your application properly, it is recommended that you review the Act and:

Rule 1.1	Definitions;
Rule 1.4.1	Application Review and Consideration Process;
Rule 1.4.5	Specific Requirements for Regular 112 Operations;
Rule 1.6	Public Notice Procedures;
Rule 3.1	Reclamation Performance Standards;
Rule 3.3.1	Operating without a Permit - Penalty;
Rule 4	Performance Warranties and Financial Warranties;
Rule 6	Permit Application Exhibit Requirements;
Rule 6.2	General Requirements of Exhibits;
Rule 6.4	Specific Permit Application Exhibit Requirements; and
Rule 6.5	Geotechnical Stability Exhibit.

It is recommended that you contact the agencies listed in the application section titled "Compliance With Other Laws" prior to submitting the application to the Office .

FILING REQUIREMENTS:

In order to apply for a Reclamation Permit for a Regular 112 Operation, please provide:

✓ ° One (1) signed and notarized completed **ORIGINAL** and one (1) copy of the completed original Regular 112 Operation Application Form. **ORIGINAL SIGNATURES MUST BE DONE IN BLUE INK.**

✓ ° Two (2) copies of Exhibits A-S (required sections described in Rule 6).

✓ ° Two (2) copies of Addendum 1 - Notice requirements (described in Rule 1.6.2(1)(b)). A sample of this notice is attached for your use.

✓ ° The Geotechnical Stability Exhibit when required by the Division.

✓ ° The application fee.

The ninety (90) day period for review of the application and exhibits will **NOT** begin until all required information and fee are submitted. The Office will then review the submitted information for adequacy.

NOTICE REQUIREMENTS:

✓ 1. You MUST send a notice, on a form approved by the Board, to the local board of county commissioners. A copy of this "Notice of Filing Application" form is attached for your use.

✓ 2. If the mining operation is within the boundaries of a conservation district, send a notice to the board of supervisors of the conservation district, PRIOR to filing the application. A copy of this "Notice of Filing Application" form is attached for your use.

✓ 3. You MUST include proof of notice #1 and #2 above with the application at the time the application is submitted to the Office for filing (Rule 1.6.2(1)(g)).

✓ 4. PRIOR to filing the application, place for public review a copy of the application, less confidential items, with the clerk or recorder of the county or counties in which the affected land is located.

✓ 5. You MUST include an affidavit or receipt demonstrating that the application was filed with the county clerk or recorder at the time the application is submitted to the Office for filing.

✓ 6. Any changes or additions made to an application submittal MUST be filed with the county clerk or recorder. You MUST also provide the Office with an affidavit or receipt demonstrating that the change was filed with the county clerk or recorder no later than the close of business on the day the change was filed with the Office (Rule 1.8.1(2)).

✓ 7. Within ten (10) days after your application is considered filed, you must publish four times in a newspaper of general circulation, in the locality of the proposed mining operation, the notice described in Rule 1.6.2(1)(d).

✓ 8. In addition, after the first publication you must mail or personally serve a copy of the notice described in Rule 1.6.2(1)(d) to all owners of record of surface rights to the affected land and all owners of record of lands that are within 200 feet of the boundary of the affected land (Rule 1.6.2(1)(e)). A copy of a form which includes all required information for the notice is attached for your use.

✓ 9. Prior to the Office making a decision (consideration of the application), you MUST submit a copy of the proof of publication from the newspaper and proof of all required notices. Proof of the notices may be by submitting copies of return receipts of a certified mailing or by proof of personal service (Rules 1.4.1(4), 1.4.2(4)(c), 1.6.2(1)(a)(ii), and 1.6.2(1)(g)).

The copy of the application and any changes or additons placed at the office of the county clerk or recorder shall NOT be recorded, but shall be retained there for at least sixty (60) days after a decision on the application by the Office and be available for inspection during this period. At the end of this period, the application may be reclaimed by the applicant or destroyed (Rule 1.6.2(2)).

APPLICATION REVIEW PROCEDURES:

The Office shall approve or deny the application within ninety (90) days of filing unless the date for consideration by the Office is extended pursuant to Rule 1.8. The time for consideration shall not be extended beyond ninety (90) days after the last such change submitted. For complex applications, the review period may be extended an additional sixty (60) days. Please see Rule 1.1(10) for the definition of what constitutes a complex application.

APPLICATION APPROVAL/DENIAL:

If the requirements of the Act and Mineral Rules have been satisfied, the Office will approve the application. The Act also provides for automatic approval if no action is taken by the Office by the end of the review period.

If the Act and Regulation requirements have not been satisfied, the Office will deny the application. If the Office denies the application, you may appeal to the Board for a final determination by submitting a written request for administrative appeal to the Board within 60 days of the decision date (Rule 1.4.7).

PERFORMANCE AND FINANCIAL WARRANTIES:

A performance warranty, and a financial warranty dollar amount determined during the application review process, must be submitted and approved by the Office PRIOR to permit issuance. A financial warranty should NOT be submitted until a decision on the application has been made. If the applicant is a unit of state or county government, then ONLY a performance warranty is required.

Several different types of financial warranties are allowed by the law. Please review Rule 4.0 to determine which type of financial warranty you desire to use. You may obtain the appropriate warranty forms from the Office during the application review period.

Please note that an application approval DOES NOT convey a right to begin operations. You MUST submit, and have approval of your performance and financial warranties, and receive your copy of the signed permit document PRIOR to beginning on-site mining activity.

AUTOMATIC PERMIT APPROVAL:

An automatic approval will occur where the Office fails to notify the applicant/operator that the application has been denied. This decision must be made ninety (90) calendar days from the date the application was determined to have been filed. However, the performance and financial warranties must be submitted and approved by the Office before the permit will be issued even if you receive an automatic approval. NO MINING OPERATIONS SHALL BEGIN UNTIL A PERMIT IS ISSUED (Section 34-32.5-109(1), C.R.S.).

COMPLIANCE WITH OTHER LAWS:

Compliance with the Act and Rules and Regulations of the Mined Land Reclamation Board DOES NOT relieve you of your responsibility to comply with all other applicable state and federal laws. We recommend that you contact the following agencies to determine whether you need to comply with their legal requirements:

- The Colorado State Historical Preservation Office regarding properties of historical significance including the need for an archeological survey, procedures for requesting a file search, and inventory forms to identify structures.
- Colorado Division of Water Resources with regard to water rights;
- Colorado Department of Health, Water Quality Control Division, with regard to the discharge of pollutants into the State waters;
- Colorado Department of Health, Air Pollution Control Division, with regard to the need for a fugitive dust permit;
- U.S. Bureau of Land Management or the U.S. Forest Service if the proposed operation will occur on federal lands;
- U. S. Army Corps of Engineers regarding a dredge and fill (404) permit; and
- The County Planning Department for the county or counties in which your proposed operation is located. Section 34-32.5-109(3), C.R.S, requires a mining operator to be responsible for assuring that the mining operation and the post-mining land use comply with local land use regulations and any master plan for extraction adopted pursuant to Section 34-1-304, C.R.S.

COMPLETION OF MINING:

Upon completion of any phase of reclamation, you should consult Rule 3.1 for reclamation standards and 4.16 for details on how to request a reclamation responsibility release from the Board.

STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY
Department of Natural Resources

1313 Sherman St., Room 215
Denver, Colorado 80203
Phone: (303) 866-3567
FAX: (303) 832-8106

CONSTRUCTION MATERIALS
REGULAR (112) OPERATION
RECLAMATION PERMIT APPLICATION FORM

CHECK ONE: ☑ **There is a File Number Already Assigned to this Operation**

Permit # M - 1992 - 074 (Please reference the file number currently assigned to this operation)

☐ **New** Application (Rule 1.4.5) ☑ **Amendment** Application (Rule 1.10)

☐ **Conversion** Application (Rule 1.11)

Permit # M - 1992 - 074 - ____ (provide for **Amendments** and **Conversions** of existing permits)

The application for a Construction Materials Regular 112 Operation Reclamation Permit contains three major parts: (1) the application form; (2) Exhibits A-S, Addendum 1, any sections of Exhibit 6.5 (Geotechnical Stability Exhibit; and (3) the application fee. When you submit your application, be sure to include one (1) complete signed and notarized **ORIGINAL** and one (1) copy of the completed application form, two (2) copies of Exhibits A-S, Addendum 1, appropriate sections of 6.5 (Geotechnical Stability Exhibit, and a check for the application fee described under Section (4) below. Exhibits should **NOT** be bound or in a 3-ring binder; maps should be folded to 8 1/2" X 11" or 8 1/2" X 14" size. To expedite processing, please provide the information in the format and order described in this form.

GENERAL OPERATION INFORMATION

Type or print clearly, in the space provided, ALL information requested below.

1. **Applicant/operator or company name (name to be used on permit)**: City of Colorado Springs Utilities
   - 1.1 Type of organization (corporation, partnership, etc.): Municipality

2. **Operation name (pit, mine or site name)**: Clear Spring Ranch Gravel Pit

3. **Permitted acreage (new or existing site)**: 50.7 permitted acres
   - 3.1 Change in acreage (+) 31.4 acres
   - 3.2 Total acreage in Permit area 82.1 acres

4. **Fees**:
   - 4.1 New Application $2,696.00 application fee
   - 4.2 New Quarry Application $3,342.00 quarry application
   - 4.4 Amendment Fee $2,229.00 amendment fee
   - 4.5 Conversion to 112 operation (set by statute) $2,696.00 conversion fee

5. **Primary commoditie(s) to be mined**: Sand Gravel Clay
   - 5.1 Incidental commoditie(s) to be mined: 1. ____ - ____ lbs/Tons/yr 2. ____ / ____ lbs/Tons/yr
     3. ____ / ____ lbs/Tons/yr 4. ____ / ____ lbs/Tons/yr 5. ____ / ____ lbs/Tons/yr
   - 5.2 Anticipated end use of primary commoditie(s) to be mined: Utility Trench Fill
   - 5.3 Anticipated end use of incidental commoditie(s) to be mined: ____

6. **Name of owner of subsurface rights of affected land**: City of Colorado Springs
   If 2 or more owners, "refer to Exhibit O".

7. **Name of owner of surface of affected land**: City of Colorado Springs

8. **Type of mining operation**: ☑ Surface ☐ Underground

9. **Location Information**: The center of the area where the majority of mining will occur:

COUNTY: El Paso

PRINCIPAL MERIDIAN (check one): ☑ 6th (Colorado) ☐ 10th (New Mexico) ☐ Ute

SECTION (write number): S 20

TOWNSHIP (write number and check direction): T 16 ☐ North ☑ South

RANGE (write number and check direction): R 65 ☐ East ☑ West

QUARTER SECTION (check one): ☐ NE ☑ NW ☐ SE ☐ SW

QUARTER/QUARTER SECTION (check one): ☐ NE ☐ NW ☐ SE ☑ SW

GENERAL DESCRIPTION: (the number of miles and direction from the nearest town and the approximate elevation):
Approximately 2 miles south of the developed portions of the City of Fountain, approximate elevation=5560

10. **Primary Mine Entrance Location** (report in either Latitude/Longitude **OR** UTM):

Latitude/Longitude:

Example: (N) 39° 44′ 12.98″
(W) 104° 59′ 3.87″

Latitude (N): deg _____ min _____ sec ____._____ (2 decimal places)

Longitude (W): deg _____ min _____ sec ____._____ (2 decimal places)

OR

Example: (N) 39.73691°
(W) -104.98449°

Latitude (N) 38 . 63943 (5 decimal places)

Longitude(W) -104 . 69933 (5 decimal places)

OR

Universal Tranverse Mercator (UTM)

Example: 201336.3 E NAD27 Zone 13
4398351.2 N

UTM Datum (specify NAD27, NAD83 or WGS 84) Nad 83 Zone 13

Easting _____

Northing _____

11. **Correspondence Information**:

APPLICANT/OPERATOR (name, address, and phone of name to be used on permit)

Contact's Name: **Carlos Wright** Title: Water& Wastewater Construction & Maintenance Manager

Company Name: Colorado Springs Utilities

Street/P.O. Box: 1521 S. Hancock Expressway MC:1816 P.O. Box: _____

City: Colorado Springs

State: Colorado Zip Code: 80903

Telephone Number: (Mobile: (719)) - 660-0523 Office: (719) 668-5447

Fax Number: (_____) - _____

PERMITTING CONTACT (if different from applicant/operator above)

Contact's Name: Joseph Houghton Title: Environmental Engineer

Company Name: Colorado Springs Utilities

Street/P.O. Box: 121 S. Tejon St., 4th Floor, Mail Code 940 P.O. Box: _____

City: Colorado Springs

State: Colorado Zip Code: 80903

Telephone Number: (719) - 313-8472 Office: (719)668-3744

Fax Number: (_____) - _____

INSPECTION CONTACT

Contact's Name: Joseph Houghton (See Above) Title: _____

Company Name: _____

Street/P.O. Box: _____ P.O. Box: _____

City: _____

State: _____ Zip Code: _____

Telephone Number: (_____) - _____

Fax Number: (_____) - _____

CC: STATE OR FEDERAL LANDOWNER (if any)

Agency: _____

Street: _____

City: _____

State: _____ Zip Code: _____

Telephone Number: (_____) - _____

CC: STATE OR FEDERAL LANDOWNER (if any)

Agency: _____

Street: _____

City: _____

State: _____ Zip Code: _____

Telephone Number: (_____) - _____

12. **Primary future (Post-mining) land use (check one)**:

☐ Cropland(CR)	☐ Pastureland(PL)	☐ General Agriculture(GA)
☑ Rangeland(RL)	☐ Forestry(FR)	☐ Wildlife Habitat(WL)
☐ Residential(RS)	☐ Recreation(RC)	☐ Industrial/Commercial(IC)
☐ Developed Water Resources(WR)		☐ Solid Waste Disposal(WD)

13. **Primary present land use (check one)**:

☐ Cropland(CR)	☐ Pastureland(PL)	☐ General Agriculture(GA)
☑ Rangeland(RL)	☐ Forestry(FR)	☐ Wildlife Habitat(WL)
☐ Residential(RS)	☐ Recreation(RC)	☐ Industrial/Commercial(IC)
☐ Developed Water Resources(WR)		

14. **Method of Mining**: Briefly explain mining method (e.g. truck/shovel):
Open pit construction materials mining using loaders, scapers, bulldozers, truck and screen.

15. **On Site Processing**: ☑ Crushing/Screening

13.1 Briefly explain mining method (e.g. truck/shovel):
A small motorized screen plant fed by a wheel loader is used to process the sands and gravels

List any designated chemicals or acid-producing materials to be used or stored within permit area:
None

16. **Description of Amendment or Conversion**:

If you are amending or converting an existing operation, provide a brief narrative describing the proposed change(s).

The proposed change to the existing permit is to increase the mining permit area. The existing permitted mining area is 50.7 acres in size. The requested amendment will add 31.4 acres to increase the total permitted area to 82.1 acres. The existing production procedures and rates are not anticipated to change significantly. The material processing and stockpiling areas are expected to remain in their current location within the existing permit area.

Maps and Exhibits:

Two (2) complete, unbound application packages must be submitted. One complete application package consists of a signed application form and the set of maps and exhibits referenced below as Exhibits A-S, Addendum 1, and the Geotechnical Stability Exhibit. Each exhibit within the application must be presented as a separate section. Begin each exhibit on a new page. Pages should be numbered consecutively for ease of reference. If separate documents are used as appendices, please reference these by name in the exhibit.

With each of the two (2) signed application forms, you must submit a corresponding set of the maps and exhibits as described in the following references to Rule 6.4, 6.5, and 1.6.2(1)(b):

EXHIBIT A	Legal Description
EXHIBIT B	Index Map
EXHIBIT C	Pre-Mining and Mining Plan Map(s) of Affected Lands
EXHIBIT D	Mining Plan
EXHIBIT E	Reclamation Plan
EXHIBIT F	Reclamation Plan Map
EXHIBIT G	Water Information
EXHIBIT H	Wildlife Information
EXHIBIT I	Soils Information
EXHIBIT J	Vegetation Information
EXHIBIT K	Climate Information
EXHIBIT L	Reclamation Costs
EXHIBIT M	Other Permits and Licenses
EXHIBIT N	Source of Legal Right-To-Enter
EXHIBIT O	Owners of Record of Affected Land (Surface Area) and Owners of Substance to be Mined
EXHIBIT P	Municipalities Within Two Miles
EXHIBIT Q	Proof of Mailing of Notices to County Commissioners and Conservation District
EXHIBIT R	Proof of Filing with County Clerk or Recorder
EXHIBIT S	Permanent Man-Made Structures
Rule 1.6.2(1)(b)	ADDENDUM 1 - Notice Requirements (sample enclosed)
Rule 6.5	Geotechnical Stability Exhibit (any required sections)

The instructions for preparing Exhibits A-S, Addendum 1, and Geotechnical Stability Exhibit are specified under Rule 6.4 and 6.5 and Rule 1.6.2(1)(b) of the Rules and Regulations. If you have any questions on preparing the Exhibits or content of the information required, or would like to schedule a pre-application meeting you may contact the Office at 303-866-3567.

Responsibilities as a Permittee:

Upon application approval and permit issuance, this application becomes a legally binding document. Therefore, there are a number of important requirements which you, as a permittee, should fully understand. These requirements are listed below. Please read and initial each requirement, in the space provided, to acknowledge that you understand your obligations. If you do not understand these obligations then please contact this Office for a full explanation.

CW 1. Your obligation to reclaim the site is not limited to the amount of the financial warranty. You assume legal liability for all reasonable expenses which the Board or the Office may incur to reclaim the affected lands associated with your mining operation in the event your permit is revoked and financial warranty is forfeited;

CW 2. The Board may suspend or revoke this permit, or assess a civil penalty, upon a finding that the permittee violated the terms or conditions of this permit, the Act, the Mineral Rules and Regulations, or that information contained in the application or your permit misrepresent important material facts;

CW 3. If your mining and reclamation operations affect areas beyond the boundaries of an approved permit boundary, substantial civil penalties, to you as permittee can result;

CW 4. Any modification to the approved mining and reclamation plan from those described in your approved application requires you to submit a permit modification and obtain approval from the Board or Office;

CW 5. It is your responsibility to notify the Office of any changes in your address or phone number;

CW 6. Upon permit issuance and prior to beginning on-site mining activity, you must post a sign at the entrance of the mine site, which shall be clearly visible from the access road, with the following information (Rule 3.1.12):

a. the name of the operator;

b. a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board; and,

c. the permit number.

CW 7. The boundaries of the permit boundary area must be marked by monuments or other markers that are clearly visible and adequate to delineate such boundaries prior to site disturbance.

CW 8. It is a provision of this permit that the operations will be conducted in accordance with the terms and conditions listed in your application, as well as with the provisions of the Act and the Construction Material Rules and Regulations in effect at the time the permit is issued.

CW 9. Annually, on the anniversary date of permit issuance, you must submit an annual fee as specified by Statute, and an annual report which includes a map describing the acreage affected and the acreage reclaimed to date (if there are changes from the previous year), any monitoring required by the Reclamation Plan to be submitted annually on the anniversary date of the permit approval. Annual fees are for the previous year a permit is held. For example, a permit with the anniversary date of July 1, 1995, the annual fee is for the period of July 1, 1994 through June 30, 1995. Failure to submit your annual fee and report by the permit anniversary date may result in a civil penalty, revocation of your permit, and forfeiture of your financial warranty. It is your responsibility, as the permittee, to continue to pay your annual fee to the Office until the Board releases you from your total reclamation responsibility.

CW 10. For joint venture/partnership operators: the signing representative is authorized to sign this document and a power of attorney (provided by the partner(s)) authorizing the signature of the representative is attached to this application.

NOTE TO COMMENTORS/OBJECTORS:

It is likely there will be additions, changes, and deletions to this document prior to final decision by the Office. Therefore, if you have any comments or concerns you must contact the applicant or the Office prior to the decision date so that you will know what changes may have been made to the application document.

The Office is not allowed to consider comments, unless they are written, and received prior to the end of the public comment period. You should contact the applicant for the final date of the public comment period.

If you have questions about the Mined Land Reclamation Board and Office's review and decision or appeals process, you may contact the Office at (303) 866-3567.

Certification:

As an authorized representative of the applicant, I hereby certify that the operation described has met the minimum requirements of the following terms and conditions:

1. To the best of my knowledge, all significant, valuable and permanent man-made structure(s) in existence at the time this application is filed, and located within 200 feet of the proposed affected area have been identified in this application (Section 34-32.5-115(4)(e), C.R.S.).

2. No mining operation will be located on lands where such operations are prohibited by law (Section 34-32.5-115(4)(f), C.R.S.;

3. As the applicant/operator, I do not have any extraction/exploration operations in the State of Colorado currently in violation of the provisions of the Colorado Land Reclamation Act for the Extraction of Construction Materials (Section 34-32.5-120, C.R.S.) as determined through a Board finding.

4. I understand that statements in the application are being made under penalty of perjury and that false statements made herein are punishable as a Class 1 misdemeanor pursuant to Section 18-8-503, C.R.S.

This form has been approved by the Mined Land Reclamation Board pursuant to section 34-32.5-112,C.R.S., of the Colorado Land Reclamation Act for the Extraction of Construction Materials. Any alteration or modification of this form shall result in voiding any permit issued on the altered or modified form and subject the operator to cease and desist orders and civil penalties for operating without a permit pursuant to section 34-32.5-123, C.R.S.

Signed and dated this 20th day of September, 2023.

Colorado Springs Utilities
Applicant/Operator or Company Name

Signed: [signature]
Carlos Wright
Water& Wastewater Construction &
Title: Maintenance Manager

If Corporation Attest (Seal)

Signed: _____
Corporate Secretary or Equivalent
Town/City/County Clerk

State of Colorado)
) ss.
County of El Paso)

The foregoing instrument was acknowledged before me this 20TH day of September, 2023, by Carlos Wright as Manager of Colo Spgs Utilities

[signature]
Notary Public

Amber Lemarr Hinton
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID# 20184024041
MY COMMISSION EXPIRES JUNE 8, 2026

My Commission expires: June 8, 2026

SIGNATURES MUST BE IN BLUE INK

You must post sufficient Notices at the location of the proposed mine site to clearly identify the site as the location of a

EXHIBIT A

Legal Description

Colorado Springs Utilities
It's how we're all connected

Gary S. Rust, PLS

Colorado Springs Utilities – Advanced Geomatics
1521 Hancock Expressway - Colorado Springs, CO 80947

Work (719) 668-8753 Mobile (719) 499-0401
grust@csu.org | www.csu.org

Exhibit A – Legal Description
Mine Expansion Permit

A PORTION of a tract of land located in the northwest quarter of Section 20, Township 16 South, Range 65 West, of the 6th P. M., City of Fountain, El Paso County, Colorado. Said tract described in the Warranty Deed at Book 2550 Page 782 of said county. Said PORTION being more particularly described as follows:

Basis of Bearings: The line between the northwest corner and west one-quarter corner of said Section 20, monumented on the north by a 2-inch diameter aluminum cap, marked "Berge Brewer PLS 13830", flush with ground; and a 3-inch capped galvanized gas pipe marked with township and range and dated 1920, 6-inches above the ground. Said line is assumed to bear S 00° 54' 56" E, a distance of 2622.68 feet.

Commencing at said west quarter-corner;
Thence N 00° 54' 56" W, a distance of 500.00 feet, along the west boundary of said tract to the **Point of Beginning;**
Thence N 88° 49' 02" E, departing said west boundary, a distance of 1314.81 feet;
Thence S 00° 54' 48" E, a distance of 249.17 feet;
Thence N 60° 43' 07" E, a distance of 242.53 feet;

Thence N 17° 53’ 50” W, a distance of 351.07 feet;

Thence N 70° 25’ 01” W, a distance of 258.88 feet;

Thence N 45° 23’ 38” W, a distance of 720.37 feet;

Thence N 12° 08’ 26” W, a distance of 310.18 feet;

Thence N 37° 48’ 50” W, a distance of 760.32 feet;

Thence S 88° 41’ 04” W, a distance of 161.58 feet, to the west boundary of said tract;

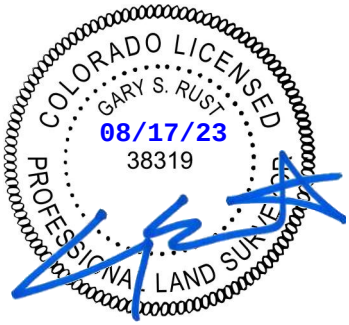
Thence S 00° 54’ 56” E, a distance of 1723.75 feet, along said west boundary feet,

to the **Point of Beginning,** and containing 31.381 acres of land, more or less.

The above statement is neither a warranty or guarantee, either expressed or implied.

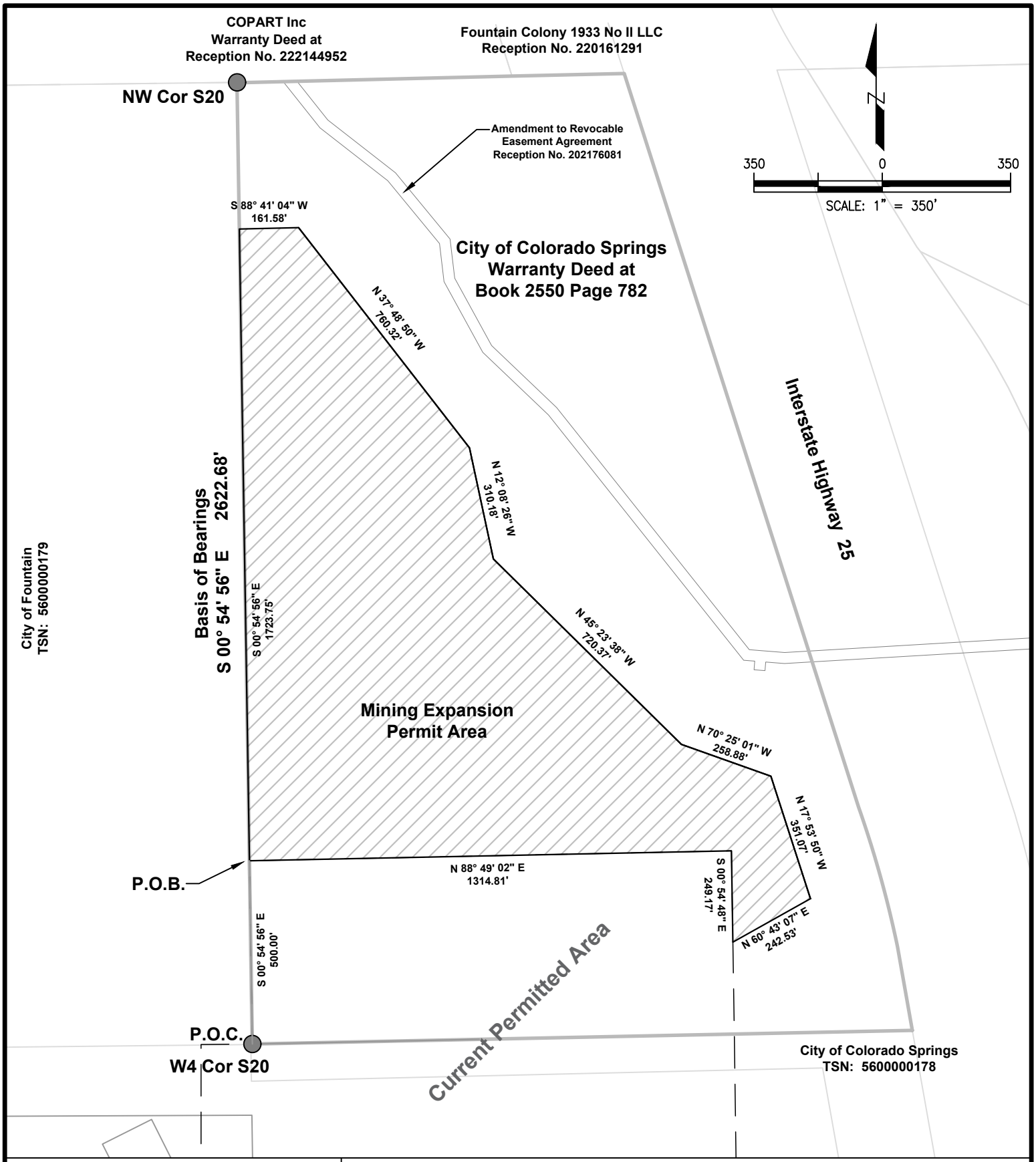
Legal Description Statement:

I, Gary S. Rust, a Professional Land Surveyor in the State of Colorado, do hereby state that the above legal description and attached exhibit were prepared under my responsible charge and on the basis of my knowledge, information and belief are correct.



_____

Gary S. Rust, Professional Land Surveyor
Colorado P.L.S. No. 38319
For and on behalf of Colorado Springs Utilities



Colorado Springs Utilities
It's how we're all connected
Advanced Geomatics
1521 Hancock Expressway
Colorado Springs, Colorado 80947

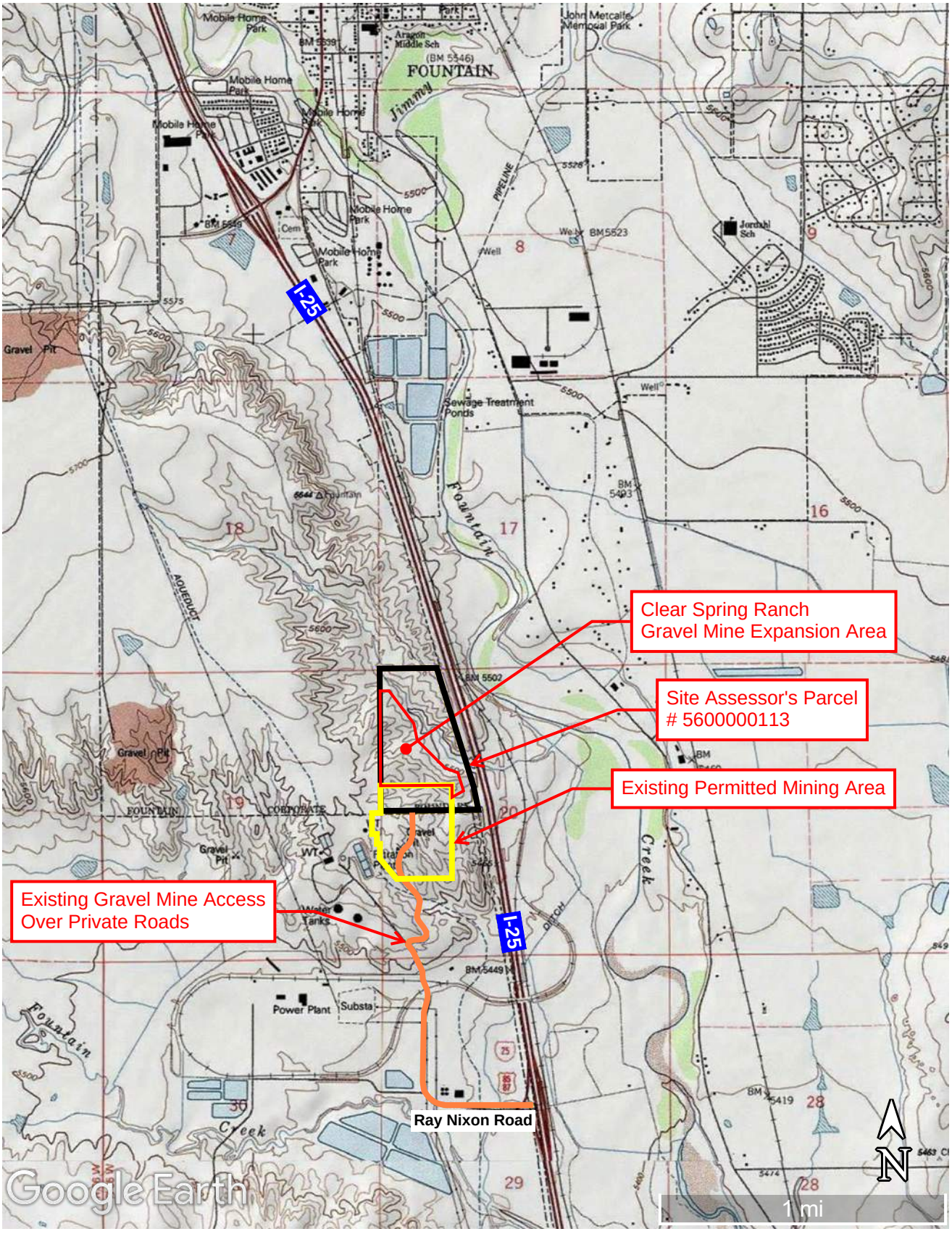
Exhibit A - Legal Description Sketch
Mining Expansion Permit

Drawn by: Gary S. Rust, PLS August 17, 2023

THIS SKETCH DOES NOT REPRESENT A MONUMENTED LAND SURVEY AND IS ONLY INTENDED TO DEPICT THE LEGAL DESCRIPTION.

EXHIBIT B

Index Map



CLEAR SPRING RANCH GRAVEL MINE EXPANSION

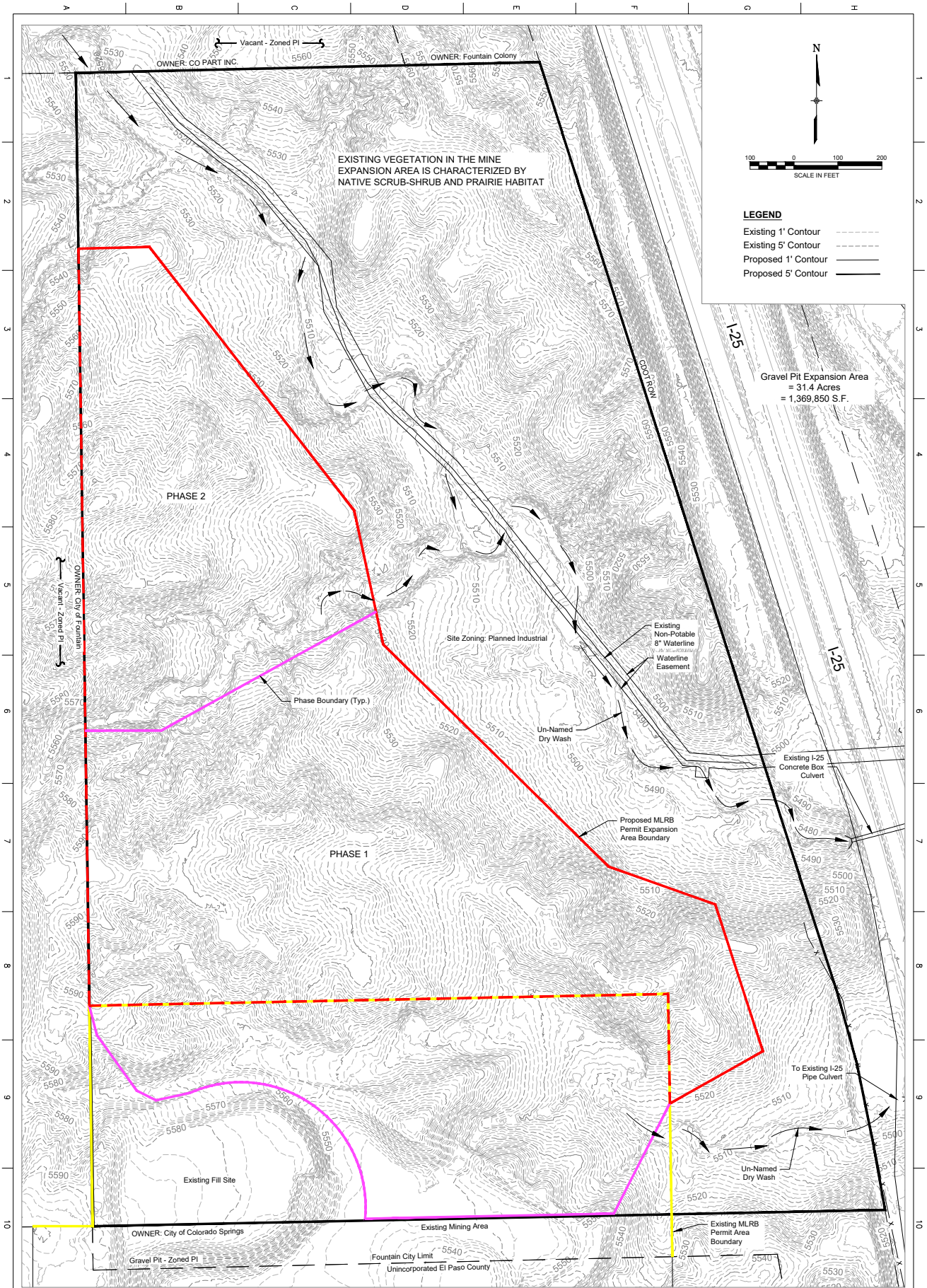
EXHIBIT B - INDEX MAP

COLORADO SPRINGS UTILITIES
COLORADO SPRINGS, CO

WILSON & COMPANY
5755 MARK DABLING BOULEVARD SUITE 220
COLORADO SPRINGS, CO 80919
PHONE: 719-520-5800
FAX: 719-520-0108
www.wilsonco.com

EXHIBIT C

Pre-Mining and Mining Plan Maps



REV.	DATE	DESCRIPTION	BY

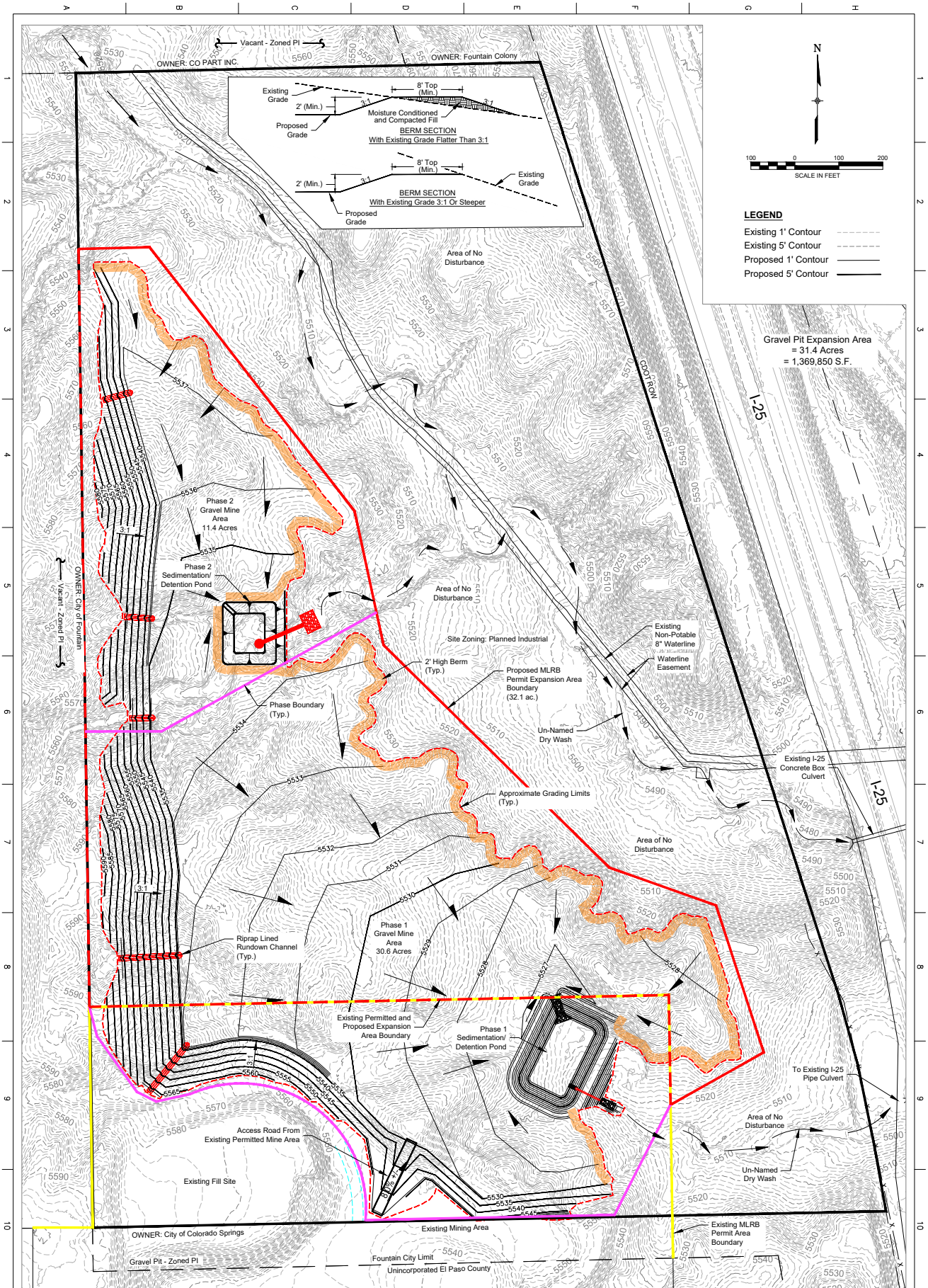
PROJECT NAME:

CLEAR SPRING RANCH GRAVEL PIT EXPANSION
COLORADO SPRINGS, CO

PROJECT NO:	21-100-280-00
DESIGNED BY:	VSF
DRAWN BY:	DWD
CHECKED BY:	VSF
DATE:	07/27/23
SHEET TITLE:	

PRE-MINING PLAN

WILSON & COMPANY
5755 MARK DABLING BOULEVARD SUITE 220
COLORADO SPRINGS, CO 80919
PHONE: 719-520-5800
FAX: 719-520-0108
www.wilsonco.com



REV.	DATE	DESCRIPTION	BY

PROJECT NAME:

CLEAR SPRING RANCH GRAVEL PIT EXPANSION
COLORADO SPRINGS, CO

PROJECT NO:	21-100-280-00
DESIGNED BY:	VSF
DRAWN BY:	DWD
CHECKED BY:	VSF
DATE:	07/27/23
SHEET TITLE:	MINING PLAN

WILSON & COMPANY
5755 MARK DABLING BOULEVARD SUITE 220
COLORADO SPRINGS, CO 80919
PHONE: 719-520-5800
FAX: 719-520-0108
www.wilsonco.com

EXHIBIT D

Mining Plan

EXHIBIT D

Mining Plan

Background

This plan is for the proposed 31.4-acre expansion area of the Clear Spring Ranch Gravel Mine. Colorado Springs Utilities (Utilities) currently operates the Clear Springs Ranch Gravel Mine with a permitted area of 50.7 acres. The material in the existing permitted area is nearly exhausted so the mine boundary is being expanded to the north to add area with significant sand and gravel deposits. After the expansion is approved, the permitted area will be 82.1 acres. The expanded permit boundary will be monumented with permanent signs. Processing and stockpiling of material will remain within the existing mining permit area.

Mining in the expansion area is planned to occur in two separate phases defined by watershed areas. Each of the two phases will drain to a sedimentation/detention pond at the downstream end of the phase area.

a. The mining methods in the expansion area will be very similar to the methods used in the existing permitted area. The sequence of activities for each phase will include:

    1. Marking the active mining area of the phase with durable and highly visible marking posts
    2. Construction of the sedimentation/detention pond for the phase
    3. Removal of thick or woody vegetation which is minimal on the site
    4. Stripping topsoil to a minimum depth of 5 inches with bulldozers, wheel loaders or scrapers and stockpiling it within previously mined areas within the existing permit boundary for use in the ultimate reclamation process. The piles shall be graded and vegetated to mitigate erosion and durable signs shall be installed identifying that the material is to be saved for reclamation.
    5. Excavating and transporting sand and gravel material to the screen deck within the existing permitted mining area. Excavation will be from the surface with scrapers, bulldozers, loaders, excavators, and graders. Transport will be accomplished with scrapers and trucks. Side slopes of the excavations should be maintained at 3:1 or flatter to maintain stability and reduce erosion potential.
    6. Screening and stockpiling sand and gravel material and by-products such as fines and larger diameter rocks.

b. Earthmoving will be accomplished with conventional scrapers, bulldozers, loaders, excavators, graders, and trucks as described in section “a”.

c. The two phase areas of mining included in this plan correspond to the portions of the expansion area that contain a significant thickness of sand and gravel material. These areas do

not include significant water courses and thus, stream diversion is not required in the course of the mining operations. Each phase area will include a sedimentation/detention pond at the downstream end and all runoff from the phase area and upstream tributary areas will be routed through the ponds before discharge to natural channels downstream.

The ponds will be designed to accomplish extended detention of a volume of water equal to or greater than 1,800 cubic feet per acre of disturbed contributing area. The slow release of this volume of water will be accomplished in 60 to 72 hours to allow the majority of the sediment to settle out. Discharge rates from the ponds will be regulated to be less than or similar to historic discharge rates from the individual phase areas. Proposed pond volumes are summarized in the table below. Additional design and analysis details are included in the Master Development Drainage Plan for the mine expansion area.

Phase Area	**Pond Sedimentation Volume Acre-Feet**	**Pond Total Volume Acre-Feet**
Phase 1	1.167	2.864
Phase 2	0.484	1.064

d. The mining of the permit expansion area will be carried out in two phases as noted on the mining plan exhibit. The phase areas range from 11.4 to 30.6 acres. Mining of the phases will follow numerical order starting with Phase 1 adjacent to the existing active mining area. Access to subsequent phases will be through previously mined phases.

e. An estimated approximate timetable for mining operations is presented on the next page. The sequence of stages to be executed during each phase is shown in section “a” and within the timetable. The size and general location of each phase within the permit expansion area are included in the following table.

Phase ID	**Phase Location**	**Phase Area (acres)**
Phase 1	Southern half of expansion area plus northern portion of existing permit area	30.6
Phase 2	Northwestern portion of the expansion area	11.4

Mining Operation Approximate Timetable

Phase ID	Stage of Operation	Stage Estimated Time
Phase 1	Marking Phase Boundary	2 weeks
	Construction of Sediment Basin	1 month
	Removal of Thick or Woody Vegetation	2 weeks
	Topsoil Stripping and Stockpiling	1 month
	Removal & Processing Sands & Gravels	40 years
	Final Grading	6 months
	Reclamation (seeding)	1 year
	Phase Total	42 years
Phase 2	Marking Phase Boundary	2 weeks
	Construction of Sediment Basin	1 month
	Removal of Thick or Woody Vegetation	2 weeks
	Topsoil Stripping and Stockpiling	1 month
	Removal & Processing Sands & Gravels	8 years
	Final Grading	6 months
	Reclamation (seeding)	1 year
	Phase Total	10 years
	Mine Expansion Area Total	52 Years

f. The attached Pre-Mining and Mining plan maps demonstrate the changes in topography that will occur due to the proposed mining.
    i. The material to be mined consists of natural deposits of sands and gravels that range in thickness from 2 feet to 56 feet. Overburden consists of the thin layer of topsoil that will be stripped and stockpiled before mining commences. In some areas the sand and gravel deposits are interbedded with clay materials.
    ii. The stratum below the material to be mined is the Pierre Shale Formation consisting of weathered to hard claystone and shale.

g. Clay materials excavated during the mining operation will be stockpiled and utilized on Utilities utility construction and repair projects as needs arise.

h. There are no other known incidental products that will be mined other that the clay discussed in item g.

i. The deposits to be mined are suitable for excavation with conventional heavy equipment. No use of explosives will be needed.

j. The proposed gravel mine operation will utilize existing asphalt and gravel paved roads that are approximately 24 feet wide to travel between the existing gravel mine area to Interstate Highway 25. New gravel paved roads will be extended into proposed mining area as needed. The mined material should be adequate for use in construction of these roads expected to be approximately 24 feet wide.

EXHIBIT E

Reclamation Plan

EXHIBIT E

Reclamation Plan

Background

This reclamation plan is for the proposed 31.4 acre expansion area of the Clear Spring Ranch Gravel Mine. Colorado Springs Utilities (Utilities) currently operates the Clear Springs Ranch Gravel Mine with a permitted area of 50.7 acres. The material in the existing permitted area is nearly exhausted so the mine boundary is being expanded to the north to add area with significant sand and gravel deposits. After the expansion is approved, the permitted area will be 82.1 acres. The expanded permit boundary will be monumented with permanent signs. Processing and stockpiling of material will remain within the existing mining permit area.

Mining in the expansion area is planned to occur in two separate phases defined by watershed areas. Each of the two phases will drain to a sedimentation/detention pond at the downstream end of the phase area. Within a year of the completion of mining in each phase, the mined ground will be finish graded to smooth the surface, topsoiled and seeded except for the relatively small areas occupied by the access road to subsequent phases and the pond that serves the phase. After a vegetation establishment period of 2 years, the ponds will be removed, the waterway through them will be stabilized and the pond areas will be revegetated.

Attached Exhibit F "Reclamation Plan Map" shows the mining phase areas and the various components of the proposed reclamation. The reclamation methods in the expansion area will be very similar to the methods used in the existing permitted area. Unless otherwise noted the standards included in the City of Colorado Springs, Stormwater Construction Manual, 2020 should be adhered to. The sequence of the main activities for reclamation of each phase area will include:

1. Within 1 year of the completion of mining in a particular phase reclamation activities should commence beginning with grading of the entire phase area except for the pond and access road through the phase. The purpose of the grading is to flatten any over-steepened areas to a maximum of 3:1 slopes, achieve a minimum thickness of 8" of soil between bedrock surfaces and bottom of topsoil, and smooth out significant irregularities in the mined area's surface to facilitate seeding.
2. Once grading is complete the native topsoil stockpiled within the original permit area should be hauled to and spread at an average thickness of 5" over the disturbed area of the phase. If insufficient topsoil is available, suitable topsoil shall be imported or on-site soils shall be amended by adding organic compost to achieve a minimum organic content of 3% by volume.

3. Once topsoiling and or initial soil amendment is complete, testing should be performed by a qualified professional testing lab to determine the suitability of the soil for planting and identify additional amendments and fertilizers that may be required to support the native vegetation to be planted. Testing frequency should be done at a minimum density of 1 test per 5 acres. If additional organic mater is required to meet the minimum 3% by volume standard and or fertilizer is needed, appropriate compost and fertilizer should be imported and applied and incorporated into the top 6" of soil through rototilling.

4. After the soil has been determined to be suitable for seeding, drill seeding using cross drilling should be performed with a drill suitable for planting the specified seed mix. Seed depth should be 1/3" to 1/2". Seed and seeding rates shall be as indicated in section f.ii. Seeding should occur between November 1 and May 15 excluding times when the ground is frozen.

5. As soon as possible and not later than 5 days after seeding, Hay or stay mulch shall be placed at a minimum rate of 2 tons per acre and adequately secured by crimping to a depth of 3" to 4".

6. The planted area should be monitored during vegetation establishment and reseeded and re-mulched in areas where satisfactory vegetation coverage has not been achieved. Adequate coverage is a minimum of 70% of the pre-mine condition vegetation coverage.

7. Once adequate coverage of vegetation has been achieved in the watershed of a phase sedimentation/detention pond, the pond outlet structure and dam should be removed, and a stabilized low flow channel should be established through the footprint of the removed pond. It is expected that the stabilized inflow channel of the ponds will remain in place but that could be removed as well to accommodate alternative grading as long as any areas of the new low flow channel steeper than 0.5% are armored with D50=6" riprap 12" thick over adequate filter fabric. Where armoring is needed, the armored portion of the low flow channels should have a minimum of 4' bottom width and 4:1 side slopes with a minimum armored depth of 1'. Once grading and riprap installation is complete, with no slopes exceeding 3:1, the footprint of the removed pond and any other areas that are disturbed during the removal operation should be soil amended and seed in accordance with items 1 through 6.

a. All areas disturbed by the mining operation (expected to be approximately 42.1 acres), are proposed to be reclaimed as rangeland though grading, soil preparation and seeding. Rangeland is the pre-mined condition of affected land and is compatible with adjacent areas. Reclamation of the land to rangeland will stabilize it. Due to the land's geographic location being relatively near to urbanized areas and being located within the City of

Fountain's municipal limits, the site may be developed for industrial, commercial, or residential uses in the future in accordance with City of Fountain requirements.

Earthmoving required for the reclamation will be accomplished by conventional scrapers, bulldozers, loaders, excavators, graders, and trucks. It is expected to be limited to: pushing and grading soil to smooth the surface; and loading, hauling and spreading stockpiled soil in the mined areas as needed to prepare the land for seeding.

b. The proposed post-mining land use or rangeland is compatible with existing adjacent land uses that include gravel mines, rangeland, and interstate highway. The City of Fountain has zoned the site as a "planned industrial area".

c. This reclamation plan has been developed to meet the Rule 3.1 reclamation performance standards.

d. As described in the Mining Plan for the gravel mine expansion, a minimum of 5" of topsoil will be stripped from the site and stockpiled within the existing permitted mine area for re-application to the mined land after mining is complete. Seeding will be done as described on pages 1 and 2 of this plan. The seed mix and rate of seeding is described in Section F. ii of this plan.

e. Reclamation of the site will be done on a phase-by-phase basis for the identified two phases of mining after mining is completed in the particular phase. The locations and areas associated with each phase are included in the table below. The sequence of stages to be executed during each phase and expected time period for each stage are included in the timetable on the following page. A more detailed sequence and description of the various stages is included in the first two pages of this plan.

Phase ID	Phase Location	Phase Area (acres)
Phase 1	Southern half of expansion area plus northern portion of existing permit area	30.6
Phase 2	Northwestern portion of the expansion area	11.4

Reclamation Operation Approximate Timetable

Phase ID	Stage of Operation	Stage Estimated Time
Phase 1	Final Grading	4 months
	Spread Topsoil	3 months
	Apply and Incorporate Soil Amendment &Topsoil	1 month
	Seed and Mulch	1 month
	Vegetation Establishment	1 to 2 years
	Remove Sediment/Detention Pond, Grade & Stabilize Channel	3 months
	Revegetate Pond Area	2 years
	Phase Total	5 years
Phase 2	Final Grading	4 months
	Spread Topsoil	3 months
	Apply and Incorporate Soil Amendment &Topsoil	1 month
	Seed and Mulch	1 month
	Vegetation Establishment	1 to 2 years
	Remove Sediment/Detention Pond, Grade & Stabilize Channel	3 months
	Revegetate Pond Area	2 years
	Phase Total	5 years

f.

i. As shown on Exhibit F final grading slopes will range from 0.5% to a maximum of 3:1 (33.3%)

ii. The proposed seed mix and planting rates for re-vegetation of the mined areas is the "El Paso County Conservation District, All Purpose Mix for Upland, Transition and Permanent Control Measure Areas" as included in the City of Colorado Springs, Stormwater Construction Manual, dated December 2020. A copy of the mix is included on the following page. Seeding should occur between November 1 and May 15 excluding times when the ground is frozen.

iii. This plan includes soil testing at the point that final grading, topsoiling, and initial soil amendments have been placed and incorporated. The testing will determine fertilizer requirements. It is expected that the fertilizer will be applied and incorporated into the soil prior to seeding.

iv. This plan for re-vegetation for rangeland only includes grasses and does not include trees and shrubs.

v. Topsoil will be placed to a minimum depth of 5" in the areas to be revegetated.

Table 5-1. El Paso County Conservation District All-Purpose Mix for Upland, Transition and Permanent Control Measure Areas

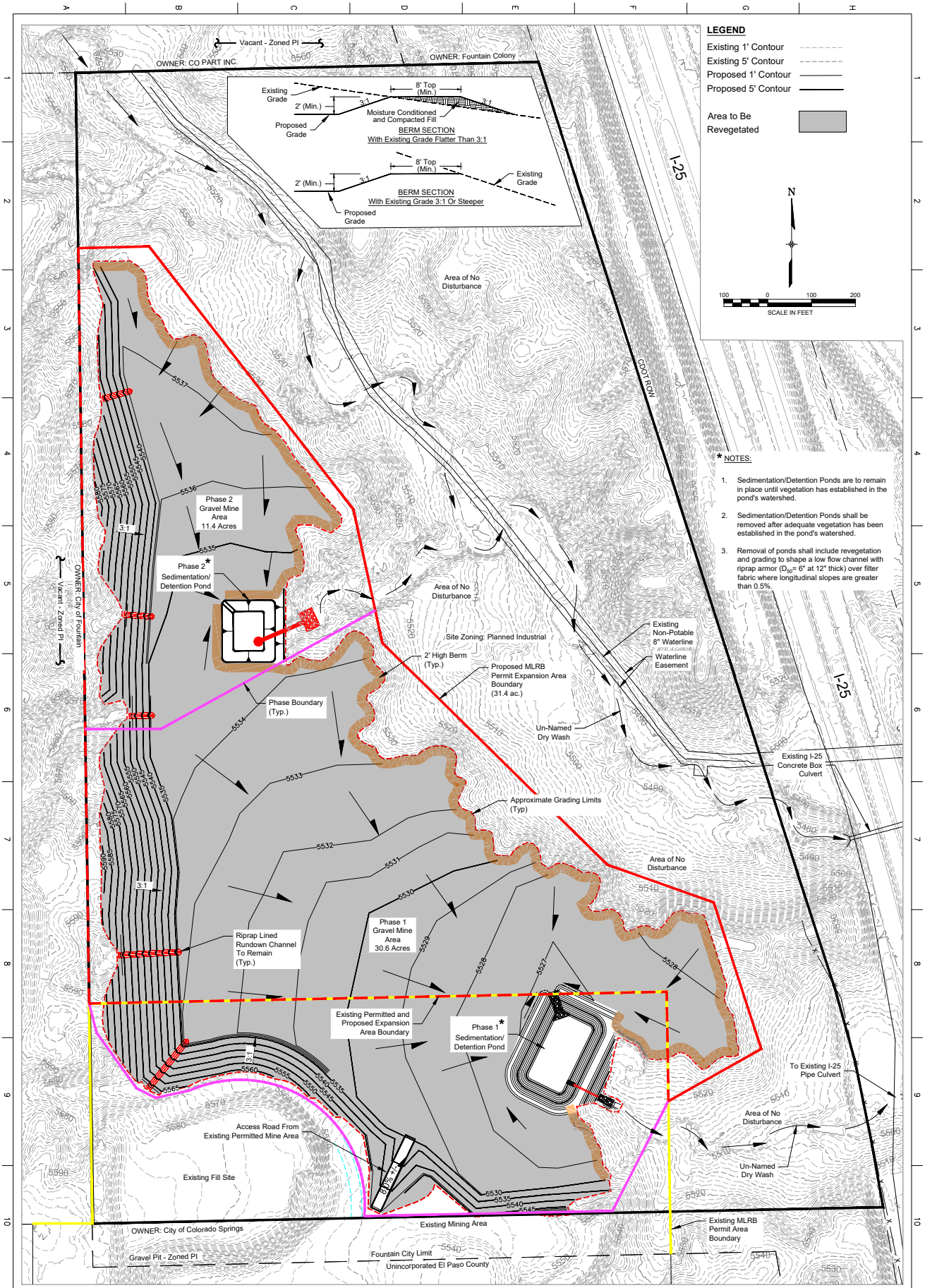
Common Name	Scientific Name	Growth Season / Form	% of Mix	Pounds PLS		
				• Irrigated broadcast • Irrigated hydroseeded 80 seeds/sq ft	• Non-irrigated broadcast • Non-irrigated hydroseeded • Irrigated drilled 40 seeds/sq ft	• Non-irrigated drilled 20 seeds/sq ft
Bluestem, big	*Andropogon gerardii*	Warm, sod	20	4.4	2.2	1.1
Grama, blue	*Bouteloua gracilis*	Warm, bunch	10	0.5	0.25	0.13
Green needlegrass[2]	*Nassella viridula*	Cool, bunch	10	2	1	0.5
Wheatgrass, western[2]	*Pascopyrum smithii*	Cool, sod	20	6.4	3.2	1.6
Grama, sideoats	*Bouteloua curtipendula*	Warm, bunch	10	2	1	0.5
Switchgrass[2]	*Panicum virgatum*	Warm, bunch/sod	10	0.8	0.4	0.2
Prairie sandreed	*Calimovilfa longifolia*	Warm, sod	10	1.2	0.6	0.3
Yellow indiangrass[2]	*Sorghastrum nutans*	Warm, sod	10	2	1	0.5
Seed rate (lbs PLS/acre)				19.3	9.7	4.8

[1]For portions of facilities located near or on the bottom or where wet soil conditions occur. Planting of potted nursery stock wetland plants 2-foot on-center is recommended for sites with wetland hydrology.

[2]Species that will do well in the bottom of pond areas.

EXHIBIT F

Reclamation Plan Map



REV.	DATE	DESCRIPTION	BY

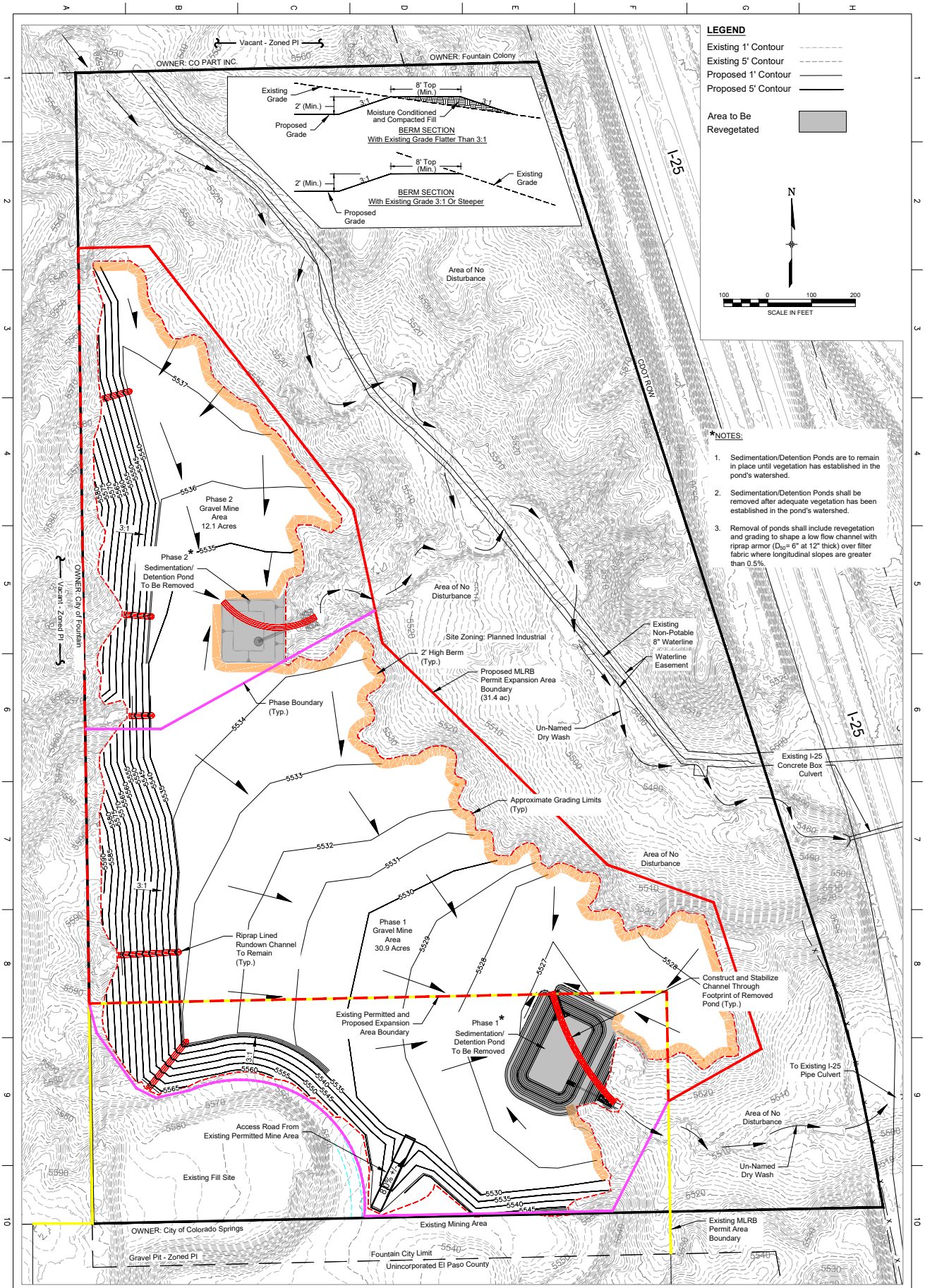
PROJECT NAME:

CLEAR SPRING RANCH GRAVEL PIT EXPANSION
COLORADO SPRINGS, CO

EXHIBIT F-1

PROJECT NO:	21-100-280-00
DESIGNED BY:	VSF
DRAWN BY:	DWD
CHECKED BY:	VSF
DATE:	07/27/23
SHEET TITLE:	RECLAMATION PLAN (INITIAL)

WILSON & COMPANY
5755 MARK DABLING BOULEVARD SUITE 220
COLORADO SPRINGS, CO 80919
PHONE: 719-520-5800
FAX: 719-520-0108
www.wilsonco.com



*NOTES:

1. Sedimentation/Detention Ponds are to remain in place until vegetation has established in the pond's watershed.
2. Sedimentation/Detention Ponds shall be removed after adequate vegetation has been established in the pond's watershed.
3. Removal of ponds shall include revegetation and grading to shape a low flow channel with riprap armor (D_{50}= 6" at 12" thick) over filter fabric where longitudinal slopes are greater than 0.5%.

REV.	DATE	DESCRIPTION	BY

PROJECT NAME:

CLEAR SPRING RANCH GRAVEL PIT EXPANSION
COLORADO SPRINGS, CO

EXHIBIT F-2

PROJECT NO:	21-100-280-00
DESIGNED BY:	VSF
DRAWN BY:	DWD
CHECKED BY:	VSF
DATE:	07/27/23
SHEET TITLE:	RECLAMATION PLAN (ULTIMATE)

WILSON & COMPANY
5755 MARK DABLING BOULEVARD SUITE 220
COLORADO SPRINGS, CO 80919
PHONE: 719-520-5800
FAX: 719-520-0108
www.wilsonco.com

EXHIBIT G

Water Information

The proposed gravel mining operation is not expected to directly affect either the surface or ground water system. No significant runoff enters the proposed site from adjacent areas, and all runoff developed within the site will exit the area with positive drainage in the same manner and directions it does presently.

No ground water was encountered during test hole drilling. No impacts to deeper bedrock ground water systems are expected.

The city of Colorado Springs owns production wells located primarily on the east side of 1-25 on the Hanna Ranch Property. The closest production well is 1/2 mile from the site. Other production wells are one mile or greater from the mining area.

An existing not-potable pipeline runs just east of the proposed mining area. No mining will occur within 200 feet of this pipeline.

Water for dust control is available via water trucks with fill locations available within the Clear Spring Ranch site.

EXHIBIT H

Wildlife Information

Description of the significant wildlife resources on the affected land:

The application area is a mostly native short-grass prairie with less than 10 percent invasive species consisting mostly of smooth brome and Russian thistle in places. Overall, the application area supports a variety of wildlife species. Some of the common mammals include mule deer, cottontail rabbit, and coyotes. Prairie rattlesnakes, red-tailed hawks, and great horned owls likely inhabit or hunt in the vicinity of the application area. Various songbirds may also use area on occasion.

Seasonal use of the area:

Due to the relatively small footprint of the application area (35 acres), its adjacency to Interstate 25, and lack of surface water, there is not significant seasonal use of the application area. Migrating songbirds may occasionally use the area.

Presence and estimated population of threatened or endangered species form either federal or state lists:

There are no known state- or federally-listed threatened or endangered species in the application area.

Description of the general effect during and after the proposed operation on the existing wildlife of the area, including but not limited to temporary and permanent loss of food and habitat, interference with migratory routes, and the general effect on the wildlife from increased human activity, including noise.

The effect during operation on existing wildlife in the area is expected to be minimal. Though some shrub and grasses/forbs will be removed the application area provides moderate-quality wildlife habitat and is not critical to migratory species. Additionally, the surrounding area is similar in species composition and topography, so any displaced wildlife would encounter similar habitat immediately adjacent to the application area. The application area would be operated only periodically so constant human presence and noise that would have a significant detrimental impact on wildlife are not anticipated. When operations cease permanently, the area will be regraded and revegetated with native species to provide habitat for local wildlife species.

EXHIBIT I

Soils Information

Soil information found using USDA's Web Soil Survey tool. A copy of the report is attached.

United States Department of Agriculture

NRCS

Natural Resources Conservation Service

A product of the National Cooperative Soil Survey, a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local participants

Custom Soil Resource Report for El Paso County Area, Colorado

Clear Spring Ranch GP2

August 22, 2023

Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (https://offices.sc.egov.usda.gov/locator/app?agency=nrcs) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require

alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

Contents

How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

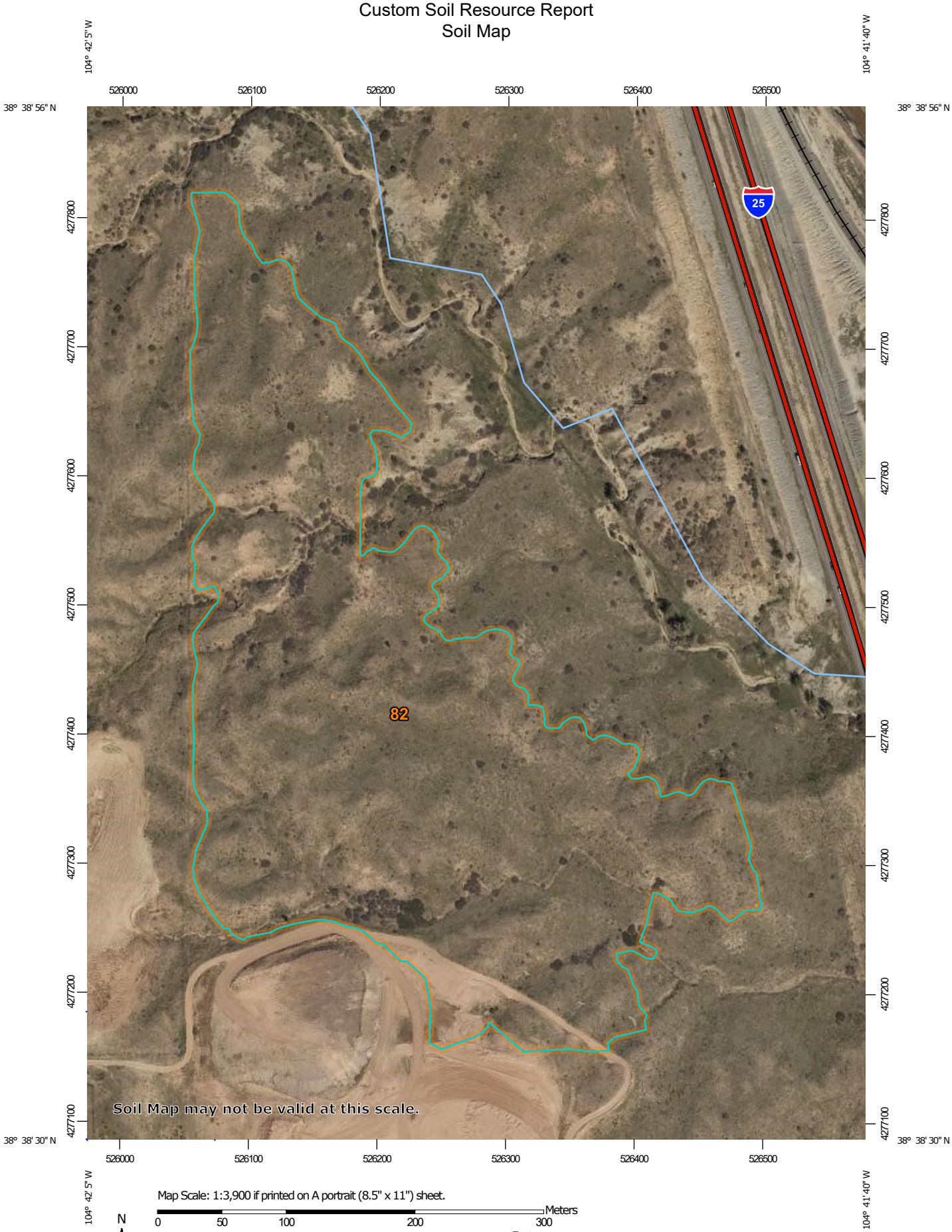
After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report
Soil Map



Map Scale: 1:3,900 if printed on A portrait (8.5" x 11") sheet.

N

Meters: 0 50 100 200 300

Feet: 0 150 300 600 900

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 13N WGS84

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: El Paso County Area, Colorado
Survey Area Data: Version 20, Sep 2, 2022

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Aug 14, 2018—Sep 23, 2018

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
82	Schamber-Razor complex, 8 to 50 percent slopes	34.0	100.0%
Totals for Area of Interest		**34.0**	**100.0%**

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

El Paso County Area, Colorado

82—Schamber-Razor complex, 8 to 50 percent slopes

Map Unit Setting

National map unit symbol: 369y
Elevation: 5,500 to 6,500 feet
Mean annual precipitation: 12 to 14 inches
Mean annual air temperature: 48 to 52 degrees F
Frost-free period: 135 to 170 days
Farmland classification: Not prime farmland

Map Unit Composition

Schamber and similar soils: 55 percent
Razor and similar soils: 43 percent
Minor components: 2 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Schamber

Setting

Landform: Breaks
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Alluvium derived from granite and/or colluvium derived from granite and/or eolian deposits derived from granite

Typical profile

A - 0 to 5 inches: gravelly loam
AC - 5 to 15 inches: very gravelly loam
C - 15 to 60 inches: very gravelly sand

Properties and qualities

Slope: 8 to 50 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Runoff class: Medium
Capacity of the most limiting layer to transmit water (Ksat): High (2.00 to 6.00 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 15 percent
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water supply, 0 to 60 inches: Low (about 3.0 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 7e
Hydrologic Soil Group: A
Ecological site: R069XY064CO - Gravel Breaks
Hydric soil rating: No

Description of Razor

Setting

Landform: Breaks
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Clayey slope alluvium over residuum weathered from shale

Typical profile

A - 0 to 3 inches: clay loam
Bw - 3 to 9 inches: clay loam
Bk - 9 to 31 inches: clay
Cr - 31 to 35 inches: weathered bedrock

Properties and qualities

Slope: 8 to 15 percent
Depth to restrictive feature: 20 to 40 inches to paralithic bedrock
Drainage class: Well drained
Runoff class: Medium
Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.06 to 0.20 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 15 percent
Gypsum, maximum content: 5 percent
Maximum salinity: Moderately saline to strongly saline (8.0 to 16.0 mmhos/cm)
Sodium adsorption ratio, maximum: 15.0
Available water supply, 0 to 60 inches: Low (about 5.5 inches)

Interpretive groups

Land capability classification (irrigated): 6e
Land capability classification (nonirrigated): 6e
Hydrologic Soil Group: D
Ecological site: R069XY047CO - Alkaline Plains
Other vegetative classification: ALKALINE PLAINS (069AY047CO)
Hydric soil rating: No

Minor Components

Other soils

Percent of map unit: 1 percent
Hydric soil rating: No

Pleasant

Percent of map unit: 1 percent
Landform: Depressions
Hydric soil rating: Yes

References

American Association of State Highway and Transportation Officials (AASHTO). 2004. Standard specifications for transportation materials and methods of sampling and testing. 24th edition.

American Society for Testing and Materials (ASTM). 2005. Standard classification of soils for engineering purposes. ASTM Standard D2487-00.

Cowardin, L.M., V. Carter, F.C. Golet, and E.T. LaRoe. 1979. Classification of wetlands and deep-water habitats of the United States. U.S. Fish and Wildlife Service FWS/OBS-79/31.

Federal Register. July 13, 1994. Changes in hydric soils of the United States.

Federal Register. September 18, 2002. Hydric soils of the United States.

Hurt, G.W., and L.M. Vasilas, editors. Version 6.0, 2006. Field indicators of hydric soils in the United States.

National Research Council. 1995. Wetlands: Characteristics and boundaries.

Soil Survey Division Staff. 1993. Soil survey manual. Soil Conservation Service. U.S. Department of Agriculture Handbook 18. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_054262

Soil Survey Staff. 1999. Soil taxonomy: A basic system of soil classification for making and interpreting soil surveys. 2nd edition. Natural Resources Conservation Service, U.S. Department of Agriculture Handbook 436. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053577

Soil Survey Staff. 2010. Keys to soil taxonomy. 11th edition. U.S. Department of Agriculture, Natural Resources Conservation Service. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053580

Tiner, R.W., Jr. 1985. Wetlands of Delaware. U.S. Fish and Wildlife Service and Delaware Department of Natural Resources and Environmental Control, Wetlands Section.

United States Army Corps of Engineers, Environmental Laboratory. 1987. Corps of Engineers wetlands delineation manual. Waterways Experiment Station Technical Report Y-87-1.

United States Department of Agriculture, Natural Resources Conservation Service. National forestry manual. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/home/?cid=nrcs142p2_053374

United States Department of Agriculture, Natural Resources Conservation Service. National range and pasture handbook. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/landuse/rangepasture/?cid=stelprdb1043084

United States Department of Agriculture, Natural Resources Conservation Service. National soil survey handbook, title 430-VI. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/scientists/?cid=nrcs142p2_054242

United States Department of Agriculture, Natural Resources Conservation Service. 2006. Land resource regions and major land resource areas of the United States, the Caribbean, and the Pacific Basin. U.S. Department of Agriculture Handbook 296. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053624

United States Department of Agriculture, Soil Conservation Service. 1961. Land capability classification. U.S. Department of Agriculture Handbook 210. http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcs142p2_052290.pdf

EXHIBIT J

Vegetation Information

A vegetation survey of the expansion area was conducted on August 18, 2023 by ERO Resources Corporation. Their findings are presented in the attached memo.

ERO Resources Corporation

Denver 1626 Cole Boulevard, Suite 100, Lakewood, CO 80401-3306
Durango 835 East Second Avenue, Suite 400, Durango, CO 81301
Hotchkiss 161 South 2nd Street, PO Box 932, Hotchkiss, CO 81419
Idaho 7154 West State Street, Suite 398, Boise, ID 83714

August 28, 2023

TO: Kirsta Scherff-Norris, Senior Wildlife Biologist
Colorado Springs Utilities

FROM: Marie Russo, Biologist

RE: Gravel Mine Expansion, El Paso County, Colorado

ERO Resources Corporation is providing this Technical Memorandum to relay the results of a vegetation survey at the proposed 35-acre Gravel Mine expansion project located in El Paso County, Colorado (project area, Figure 1).

The following are questions included in the permit application and responses based on the vegetation survey.

The Operator/Applicant shall include in this Exhibit a narrative of the following items:

(a) Descriptions of the present vegetation types, which include quantitative estimates of cover and height for the principal species in each life-form represented (i.e. trees, tall shrubs, low shrubs, grasses, forbs);

The proposed project area is comprised of native scrub-shrub and prairie habitat. It is dominated by native herbaceous grasses and forbs including blue grama (*Bouteloua dactyloides*), side oats grama (*Bouteloua curtipendula*), sand dropseed (*Sporobolus cryptandrus*), green needlegrass (*Nassella viridula*), little bluestem (*Schizachyrium scoparium*), big bluestem (*Andropogon gerardii*), ricegrass (*Achnatherum hyemenoides*), prairie sunflower (*Helianthus pauciflora*), purple prairie clover (*Dalea purpurea*), white sage (*Artemisia ludoviciana*), prickly white poppy (*Argemone albiflora*), hairy false goldenaster (*Heterotheca villosa*), and dotted blazingstar (*Liatris punctata*). Scrub-shrub species include cholla (*Cylindropuntia* species), sand sagebrush (*Artemisia filifolia*), buckwheat (*Eriogonum* species), rubber rabbitbrush (*Ericameria nauseosa*), skunkbush (*Rhus trilobata*), and yucca (*Yucca* species). The estimated cover of the herbaceous and forbs species is 50 percent with approximately 35 percent being herbaceous grasses and 15 percent being forbs. Less than 10 percent of the herbaceous and forb species are non-native undesirable or noxious weed species and include prickly Russian thistle (*Salsola tragus*) and cheatgrass (*Bromus tectorum*). The herbaceous and forb species have an average height of 12 inches. The estimated cover of the scrub-shrub species is 30 percent with an average height of 48 inches. The remaining 20 percent of cover in the project area is bare ground.

(b) The relationship of present vegetation types to soil types, or alternatively, the information may be presented on a map; and

The U.S. Department of Agriculture, Natural Resources Conservation Service Web Soil Survey maps the soil in the project area as Schamber-Razor complex, 8 to 50 percent slopes. This soils type is comprised of clay loam, clay, gravelly loams, very gravelly loams, and very gravelly sands. It is well drained and is typically associated with the landform of breaks. Breaks are landscapes comprised of steep, rough, or broken land dissected by ravines and gullies. The species observed in the project area are those that thrive in well drained soils.

(c) Estimates of average annual production for hay meadows and croplands, and carrying capacity for range lands on or in the vicinity of the affected land, if the choice of reclamation is for range or agriculture.

The project area, following completion of gravel mining activities, will be reclaimed and replanted with native vegetation. Currently there are plans to use the reclaimed area for rangeland, which has a carrying capacity of 7 cow-calf pairs for one month of grazing.

The Operator/Applicant shall show the relation of the types of vegetation to existing topography on a map in Exhibit C. In providing such information, the Operator/Applicant may want to contact the local Conservation District.

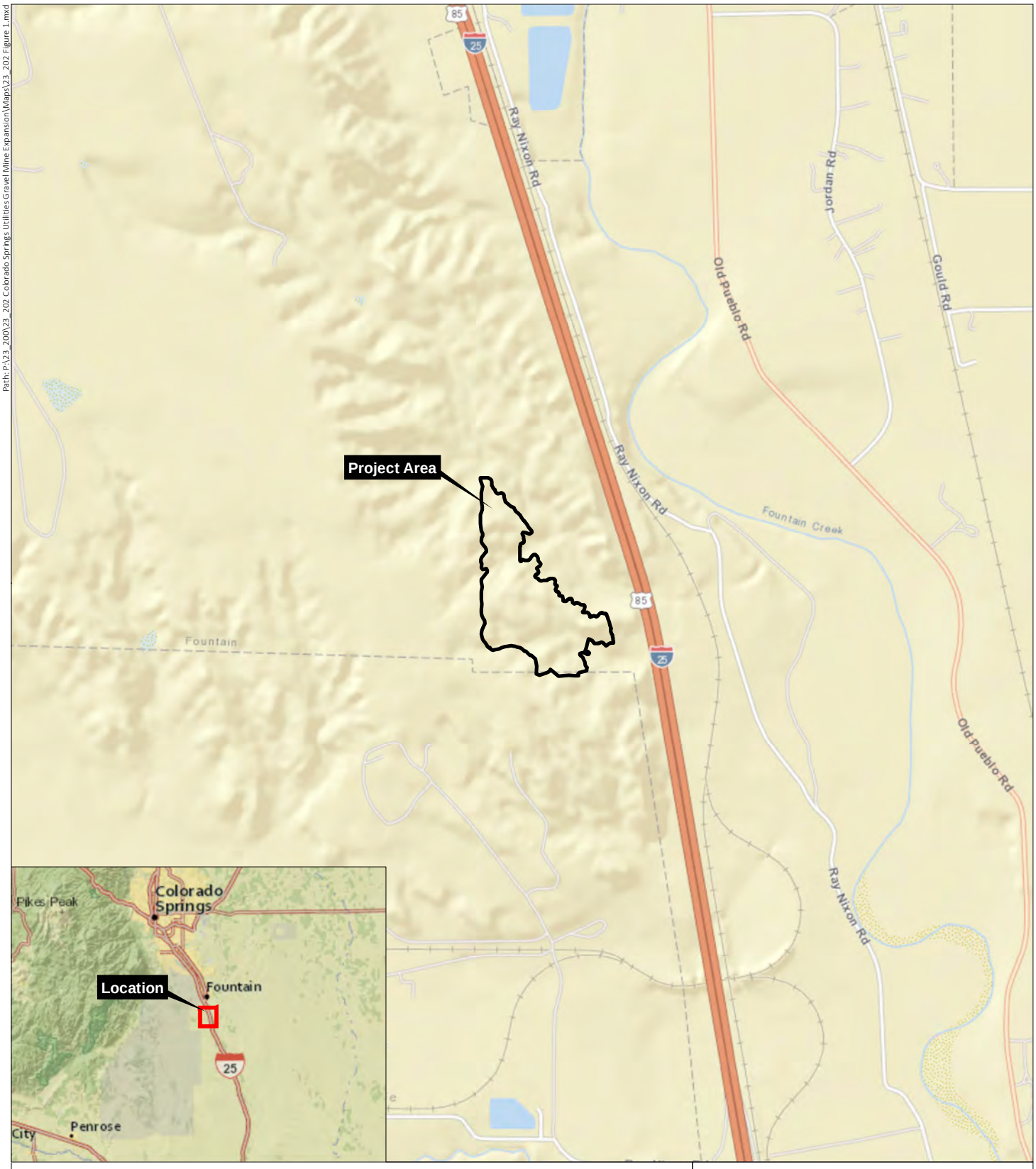
ERO has prepared Figure 1 Vicinity Map and Figure 2 Habitat Map in support of the vegetation survey at the project area. As mentioned above, the entire project area is comprised of native scrub-shrub and prairie habitat. The project area is a mosaic of species that does not change based on landscape location in the project area. There are no definite breaks between the scrub-shrub and prairie habitat by topography.

SIGNED: K Marie Russo

Marie Russo, Biologist

Attachments: Figure 1 Vicinity Map, Figure 2 Habitat Map

Path: P:\23_200\23_202 Colorado Springs Utilities Gravel Mine Expansion\Maps\23_202 Figure 1.mxd



Colorado Springs Utilities Gravel Mine Expansion

Section 20, T16S, R65W; 6th PM

UTM NAD 83: Zone 13N; 526217mE, 4277416mN

Longitude 104.698738°W, Latitude 38.644908°N

USGS Fountain, CO Quadrangle

El Paso County, Colorado

0 750 1,500 Feet

N

Figure 1
Vicinity Map

Prepared for: Colorado Springs Utilities

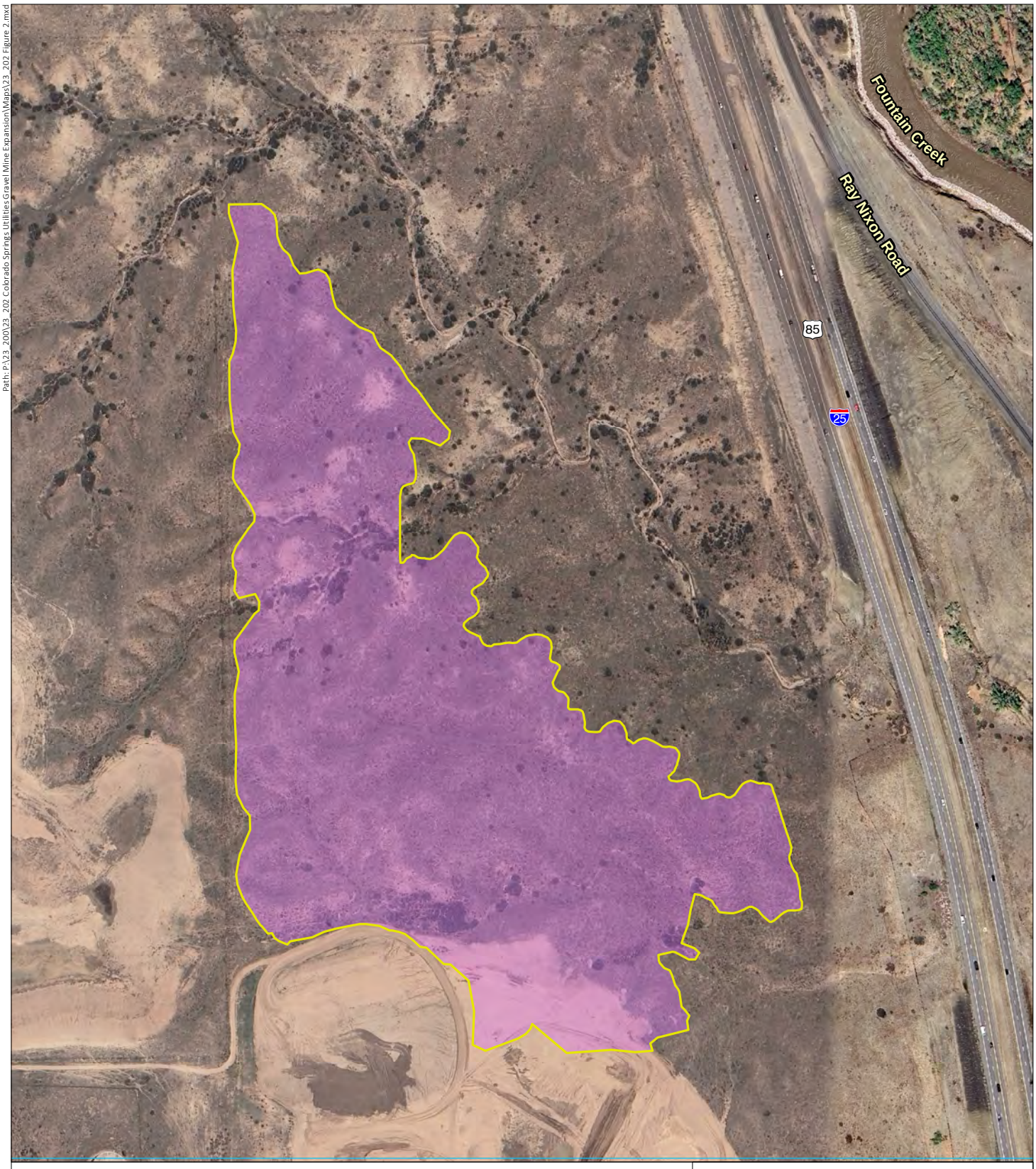
File: 23_202 Figure 1.mxd (GS)

August 25, 2023

ERO Resources Corp.

Portions of this document include intellectual property of ESRI and its licensors and are used herein under license. Copyright © 2023 ESRI and its licensors. All rights reserved.

Path: P:\23_200\23_202 Colorado Springs Utilities Gravel Mine Expansion\Maps\23_202 Figure 2.mxd



Colorado Springs Utilities Gravel Mine Expansion

Native Scrub-shrub and Prairie Habitat

Project Area Boundary

Image Source: Google Earth©, May 22, 2023

0 175 350 Feet

N

Figure 2
Existing Conditions

Prepared for: Colorado Springs Utilities
File: 23_202 Figure 2.mxd (GS)
August 25, 2023

ERO Resources Corp.

EXHIBIT K

Climate Information

The Climate Information for the expansion area is comparable to the information presented in the original application for the site.

EXHIBIT L

Reclamation Costs

Not included Due to Owner/Operator Being a Municipality

EXHIBIT M

Other Permits and Licenses

CDPS General Permit for Stormwater Discharges Associated with Sand And Gravel Mining and Processing Certification COG501764

CDPS General Permit for Stormwater Discharges Associated with Non-Extractive Industrial Activity Certification COR901255

APDC Construction Permit 93EP163F Issuance 4 (Material extraction, handling, stockpiling, hauling, and associated conveyors and transfer points)

APDC Construction Permit 86EP078F Issuance 5 (Solid waste backfilling of former sand and gravel pit (e.g., crushed gravel, concrete, and porcelain) and associated hauling)

APDC Construction Permit 20EP0766 Issuance 1 (Metso LokoTrack ST4.8 screen)

APDC Construction Permit 18PO0715 Correction 1 (Turbo Chieftain 1400 screen - portable source which may be located at this facility)

Certificate of Designation (CD) issued by El Paso County, CD-04-001

City of Fountain Condition Use Permit

El Paso County Use Subject to Special Review

EXHIBIT N

Source of Legal Right to Enter

The Source of Legal Right to Enter for the expansion area is the same information presented in the original application for the site.

EXHIBIT O

Owners of Record of Affected Land and Owners of Substance to be Mined

City of Colorado Springs, Colorado

EXHIBIT P

Municipalities Within 2 miles

City of Fountain, Colorado

EXHIBIT Q

Proof of Mailing Notices to County Commissioners

and Conservation District

Fossinger, Vance

From: DSD-POD <DSD-POD@elpasoco.com>
To: Fossinger, Vance
Sent: Tuesday, September 26, 2023 9:43 AM
Subject: Read: Notice of Application for Clear Spring Ranch Gravel Pit Expansion

Your message

To:
Subject: Notice of Application for Clear Spring Ranch Gravel Pit Expansion
Sent: Tuesday, September 26, 2023 3:42:55 PM (UTC+00:00) Monrovia, Reykjavik

was read on Tuesday, September 26, 2023 3:42:45 PM (UTC+00:00) Monrovia, Reykjavik.

Fossinger, Vance

From: Microsoft Outlook
To: DSD-POD@elpasoco.com; dotweb@elpasoco.com; jackieallred@elpasoco.com
Sent: Monday, September 25, 2023 12:30 PM
Subject: Relayed: Notice of Application for Clear Spring Ranch Gravel Pit Expansion

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

DSD-POD@elpasoco.com (DSD-POD@elpasoco.com)

dotweb@elpasoco.com (dotweb@elpasoco.com)

jackieallred@elpasoco.com (jackieallred@elpasoco.com)

Subject: Notice of Application for Clear Spring Ranch Gravel Pit Expansion

Fossinger, Vance

From: Fossinger, Vance
Sent: Monday, September 25, 2023 12:29 PM
To: DSD-POD@elpasoco.com; dotweb@elpasoco.com
Cc: jackieallred@elpasoco.com; Joe Houghton
Subject: Notice of Application for Clear Spring Ranch Gravel Pit Expansion
Attachments: CSR County Commisioners Notice.pdf; CSR_Pit_Construction_112 _Application_Signed.pdf

To: El Paso County Planning and Community Development
CC: Jackie Allred, Clerk to the County Commissioner's Board Manager
Joe Houghton, Colorado Springs Utilities

Colorado Springs Utilities has applied for a modification to their State of Colorado permit to allow expansion of their existing gravel pit operation within Assessor's Parcel No. 5600000113 in the City of Fountain. The State of Colorado Rules and Regulations require notification of the County Commissioners of the application submittal. Jackie Allred, Clerk to the County Commissioner's Board Manager, directed me to send this notice to the El Paso County Planning and Community Development Department and Joe Letke of the planning department directed me to send the notice to the addresses above. I have also copied Jackie Allred with this e-mail.

A pdf copy of the notice is attached along with a pdf copy of the full application package. Colorado Springs Utilities is also in the process of applying for conditional use and site plan approval for the gravel pit expansion from the City of Fountain.

Please feel free to contact me if you have questions about this information. My contact information is below.

Thanks,
Vance Fossinger

Vancel Fossinger, PE
Senior Drainage Engineer
Project Manager

Wilson & Company, Inc., Engineers & Architects
5755 Mark Dabling Boulevard, Suite 100 | Colorado Springs, CO 80919
719 302 6742 (direct) | 719 649 2022 (cell)
wilsonco.com

discipline | intensity | collaboration | shared ownership | solutions

NOTICE OF FILING APPLICATION

FOR COLORADO MINED LAND RECLAMATION PERMIT

FOR **REGULAR (112) CONSTRUCTION MATERIALS EXTRACTION OPERATION**

NOTICE TO THE BOARD OF COUNTY COMMISSIONERS

El Paso COUNTY

Colorado Springs Utilities (the "Applicant/Operator") has applied for a Regular (112) reclamation permit from the Colorado Mined Land Reclamation Board (the "Board") to conduct the extraction of construction materials operations in El Paso County. The attached information is being provided to notify you of the location and nature of the proposed operation. The entire application is on file with the Division of Reclamation, Mining, and Safety (the "Division") and the local county clerk and recorder.

The applicant/operator proposes to reclaim the affected land to Rangeland use. Pursuant to Section 34-32.5-116(4)(m), C.R.S., the Board may confer with the local Board of County Commissioners before approving of the post-mining land use. Accordingly, the Board would appreciate your comments on the proposed operation. Please note that, in order to preserve your right to a hearing before the Board on this application, you must submit written comments on the application within twenty (20) days of the date of last publication of notice pursuant to Section 34-32.5-112(10), C.R.S.

If you would like to discuss the proposed post-mining land use, or any other issue regarding this application, please contact the Division of Reclamation, Mining, and Safety, 1313 Sherman Street, Room 215, Denver, Colorado 80203, (303) 866-3567.

NOTE TO APPLICANT/OPERATOR: You must attach a copy of the application form to this notice. If this is a notice of a change to a previously filed application you must either attach a copy of the changes, or attach a complete and accurate description of the change.

Fossinger, Vance

From: Mariah Hudson, District Manager <districtmanager@epccd.org>
Sent: Tuesday, September 26, 2023 1:24 PM
To: Fossinger, Vance
Subject: Re: Notice of Application for Clear Spring Ranch Gravel Pit Expansion

Good Afternoon,

Received; thank you!

-Mariah

Mariah Hudson, District Manager
El Paso County Conservation District
5610 Industrial Pl Ste 100
Colorado Springs, CO 80916
districtmanager@epccd.org
719-600-4706

I am a part-time employee with a variable schedule. Beginning October 2023: we are generally available by appointment all-day Tuesday, Wednesday, and half-day each Thursday. We try to be as flexible as possible for you to connect with us by phone or email. Meetings with me, visits to the office, or on-site purchases of seed or supplies are **scheduled by appointment**; please use our scheduling tool at https://calendly.com/epccd/visit I try to return messages as reasonably as possible; if I fail to do this or if you need immediate assistance, please text or call 719-920-6114.

Our online store is now open 24/7 with electronic payment options at https://epccd.org/store/

The EPCCD serves land owners, land users, and partners to champion the responsible management and conservation of our finite natural resources. Learn more at https://linktr.ee/epccd

On 2023-09-25 13:39, Fossinger, Vance wrote:

> To: Mariah Hudson, El Paso County Conservation District Manager
>
> Colorado Springs Utilities has applied for a modification to their State of Colorado permit to allow expansion of their existing gravel pit operation within Assessor's Parcel No. 5600000113 in the City of Fountain. The State of Colorado Rules and Regulations require notification of the local Conservation District of the application submittal.
>
> A pdf copy of the notice is attached along with a pdf copy of the full application package. Colorado Springs Utilities is also in the process of applying for conditional use and site plan approval for the gravel pit expansion from the City of Fountain.

Please feel free to contact me if you have questions about this information. My contact information is below.

Thanks,

Vance Fossinger

Vancel Fossinger, PE

Senior Drainage Engineer

Project Manager

Wilson & Company, Inc., Engineers & Architects
5755 Mark Dabling Boulevard, Suite 100 | Colorado Springs, CO 80919
719 302 6742 (direct) | 719 649 2022 (cell)
vance.fossinger@wilsonco.com

discipline | intensity | collaboration | shared ownership | solutions

Confidential/Proprietary Note: The information in this email is confidential and may be legally privileged. Access to this email by anyone other than the intended addressee is unauthorized. If you are not the intended recipient of this message, any review, disclosure, copying, distribution, retention, or any action taken or omitted to be taken in reliance on it is prohibited and may be unlawful. If you are not the intended recipient, please reply to or forward a copy of this message to the sender and delete the message, any attachments, and any copies thereof from your system. Thank you.

Fossinger, Vance

From: Fossinger, Vance
Sent: Monday, September 25, 2023 1:40 PM
To: districtmanager@epccd.org
Cc: Joe Houghton
Subject: Notice of Application for Clear Spring Ranch Gravel Pit Expansion
Attachments: CSR Conservation District Notice P.pdf; CSR_Pit_Construction_112 _Application_Signed.pdf

To: Mariah Hudson, El Paso County Conservation District Manager

Colorado Springs Utilities has applied for a modification to their State of Colorado permit to allow expansion of their existing gravel pit operation within Assessor's Parcel No. 5600000113 in the City of Fountain. The State of Colorado Rules and Regulations require notification of the local Conservation District of the application submittal.

A pdf copy of the notice is attached along with a pdf copy of the full application package. Colorado Springs Utilities is also in the process of applying for conditional use and site plan approval for the gravel pit expansion from the City of Fountain.

Please feel free to contact me if you have questions about this information. My contact information is below.

Thanks,
Vance Fossinger

Vancel Fossinger, PE
Senior Drainage Engineer
Project Manager

Wilson & Company, Inc., Engineers & Architects
5755 Mark Dabling Boulevard, Suite 100 | Colorado Springs, CO 80919
719 302 6742 (direct) | 719 649 2022 (cell)
vance.fossinger@wilsonco.com

discipline | intensity | collaboration | shared ownership | solutions

NOTICE OF FILING APPLICATION

FOR COLORADO MINED LAND RECLAMATION PERMIT

FOR **REGULAR (112) CONSTRUCTION MATERIALS EXTRACTION OPERATION**

NOTICE TO THE BOARD OF SUPERVISORS

OF THE LOCAL CONSERVATION DISTRICT

El Paso County DISTRICT

Colorado Springs Utilities (the "Applicant/Operator") has applied for a Regular (112) reclamation permit from the Colorado Mined Land Reclamation Board (the "Board") to conduct the extraction of construction materials operations in El Paso County. The attached information is being provided to notify you of the location and nature of the proposed operation. The entire application is on file with the Division of Reclamation, Mining, and Safety (the "Division") and the local county clerk and recorder.

The applicant/operator proposes to reclaim the affected land to Rangeland use. Pursuant to Section 34-32.5-116(4)(m), C.R.S., the Board may confer with the local Conservation Districts before approving of the post-mining land use. Accordingly, the Board would appreciate your comments on the proposed operation. Please note that, in order to preserve your right to a hearing before the Board on this application, you must submit written comments on the application within twenty (20) days of the date of last publication of notice pursuant to Section 34-32.5-112(10), C.R.S.

If you would like to discuss the proposed post-mining land use, or any other issue regarding this application, please contact the Division of Reclamation, Mining, and Safety, 1313 Sherman Street, Room 215, Denver, Colorado 80203, (303) 866-3567.

NOTE TO APPLICANT/OPERATOR: You must attach a copy of the application form to this notice. If this is a notice of a change to a previously filed application you must either attach a copy of the changes, or attach a complete and accurate description of the change.

EXHIBIT R

Proof of Filing with County Clerk or Recorder

NOTICE OF FILING APPLICATION

FOR COLORADO MINED LAND RECLAMATION PERMIT

FOR REGULAR (112) CONSTRUCTION MATERIALS EXTRACTION OPERATIONS

NOTICE TO THE COUNTY CLERK

EL PASO COUNTY

Steve Schleiker
Chuck Broerman

1675 West Garden of the Gods

Colorado Springs, CO 80907

Colorado Springs Utilities (the "Applicant/Operator") has applied for a Regular (112) reclamation permit from the Colorado Mined Land Reclamation Board (the " Board") to conduct the extraction of construction materials operation in El Paso County.

The attached application for permit amendment is being provided to you to allow for public review of the location and nature of the proposed amended operations. We request that you place the entire application in a place for public review, but not be recorded. This request is made pursuant to the Mining Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials.

Acknowledgement of Receipt

By: Kathryn Connelly

Title: Deputy Clerk

Date: 9/26/23

EXHIBIT S

Permanent Manmade Structures

There are no significant permanent manmade structures within 200 feet of the proposed mining area.

Notice

NOTICE

This site is the location of a proposed construction materials operation. Colorado Springs Utilities, whose address and phone number is:121 South Tejon Street, Mail Code 940, Colorado Springs, Colorado 80903, (719) 313-8472, has applied for a Reclamation Permit with the Colorado Mined Land Reclamation Board. Anyone wishing to comment on the application may view the application at the El Paso County Clerk and Recorder's Office, located at 1675 Garden of the Gods Road, Colorado Springs, Colorado, and should send comments prior to the end of the public comment period to the Division of Reclamation, Mining, and Safety, 1313 Sherman St, Room 215, Denver, Colorado 80203.

You must post sufficient Notices at the location of the proposed mine site to clearly identify the site as the location of a proposed mining operation. The following is a sample of the Notice required for Rue 1.6.2(1)(b) that you may wish to use.

NOTICE

This site is the location of a proposed construction materials operation. Colorado Springs Utilities, whose address and phone number is: 121 South Tejon Street, Mail Code 940, Colorado Springs, Colorado 80903, (719) 313-8472, has applied for a Reclamation Permit with the Colorado Mined Land Reclamation Board. Anyone wishing to comment on the application may view the application at the El Paso County Clerk and Recorder's Office, located at 1675 Garden of the Gods Road, Colorado Springs, Colorado, and should send comments prior to the end of the public comment period to the Division of Reclamation, Mining, and Safety, 1313 Sherman St, Room 215, Denver, Colorado 80203.

Certification:

I, Chad Grantham, hereby certify that I posted a sign containing the above notice for the proposed permit area known as the (Name of Operation) CLEAR SPRING RANCH P on (Date Posted) 9/26/2023.

SIGNATURE

9/26/2023
DATE

Geotechnical Stability Exhibit

Proposed Site Slopes are 3:1 or Flatter - Not Required