

April 9, 2012

Division of Mining, Reclamation & Safety

619 County Road 233 Rm A-2

Durango Co 80301

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Durango County Office
Division of Reclamation,
Mining and Safety

To Whom It May Concern;

Good Morning. I am writing this letter to inform the State of several situations occurring here in La Plata County. As concerned citizens, tax payers and land owners here in La Plata County we feel the need that the following information be brought to your attention.

On or about October 1, 2011 the Southern Ute Indian Tribe demolished the old Casino in Ignacio, Co. The removal and transporting of the materials was given to Hocker Construction. They loaded, transported and dumped hundreds of belly dump and dump truck loads of material to a permitted gravel pit. The materials were transported through the town of Ignacio, up Hwy 151 and to the Hocker Gravel pit at the top of Mesikapp road. The materials have filled a majority of their active gravel pit, permit #M2004063. The materials have remained uncovered and the debris is able to move freely. The concern with the debris from the casino is that Mr. Hocker knowingly transported and dumped thousands of tons of debris that may be harmful to the residents of La Plata County. The casino debris may be contaminated with toxins that should not be dumped on private property. In addition to this concern, Mr. Hocker is adding to the traffic through Ignacio to and from this gravel pit for non-permitted activities. His actions have directly impacted the environment in and around the permitted property and will ultimately affect the property values of all surrounding properties. Mr. Hocker received monetary payment for his actions.

In addition to the above concern, Mr. Hocker has been importing materials from a non-permitted parcel. On or about December 15, 2011 Mr. Hocker began excavating materials from parcel # 595515400044. This parcel is owned by Hocker, and is adjacent to his current gravel pit. Three loaders were used to transport material and import to gravel pit #M1977446. Mr. Hocker transported materials for 24 hours a day from the excavated pit for several weeks. The loaders transported the material north up Shellhammer Road and into the above gravel pit for several week. It was at that time Mr. Hocker created a new road to the south of this gravel pit, and began transporting material along this road through a well location and out into the gravel pit in the southwest corner. Land owners with

easements on the old road were contacted by Mr. Hocker and asked to sign new easements, because Mr. Hocker was permitting new properties. We have yet to see any notices for permitting. The open pit has not been filled and is still being excavated. The size is approximately 1200 feet long by 400 feet wide. Depth is questionable. The road that wraps down into the hole cannot be seen from the edge. Again this is not only damaging property values, but is a direct violation of policy. In addition Mr. Hocker does not have a bond on this property and will not be held liable for reclamation. In addition, the equipment hauling the material from the excavated hole to the permitted gravel pit is numerous and continues, as do the trucks hauling the purchased gravel from the excavated pit. Mr. Hocker is not and has not for the last 6 months, crushed material from this gravel pit. It is mined out. After 35 years Mr. Hocker has decided to import and mine out of bounds instead of reclaiming this gravel pit.

We were hoping Mr. Hocker would change his intentions and reclaim this gravel pit as needed. Instead, Mr. Hocker has taken the above situations and added to them. Recently, approximately 4 weeks ago from today, Mr. Hocker began mining in the southwest corner of gravel pit M1977446. Mr. Hocker has cleared where the old dirt road was and into the adjacent parcel directly to the south of the gravel pit. We are unclear the exact wording in the permit, but we believe 30 feet to the adjacent property is the closest proximity to the adjacent property for mining. Mr. Hocker has been mining and crushing this material approximately 50% of the 4 weeks. Mr. Hocker has accumulated a huge stockpile of gravel, crushing as early as 7:00 am including Saturdays and Sundays. Numerous belly dumps and dump trucks have entered the gravel pit, loaded, and exited the pit. Some days the numbers are as high as 10 to 12 belly dumps with multiple loads. Other days the numbers are 3 to 5 trucks with multiple loads. Again as stated above, the concern is that Mr. Hocker is ignoring the policy set forth by the State of Colorado. We, as citizens of La Plata County, feel that if we do not report the above situations Mr. Hocker will continue to import, mine out of bounds and illegally dump toxic materials in La Plata County. This is impacting generations with his actions. Mr. Hocker is the only one gaining from his actions. I ask that the DMRS please investigate the information above and make all parties accountable. Please feel free to contact us with additional questions at this email.

Thank you,

Concerned Citizens of La Plata County