

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



April 3, 2013

Zane Luttrell

Rocky Mountain Aggregate and Construction

23625 Uncompahgre Road

Montrose, CO 81401

John W. Hickenlooper
Governor

Mike King
Executive Director

Loretta E. Piñeda
Director

Greg Lewicki

Greg Lewicki and Associates

11541 Warrington Court

Parker, CO 80138

RE: Objections to a 112c Application, Uncompahgre Pit, File No. M-2013-007.

Dear Mr. Luttrell and Mr. Lewicki:

On March 7, 2013, the Division forwarded copy of a written objection from Janice Wheeler to the above referenced permit application. Since that time, the Division has received three additional objections. The Division has received objections from the following individuals:

1. Janice Wheeler, dated February 25, 2013, received March 6, 2013
2. Susan J. Hansen, dated March 27, 2013, received March 29, 2013
3. Dr. Joseph J. and Mary A. Scuderi, dated March 28, 2013, received March 29, 2013
4. Gene and Carolyn Kliethermes, dated March 30, 2013, received April 1, 2013

Copies of the written objections from Ms Hansen, Mr. and Mrs. Scuderi, and Mr. and Mrs. Kliethermes, are enclosed for your records. Please inform the Division how the Applicant intends to address the jurisdictional issues raised by the timely Objectors.

Please contact me at the Division's office in Durango at 691 County Road 233, Suite A-2, Durango, CO 81301, phone (970) 247-5469, if you have any questions.

Sincerely,

Wallace H. Erickson

Environmental Protection Specialist

Enclosure: Objection letters 2, 3 and 4, as listed above

cc w/enclosure: Russ Means, DRMS GJFO

Whe, grm

Division of Reclamation, Safety & Mining
1313 Sherman Street Room 215
Denver CO 80203

March 27, 2013

I'm writing in opposition to the application file #m2013007. This proposed gravel pit in the Southwest portion of Montrose, will affect at least 250 residences within a 1 mile radius. I am writing to you so that you might consider the families that this project will negatively affect. In addition to the gravel being mined, there will also be an asphalt plant, and a concrete operation. Some residents that will be affected are unable to open windows in the spring, the traffic (I know this is a local issue) will put undue burden on the capacity of the roadway 550. This is already a hazardous intersection in a rural part of the county.

I know we love gravel in Western Colorado, however, I believe it would be beneficial to have another look at this location. Please let me know what I could possibly do.

Susan Hansen
fr Susan J Hansen
10990 5880 Road
Montrose CO 81403
970-209-0239

Cc: Mike King, Director, Department of Natural Resources

RECEIVED
✓ MAR 29 2013
to DIVISION OF RECLAMATION
MINING AND SAFETY

Dr. Joseph J & Mary A Scuderi
68044 Tulare Road
Montrose, Colorado 81403

March 28, 2013

Mr. Wally Erickson
Division of Reclamation, Mining and Safety
Durango Field Office
691 County Road 233, Suite A-2
Durango, Colorado 81301

RECEIVED
MAR 29 2013
Durango Field Office
Division of Reclamation,
Mining and Safety

RE: Uncompahre Pit, File No. M-2013-007

Dear Mr. Erickson:

The concerned citizens in Montrose County have many in depth environmental issues that need to be addressed before the State and Montrose County Governmental Agencies approve the gravel, asphalt and concrete plant for Rocky Mountain Aggregate and Construction, LLC.- Permit No. M2013-007. Therefore it is recommended you do not approve this project at the T Road location at this time.

We believe spot zoning is an illegal practice that favors one individual at the expense of others, especially considering the large number of individuals who live in the given area of this pit. The River's Edge subdivision and other minor divisions are affiliate communities directly across from the pit. Numerous residents and a bed & breakfast surround the project. This massive industrial nightmare will result in decades of noise, water and air pollution from mining, petroleum and toxic dust, with a parade of dump trucks clogging narrow county roads and Highway 550 which cannot accommodate the present day two lane traffic much less the hundred plus added large quarry equipment.

There are studies, which show the air and noise pollution harm wildlife living and nesting near gravel, asphalt and concrete plants. We have experienced this first hand on Fountain Creek when the Blue Hereon Crane population was compromised. The Uncompahgre River is a very valuable wetland, which is less than a mile away from this future quarry operation. There are eagles, humming birds, ducks, and geese nests on the river and ponds with a fox den, deer, raccoons and other animals living near the river. The endangered Gunnison Sage Grouse has been seen on the proposed site. The health and welfare of human beings living around and near this pit will be subject to carcinogens and pollution, which could destroy one's health, especially several small children under the age of nine which live in this given area. No two asphalts are chemically alike because of the chemical content of the original crude petroleum form. Concrete, crushed rock and asphalt additives, plus operating temperatures of recycled paving materials cause increase in toxic emissions as is

documented by the EPA Division. (Case-EPA Division 1996) Therefore exposure to fumes and toxic dust from this plant will cause headaches, skin rashes, fatigue, reduced appetite, throat and eye irritation along with coughing and lung disease. The Air Pollution Control Division under the Federal Occupational Safety and Health Administration has documented these facts to be true. There is no biological mechanism for cleaning the body tissues from the toxins released from these types of plant operation pollution.

The water quality may also pose serious health issues to the largely populated area from the pit. The storm water run off and the water being used by this facility can lead to water quality impairment of our drinking water by polluting the aquifer because the sandy soil drains quickly. (Case Va Released 2009 by EPA.) Sediment ponds leak into the aquifer, which will have lime silo and fly ash from the site as stated in their permit. This is not only a health hazard to humans but also wildlife and fish in the area. It would be a true poison to our natural environment.

The irrigation ditch which Rocky Mountain Aggregate and Construction LLC will use is not piped but rather an open ditch carrying water to farmers in the area and the crops they grow could become contaminated with chemicals which infiltrate their fields from this proposed quarry. This would obviously have a negative impact on the agriculture food chain for humans, farm animals and wildlife downstream.

The permit request also states, "the soil area is covered with cobbles, stone, boulders and un-weathered bedrock." There is documentation, which shows a great deal of radioactive materials exists in these materials, which will be crushed at this site. It is well known and has been proven that radioactive material is a carcinogen, and causes respiratory cancer. This substance could be carried in the dust along with crystalline silica created by this plant. The pit will be located in a high wind belt; the wind blow west to east and vice versa. The direction of the wind pattern in this given area will increase the corrosion and is harmful to wildlife, humans, farm animals and vegetation. Breathing the particles from this deadly dust could cause severe health issues for the many residents that live in this area. The dust will be produced from blasting, crushing, screening and stacking operations as well as conveyor belts and loaders plus truck transport on site and off site. Dust is also produced during the overburden removal of berms and wind blowing over stockpiles and across the pit floor. How will the topsoil stockpile stated in Rocky Mountain Aggregate's permit report be secured without blowing dust pollution, if not used for at least a year? If approved, what agency will closely monitor toxic dust pollution and will the same agency make sure the natural berms are not totally destroyed? How often will this be checked? Also will all the heavy equipment be visually present after the pit operation starts and the mining continue for a number of years?

There have been a number of serious accidents at the Tulare and T Roads because the heavy traffic that already exists on Highway 550. What enforcement mechanism will be in place for future accidents, windshield damage to autos caused from gravel

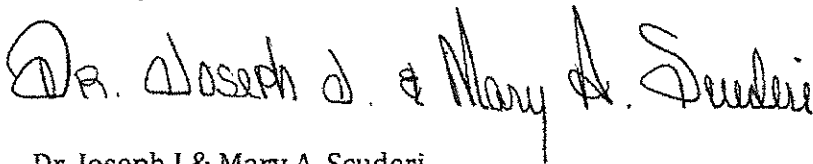
and concrete trucks entering 550? Who will be responsible for the road damage that will occur from the heavy equipment usage on all County and State roadways from this project?

Auburn University Studies show a significant decrease in property values, which are permanent, especially for home and businesses adjacent and next to the quarry operations. Therefore, we are requesting Montrose County conduct a reliable economic impact study by an outside independent firm to learn and document the real cost taxpayers will face in the true future value of their properties.

Converting recreational, historical sites and the residential area into a heavy industrial project is radical change and will cause Montrose County's future overall economic health to stagnate. The pit will be detrimental to the Fort Crawford Historical Site, which is less than 3/10 a mile away, and the scenic route with the majestic San Juan Mountains to the South. These attractions lead to tourist campgrounds and business establishments, which are vital to this community. Are Montrose County Officials concerned about the negative long term financial and health impact this pit will have on its citizens in this populated part of the county? Have government officials considered that two quarries are already in existence south of the proposed gravel site?

In summary, we respectfully request that Montrose County and the State Agencies that would grant permission for this gravel pit to operate, conduct an independent objective study before moving forward with approval of Rocky Mountain Aggregate and Construction, LLC- Permit No.M2013-007. The study should include issues of fragile wildlife and the health and welfare of those living near this proposed pit. The study should include the air, toxic dust and fumes, noise, traffic and property values that will be affected by this project. We request that copies of this research be made available to all the concerned citizens living near the proposed pit and submitted as part of the public record regarding this project.

Sincerely,

A handwritten signature in black ink that reads "Dr. Joseph J. & Mary A. Scuderi". The signature is written in a cursive, flowing style.

Dr. Joseph J & Mary A. Scuderi

March 30, 2013

Mr. Wally Erickson
Division of Reclamation, Mining & Safety
691 County Road 233, Suite A-2
Durango, CO 81301

Re: Uncompahgre Pit
Permit File No. M-2013-007

RECEIVED
APR 01 2013
Durango Field Office
Division of Reclamation,
Mining and Safety

Dear Mr. Erickson:

We are writing to express our concerns regarding the permit request for another large gravel pit along Hwy 550, south of Montrose. Rocky Mountain Aggregate and Construction, LLC is seeking to operate a 248-acre gravel-mining site, as well as producing asphalt and concrete. Entry to the gravel and asphalt operation will be via T Road, directly across Hwy 550 from the entrance to Rivers Edge at Southmont subdivision and near many other small subdivisions, individual homes and small businesses. While our concerns are many, the major ones are addressed below.

Highway 550 - Traffic:

Rocky Mountain Aggregate has told us there could be as many as 100 gravel trucks pulling out of T Road onto 2-lane Hwy 550 on a daily basis. This number was for gravel trucks only and did not include asphalt trucks, concrete trucks, water trucks, diesel trucks, equipment trucks and/or employee and customer traffic.

- During an average off-season workday, Hwy 550 has a constant stream of traffic, both north and south. That traffic becomes heavy during the morning and evening commutes of people working in Telluride and other points south. Shuttles from Montrose to Telluride run several times each day. There are school bus stops and turnoffs along Hwy 550.
- Once tourist season begins, daytime traffic on Hwy 550 never stops. Added to normal traffic are campers, motor homes, motorcycles and other recreational equipment. Tourist season would coincide with the peak production cycle of the Uncompahgre Pit. The combination of heavy truck traffic and frustrated drivers would be a disaster waiting to happen.

Highway 550 – Our Scenic Byway:

Two emphases adopted by Montrose County for economic development are (1)to promote tourism and attract new residents and (2)to improve public infrastructure.

- Hwy 550 is the main tourist corridor between Montrose, the mountains, and resort areas to our south. So far, that corridor includes two active gravel pits, car-repair shops, used vehicle sales, storage units, and a tire dump. Another gravel pit will neither impress visitors nor encourage people to stay.
- The city of Montrose is growing and the southern part of Montrose County is a prime location for people to live, play and shop. A huge, long-term gravel operation would be detrimental to this potential development opportunity.

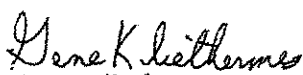
Property Values and Quality of Life:


- According to a 2006 study by Diane Hite of Auburn University, all houses within a 3-mile radius of a gravel pit will lose from 4.9% to 30% of its value.* Most property in Montrose County has already lost value due to the recession. Those of us who would be living next door to the Uncompahgre Pit would never regain full value of our homes.
 - * *Diane Hite's study methods have been used in many places and for all kinds of quarries, and the results are always the same – i.e., the closer the pit, the more value is lost.*
- Unlike the existing gravel pits nearby, the Uncompahgre Pit would be above and to the west of the Rivers Edge subdivision, as well as many smaller subdivisions and individual homes. With our typical westerly winds, the rock-crusher noise, truck noise, dust from digging, dust from trucks on a dirt road, stink of asphalt production and diesel smells of trucks and heavy equipment will drop on the entire area. *Dust-borne pollutants will invade our air, our homes, our irrigation ditches and our river.*
- Our neighbors in Rivers Edge range from young families with children to retirees. A Mormon church and a bed-and-breakfast border our subdivision at the corner of Hwy 550 and Uncompahgre Road. We enjoy a quiet existence along with deer, rabbits, marmots, foxes, geese, hawks, eagles, a myriad of small birds, and an occasional bear. Like ourselves, many of the retirees left other states to fulfill long-term dreams of living in the Montrose area. Our life savings are in our homes. A noisy, smelly, contaminated gravel/asphalt/concrete business in our backyard would totally destroy everything we have invested.
- The site of the proposed Uncompahgre Pit includes potential habitat for the Gunnison sage grouse. Is not this potential habitat to be preserved? The Uncompahgre Pit permit will span decades. Just because the sage grouse is not currently in the area, can you positively state that it would not make use of the potential habitat in the future?

The Montrose County Mission says the Commission will “..provide services that facilitate public health, welfare, safety and infrastructure to Montrose County citizens..” and the County Vision states the Commission will “..serve as a responsive body to citizen needs, quality of life and individual liberties”.

With the Mission and Vision in mind, please weigh the quality of life and safety of the many against the profit potential of a few - and help us reject the Uncompahgre Pit (M-2013-007) proposal.

Respectfully,


Gene Kliethermes
20462 Tulip Circle
Montrose, CO
gkliet@aol.com
970-252-1498


Carolyn Kliethermes
20462 Tulip Circle
Montrose, CO
cskliet@aol.com
970-252-1498