

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

Dear Mr. Luttrell and Mr. Lewicki:

As of April 25, 2013, the Division has received comments to the above referenced permit application from the following parties and/or interested persons:

Letters of Objection:

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
5. Robert G. & Joan D. Hooper, dated April 8, 2013, received April 9, 2013
6. Dennis Schultz, dated April 7, 2013, received April 10, 2013
7. Barbara Bernhardt, dated April 7, 2013, received April 10, 2013
8. Lester & Kathleen Stigall, dated April 8, 2013, received April 11, 2013
9. Carter & Stacy Trask, dated April 12, 2013, received April 15, 2013
10. Stan & Kathy Borinski, dated April 12, 2013, received April 17, 2013
11. Keith & Sharon Rasmussen, not dated, received April 17, 2013
12. Roger & Gail Noble, dated April 12, 2013, received April 17, 2013
13. Stan & Kathy Borinski, dated April 12, 2013, received April 17, 2013
14. Margaret T. Zanin, dated April 24, 2013, received April 17, 2013
15. Susan Berg, dated April 15, 2013, received April 18, 2013
16. Jim & Paula Wyrick, dated April 16, 2013, received April 18, 2013
17. Craig B. Schaff, dated April 19, 2013, received April 22, 2013
18. Amanda Winston, dated April 15, 2013, received April 22, 2013
19. Leigh Robertson, dated April 18, 2013, received April 22, 2013
20. Pam East, dated April 23, 2013, received April 23, 2013
21. Karen Michaelis, dated April 20, 2013, received April 24, 2013

- 22. Karen Michaelis, dated April 20, 2013, received April 24, 2013
- 23. Richard Schulz, dated April 20, 2013, received April 24, 2013
- 24. Richard Schulz, dated April 20, 2013, received April 24, 2013
- 25. Barbara Bernhardt, dated April 21, 2013, received April 24, 2013
- 26. Dr. Joseph & Mary Scuderi, dated April 4, 2013, received April 26, 2013

Letter of Support:

- 27. Al & Vicki Becker, dated April 2, 2013

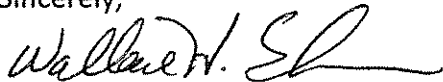
Commenting Agency:

- 28. History Colorado, SHPO, dated March 8, 2013, received March 12, 2013
- 29. Colorado Parks & Wildlife, dated April 9, 2013, received April 15, 2013

Please find enclosed copies of the written comments identified above as items 12 through 26. Copies of all other written comments have been previously forwarded. Please inform the Division how the Applicant intends to address the jurisdictional issues raised by the timely comments.

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: Comment letters 12 through 26 as listed above

cc w/enclosure: Greg Lewicki, Greg Lewicki and Associates
 Russ Means, DRMS GJFO

M-2013-007 whe

RECEIVED

✓ APR 17 2013

to Division of Reclamation,
Mining & Safety

April 12, 2013

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

To Whom It May Concern:

My wife and I are property owners in Montrose County adjoining T Road. We own the property at 67409 T Road just north of the property whose owners are in the process of applying to get a Montrose County Special Use Permit to operate a gravel pit on land currently zoned "general agricultural".

We strongly object to a special use permit for a gravel pit. Our property has the most road frontage on T Road (2350 ft. more or less) except for the applicant, and we feel if this gravel pit permit is granted it will have a great negative impact on our property and life there. It will significantly reduce our property value with a 105 year plan and no compensation.

The gravel pit itself will create dust but, also, the big trucks hauling the gravel out (estimated to be as many as 100, 200 ? trucks a day) will create high truck traffic with more dust! The truck traffic not only increases the danger to farming and ranching activities (moving farm machinery and cows), but also is hazardous to anyone walking on the road (school bus students, pedestrians, and their pets). This scenario turns a quiet, rural, country road into a high traffic road with dangerous, heavy loaded, trucks which take more distance to stop safely. We feel this truck traffic turning onto and off of Highway 550 would certainly warrant acceleration and deceleration lanes due to the impact of high traffic and the dangerous situation the gravel pit usage of T Road would create and therefore become even more of a safety issue than exists now from the high traffic volume on Highway 550. A dedicated or private road on the applicant's property would be more appropriate for all concerned.


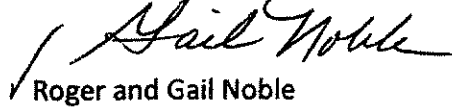
We feel the impact of this type of an operation on T Road negatively affects us and the other residents of the local area. Such a large operation will certainly detract from the agricultural nature of the area, the scenery, the ascetics that attract tourism and the beauty of the area. It will devalue our property, and make it less desirable to live safely on T Road.

We cannot stress enough, how important it is for this application for a special use gravel pit permit to be denied as proposed. Please consider all the different phases of an operation this size. Who will and what will be affected before making any decision in this matter. There is

already two other gravel pits in this local area of Montrose County. We implore your best judgment for all the citizens on this critical issue.

Is a gravel pit worth jeopardizing a whole community of people for one family's gain?

Sincerely,



Roger and Gail Noble

Cc: Montrose County Planning Commission
Montrose County Commissioners

67737 Uintah Ct.
Montrose, CO 81403

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

RECEIVED
✓ APR 17 2013
✓ Division of Reclamation,
Mining & Safety

RE: File #M-2013-007

April 12, 2013

This letter is to voice our opposition to the proposed gravel pit/strip mining operation located nine miles south of Montrose on Highway 550, on land currently zoned general agriculture.

The new owners of the land, Lazy K-Bar Land & Cattle Company, LLLP, have proposed to lease out a portion of the parcel that is not conducive to ranching to Rocky Mountain Aggregate and Construction. A strip mine of horrendous magnitude, covering over 250 acres, is proposed for this portion. The beautiful mesa will be totally destroyed.

The owners of the parcel of land withheld information from the public regarding their intentions right from the start. When landowners near the site such as ourselves were finally informed about the operation, we discovered that significant changes had already been made to widen T Road and that a single-family home was purchased to serve as an office and scale site, in anticipation of the project already being approved.

If the gravel pit/strip mining operation is allowed to proceed, the value of all property near the facility will plummet. We and many of our neighbors have invested much of our retirement in our home and land. An operation of this size would result in sizable decreases in equity. It is unfair for the Lazy K-Bar Land & Cattle Company to be able to enhance the value of their property at the expense of so many others.

Over the last several years, Montrose County has been experiencing strong winds & dust storms during the spring months. The operation will carry even more dust and dirt in the air and neighboring landowners will be subjected to the strong, unpleasant odor from the asphalt processing plant.

The extensive operation will also have a negative effect on the wildlife, including deer, elk, coyotes, foxes, bobcats, mountain lions, bears, eagles, hawks, kestrels, various songbirds, and possibly Gunnison sage grouse. With plant activity, noise, and pollution, these animals will be forced to relocate.

Montrose relies on tourism for its economy and on the retirement community for its growth. An eyesore like the gravel pit/strip mining operation and its heavy truck traffic will surely not appeal to tourists and prospective newcomers. There has been much invested in real estate both to the east and west of the mesa. The most rapid growth of Montrose is south of town. The operation will also have a detrimental effect on the value of vacant land and subdivisions waiting to be developed in the area.

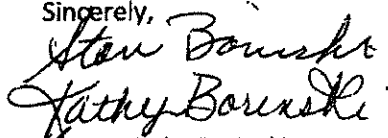
It is estimated that there will be anywhere from 30 to 100 trucks per day entering and leaving the gravel pit/strip mining facility. This will include loaded and unloaded gravel trucks, cement trucks, asphalt trucks, fuel trucks and trucks delivering concrete and asphalt to be recycled. This is a very significant increase in traffic and poses a threat for oncoming traffic traveling 60 mph. The increased truck traffic also represents a hazard for school buses that travel on the highway.

To summarize, the strip mining operation will negatively impact:

- wildlife
- the environment
- property values
- residential living
- tourism
- the local economy
- driving conditions
- road quality

The attorney for Rocky Mountain Aggregate and Construction has publically admitted that this gravel pit/strip mining will be one of the largest of its kind in Colorado. As such, the negative aspects of this type of operation are multiplied. The company has made some concessions for the community, such as adding ingress/egress lanes to their facility. However, unless many larger concessions are made to the residents in the immediate vicinity and to the city and county at large, the impacts of project will be too significant. **Therefore, we ask that you deny this operation.**

Sincerely,


Stan & Kathy Borinski
(970) 252-0006

Whe

✓ Margaret T. Zanin
65010 Solar Rd.
Montrose, CO 81401
970-252-8139
pegpzan@aol.com

1.M-2013-007

Division of Reclamation
Safety & Mining
1313 Sherman St., Rm.215
Denver, CO 80203

April 24, 2013

"OBJECTION LETTER"

RECEIVED
APR 17 2013
DIVISION OF RECLAMATION
MINING AND SAFETY

Gentlemen:

The possibility of a gravel mine doesn't bother me. They can be made socially acceptable but the possibility of an asphalt plant seems really over the top. That has got to make awful stinks. I have trouble breathing as it is and have to use supplemental oxygen at this elevation. Now you want to poison my air. My daughter has spent the past 2 years fighting for her life with a particularly difficult form of cancer. She is still totally disabled but is making headway toward being a normal person. This cancer is known to be associated with chemical pollution. Your proposal will kill her.

And what about the birds? We have operated a rescue ranch for animals and birds for many years. We have in indoor aviary with about a dozen birds, 4 of which came from the Gabriel Foundation because they couldn't place these birds and didn't have room to keep them so we were asked to foster them. Their veterinarians stress the need for clean air in the birds environment. We're not even allowed to clean the glass in the aviary with Windex because it gives off vapors that will make the birds sick. What will happen to them with an Asphalt Plant on the other side of the hill. And what about migrating birds? This is a flyway for migrating birds. The great blue herons, the whooping cranes and many other species will have to change their flight plan and we will lose the thrill of seeing them coming through.

You may think this area is not heavily populated and therefore not much of an interference. Don't be deceived. There are approximately 60 homes just in Duckett Draw (immediately north of your proposed asphalt plant. There are literally hundreds of homes also tucked into the hillsides and valleys. We get very strong winds, often from the south. They will sweep the fumes from the asphalt directly to us! What will this do to our property values? The assessments on our homes will decrease and the corresponding taxes will drop causing a loss of revenue to the County.

The question arises, would you want a stinky asphalt plant in your back yard? I have to believe the answer would be no. If you destroy the beauty and the cleanliness of our "back yard" it will destroy our property values and our quality of life. That will impact revenue to support the County as well as influence the voting preferences of the residents. We'll have a daily reminder of who caused the demise of our way of life.

Sincerely,

Margaret T. Zanin

RECEIVED

✓ Susan Berg

M-2013-007

APR 18 2013

"Comments"

From: "Susan Berg" <skberg@mountaingrocery.com>
 To: <swhite@montrosecounty.net>
 Cc: <dwhite@montrosecounty.net>; <rhenderson@montrosecounty.net>; <gellis@montrosecounty.net>
 Sent: Monday, April 15, 2013 2:58 PM
 Subject: strip mine, concrete plant, asphalt plant south of town

DIVISION OF RECLAMATION
 MINING AND SAFETY ✓

Its 2007, We are an average, hard working, middle class family. We sell everything to be able to move to beautiful South Montrose and into the exceptional Rivers Edge Subdivision so my husband can work in Ridgway. Like almost everyone in our neighborhood we work hard putting in landscaping, irrigation systems, our shop, curbing...everything to improve our home. We are sooo lucky because we have peace and quiet, fresh air and and neighbors you only hear about in stories. We take care of each other and help each other out on a daily basis in in our neighborhood and we all take great pride in the appearance of it. Can you even IMAGINE our fear and shock when we heard that one of our "good neighbors" is trying to start a strip mine, a concrete plant and an asphalt plant right across the highway from us !?!?

Asphalt plants mix gravel and sand with crude oil derivatives to make asphalt. These plants release millions of pounds of chemicals into the air during production each year, including many cancer causing toxic air pollutants such as: arsenic, benzene, formaldehyde and cadmium. Other toxic chemicals are released into the air as the asphalt is loaded into the trucks and hauled from the plant site, including volatile organic compounds, polycyclic aromatic hydrocarbons (PHS'S) and very fine condensed particles.

Asphalt processing facilities are major source of hazardous air pollutants such as hexane, phenol, polycyclic organic matter and toluene. Exposure to these toxics may cause cancer, central nervous system problems, liver damage, respiratory problems and skin irritations.

A plant producing 100,000 tons of asphalt a year may release up to 50 tons of toxic fugitive emissions into the air. How often will this plant be tested for these emissions and will they have an actual "stack test" or will they just be estimated by computers and mathematical formulas? According to Dr. Luanne Williams, a N. Carolina state toxicologist, 40% of toxins from asphalt plants smokestacks may meet air quality standards and for the other 60% of these emissions, the state lacks sufficient data to determine further data, so people living nearby are still exposed to cancer causing substances that can cause long term damage. These Standards are based on "acceptable risk".

"Acceptable" ... in my eyes, anything harmful to the human body and to our health is totally "UNACCEPTABLE"! Would YOU move your families and grandchildren into our Rivers Edge Subdivision or anywhere near this proposed plant ?!?!?

This plant will be one of the biggest in the state of Colorado to date and offers NO benefits! It creates NO outside jobs, and will NEGATIVELY impact our wildlife, environment, property values, health, traffic, residential living, tourism, driving conditions, road quality and local economy. Have we elected the WRONG people to watch out for us and protect us from JUST this very thing? I'd like to think MY elected officials will take great thought in the making of this decision that will negatively affect the lives, health and properties of soooo many citizens and to ONLY promote positive growth in Montrose. What would that say about our elected officials if all they can attract is businesses that will negatively promote Montrose? Please agree UNANIMOUSLY that this strip mine, concrete plant and asphalt plant NOT BE APPROVED. That would be the RIGHT decision for this wonderful community..

Susan Berg
 67888 Tumbleweed Rd.
 (970)240-4323

Susan Berg
 67888 Tumbleweed Rd
 Montrose, CO
 81403

4/15/2013

Whe

CM-2013-007

RECEIVED

✓ APR 18 2013

✓ DIVISION OF RECLAMATION
MINING AND SAFETY

April 16, 2013

Div of Reclamation Mining & Safety
1313 Sherman St Rm 215
Denver CO 80203

Re: Proposed Gravel Pit

Gentlemen:

We would like to express our opposition to the proposed Uncompahgre Gravel Pit on T Rd west of Hwy 550 in Montrose, Colorado.

Our main concerns are the close proximity to our neighborhood on Moonlight Mesa, which would look down onto the pit. It would result in a lot of dust and noise as well as odor from the asphalt plant operation. The increased truck traffic on 550 would be quite dangerous as well. We also believe our property values would be severely impacted.

Please consider the concerns of the homeowners in the vicinity of this gravel pit. I don't know why anyone would consider putting this so close to so many homes.

Sincerely,

✓ Jim and Paula Wyrick

19488 6565 Rd

Montrose CO 81403

Whe

W-2013-007

21645 Government Springs Road
Montrose, Colorado 81403

April 19, 2013

RECEIVED

APR 22 2013

To Whom It May Concern

DIVISION OF RECLAMATION
MINING AND SAFETY

Re: Proposed Gravel Pit/Asphalt Plant

I am opposed to the proposition of another Gravel Pit/Asphalt Plant Facility to be established approximately seven miles south of Montrose off Highway 530 on "S" Road. Please understand that I am not against progress or job creation.

I already own a property on Vernal Road which was $\frac{3}{4}$ of a mile away from The United Gravel Pit. In recent years United has expanded up to Vernal Road, so now we are neighbors. I moved to the "Countyside" for "Country Living". If I wanted to live in an industrial park, I would have purchased property in an industrial park. I would expect that the State of Colorado would have zoning laws to cover this issue. The present location and proximity of the Gravel Pit have significantly devalued my Vernal Road Property.

I now live on Government Springs Road, with six acres of "country living" surrounded by ranches and nearby BLM lands. Here comes a proposal

for another Gravel Pit / Asphalt Plant Facility to further devalue my second property, just in case the economy has not produced enough shrinkage in real estate values already.

I think it is time to forget the Gravel Pit on "S" Road. If you must move forward with this project then place it on BLM land where no people live. Another alternative might be to roll back the property taxes to the assessed rates in 1931 for all homeowners within a five mile radius and let the Gravel Pit pick up the difference. If this seems unfair to the Gravel Pit then roll everyone's tax base back to 1931 rates and let the county and state collect less revenue.

In conclusion I have respiratory problems and paid to live in a place with clean air. If you attended the local March meeting on this subject, you should have observed a close call with violence.

I believe April 19, 1775 was the Boston Tea Party - - - if you push people too far it can happen again!

Sincerely,
H Craig B. Schaff

whe

State of Colorado
Division of Reclamation, Safety & Mining
1313 Sherman St. Room 215
Denver, Colorado 80203

4/15/13

File ✓M-2013-007

RECEIVED

✓APR 22 2013
✓DIVISION OF RECLAMATION
MINING AND SAFETY

TO WHOM IT MAY CONCERN:

Please be advised that the above mentioned application for permit for a proposed gravel pit/strip mine/asphalt plant/concrete plant, is opposed due to the following

1. The land is zoned Rural/Ag.
2. The area is a regular migration route for Elk and Mule deer.
3. The land is located less than a mile from Hwy 550, and this mining operation will directly affect residents on the only access road (T Road), and also residents within an approximate 10 square mile area. The resulting loss of property values, plus heavy truck traffic, dust and asphalt odor is unacceptable.
4. Hwy 550 is a two-lane, already dangerous highway, which would become even more of a hazard with the added heavy truck traffic.
5. There are already three gravel pit/mining operations within a 20 mile radius.
6. Does the State of Colorado actually need one more strip mine along a beautiful mesa, which is seen by heavy tourist traffic both summer and winter?

I send this letter in the hope that you, our elected and appointed officials, will take note, and strive to maintain the quality of life and beauty of the land, and deny this application for permit to those who seek it only for greed, and self-benefit.

Respectfully,

✓*Amanda Winston*
✓AMANDA WINSTON

20798 Solitude Rd. Montrose, Co. 81403

RECEIVED

APR 22 2013

Durango Field Office
Division of Reclamation,
Mining and Safety

April 18, 2013

Mr. Wally Erickson
Colorado Division of Reclamation, Mining and Safety
691 County Road 233, Suite A2
Durango, CO 81301

Dear Mr. Erickson,

Thank you for the opportunity to comment on Rocky Mountain Aggregate and Construction LLC's proposed gravel pit, concrete, and asphalt-producing batch plants on: a tract of land located within the Eastern portion of Section 27, Northeast portion of Section 34, and the Southwest portion of Section 26, all in T48N, R9W of the N.M.P.M., Montrose County, State of Colorado.

To provide some background, I have a B.S. in Natural Resources from The Ohio State University. I have worked for the U.S. Forest Service, The Nature Conservancy, state and county parks, and am the author of *Southern Rocky Mountain Wildflowers* by Falcon Press.

While these are my personal comments, you may want to know that I am the coordinator of the San Miguel Basin Gunnison Sage-grouse Working Group. I've held this position since 2006. The Working Group is comprised of staff from agencies such as the BLM, Forest Service, Colorado Division of Parks and Wildlife, and environmental groups as well as ranchers, businesses, university professors, landowners, and interested citizens. The goal of the group is: *To work together and coordinate efforts to ensure a thriving population of Gunnison sage-grouse in a healthy, conserved sagebrush ecosystem while helping to ensure a sustainable community in the San Miguel Basin, CO.*

This site is located within proposed critical habitat for the Gunnison sage-grouse (GuSG). The grouse was proposed to be listed as an endangered species in January by the U.S. Fish and Wildlife Service (FWS), and the final rule is due by September 30, 2013.

The proposed site for the gravel pit is very close to a historic grouse courtship ground (called a lek). Leks are arguably the most critical part of grouse habitat, and grouse are sensitive to noise and activity near leks. The noise from trucks is particularly disturbing to males on leks (Hicks, et al., 2011).

At the 28th Western Agencies Sage and Columbian Sharp-tailed Grouse Workshop, Dr. Gail Patricelli spoke on the impacts of noise on greater sage-grouse (which are very similar to GuSG). Dr. Patricelli's research found, "that noise caused significant declines in male attendance at leks

OVER →

(73% decline from road noise, as compared to control leks). We also found impacts on individual males who remained at noise-playback leks, with elevated stress hormones indicating chronic stress and changes in display behavior consistent with an impact from acoustic masking.”

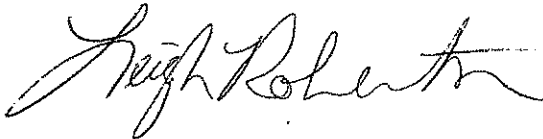
Dr. Patricelli stated that 49 db(A) is too loud for grouse, and it is our understanding that the noise level proposed for the gravel pit could go up to 50 db(A). Dr. Patricelli stated that for grouse the undisturbed ambient level is likely to be at 20-24 db(A) or less. She recommended that stipulations shouldn't allow noise to be over 10 db(A) above ambient levels.

Even though grouse haven't been spotted on this lek in recent years, it may be an area where biologists would like to reintroduce grouse in the future. In addition, it could be possible that grouse are in the area, but haven't been seen by biologists. In addition, this habitat could provide connectivity between various subpopulations of Gunnison sage-grouse, a factor that the FWS stated was important in their proposed rule.

If this gravel pit is denied, I believe the state of Colorado would be showing the Fish and Wildlife Service that they are willing to do what's necessary to protect the grouse and its habitat. This would show the FWS that state agencies can be trusted, and the FWS doesn't necessarily have to come in to ensure that this type of development doesn't occur in grouse habitat. On the other hand, if this permit is approved, it shows the FWS that the grouse really does need endangered species protection at a federal level.

For these reasons I would strongly recommend that this gravel pit, etc. be denied. Thank you for your consideration.

Sincerely,



4/18/13

Leigh Robertson
596 Sabeta Drive, # D
Ridgway, CO 81432
970-316-1650
LeighRobertson3@gmail.com

whe

Division of Reclamation, Safety and Mining
1313 Sherman St. Room 215
Denver, CO 80203
Re: File # M-2013-007

RECEIVED

✓ APR 23 2013

✓ DIVISION OF RECLAMATION
MINING AND SAFETY

April 23, 2013

Dear Division,

I am writing this letter in opposition to permit file number M-2013-007 also known as the Uncompahgre Gravel Pit application in Montrose County, Colorado. My husband, two children and I live within less than 2 air miles of the land proposed to house this site. My objections have to do with the size and scope of the project and in turn the amount of traffic it would generate. I am also concerned with the amount of noise, dust, and contaminants it would produce which would greatly affect the air quality of the surrounding area. Lastly, I do not believe that it is needed as there are already enough local gravel pits to supply demand.

Because this is such a large development it is estimated that with the concrete and asphalt batch plant in operation there is the potential for 130 loads daily which equals 260 semi trucks entering and exiting onto Highway 550 per day. Living in this rural area my family and I commute into town every day, sometimes having to make numerous trips in one day. Thus we spend a lot of time on the stretch of highway that would be most utilized by these trucks. This is an already very dangerous section of road with many accidents and fatalities. Ironically, just this morning the kids and I witnessed a horrific traffic accident on the way to school. There was a fatality and a dump/gravel truck was involved. Because of the high rate of accidents due to wildlife on the roadway, it is already a designated wildlife zone in which speed limits are decreased during the winter months after 5pm. I am extremely concerned that such a huge increase in truck traffic will make traveling Highway 550 south of Montrose even more hazardous.

Currently there is a United Companies gravel pit in operation approximately 2 miles south of the proposed Uncompahgre Pit. Since I travel the highway on a regular basis, I have had numerous encounters with excess gravel and even cobbles which made the highway impassible all spilled from trucks traveling from the United pit. I am also concerned that these types of incidents would only increase with yet another gravel pit operating on the same stretch of road.

Because I also live just down the road from the current gravel pit, I am familiar with how much noise is generated when a gravel pit is in full operation, particularly when the rock crushers are running. The noise level along this highway and valley corridor is what I would consider to be very loud just with the traffic noise alone. Adding more traffic and the noise from the daily operations of a gravel pit would push it to an almost unbearable limit for those of us who live in this area.

In the springtime we have excessive wind storms which when strong enough will carry dust from the deserts to the south and west of us and deposit that dust all over the area. At times the dust is even


thick enough to block out the mid-day sun. The Mountain Studies Institute in Silverton, Colorado documents these dust storms and measures the impact of dust layers in the snowpack of the San Juan Mountains just 30 miles south of here. With such strong wind events which mostly blow from the west and south, I am also concerned that excessive dust would be stirred up by a large gravel pit operation and thus diminish the air quality of the nearby area. The landowners apparently have water rights attached to that land that they propose to use to help control dust. I would argue that in drought years that water needs to be available for the farmers and ranchers who depend on it for their livelihoods rather than being used for dust control. I also believe that toxins from an asphalt batch plant would diminish the air quality to an even greater degree.

According to Montrose County land use records, there are currently approximately 10 gravel pits surrounding the immediate municipality of Montrose. There are most likely more than that as those are the only ones that have been put in place after the county began requiring special use permits in the late 90's. At this time there is also a new pit that was granted a special use permit in 2007 near Highway 50 and Kinikin Road that has not yet begun operating. I would argue that for a municipality of just over 20,000 people, there are enough gravel pits currently to sustain the needs of the area.

I ask that you seriously consider all of these arguments and others before moving forward with this application. Our county commissioners are very pro resource development so if it passes at the state level I am certain that it will have no problem passing locally. Personally I am not anti development and I am sympathetic to economic opportunity. However I do feel that development must be done in a responsible manner and I do not feel as though an operation of this size and magnitude would be responsible. It would have too many negative effects on the rural area and residents that surround it which include a dangerous increase in the amount of traffic in an already hazardous area, air quality issues and water use. There are also currently enough gravel pits in the area to qualify not granting an application for a new one.

Thank you for your time in reading my concerns.

Sincerely,

✓ 

Pam East

pameast@centurylink.net

Whe

April 20, 2013

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

Re: Opposition to the Proposed Uncompahgre Pit (Permit File No. M-2013-007)

Dear Sir:

The city of Montrose and Montrose County are largely supported by the tourist industry. The Uncompahgre Valley stretching south out of Montrose is by far the most scenic route in or out of our town. Highway 550 south, which connects the town of Montrose to the tourism reliant communities of Ridgway, Ouray, Silverton, Durango and Telluride, runs directly between the proposed Uncompahgre Pit (File No. M-2013-007) and the Uncompahgre River. This is one reason why our county's master plan does not designate this area for gravel extraction.

The valley south of Montrose is currently occupied by farms, both large and small, and residential acreages of varying sizes. The property between the proposed pit and the Uncompahgre River on both sides of Hwy 550 is filled with private residences. The mesa area north of the proposed pit, accessed by Solar Road, is subdivided and occupied as well as the area immediately to the south, which is accessed by Government Springs Road.

A massive industrial pursuit of this size seems wholly incompatible with the current land use in the valley as well as being contrary to the county's master plan. The proposed pit would virtually gut one of the small mesas which lie just above the valley floor between south end of the Uncompahgre Plateau, the Uncompahgre River, and the undeveloped areas just north of the Cimarron Ridge to the east. The gash it would cut, through this irreplaceable terrain and well-established migration corridor, would be over a mile long north to south and nearly a mile wide.

Anyone who lives south of town can attest to the amount of wildlife in the area. A simple count of the deer on the highway any given evening is a testament to the fact that the entire valley south of town is a very active wildlife corridor. Recently this particular section of the highway, which parallels the proposed pit, has imposed a lowered speed limit from 5pm to 7am from October 1st to June 1st for this very reason.

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APR 24 2013

✓ Division of Reclamation,
Mining & Safety

If you climb the dobie hills on the east side of the highway and look back west toward the property in question, it is impossible to deny what a travesty a pit of this magnitude would be for all the local inhabitants. It is simply not feasible to mitigate the grossly negative impacts this type of industrial land use will have on the surrounding area.

The devastation a pit of this size would wreak on this environmentally sensitive and wildlife rich area is irreclaimable. The proposed 105 year permit would allow Rocky Mountain Aggregate and Construction, LLC to inflict a wholly incompatible industry on a peaceful and beautiful valley where the current residents, both human and wild, live in relative harmony.

And in answer to a question a supporter of this proposed pit asked me lately:

Would I rather have a gravel pit for a neighbor or another subdivision?

Hands down .. I would much rather have another neighbor for a neighbor.

Thank you for taking the time and making the effort to consider all our comments.

✓ Karen Michaelis
21115 Uncompahgre Road
Montrose, CO 81403
rakenlee@hotmail.com
970.240.4790

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Division of Reclamation,
Mining & Safety

April 20, 2013

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Durango Field Office
Division of Reclamation,
Mining and Safety

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

Re: Opposition to the Proposed Uncompahgre Pit (Permit File No. M-2013-007)

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Karen Michaelis
21115 Uncompahgre Road
Montrose, CO 81403
rakenlee@hotmail.com
970.240.4790

who

April 20, 2013

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

Re: Opposition to the Proposed Uncompahgre Pit (Permit File No. M-2013-007)

Dear Sir:

My biggest objection to the proposed Uncompahgre Pit (File # M-2013-007) is the destruction of the natural landscape, which will eventually be visible from Highway 550. This road is the main artery running south out of Montrose, through the greenbelt of the valley.

Years ago the first business that travelers and tourists would see on the south side of Montrose was a car parts junk yard - not a good first impression. Gravel pits do not make a good first impression either, particularly one of this size.

For the people who live along T Road this proposed gravel pit is their worst nightmare. Big trucks up and down the road all day long, their lives will never be the same.

With all the current gravel pits in the immediate area, we do not need another one. We certainly do not need a pit of this size, and definitely not in the midst of the most scenic and most visible land in the valley.

Thank you for your time and consideration.

Richard Schulz
21115 Uncompahgre Road
Montrose, CO 81403
970.485.3802

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APR 24 2013

Division of Reclamation,
Mining & Safety

April 20, 2013

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APR 24 2013
Durango Field Office
Division of Reclamation,
Mining and Safety

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

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Richard Schulz
21115 Uncompahgre Road
Montrose, CO 81403
970.485.3802

Barbara Bernhardt
20409 Solitude Road
Montrose, CO 81403

April 21, 2013

Colorado Division of Mining, Reclamation, and Safety
1313 Sherman Street - Room 215
Denver, CO 80203

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APR 24 2013

DIVISION OF RECLAMATION
MINING AND SAFETY

Re: Permit Application Number m2013007, Proposed Uncompahgre Gravel Pit

I am writing to submit a second comment of concern, this time an objection to the permit application on the basis that the applicant has failed to prove that there is a viable gravel resource on this parcel.

In reviewing the application, I noticed that the applicant has submitted that 'their test pits have found gravel' on this mesa, yet they have provided no data to support this statement. What they have provided is a soils map that shows that the soil types they propose to mine consist of two types: Mesa Clay Loam (#760) and Barboncito Rock Outcrop (#30).

In consulting with a professional geologist who has worked on the same mesa that the mine is proposed for, I learned that both soil formations have "'poor" ratings as having gravel resource potential', and that this geologist's experience with this particular mesa is 'that there is a lot of soil mixed with the gravels and the gravels were laid down in a chaotic manner. The deposits are "dirty" and not well sorted. The Barboncito soils are shallow sandstone bedrock with a thin veneer of gravels. Neither mapping unit is a good source for gravel or sand.'"

In parallel with the geologist assessment, the Montrose County Gravel Resource Map does not indicate a gravel resource exists in the region of the mesa of the proposed mine.

Given that the area is critical habitat for a species under consideration for the Endangered Species List, why would the state Division of Mining, Reclamation, and Safety approve a 112c permit for a resource that has not been documented to exist on the proposed site?

Prior to the granting of this permit, I urge you to require that the applicant's claim of the existence of a viable gravel resource within the permit area, based only upon a claim to having dug their own test pits, be verified by a disinterested third party professional geological consulting firm familiar with the area.

Sincerely,


Barbara Bernhardt

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

April 4, 2013

Barbara J.B. Green
Sullivan, Green & Seavy
3223 Arapahoe Avenue
Boulder, Colorado 80303

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APR 26 2013
Durango Field Office
Division of Reclamation,
Mining and Safety

Re: Impacts of the Uncompahre Pit: Rocky Mountain Aggregate LLC- Permit
NoM2013-007

Dear Ms. Green:

It is our understanding you are a member of the State Reclamation Board. There are many concerned citizens in Montrose County with depth environmental issues that need to be addressed before the State and Montrose County Governmental Agencies approve the gravel, asphalt and concrete plant Rocky Mountain Aggregate Construction, LLC- Permit No. M213-007.

We believe the health and welfare of wildlife and human beings living around this pit will be jeopardized in the years to come if approved. This area is populated with many sub-divisions and businesses. This massive industrial nightmare will result in decades of noise, water and air pollution from mining, petroleum and toxic dust.

As you may know, there are studies, which show the air and noise pollution harm wildlife nesting and living near these types of plants. We have experienced this first hand on Fountain Creek when the Blue Hereon Crane population was compromised.

The Uncompahgre River is a very rare and valuable wetland, which is less than a mile away from the future quarry operation. There are eagles, geese, ducks, humming birds and dove nests along this part of the river and special ponds. We see fox, deer and other animals living near this river. The health and welfare of inhabitants living around this pit will be subject to carcinogens and pollution, which could destroy one's health. 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. Therefore exposure to fumes and toxic dust from the plant will cause headaches, skin rashes, fatigue, and reduced appetite, throat and eye irritation along with coughing and lung disease. The Federal Occupational Safety and Health Administration documents. "THERE IS NO BIOLOGICAL MECHANISM FOR CLEARING THE BODY TISSUES FROM TOXINS RELEASED FROM THESE TYPES OF PLANT OPERATION."

The water quality may also pose serious health issues to the largely populated area around the pit. The storm water run off and the water being used at the facility can lead to water quality impairment of our drinking water by polluting the aquifer because of the sandy soil which drains quickly from the pit. The 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 to wildlife and fish in this area. It would be a true poison to our natural environment in this given area.

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

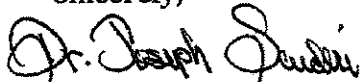
The permit request also states," the soil area is covered with cobbles, stone, boulders and un-weathered bedrock at the site. There is documentation, which shows a great deal of radioactive materials exists in these materials when crushed. It is well known and has been proven that radioactive material 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 winds blow west to east. This will increase the corrosion and be harmful to wildlife, humans, farm animals and vegetation. Breathing the particles from deadly dust could cause severe health issues.

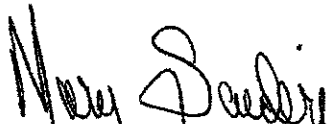
We believe the casualty of this development will destroy habitat. Shouldn't this part of the county continue to be a sustainable healthy riparian for humans, wildlife and a pleasant natural environment, as it now exists on its way to the scenic San Juan Mountains?

Does Montrose County have a master plan to protect the wildlife, which lives in and near this valuable wetland of Uncompahre River? Will State and local government protect the human, plant and wildlife threatened by this 247.76 acres of industrial encroachment?

We are requesting you do not give approval to this massive industrial nightmare, which will result in decades of noise, water, and toxic air pollution and perhaps loss of life for those living near this quarry.

Sincerely,


Dr. Joseph Scuderi


Mary Scuderi