



Letter of Intent

Hale Sand Pit Expansion El Paso County, Colorado

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Kimley»Horn





March 23, 2021

*El Paso County
Planning and Community Development
2880 International Circle
Colorado Springs, CO 80910*

Letter of Intent

To whom it may concern,

The proposed Hale Sand Pit Expansion is located on a 150-acre tract of land located southeast of Peyton and currently contains a 9.9-acre sand mining area located at the southwest corner of the property. The proposed expansion will permit an additional 52.5 acres of land for sand mining. The proposed expansion will be performed in 10-acre maximum blocks. Each block will be disturbed, mined, and then reclaimed before mining activities begin in the next block. There are no lights (not even temporary), signs (not even temporary), or structures (not even temporary), or other permanent infrastructure improvements proposed with this expansion.

The topsoil from the site will be used to create an earthen berm and diversion dike along the Brackett Creek Floodplain boundary. The diversion dike will transport runoff to proposed sediment basins that will allow for desilting, and release at historical rates into Brackett Creek. This will control stormwater sediment transport to the creek. A Stormwater Management Report and Grading and Erosion Control Plans will be in place to identify necessary best management practices.

Mining activities will be accomplished using dozers, loaders and backhoes to mine the sand. Temporary stockpile areas will be designated by the owner and per the Grading and Erosion Control (GEC) plans. Dump trucks will transport the sand using McClelland Road as the primary haul route.

The current land use designation for the entire property is Rural Residential (RR-5). After all mining activities have been concluded, the land will be reclaimed such that it can again be utilized as grazing land for agricultural use. The following reclamation plan will be followed:

1. The topsoil will be moved back over the disturbed area and regraded at no more than 4:1 slopes, although it is expected that the reclaimed condition will match existing slopes (+/- 1.0%).
2. Topsoil will be applied to at a minimum 3" of depth.
3. Revegetation will be performed using the seed mix described in the reclamation plan.

Final stabilization shall be achieved and accepted by El Paso County within 8 months post reclamation. The proposed Hale Sand Pit site exists as vacant native grassland. The project proposes to mine the site in 10-acre blocks. Each 10-acre block will be reclaimed to native grassland using the seeding mix and techniques outlined in the reclamation plan. No landscaping is proposed on the site because any disturbed area will be reclaimed to native grassland per the reclamation plan. This project use (mining) is different than a "typical" commercial operation and therefore the project does not propose typical commercial landscaping (i.e. trees and shrubs) as outlined in the El Paso County LDC Sections 6.2.2 A-F. Discretion should be applied to the proposed rural mining use, similar to the discretion described for rural and remote tower uses in Section 6.2.2 (G) (1) (e) (i) of the LDC. For rural and remote uses as described in the aforementioned section, the criteria states that landscaping and erosion control measures shall "be tailored to the nature and character of the area and the type of facility or structure

contemplated. Site-specific landscaping shall, at a minimum, included revegetation of disturbed areas with materials indigenous to the site or otherwise adaptable.” This project is in a rural and remote area and proposes revegetation of disturbed areas with seeding indigenous to the site. Adherence to the typical commercial landscaping requirements would cause the proposed project to not blend with the existing surrounding areas and adjacent properties. The proposed reclamation plan, including revegetation with native seed, will result in a natural grassland which is harmonious with the surrounding areas.

The reclamation plan, including the seed mix specified, meets the requirements and intent of Section 6.2.2 of the El Paso County LDC by fully restoring the site to its pre-existing native vegetated state.

Based on the volume excavated, the Hale Sand pit generates an estimated traffic volume including between three (3) and seven (7) truck roundtrips per day. Therefore, the truck volumes are between 6 trips (in and out) and 14 trips (again in and out) per day, depending on the season and job. There will be approximately two to three employees onsite each day for driving the truck and onsite excavation and loading. These three employees will make 6 trips per day (in and out), for a total of 20 trips per day generated by the Hale Sand pit during the busy season. These peak 20 daily trips generated by Hale Sand pit are expected to continue into the future without an increase over the existing levels when excavation of the new area occurs. If future operations on-site change from that which is described herein resulting in a substantial increase of the estimated peak trip generation, the pit operator will work with the County to address any concerns at that time.

This letter of intent also addresses El Paso County’s special use review criteria below:

1. The special use is generally consistent with the applicable Master Plan.
Response: A Master Plan does not exist for this area. However, after mining activities conclude, the site will be reclaimed to grazing/agricultural land per the existing land use designation.
2. The special use will be in harmony with the character of the neighborhood, and will generally be compatible with the existing and allowable land uses in the surrounding area.
Response: The existing land consists of prairie grasslands and is not adjacent to any dwellings. Therefore, mining activities will not disrupt the surrounding community and will be performed in 10-acre blocks at a time. Once mining activities conclude, the land will be reclaimed to grazing/agricultural land.
3. The impact of the special use does not overburden or exceed the capacity of public facilities and services, or, in the alternative, the special use application demonstrates that it will provide adequate public facilities in a timely and efficient manner.
Response: Public facilities will not be implemented with this special use application.
4. The special use will not create unmitigated traffic congestion or traffic hazards in the surrounding area, and has adequate, legal access.
Response: McClelland Road will be used as the primary haul route. The traffic volume generated by truck roundtrips will not substantially increase the estimated peak trip generation.
5. The special use will comply with all applicable local, state, and federal laws and regulations regarding air, water, light, or noise pollution.

Response: The project proposes to mine the site in 10-acre lots to reduce impacts to the surrounding areas. Mining activities will be accomplished with dozers, loaders and backhoes and therefore will comply with all applicable local, state, and federal laws and regulations regarding air, water, light, or noise pollution.

6. The special use will not otherwise be detrimental to the public health, safety and welfare of the present or future residents of El Paso County.

Response: The mining activities are not located near present residents and will not adversely impact these residents. Once mining activities conclude, the land will be reclaimed to grazing/agricultural land and will not impact future or present residents of El Paso County.

7. The special use conforms or will conform to all other applicable County rules, regulations or ordinances.

Response: The special use will conform to all other applicable County rules, regulations or ordinances.

The proposed Hale Sand Pit expansion is in conformance with the El Paso County Policy Plan, Mineral Extraction Plan, Parks Master Plan, and Transportation Plan.

El Paso County Policy Plan

The El Paso County Policy Plan Section 7.0 identifies special and unique land uses. The proposed Project falls within the special use of mining. The proposed Project also adheres to the reclamation permit administered through the State Division of Minerals and Geology.

El Paso County Mineral Extraction Plan

The El Paso County Mineral Extraction Plan allows for compliance with a 1973 state law which requires the more populous counties of the State to identify and maintain reasonable access to mineral deposits of significant commercial value. The proposed Project adheres to the Mineral Extraction Plan policies for the expansion of existing mining activities.

El Paso County Parks Master Plan

The El Paso County Parks Master Plan's mission is to provide responsible resource management for open space lands characterized by unique natural environments. The Hale Sand Pit location is located near Brackett Creek and consists of native vegetation and grasslands. The proposed Project adheres to the Parks Master Plan mission by reclaiming the 10-acre incremental parcels of land to existing native vegetation once mining activities have concluded. The reclamation allows the conservation of the unique natural environment.

El Paso County Transportation Plan

The El Paso County Transportation Plan focuses on the multi-modal transportation system in unincorporated El Paso County. The proposed Project anticipates 20 trips per day from the site during the busy season without any anticipated increases in the future. The amount of trips from the Site per day are not anticipated to increase day to day traffic volumes and accessibility to the surrounding neighbors.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.

A handwritten signature in black ink that reads "John Heiberger". The signature is written in a cursive style with a large initial "J".

John Heiberger, P.E., Project Manager / Associate