



City of Glenwood Springs
101 West 8th Street
Glenwood Springs, CO 81601

NEWS RELEASE
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City of Glenwood Springs files motion to intervene in quarry lawsuit

City seeks to oppose Mid-Continent's suit against Garfield County's regulatory authority

The City of Glenwood Springs has filed a motion to intervene in Rocky Mountain Resources' (RMR) lawsuit against Garfield County government that is currently before state court in Garfield County.

RMR's lawsuit alleges that Garfield County has no regulatory authority over operations at its Mid-Continent Quarry, located just a half mile from Glenwood Springs city limits, because the federal government also regulates the site.

In the motion to intervene, Glenwood Springs City Attorney Karl Hanlon argues that Garfield County has concurrent regulatory authority over the mine's operations, and that the City of Glenwood Springs has its own regulatory and proprietary interests that are not adequately represented by the County. The County does not oppose the City's motion.

"The City has a direct and concrete interest in this litigation to protect its municipal interests, its recreational and aesthetic characteristics and economic revenue," Hanlon writes at the conclusion of the motion to intervene. Hanlon is asking the Court to allow the City to join the suit as a defendant-in-intervention. If the Court grants Glenwood Springs's motion, it will permit the City to participate in the litigation as a party in interest with full rights and obligations.

"While the City is aligned with the County in that both want to ensure regulatory enforcement of the special use permit, the City's interests diverge from the County in its specific interests relating to environmental protection and protecting the City's aesthetic and recreational concerns and its tourist industry," the motion argues. These interests include the protection of sales and use tax revenue, City-owned real property, and significant investments in downtown, open space, and recreational assets.

The Mid-Continent Quarry is an open pit mine located on federal lands a mile north of downtown Glenwood Springs, directly adjacent to Glenwood Caverns Adventure Park. RMR has applied to expand the existing mine site from 15.7 acres to 447 acres. The expanded quarry would be almost 30 times larger than the existing one. RMR's application anticipates up to 500 truck trips per day between 6 a.m. and 6 p.m. That equates to a truck leaving the mine every 96 seconds for the rail yard next to the Colorado River.

The expanded mine would operate 24 hours a day, seven days a week. Blasting would be allowed from 9 a.m. – 4 p.m. daily.

The Bureau of Land Management (BLM) is currently developing an Environmental Impact Statement (EIS) to assess the impacts of the mine application and guide its decision-making on the proposed expansion. RMR's application has led to broad community action in opposition, including the formation of a non-profit group, The Glenwood Springs Citizens Alliance. Hundreds of local businesses and thousands of residents have signed petitions in opposition.

RMR filed suit in both state and federal court challenging Garfield County's regulatory authority after the County Development Department issued RMR a notice of violation of the County's special use permit for a number of actions with its operations at the quarry. The County's special use permit governs operations that directly affect the County and the City. In its investigation, the Garfield County Development Department found:

- RMR exceeded the approved acreage permitted for mining operations;
- RMR is extracting for-sale materials beyond original approvals, including operating a rock and gravel;
- RMR had been operating within the December 15 to April 15 time frame when they are supposed to be closed to protect wildlife activities;
- RMR is out of compliance with the Road Maintenance Agreement with Glenwood Caverns Adventure Park by using larger (18-wheeler) trucks than what was being represented, with trucks speeding, taking up both lanes of traffic, and causing potential traffic hazards.

The federal lawsuit is on hold while RMR's suit is adjudicated in state court.

In November, 2019, the City of Glenwood Springs unveiled a public awareness campaign, Don't Strip Glenwood, designed to operate in tandem with other community activism groups. The campaign underscores the City Council's recently adopted resolution in opposition to the proposed mine expansion. The Nov. 8 resolution details the impacts of the expansion plan, including a 5,000 percent increase in the mine's size, permanent damage to the city's thriving tourist economy, markedly increased truck traffic, visual impacts, and degradation of air and water quality in the region.

Glenwood Springs has so far garnered nearly unanimous support from neighboring communities in the fight against mine expansion. In addition to the Glenwood City Council, elected boards in surrounding jurisdictions have passed resolutions against the mine expansion, including Silt, Rifle, New Castle, Eagle, Carbondale, Basalt, Snowmass Village, Aspen, Eagle County, and Pitkin County.

Glenwood Springs is best known as a historic destination, receiving 1.2 million visitors per year who visit for its world-famous natural hot springs pools, outdoor recreation activities that include hiking, biking, skiing, golf, caving, as well as water-based activities accessible on the iconic Colorado River. The Glenwood Springs economy has been based on tourism since 1885, the year of its incorporation. It has been recognized as the 2011 "Most Fun Town in America" by Rand McNally and USA Today, the 2014 #6 "Best Small Towns" by Livability, and the 2015 "The 5th Best Place to Live in America" by Outside Magazine.

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