

DRAFT

PROPOSED PETITION COVER LETTER TO COMMISSIONER DARRYL GLENN

The Honourable Darryl Glenn
El Paso County Commissioner, District No.1
200 South Cascade Avenue, Suite 100
Colorado Springs, Colorado 80903-2202

Dear Commissioner Glenn,

I am writing to bring to your attention the dusty dirt road concerns of the residents of Cherry Creek Springs Subdivision (CCS). CCS is composed of one hundred fifteen (115) residences bounded by Walker/Bar-X Roads on the North; Hodgen Road on the South; Herring Road on the East; and Black Forest Road on the West.

The majority of residents in CCS, as evidenced by the enclosed petition, respectfully and urgently request that EL Paso County Public Works Department (the Department) initiate actions to renovate the dirt roads to a chip and seal standard: (a) where the environment and personal health of residents are not compromised; (b) where the existing dirt road bases are not further damaged (thus necessitating future repairs and expenditures of public monies) and; (c) where efficient use of limited tax payer monies by El Paso County for road maintenance in CCS is achieved.

The intent of this letter is to express further details about the CCS community that would provide you with additional perspective as to why the CCS residents are increasingly despairing about the dirt roads in our community and to provide you some reference to support our petition for prioritized relief.

- The most significant concern raised by residents in CCS is lifestyle/health issues. With huge plumes of vehicle dust drifting around or upon our residences, forget about opening doors and windows for a breeze to air out one's home. Also, it is challenging to enjoy or partake in any outdoor activities (horseback riding, biking, walking, bar-b-ques, gardening, etc.) in the CCS community without being exposed to vehicle- or wind-produced dust from the dirt roads.
- Moreover, the effects of the dust from dirt roads in CCS contribute directly or indirectly to health risks of CCS residents as follows: (a) Exposure to airborne allergens, fungus and viruses; (b) increased dangerous health issues for children and at-risk senior citizens that include: bronchitis,

COPD, asthma, and kidney disease; and (c) compromised immune system conditions among residents with chronic health problems.

- With the exception of Herring Road, gravel was last applied to CCS dirt roads in 2003. That was fifteen years ago. The gravel no longer contains any binding material because those particles are now lost as dust when vehicles drive on them. Currently, the dirt roads in CCS are nothing but fine dust factories with a powdery consistency like fine silica. Various state, federal and provincial (Canada) studies indicate crystalline silica exists in most unpaved dirt roads and in certain jurisdictions crystalline silica meets the definition of known carcinogenic hazardous air pollutants.¹
- Dirt roads typically need to be re-graveled every seven to ten years.² So, by any reasonable measure, the dirt roads in CCS have not been maintained consistent with industry best practices. The resulting effect over the last fifteen years is that the silica/powdery dust on the CCS dirt roads is insufficient to bind any remaining gravel. Now the conditions are such that larger gravel rock mainly rolls to the sides of the road with the attendant threat to the road base with just simple routine residential road traffic.
- Under its maintenance program/policy, the Department regularly grades the dirt roads in CCS. The effect of this policy results in making the existing severe dust condition on the dirt roads only worse. This county maintenance policy/program, which is typical for low-volume roads, also results in higher costs to the taxpayers for the on-going routine monthly/annual maintenance associated with the Department's policy.³
- CCS was zoned as "rural" when it was platted in the early 2000s. That classification is appropriate in the context of distances between the streets in CCS (some distances between streets are a half mile) and under planning protocols dirt roads were originally permissible under that zone classification. However, the residents in CCS have built their homes linearly and relatively close to the frontage of their dirt roads. A typical street in CCS visually looks kind of suburban. There are approximately three miles of dirt roads in CCS and the average separation of homes on our dirt roads is about one hundred and fifty eight feet. With normal residential vehicle traffic and the actual location of homes along the roadways of CCS it appears CCS should be zoned, defacto, as "suburban" or "rurban" zone classification. The implication being perhaps that dirt roads should not have been permitted in the first place. Some wags suggest rural means: "*If you can go out back, shoot off your shotgun and not bother your neighbors, it's rural*". Certainly in that context, CCS definitely is not rural even if the covenants in the community were silent on the issue of firearms (which they are not).

¹ Report to the Natural Resources Board: Silica Study August 2011 [Wisconsin Air Toxic Rule (Ch. NR 445, Wis. Adm. Code)]; United States Department of Labor OSHA, "Crystalline Silica Exposure Health Hazard Information". Fact Sheet www.osha.gov.

² Douglas County Colorado, "Gravel Roads in Douglas County", <https://www.douglas.co.us/road-work/gravel-roads-in-douglas-county/>; Colorado LTAP (Local Technical Assistance Program) May 2006 Summer Issue, "When to Pave a Gravel Road? Economics of Upgrading an Aggregate Road"; Colorado Springs Gazette, July 3, 2018, Executive Director of Public Works, Jim Reid, "County Pauses Rural-Grading Effort"

³ Article #2 December 2002, El Paso County Executive Director of Public Works, Jim Reid, and Deputy Director Scot Cuthbertson http://adm2.elpasoco.comtransprt/article_2.asp;

In conclusion, the Dirt Roads Committee of CCS believe and recommend a “win-win” solution for our community, the Department, and El Paso County tax payers. That solution is to have the Department adapt a “chip and seal” standard for the dirt roads in CCS. The standard for the dirt roads would involve a tiered graveling of the dirt roads along with a tarred emulsion between layers of gravel.

It is already a reasonable given that the dirt roads in CCS now require, on a priority basis, a new gravel application. The sealing of such newly applied gravel will entail only a nominal hard cost, which would be straightforwardly and rapidly recovered by the Department. The CCS dirt roads would no longer need to be regularly graded every month thus immediately freeing up Department hard cost expenditures devoted to that grading activity. Additionally, the ancillary grading costs that include soft cost expenditures allocated for personnel, equipment, fuel, insurance, and equipment/engine servicing would not have to be devoted to CCS dirt roads and would therefore be available for efficient disbursements to support other Department projects in El Paso County.

On behalf of all the members of the CCS Dirt Roads Committee and on behalf of all the owners of residences in CCS, including myself, we respectfully thank you for your time and consideration of our petition.

Sincerely,

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