

Sample Letter Regarding the Boundary Line Adjustment Administrative Approval

It is important to include ALL the cc's so all appropriate parties are informed including the media who wants to hear from us all. It's how they know we care.

Please visit the [new GoFundMe](#), and give what you can.

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Subject: Request for Regulatory Oversight and Objection to Administrative Approval of – PCD File Nos. EXBL261 and CDR261 for a proposed 70,000 square foot Buc-ee’s Mega Gas Tourism Center

Dear Mr. Hodges and Ms. Herington,

I am writing regarding the following applications associated with the Monument Ridge West / proposed Buc-ee’s site near Monument Hill:

- **Boundary Line Adjustment – PCD File No. EXBL261**
- **Concurrent Grading Permit – PCD File No. CDR261**

Recent review of publicly available state and federal records indicates that the administrative record now contains information directly relevant to required County findings and potential federal and state water jurisdiction. This has been outlined in Integrity Matters’ [Formal Notice of Statutory Deficiency](#) and subsequent [Addendum to Formal Notice of Statutory Deficiency](#).

I. Federally Mapped Riverine Feature Crossing the Parcel

National Wetlands Inventory (NWI) mapping identifies an **R4SBC feature (Riverine, Intermittent, Streambed, Seasonally Flooded)** crossing the subject parcel. Approximately one acre of mapped streambed appears within the site boundary.

Within a one-mile radius of the project area, NWI mapping reflects approximately **57 classified wetland, water, and stream features totaling roughly 134 acres.**

The applicant's own grading and erosion control materials reference an "intermittent streambed seasonally flooded," confirming recognition of this feature in project documentation.

The existence of a mapped riverine feature intersecting a parcel proposed for grading and commercial fuel sales raises clear questions regarding potential jurisdiction under:

- **Clean Water Act §404**
- **Clean Water Act §401**
- **Colorado Regulation 87 (2024 revisions)**

II. Commercial Production Well Applications Filed Prior to BLA Narrative

Colorado Division of Water Resources records confirm that on **December 17, 2025**, Monument Ridge West, LLC filed two **General Purpose (non-exempt) Denver Basin production well applications** under C.R.S. §37-90-137(4).

Hydrogeologic review was initiated January 6, 2026 and completed January 20, 2026.

The Boundary Line Adjustment narrative was executed January 15–19, 2026.

III. Repeated "No Change in Water Supply" Representations

Under **LDC §7.2.2.E.4(c)**, the Planning Director must find that a boundary line adjustment:

"will not result in a change in the water supply for either lot."

The BLA narrative and related materials contain **multiple categorical representations — appearing at least eight times in various forms** — stating that:

- The BLA will not result in a change in water supply;
- Neither parcel has an existing well;
- No adjudicated water rights are associated with the parcels;
- No impacts to drainage or natural features will occur.

Because County approval requires an affirmative finding under §7.2.2.E.4(c), these repeated representations warrant documented evaluation in light of the December 17, 2025 commercial production well filings and associated hydrogeologic review.

IV. Underground Storage Tank Risk Context Along the I-25 Corridor

The proposed development contemplates large-volume, 24-hour fuel sales with underground storage tanks.

Attached is a publicly sourced map depicting documented underground storage tank (UST) releases along the I-25 corridor in Colorado.

According to U.S. Environmental Protection Agency data, **more than 500,000 confirmed UST releases have occurred nationwide since the inception of the federal UST program in 1988**, with thousands documented within Colorado. [In Texas, there have been several UST leaks](#), some of which have gotten into the groundwater and taken years to remedy.

While modern tank systems have improved, the documented history of releases underscores why citing fuel storage facilities near mapped waters and groundwater resources warrants careful regulatory oversight.

Where riverine features, shallow hydrology, and regional groundwater are present, review under Clean Water Act §§404 and 401, as well as Colorado Regulation 87, becomes particularly significant.

V. Requested Agency Review

Because this correspondence is being copied to:

- U.S. Army Corps of Engineers
- Colorado Department of Public Health and Environment (Water Quality Control Division)
- Colorado Division of Water Resources
- EPA Region 8

I respectfully request these state and federal agencies:

1. Review of whether the mapped R4SBC feature which is part of a wetland ecosystem with 134 acres and 57 federally identified wetlands within a 1 mile radius with a 1 acre R4SBC Riverine bifurcating the actual development parcel constitutes jurisdictional waters under federal or state authority;
2. Determination whether proposed grading activities under CDR261 trigger §404 or §401 permitting;
3. Evaluation of Colorado Regulation 87 applicability to intermittent or seasonally flooded stream features on the parcel;
4. Independent verification of the required "no change in water supply" finding under LDC §7.2.2.E.4(c);
5. Confirmation that no earth disturbance occurs prior to completion of any required federal or state permitting.

I respectfully urge that your agencies exercise their full statutory authority to ensure that no unauthorized discharge, fill, grading, or hydrologic alteration occurs prior to proper review and permitting.

VI. Importance of Documented Compliance

Administrative processing of a boundary line adjustment does not eliminate federal or state jurisdiction if regulated waters are implicated.

Given:

- A mapped riverine feature crossing the parcel,
- Filed commercial production well applications,
- Proposed large-volume fuel storage,
- And concurrent grading authorization,

a transparent and documented regulatory review process is necessary to ensure compliance with applicable federal and Colorado law.

I respectfully request written clarification of how these matters are being addressed prior to final action on EXBL261 or CDR261.

Thank you for your time and attention.

Sincerely,

[Name]

[City, State, Zip]

cc:

El Paso County Board of Commissioners

U.S. Army Corps of Engineers – Omaha District

Colorado Department of Public Health & Environment

Colorado Division of Water Resources

EPA Region 8