

Sunday, July 8, 2018

Peter Hayes
Department of Reclamation, Mining and Safety
1313 Sherman St #215
Peter.hayes@state.co.us

Denver, CO 80203
Subject: Permit #M2018016, Douglas Mountain Mine Project

As the co-owners of a home in Empire, I am writing to you to voice our **OPPOSITION** to the subject permit application.

After reviewing the application submitted, I feel that it is not in the State's interest to grant the application, based on the following factors:

- the loss of critical wildlife habitat
- potential for groundwater and surface water contamination
- lack of adequate dust control measures
- negative impact on traffic in the I-70 corridor
- negative impact on the quality of life of the residents of Empire
- lack of economic benefit to the community
- no benefits whatsoever for the people whose property values will suffer most
- negative economic impacts for tourism caused by the eyesore and destruction of an open pit mine in the middle of otherwise pristine wilderness
- Desecration of the final resting place of hundreds of deceased in the Empire Town Cemetery

Wildlife Issues:

The photos below show a portion of this herd resting on the tailings pile adjacent to our property at 222 N. Main Street (the D.W. King House, built in 1861). Creation of the proposed mine will cut off this herd's principal route to this site where the sheep are frequently found. Continuing to supply materials for Denver's already unsustainable growth, and the feeble economic gain to the county, do not justify the irreversible damage that the mine poses to the wildlife native to this area.





Land erosion would be significant potentially contaminating Clear Creek with toxic soil and debris thereby disturbing/destroying the fish habitat which includes the **endangered Greenback cutthroat** that has been reintroduced to this area. The wildlife that lives on/near the plateau would be devastated and potentially destroyed. Elk, deer, moose and bear roam this plateau. Also thriving in this area is a substantial **Big Horn Sheep** population whose range and migratory patterns are well documented in the recent Colorado Parks and Wildlife report entitled "Population Estimation, Survival Estimation and Range Delineation for the Georgetown Bighorn Sheep herd" dated Sept. 2015. This is the largest Big Horn Sheep population in the nation, not to mention our State animal. Do you really want to jeopardize their existence by allowing the development of a mining operation in the midst of their migratory route and habitat?

Water Issues:

This proposed operation will damage/deplete the local water systems of Bard Creek, Clear Creek and the ground water. The water table on the plateau is also very shallow thereby contaminating the ground water and natural springs. The amount of water needed to run this type of operation would be astronomical! Allocating water to the Douglas Mountain Ranch Mine, in an already over taxed watershed, is inappropriate and wasteful.

Dust Control:

The proposal to control dust by application of magnesium chloride only work on haul roads within the mine. There is no plan to mitigate dust at the working face of the mine, nor on the approach roads to the mine, the county access roads or the interstate highway, were

the loaded trucks will inevitably shed some portion of their load as the trucks come up to speed. Ample evidence of this phenomena can be readily seen at the other gravel quarry in Clear Creek County at the junction of Hwy 6 and I-70.

Furthermore, this area deals with constant heavy winds. The air pollution due to the massive amount of dust entering the environment through the strip mining operation and the hundreds of trucks daily transporting materials would cause health issues for many residents. In particular, **the Easter Seals Rocky Mountain Village Camp** is directly across the highway from this mine. The dust and other pollutants will negatively affect the 1200+ campers with **special needs** that attend this camp to enjoy the Rocky Mountains and the clean fresh air. Many of these individuals deal with respiratory issues.

Again, approval of the proposed mine would prioritize short term gains in Denver over the health and wellbeing of this sensitive population and the could spell the demise of the Easter Seals Rocky Mountain Village camp that was established in 1951.

Traffic on I-70

The mine proposal fails to address the severe impact of the additional truck traffic on the already congested I-70 corridor. There is no time of year now that traffic is not already an issue, but adding hundreds of double trailer loads of gravel to the road will certainly not ease the problem. While the statute attempts to recognize the importance of mining to the state of Colorado's economy, tourism and recreation are probably the most important industries west of the Denver metro area. Further clogging the roads with trucks that will impede traffic and throw stones at the windshields of visitors and skiers from Denver will only drive away customers when they realize the futility of attempting to navigate the only viable route to their destinations without stress.

Impacts on Empire Residents

Many residents of Empire will have their quality of life disrupted by the loss of the prairie that will be destroyed by the mine. This open space is uniquely beautiful and most of the residents of Empire take it for granted that we are so blessed for the serenity and isolation it provides us. This mine will unduly deprive these residents of this amazing vista without any compensatory measures whatsoever. Destruction of the desirability of an entire town for the sole economic gain of one landowner is simply not fair. Some of the part time residents maintain these homes as a sanctuary from the assault of daily life, but if you approve this application, their respite will be stolen as they approach their once beautiful and peaceful town and their senses are assaulted by the ugliness of the mine and the giant scar upon the landscape.

This mine has almost zero benefit to the community. Aside from plentiful gravel and concrete (which are already available thanks to the other gravel quarry in the county) and at most a few low-paying jobs, the town of Empire, where the majority of impacted property owners live, there is NO ECONOMIC BENEFIT to the residents. Trucks transporting the gravel to Denver will not be buying fuel in Clear Creek County (they will fill up before leaving their yard), they will not stop and buy groceries or coffee or food because there is no place to park the trucks. The gravel will pass right through and the profit will accrue solely to the property owner, who will pay a ridiculously small amount of tax to the county, but won't spend a dime of it there.

Sunday, July 8, 2018

Worse, the property values of the residents of the county, especially those in the town of Empire, will not see anything but a slide into oblivion. Nobody will want to buy a home next to a working gravel pit unless the price is extremely low. Not even the historic homes, some over 150 years old, will be able to maintain their value when sited next to a gravel mining operation. Property values will plummet and so will the tax revenue to the county as the residents petition to have their property reassessed. The remaining businesses in Empire will likely not survive. Nobody in their right mind would start a new business here either.

Desecration of Hallowed Ground

Hundreds of graves exist in the Cemetery of the Town of Empire, located adjacent to and overlooking the proposed mine site. Those who have relatives buried in the cemetery rely on the serenity and beauty of the area for solace when they visit their loved ones' final resting place. Allowing the mine to encroach on this pristine area would be tantamount to desecration of this hallowed ground and would rob the residents of the peace of mind that their loved ones are resting in peace.

Conclusion

These are important considerations in your decision to approve or deny the application. The statute requires notification of nearby communities precisely so that the members of those communities can voice their opinion about the application. The people of the communities in the coal rich regions of Kentucky and West Virginia did not see the devastating impact of mountaintop removal mining until it was too late to fight it, and when they did, the people who occupy your same roles in those states sold them out to the coal companies. The statute that you administer **does not require** that you grant this application because mining is good for the economy. Instead, you must weigh all of the factors.

Colorado is not West Virginia. We are a state that values nature, wildlife, unparalleled scenery, peace and, of course, the visitors these things attract. For these reasons, we implore you to **deny this application**.

Sincerely,

Reed and Connie Figley
222 N. Main Street
Empire, CO
208-867-5100
Reed.figley@outlook.com