



# Clear Creek County

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10 July 2018

Colorado Division of Reclamation, Mining and Safety  
1313 Sherman St., Rm 215  
Denver, CO 80203

RE: Empire Aggregates, Inc., Mining Permit Application #M-2018-016

Clear Creek County is in receipt of the Douglas Mountain Ranch Mine 112(c) Application to DRMS and Staff has the following technical comments and questions on the Application;

1. On page E-4; #6. Revegetation Success Criteria, the application indicates; *"areas will be deemed adequate when vegetation is established to control erosion and noxious weeds are not present in any significant amounts and all of the conditions of Rule 3.1.10 are met"*.  
Staff would recommend that DRMS consider a measurable criterion to assure adequate re-vegetation. Clear Creek County requires demonstration of at least 70% coverage of disturbed areas for private property. If 70% is not obtained, the property owner will usually be required to provide for additional re-vegetation.
2. On page H-2, #3. Water Consumption for the Operation and Water Rights, the application indicates that the mine will use water at a rate certain, and that water will be supplied via ditch rights or onsite wells. The application does not provide evidence of a legal water supply for the mine at all. Staff would recommend that DRMS require evidence from the applicant of the legal water supply that is necessary for the mine operation being proposed.
3. On Map C-1; "Pre-Mining Conditions" Map, the map notes the access route (also included in the DRMS Permit Boundary) through private property, including property that is owned by a third party; the Norsemen of the Rockies. Has the applicant supplied DRMS with evidence of legal access across this parcel to access the mine site? Staff would recommend that evidence of legal access for the proposed uses be provided prior to action by DRMS. Additionally, since this application includes a portion of the Norsemen's property, has the Norsemen of the Rockies been notified of this application or consented to it?

We thank the DRMS for this opportunity to comment and we hope that these questions may be answered before approval of the permit is granted.

Sincerely,

Frederick Rollenhagen, Community Development Director

cc: Keith Montag, County Manager  
Robert Loeffler, County Attorney