



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

July 13, 2018

Ben Langenfeld
Greg Lewicki and Associates
3375 W. Powers Circle
Littleton, CO 80123

**Re: Empire Aggregate, Inc.; Douglas Mountain Mine; M-2018-016;
Notice of Objections to Construction Materials Regular (112) Application**

Mr. Langenfeld,

The Division of Reclamation, Mining and Safety (Division/DRMS) received timely objections to the Douglas Mountain Mine application, File No. M-2018-016. The objections were received within the public comment period which began when the application was filed for review on May 14, 2018. Objections previously sent to the Operator are indicated in gray italic.

Timely objection received:

June 4, 2018 – Sarah Street

June 5, 2018 and June 18, 2018 – Colorado Parks and Wildlife

June 11, 2018 – Charles F. Von Gunten, MD, PhD (non-compliant with Rule 1.7.1(2)(a))

June 15, 2018 – Margi Kaspari

June 22, 2018 – Julie Baucher, Anthony Kaspari, Danielle J. Janting

June 26, 2018 – Melanie Beiscoe, Kent Buffelli, Patricia Anderson, P.L. Wick, Norman Frank

June 28, 2018 – Sally Rush, Mark Dunn (*non-compliant with Rule 1.7.1(2)(a)*), Robert W. Dunn, Nicole Ruelle, Eunice Maria Ortega Urbina (*non-compliant with Rule 1.7.1(2)(a)*), Audrie Haller, Laird Wysocki, Jenny Rigby, Tylon Armstrong, John Paul McCabe, Tony Garcia, Edgar Apodaca Valle, Elizabeth Anne Donelson, Rachel Pinkus, Kyla Watley-Beyette, Connor Dermon, Camryn Carpenter, Anne Miller (*non-compliant with Rule 1.7.1(2)(a)*), Hannah Houston, Amanda Tindall, Hannah Kropp, Anna Fox, Angeles Aivy Cenerio Geneinler, Sara Anderson, Sam Baird, Sam Laur, David Cota Ramirez, Gloriveth de Fatima Molina Soler, Grace Caster, Luz Hernandez, Madelyn Wilson Patterson, Megan Moller, Robynne Hill, Katherine Virag, Benjamin Bobon, Sean Pittman, Georgette Contos, RN, Eric Brown, Alexander Whiteman, Kenneth Strong, Michael Holman, Emily Hill, Eldm J. Halingstad (*non-compliant with Rule 1.7.1(2)(a)*), Rich Hoyt, Sylvia Hoyt, Arlo Sorheim, Agnes Omholt, Ailie Swanson, Tawnee Livingston (*non-compliant with Rule 1.7.1(2)(a)*), Linda Theilgaard, Helen Holzman, James W. Root, Gail Kettelson, Pam Lugo, Bev Moe, Arme Omholt, Duane Torgerson, Bonnie Torgerson, Ellen Omholt-Gindorf, Eirid Talone-Larsen, Donna Newland, Darlene Root, Lloyd Newland, Edward Lugo



June 29, 2018 – John Enochs, Miller Creek Homeowner Association, Linda Enochs, Kathleen Krebs, Hartley Goldstone, James L. Mann, Elizabeth Elliott, Paula Mann, James A. Robertson, Rosanna McKeown, DiGiallorardo McKeown Family, Kathrine Jansen

June 29, 2018 – John P. Massey (non-compliant with Rule 1.7.1(2)(a))

June 30, 2018 – Jim and Jan Huber, Robert and Virginia Huxley

July 1, 2018 – Jim Enochs

July 3, 2018 – John Black, Sherrie Black, Dennis Gimbel, Jennifer Gabriel, N. P. Stitzer, Stephen H. Newton, Claudia M. Miller, Darla D. Schiern, Sena Walsh, Louis D. Schiern, Angela Clifton (non-compliant with Rule 1.7.1(2)(a)), Keith Robertson, Linda Robertson

July 5, 2018 – Carol A. Stout (non-compliant with Rule 1.7.1(2)(a)), Mary Riddle Clark

July 6, 2018 – Jason Kreps (non-compliant with Rule 1.7.1(2)(a)), Lyndy Modesitt, Robert J. Wise, Bernard Hubner (non-compliant with Rule 1.7.1(2)(a)), Julie Rogers (non-compliant with Rule 1.7.1(2)(a)), Tara Wohlers (non-compliant with Rule 1.7.1(2)(a)), Martin Gitlin, Krasimir Koev, Philip Fisher, Roxanne Maines (non-compliant with Rule 1.7.1(2)(a)), Michael McElhaney (non-compliant with Rule 1.7.1(2)(a)), Clynn Utley, Melissa L. Martin (non-compliant with Rule 1.7.1(2)(a)), Kelly Newton, Alan E. Smit Jr., Catherine Vaughn, Jamie Blanchard (non-compliant with Rule 1.7.1(2)(a)), Tina Orihuela (non-compliant with Rule 1.7.1(2)(a)), Joe Lucas, Adrian Lewis, Scott Beluzo, Rebecca Kish, Andrea Susan Owen, Donald McNair, Don Swartz (non-compliant with Rule 1.7.1(2)(a)), Louis Poplin (non-compliant with Rule 1.7.1(2)(a)), Rex Fessel, Ryan Roble, Laura Talwit, John Schuller, Rhonda Schuller (non-compliant with Rule 1.7.1(2)(a)), Sarah Daley, Pamela Geist (non-compliant with Rule 1.7.1(2)(a)), Glenda Guanella, Bob Gest (non-compliant with Rule 1.7.1(2)(a)), Brian Buckland (non-compliant with Rule 1.7.1(2)(a)), Henry Whitner (non-compliant with Rule 1.7.1(2)(a)), Ruth Ann Erwin, Ron Atchison, Etta Robertson

July 7, 2018 – Jeanette Piel

July 8, 2018 – Judith Spater, Reed Figley, Connie Figley, Teia Antonucci, Elizabeth Richardson

July 9, 2018 – Joan Terrill, Erica Michel, Jessica Johnson, Andrew Terrill, Jesse Sehlmeier, Brandi Murphy, Cassandra Patton, Poly Enochs (non-compliant with Rule 1.7.1(2)(a)), Teresa Shelden (non-compliant with Rule 1.7.1(2)(a)), Sandra Deffert, Jerry Fabyanic, Robin Raulf-Sager, Caleb Efta, Stephanie Mullins-Masters, John Ishee, Wesli Phillips, Betty Sander Figley, John Chad Craven, Chris George (non-compliant with Rule 1.7.1(2)(a)), Larry Modesitt (non-compliant with Rule 1.7.1(2)(a)), Kristin D. Rizzardi (non-compliant with Rule 1.7.1(2)(a)), Gary Haines (non-compliant with Rule 1.7.1(2)(a)), Tham Paxton, Erica Black, Jessica Warren (non-compliant with Rule 1.7.1(2)(a)), Sarah O'Rourke, Pat Newman, Lawrence Mason (non-compliant with Rule 1.7.1(2)(a)), Hans Berg, Ted D. (non-compliant with Rule 1.7.1(2)(a)), James Phillips (non-compliant with Rule 1.7.1(2)(a)), Tobin Warren, Gloria Van Durme (non-compliant with Rule 1.7.1(2)(a)), Dienne Powell (non-compliant with Rule 1.7.1(2)(a)), Margie Marlin (non-compliant with Rule 1.7.1(2)(a)), Max Van Barker, Duncan Van Durme, Wendy Britta Anderson, Mark Arnolds (non-compliant with Rule 1.7.1(2)(a)), Douglas McWhorter, Tobin Malleck (non-compliant with Rule 1.7.1(2)(a)), Linda Chisholm, Forest Thompson, James Ferrell, Joanie Gosse Regester, Joe Santaniello (non-compliant with Rule 1.7.1(2)(a)), Kirk Linden (non-compliant with Rule 1.7.1(2)(a)), Michael Halajisik (non-compliant with Rule 1.7.1(2)(a)), Judson Pitman, Jolene Charlton, Charlie Magovern (non-compliant with Rule 1.7.1(2)(a)), Tim Wheeler (non-compliant with Rule 1.7.1(2)(a)), Jay Pitman, MD, Sally Buckland, Bill Charlton, Brian Roman, James

Vandermiller, Leslie Daly, Alanna Regester, Brian Corbett, Kenneth Abrahamson (non-compliant with Rule 1.7.1(2)(a)), Emily Morock

July 10, 2018 – Rachel Schrepel, Erin Findley, Kayla Jacobs, Monica Adams (non-compliant with Rule 1.7.1(2)(a)), N. Etta Satter, Jacquelin Daoust, Lonita K. Harder, Steve Axtell, William Coffin (non-compliant with Rule 1.7.1(2)(a)), Jane Coffin (non-compliant with Rule 1.7.1(2)(a)), Joseph Meixner, Thomas McGoldrick (non-compliant with Rule 1.7.1(2)(a)), Riley Johnson (non-compliant with Rule 1.7.1(2)(a)), Ambria Momaney (non-compliant with Rule 1.7.1(2)(a)), Mark Reagan, Stephen Peck (non-compliant with Rule 1.7.1(2)(a)), Amber Tolchin, Murphy Camp (non-compliant with Rule 1.7.1(2)(a)), Italo Carreno, Morgan Rae Laurie, Cassandra Bower, Ramon Dean Mayfield, Juanita Cortez (non-compliant with Rule 1.7.1(2)(a)), Phillip Martin (non-compliant with Rule 1.7.1(2)(a)), Yvonne Goodrow, Kallie Valdez, Kyle Johnstone, Brian Carlson (non-compliant with Rule 1.7.1(2)(a)), Donald Heyse, Linda Berteau, Colt Rockwell (non-compliant with Rule 1.7.1(2)(a)), Austin Skeen, Kristine Skeen

Copies of the written objections are enclosed for your records pursuant to Rule 1.7.1(3). These objections can also be viewed at: <http://drmsweblink.state.co.us/drmsweblink/search.aspx?dbid=0>

If you have any questions, you may contact me at peter.hays@state.co.us or (303) 866-3567 Ext. 8124.

Sincerely,

A handwritten signature in blue ink, appearing to read 'P. Hays', with a long horizontal flourish extending to the right.

Peter S. Hays

Environmental Protection Specialist

Ec: Michael Cunningham; DRMS
Chris Townsend; Empire Aggregate, Inc.