



**COLORADO**

**Division of Reclamation,  
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

January 8, 2019

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

**Re: Empire Aggregate, Inc.; Douglas Mountain Mine; M-2018-016;  
112c Permit Application Amendment (AM-01) Adequacy Review**

Mr. Langenfeld,

The Division of Reclamation, Mining and Safety (Division/DRMS) reviewed the content of the Empire Aggregate, Inc. 112c permit application amendment (AM-01) for the Douglas Mountain Mine, File No. M-2018-016 and submits the following comments. The Division is required to make an approval or denial decision no later than January 28, 2019 therefore; a response to the following adequacy review concerns should be submitted to the Division as soon as possible.

The review consisted of comparing the application amendment content with the specific requirements of Rules 1, 3, 6.1, 6.2, 6.4 and 6.5 of the Minerals Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials. Any inadequacies are identified under the respective exhibit heading along with suggested actions to correct them.

### **Comments and Objections**

1. The Division received state agency comments from the Division of Water Resources, the Office of Archaeology and Historic Preservation and the Army Corps of Engineers for the application amendment. The letters are attached for review. Please address the comments noted in the original application and amendment application letters and revise the application amendment accordingly.
2. The Division sent the Applicant copies of all timely objections received for the original application and application amendment. Please inform the Division how the Applicant intends to address the jurisdictional issues raised by Objectors.



## **1.6 Public Notice**

3. As required by Rules 1.6.2(d) and 1.6.5(2), please submit proof of publication in a newspaper of general circulation in the locality of the proposed mining operation.
4. As required by Rule 1.6.2(e), please submit proof of the notice to all owners of record of surface and mineral rights of the affected land and the owners of record of all land surface within 200 feet of the boundary of the affected land including all easement holders located on the affected land and within 200 feet of the boundary of the affected land. Proof of notice may be return receipts of a Certified Mailing or by proof of personal service.
  - a. The Applicant provided proof of Certified Mail Receipts for the outbound notice letters by email to the Division on November 16, 2018. Please provide the Division with the return receipts for the Certified Mailings.

## **6.4 Specific Exhibit Requirements - Regular 112 Operations**

The following items must be addressed by the Applicant in order to satisfy the requirements of C.R.S. 34-32.5-101 et seq. and the Mineral Rules and Regulations of the Mined Land Reclamation Board:

### **6.4.3 Exhibit C - Pre-mining and Mining Plan Maps of Affected Lands**

5. Pursuant to Rule 1.1(3), affected lands include but shall not be limited to private ways, roads, except those roads which existed prior to the date on which notice was given or the permit application was made to the office and which were constructed for purposes unrelated to the proposed mining operation and which will not be substantially upgraded to support the mining operation.

The Applicant states in the Mining Plan an improved access road will be installed from the Westbound I-70 on ramp and the road and anticipated disturbance area have been included in the permit boundary. The solid pink line indicating the permit boundary on the Exhibit C-1 map does not extend to CR 257. New and improved roads must be included as part of the permitted acreage. Please clarify if the section of the improved access road from CR 257 is included in the proposed 68.2 permitted acreage boundary. Please update the permit application and exhibits accordingly.

6. The well owned by Martha Boxberger is not listed on the Structures within 200 Feet of Permit Boundary table on the Exhibit C-1 - Pre Conditions Map. Please update the Exhibit C map to indicate the owner's name, type of structures, and location of well pursuant to Rule 6.4.3(g).

7. The well owned by Madeline Caselli, well number 18190, is not labeled on the Exhibit C-1 map or listed on the Structures within 200 Feet of Permit Boundary table on the Exhibit C-1 map. Please update the Exhibit C map accordingly.
8. The Exhibit C-1, C-2A and C-2B maps indicate a purple line with two dashes approximately 300 offset from the proposed permit boundary. The line type is not identified on the map legends. Please explain this discrepancy and update the maps and/or map legends accordingly.
9. Please revise the Exhibit C-1 map to indicate Clear Creek County as an owner of substance to be mined in the appropriate parcel.

#### **6.4.4 Exhibit D - Mining Plan**

10. On Page D-1, the Applicant states in the Mine Plan a Colorado Department of Transportation (CDOT) access permit has been submitted. During the pre-operational inspection for the application amendment, the Applicant's consultant stated the CDOT access permit has been obtained. Please provide the Division a copy of the permit for review.
11. On Page D-1, the Applicant states the CDOT right-of-way can be seen on Map C-1. The location of the right-of-way is not obvious due to the complex parcel ownership for the area. Please update the Exhibit C-1 map to clearly indicate the CDOT right-of-way.
12. On Page D-1, the Applicant states no portion of the mining will enter the West Fork of Clear Creek and a barrier of in-place native material will be maintained until the very end of the operation to prevent stormwater from discharging from the operation to the creek. Please describe the method of mining to be employed to remove the native material barrier as the mine elevation is lowered and at the end of the operation pursuant to Rule 6.4.4(a).
13. On Page D-1, the Applicant states no portion of the mining will enter the West Fork of Clear Creek and a barrier of in-place native material will be maintained until the very end of the operation to prevent stormwater from discharging from the operation to the creek. This way the hydrologic balance of the West Fork of Clear Creek is protected. Please describe how the hydrologic balance of the West Fork of Clear Creek will be protected following the removal of the native material barrier.
14. On Page D-2, the Applicant states the crest of each cut will be knocked down with a dozer to create the final 3H:1V reclamation slope. Please describe how the mining excavation will be conducted including the perimeter slope configuration prior to construction of the final reclamation slope.

15. Please provide a typical mining excavation cross-section(s) for the perimeter and active highwall configurations.
16. On Page D-2, the Applicant states topsoil will be stripped in advance of mining and placed in a windrow ahead of the mining area. Please provide the anticipated configuration and volume of the topsoil windrows.
17. On Page D-2, the Applicant states topsoil will be stripped in advance of mining and placed in a windrow ahead of the mining area. The Exhibit C-2A and C-2B maps indicate topsoil stockpiled on the pit floor, not in windrows ahead of the mining excavation. Please explain this discrepancy and update the permit application amendment and Exhibit C maps accordingly.
18. On Page D-2, the Applicant states processing fines, overburden (if encountered) and imported fill may be used as backfill on the slopes. Backfill placed on the slopes will be to create even shallower conditions than 3H:1V. Please comply with the requirements of Rules 3.1.5(2) and (4) - Reclamation Measures - Material Handling regarding the backfilling and grading of the final reclamation slopes.
19. On Page D-2, the Applicant states reject material from processing will be used in reclamation and the fines can improve the soil profile during reclamation. Please explain how the Applicant intends to utilize the reject material to improve the soil profile.
20. On Page D-2, the Applicant states once mining in an area reaches full depth, reclamation of the mined out portions of the slope will begin with the crest of each cut knocked down with a dozer to create the final 3H:1V reclamation slope. Please describe the pit wall configuration prior to constructing the reclamation slope. Please include the anticipated volume of material required to be dozed to construct the final slope.
21. On Page D-3, the Applicant states no pit dewatering will take place as the groundwater table is well below the bottom of the pit elevation shown on Map C-2. The Exhibit C-1 map indicates an original elevation of 8480 feet near the location of borehole TH-5. The Exhibit C-2B map indicates a final elevation of 8350 feet near the location of borehole TH-5 for a total depth of 130 feet below grade. The depth to groundwater was measured at 90 feet below grade in borehole TH-05 by the Division during the pre-operational inspection. The Operator has committed to staying a minimum of two (2) feet above the groundwater elevation. Please explain this discrepancy and revise the Exhibit C maps accordingly.

22. On Page D-3, the Applicant states if the Operator decides to mine below the groundwater horizon a technical revision will be submitted to the Division to address groundwater handling. The change in post-mining land use from the currently proposed rangeland to open water or developed water resource would require the Operator to submit an amendment to the permit pursuant with Rule 1.10. Please commit to submitting and receiving Division approval of an amendment prior to exposing groundwater at the site.
23. Please provide a description of the nature of the stratum immediately beneath the material to be mined in sedimentary deposits pursuant to Rule 6.4.4(f)(ii) in the Mining Plan or on the Exhibit C maps.
24. On Page D-5, the Applicant states a portable wash plant recycle pond will be included in the site facilities. Please provide a description of the design and operation of the recycle ponds.
25. On Page D-5, the Applicant states all fuel tanks will have secondary containment...with over 110% of the volume of the largest tank. Please commit to constructing and maintaining secondary containment for 110% of the volume all tanks in the containment facility, not only the volume of the largest tank.
26. On Page D-5, the Applicant indicates all fuel tanks will have secondary containment. Please provide the construction and maintenance details for the containment facilities.
27. On Page D-6, the Applicant states a designated equipment repair area with two foot thick compacted pad of fines with a further six inches of gravel placed atop will be constructed. Please clarify if the repair area will include a sump to collect any released toxic materials. Please provide design and operation details for the sump if planned for construction.
28. On Page D-7, the Applicant states past mining activity predicts an expected 12 inch average depth of topsoil. Please describe and indicate the location of the previous mining activity at the site on the Exhibit C maps.
29. On Page D-7, the Applicant states topsoil from initial stripping of an area will be stored in berms and stockpiles as seen on Maps C-2A and C-2B. The location of the topsoil berms are not indicated on the Exhibit C-2 maps. Please explain this discrepancy and revise the Exhibit C maps accordingly.
30. On Page D-7, the Applicant states 11,000 cubic yards of topsoil will be generated and stockpiled by the operation. Please explain how the Applicant intends to comply with

the requirements of Rule 3.1.9 - Topsoiling. Please update the Exhibit C - Mining Plan maps to indicate the topsoil and overburden stockpile locations, dimensions and volumes.

31. On Page D-8, the Applicant states the operator will provide an affidavit regarding any import material used in reclamation, in accordance with Rule 3.1.5(9)(c). Please commit to submitting a technical revision to address all aspects of Rule 3.1.5(9), not just 3.1.5(9)(c) if imported material is used in reclamation.
32. The Exhibit C-2A Map indicates the Xcel powerline transecting the site will be removed to allow mining activities. Please confirm the powerlines and poles will be removed and provide the Division with a signed agreement with Xcel Energy.
33. The Exhibit C-2B Map indicates the Xcel gas line transecting the site will be removed or relocated to allow mining activities. Please confirm the gas line will be removed or relocated and provide the Division with a signed agreement with Xcel Energy.

#### **6.4.5 Exhibit E - Reclamation Plan**

34. On Page E-1, the Applicant states it is anticipated there will be enough reject fines (~20% of raw mined gravel) to achieve the reclamation plan shown on Map F-1. The proposed Mining Plan states the crest of each cut will be knocked down with a dozer to create the final 3H:1V reclamation slope, which is depicted on the Exhibit F-1 Map. Please explain how the use and amount reject fines generated during the life of the mine will affect the final reclamation configuration.
35. On Page E-1, Table E-1 Reclamation Areas indicates 13.6 acres of undisturbed land. Please revise the Exhibit F-1 map to indicate the undisturbed lands.

#### **6.4.6 Exhibit F - Reclamation Plan Map**

36. The Exhibit F-1 map indicates a purple line with two dashes approximately 300 offset from the proposed permit boundary. The line type is not identified on the map legend. Please explain this discrepancy and update the map and/or map legend accordingly.

#### **6.4.7 Exhibit G - Water Information**

37. On Page G-1, the Applicant states the proposed mine site is within the 100-year flood plain of the West Fork of Clear Creek. In the event of a significant flood event (100-year flood) it is likely the proposed mine site would be captured by the West Fork of Clear Creek. Where mining will occur within 400 feet of the river channel, a flood analysis and flood control plan must be evaluated and submitted for Division review and acceptance.

The flood analysis should quantify the velocity and volume of flows expected on site from a 100-year flood event, as well as the elevation of the 100-year base flood event and its relation to the elevation of any proposed spillways and embankments. The flood control plan should address mitigation measures including pit side armoring, river side armoring, inflow and outflow channels, or other appropriate measures.

The Applicant shall provide the flood elevations to be expected under a “worst case” flooding scenario and specific mitigation measures to be implemented to minimize the potential for any offsite impacts.

Riverside berms are proposed in the Douglas Mountain Mine application amendment, which may be prone to erosion during a flood event. The potential for “berms” around gravel pits to be damaged during flooding is discussed in detail in the 1987 Urban Drainage and Flood Control District (UDFCD) Publication “Technical Review Guidelines for Gravel Mining Activities within or Adjacent to 100-year Floodplains.” Strips of native ground or constructed fill between the stream and the gravel pit, and generally aligned with the flow direction of the river are referred to in the UDFCD document as riverside berms.

Engineered inflow and outflow structures are intended to mitigate possible slope failure during flood events for these berms. The Douglas Mountain Mine is outside of the jurisdictional boundaries of the UDFCD, however the technical floodplain factors which led to the formation of the UDFCD guidance publication still apply and will be used to review the adequacy of the flood mitigation structures proposed for the site.

Please provide a flood analysis and flood control plan satisfying the requirements of the UDFCD for the expected 100-year flood event during the life of the operation and after final reclamation for the Douglas Mountain Mine.

38. On Page G-1, the Applicant states during mining, runoff that occurs within the disturbed area will be routed to the active mining pit. Please provide a plan describing how water runoff from disturbed areas, piled material and operating surfaces will be managed to protect against pollution of either surface or groundwater both during the after the operation pursuant to Rule 6.4.7(2)(b).
39. On Page G-1, the Applicant states surface and sediment laden water flow barriers include the pit highwall and topsoil berms and windrows along the pit perimeter. Please provide construction details for the stormwater control berms and windrows. Please explain how topsoil berms used as stormwater control structures will be protected from erosion from the stormwater flow pursuant to Rule 3.1.9(1).

40. On Page G-1, the Applicant states there are 7 wells within 600 feet of the Douglas Mountain Mine. Please state if the Applicant is pursuing well agreements with the existing well owners within 600 feet of the site. Please provide signed copies of the agreements, if available or provide evidence the appropriate notice was provided to the well owners.
41. On Page G-1, the Applicant states there are 7 wells within 600 feet of the Douglas Mountain Mine dug to depths below the pit bottom. During the pre-operational inspection, the Applicant stated a cross-section of the proposed mine site with the well data and monitoring well data was created to understand the relationship between the wells and the mining operation. Please provide the Division with a copy of the well cross-section for review.  
  
Additionally, please provide a geologic cross-section(s) illustrating the relative depths of the surrounding wells, the elevation of the West Fork of Clear Creek and the lowest anticipated pit floor elevation.
42. On Page G-2, the Applicant states to handle stormwater in an organized manner, sumps will be maintained within the site in areas not being actively mined and the site will slope towards the sumps. Please provide design and operational details for the sumps.
43. On Page G-2, the Applicant states topsoil windrows constructed from topsoil stripped in advance of mining will have a one foot deep ditch dug around them for stormwater collection. Please provide a typical detail for the stormwater collection ditch.
44. On Page G-2, the Applicant states in the event groundwater is exposed, said excavation will be backfilled to two feet above the groundwater level. Please commit to notifying the Division immediately if the groundwater elevation is exposed during the mining operation.
45. On Page G-3, the Applicant states four wells are located within 600 feet of the mining area. On Page G-1 of the application amendment the Applicant stated there are 7 wells within 600 feet of the proposed mine site. On the Exhibit C-1 map, the Applicant indicates 8 wells within 600 feet of the proposed mine site. Please explain this discrepancy and update the application amendment accordingly.
46. On Page G-3, the Applicant states Table G-1 lists the wells within 600 feet. Only 4 wells are listed on Table G-1, please update the table to list all wells within 600 feet of the proposed mine site.



47. On Page G-3, the Applicant states Appendix 4 contains a copy of the well permits within 600 feet. The Applicant provided 9 well permits in the appendix, however only 8 of the wells are indicated on the Exhibit C-1 map. Please update the Exhibit C-1 map to indicate the location of well number 271467 owned by Mel Lindquist.
48. On Page G-4, the Applicant states the drilling data for the Deere and Ault TH-4 and TH-5 drillholes are provided in Appendix 3. The Deere and Ault Figure No 2. provided in the appendix indicates four cross-sections; A-A', B-B', C-C' and D-D'. Please provide copies of the cross-sections for Division review.
49. On Page G-4, the Applicant states water will be supplied via either ditch rights or onsite wells. Please provide the legal source allowing the ditch rights or groundwater well to be used for mining/industrial use.
50. On Page G-3 and G-4, the Applicant labeled the Tables as G-1 Wells Within 600 Feet and G-1 Mining Water Consumption. Please relabel one of tables with a different table identification to avoid confusion.
51. On Page G-4, the Applicant states a copy of the water right decree on Bard Creek is located in Appendix 4 along with legal support for its use in a sand and gravel operation. The legal support for the use of the water right for the mining operation was not included in the appendix. Please submit a copy of the legal support for the water use.

#### **6.4.8 Exhibit H - Wildlife Information**

52. All aspects of the Mining and Reclamation Plans shall take into account the safety and protection of wildlife on the mine site, at processing sites, and along all access roads to the mine site with special attention given to critical periods in the life cycle of those species which require special consideration (e.g., elk caving, migration routes, peregrine falcon nesting, grouse strutting grounds) pursuant to Rule 3.1.8(1).

The Colorado Parks and Wildlife (CPW) submitted an objection letter dated June 18, 2018 for the original application. The letter listed three (3) biological concerns regarding this project; the bighorn sheep herd in the vicinity of the proposed mine and truck routes, an active peregrine falcon nest buffer and the elk winter range at the proposed mine location. CPW provided an additional comment letter dated December 18, 2018 for the amended application pursuant to Rule 3.1.8(2).

Please revise Exhibit H to include the mitigation measures required by CPW to address their biological concerns at the proposed mine site.

#### **6.4.10 Exhibit J - Vegetation Information**

53. On Page J-2, the Applicant states Map C-1 shows the general area of the vegetation communities overlain with the soil map for the area. It is not obvious to the Division how the soil type is represented on the map. Please explain how the soil map is represented on the Exhibit C-1 map.

#### **6.4.12 Exhibit L - Reclamation Costs**

54. The worst case reclamation cost scenario provided by the Applicant is not sufficient for the Division to accurately calculate the cost of reclamation that would be incurred by the State. Please provide all information necessary to calculate the cost of reclamation broken down into the various major phases of reclamation pursuant to Rule 6.4.12(1). Please include the anticipated equipment types, material volumes and haul distance for each reclamation task, at minimum. Additionally, please include tasks for removal of all the mining facilities not just the truck scale and office trailer.
55. On Page L-1, the Applicant includes a reclamation task to bulldoze 500 feet of benched slope to the final 3H:1V grade. The Applicant did not describe the construction or reclamation of benched slopes in the Mining and Reclamation Plans. Please provide additional details regarding the construction and reclamation of the benched slopes in the appropriate Exhibit(s) within the application amendment.

#### **6.4.13 Exhibit M - Other Permits and Licenses**

56. On Page M-1, the Applicant states the following permits are required for the operation of the proposed mine site; County Special Use, CDPHE APEN and CDOT access permit. Please commit to providing the Division with approved copies of the permits prior to initiating mining activities at the site.
57. In Exhibit G, the Applicant committed to providing the Division with proof of a Substitute Water Supply Plan (SWSP). Please update Exhibit M to indicate the SWSP permit.

#### **6.4.14 Exhibit N - Source of Legal Right to Enter**

58. The Right of Entry document for the Douglas Mountain Ranch and Preserve indicates Record No. 1837-284-00-010. The owner of this record number is Westfork Clear Creek LLC according to the Clear Creek County Assessor. Please explain this discrepancy and revise the right of entry document for the Douglas Mountain Ranch and Preserve accordingly.
59. The Right of Entry document for the Douglas Mountain Ranch and Preserve does not include the parcel with Record No. 1837-273-00-667 which is crossed by the proposed access road. Please explain this discrepancy and revise the right of entry document for

the Douglas Mountain Ranch and Preserve accordingly.

60. On Page N-1, the Applicant states a copy of the recorded easement to cross a parcel owned by the Norseman of the Rockies is attached. The Division did not receive a copy of the easement in the amendment application. Please submit a copy of the recorded easement for Division review.

61. Please update Exhibit N - Source of Legal Right to Enter to indicate the Norsemen of the Rockies as owners of affected land for the proposed mine site.

**6.4.15 Exhibit O - Owners of Record of Affected Land (Surface Area) and Owners of Substance to be Mined**

62. Please update Exhibit O - Owner of Record of Affected Land to indicate the Norsemen of the Rockies as owners of affected land for the proposed mine site.

**6.4.18 Exhibit R - Proof of Filing with County Clerk and Recorder**

63. Please provide an affidavit or receipt indicating the date on which the revised application amendment information required to address this adequacy letter was placed with the Clear Creek County Clerk and Recorder for public review, pursuant to Subparagraph 1.6.2(1)(c).

**6.4.19 Exhibit S - Permanent Man-made Structures**

Where the mining operation will adversely affect the stability of any significant, valuable and permanent man-made structure located within two hundred (200) feet of the affected land, the Applicant may either:

- a. provide a notarized agreement between the Applicant and the person(s) having an interest in the structure, that the Applicant is to provide compensation for any damage to the structure; or
- b. where such an agreement cannot be reached, the Applicant shall provide an appropriate engineering evaluation that demonstrates that such structure shall not be damaged by activities occurring at the mining operation; or
- c. where such structure is a utility, the Applicant may supply a notarized letter, on utility letterhead, from the owner(s) of the utility that the mining and reclamation activities, as proposed, will have "no negative effect" on their utility.

64. On Page S-1, the Applicant states in the event a structure agreement was unobtainable see the Geotechnical Stability Exhibit. The Division will require the Applicant to demonstrate they attempted to obtain notarized structure agreements with all owners

of the structures on and within 200 feet of the affected area of the proposed mine site, pursuant to Rule 6.4.19, prior to the Division's consideration of the stability analysis.

65. On Page S-1, the Applicant lists the following structure; structures and gravel drives to the east of the site. Based on review of the Exhibit C-1 map, there are several structures and roads located east of the site. Please revise Exhibit S to indicate the owners of the structures and gravel drives.
66. On Page S-1, the Applicant lists the following structure; wells to the east and on the property. Based on review of the Exhibit C-1 map, there are several wells located east and on the property. Please revise Exhibit S to indicate the owners of the wells.
67. Please update Exhibit S to indicate the owners of the following structures listed by the Applicant on Page S-1.
  - a. US-40
  - b. Westbound Ramp to I-70 (CR-257)
  - c. West Mountain Avenue (private gravel drive)
68. On Page S-1, the Applicant states a 30-foot buffer from the Xcel utility lines will be maintained until the lines are rerouted. Please update the Exhibit C maps to indicate the 30-foot buffer from the Xcel gas and overhead powerlines.
69. The Division received proof of Certified Mail Receipts for the outbound notice letter to Katherine and Jacob Sparks by email on November 16, 2018. The Sparks owned structure is not listed in Exhibit S or on the Exhibit C maps. Please explain this discrepancy and update the application amendment Exhibit(s) accordingly.
70. Please revise Exhibit S and provide proof of attempting to obtain structure agreements for the following permanent man-made structures within 200 feet of the affected land:
  - a. Marian Riggs - Cabin
  - b. Daniel and Mary Ann Dalpes - Well
  - c. Daniel Dalpes Trust - Well
  - d. Martha Boxberger - Well
  - e. Xcel Energy - Gas Line
  - f. Xcel Energy - Overhead Powerline
  - g. Easter Seals - Well
  - h. Colorado Society for Crippled Children - Well
  - i. Douglas Mountain Preserve
  - j. Joyce Tanner - Road

## 6.5 Geotechnical Stability Exhibit

71. The Colorado Geological Survey (CGS) provided the Division with a copy of the CGS review letter dated August 17, 2018 to Clear Creek County for the Douglas Mountain Ranch rezoning to planned development and boundary line adjustment. A copy of the letter is attached. Please address the comments contained in the letter.
72. The Applicant provided a slope stability analysis using GALENA software. Please provide a map indicating the locations of the critical cross-sections modeled by the Applicant.
73. The Applicant provided a slope stability analysis and data tables using GALENA software. Please provide the Division with an electronic version of the data tables for verification of the stability analysis by the Division using Clover Technology's Galena v7.1 slope stability software.

Please be advised the Douglas Mountain Mine application amendment may be deemed inadequate, and the application amendment may be denied on January 28, 2019, unless the above mentioned adequacy review items are addressed to the satisfaction of the Division. If more time is needed to complete the reply, the Division can grant an extension to the decision date. This will be done upon receipt of a written waiver of the Applicant's right to a decision by January 28, 2019 and request for additional time. This must be received no later than the deadline date.

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

Sincerely,



Peter S. Hays  
Environmental Protection Specialist

Enclosures – Division of Water Resources, Office of Archaeology and Historic Preservation,  
Army Corps of Engineers and Colorado Geological Survey letters

Ec: Michael Cunningham; Division of Reclamation, Mining & Safety  
Chris Townsend; Empire Aggregate, Inc.