

Clear Creek Courant Article

Douglas Mountain Ranch's new permit seeks to lower acreage

Residents concerned about Empire-area property's application

By Corinne Westeman

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The owners of property south of Empire have submitted an amended application to put a quarry on 68 acres rather than the original 91 acres — and the proposal continues to concern area residents who say the quarry would negatively impact the area's wildlife, air and water quality, and traffic.

The owners of the Douglas Mountain Ranch project have submitted the revised application to the Colorado Division of Reclamation, Mining and Safety, and the public may submit comments until Dec. 18. The company intends to complete the state process first and then amend its zoning application with Clear Creek County.

"We were trying to do things in parallel before," Ben Langenfeld, a professional engineer with Greg Lewicki & Associates, which submitted the application, said, "but we decided to step back and get the state permit first and get that sorted out."

The proposed quarry would remove 10 million to 15 million tons of rocks and gravel from a plateau area south of Empire over 20 years, and once complete, a reservoir would be on the site to store water for the property owners and any entity that has an agreement with them.

Langenfeld said his company believes the project would be a great opportunity for development in the county.

"We know a lot of citizens are concerned and have expressed that, and we also have had a lot of conversations with people who are excited about the possibility of having a reservoir," he said. "The county owns some of the mineral rights (on the property). If it goes forward, it could bring in revenue (for the county), and we're excited to have them as a partner on this."

However, more than 35 Empire-area residents and other locals have formed the group Friends of Clear Creek to express their concerns with and opposition to the project.

Among their chief concerns are the increased truck traffic on Interstate 70; impacts to local plants and animals; the effect on air quality, particularly so close the Easter Seals Camp; and the overall detraction from the area's quality of life.

Next steps in the process

Langenfeld said the state application process is based on environmental regulations, such as guaranteeing erosion control, water protection and wildlife protection, while the county process involves land-use questions.

In addition, the owners will need permits from the state for air and water quality.

The project already has received an access permit from the Colorado Department of Transportation.

As for its county zoning application, Clear Creek planner Adam Springer said that once the county receives an amended zoning application, it must move forward with the process, which includes a Planning Commission hearing and a Board of County Commissioners hearing.

However, Springer said that it would be at least a few months between receiving the amended application and a public hearing. But, for now, the ball is in the applicants' court, he said.

Already, the county has received at least 50 comments on the project's application. He said anyone is welcome to submit comments, including those who don't live in Clear Creek County.

Residents' concerns, objections

Residents opposed to the proposed development believe there are better uses for the property.

"The county would get more out of tourism than they would get out of the rocks," Empire's John Enochs said. "... It's an important visual corridor. For us to let this go to this purpose, it's the worst thing we could possibly do."

Hans Berg and Margie Kaspari, both Empire residents, stressed that the area is an important one for the county's bighorn sheep population, which uses it as a lambing area.

Mark Cucinella, also of Empire, commented that the project, as proposed, would affect the locals' health with the expected increase in noise, light and air pollution.

He and the others said they were very concerned that because the area's prevailing winds are from the west, they believed a lot of the residue would blow toward the Easter Seals Camp. And, given that the camp hosts more than 1,200 visitors each summer — some with compromised health systems — they believe it would be devastating to the camp and its visitors.

"Everyone's concerned with the Henderson Mine closing ... but having that meadow developed into that is counter to the direction the county is going," Enochs said. "It would be a nail in the coffin to Empire."

Berg agreed that the project, as first proposed, made no economic sense for Clear Creek County. Now, with the amended application and the reduced acreage, he said it will make even less sense.

"The community has stepped up for decades to say whether things are a bad use of that property," Berg said. "... (The project) would be the destruction of a keystone landscape. It would be contrary to what we moved here for."

Developer's response

Langenfeld stated that the project has been designed to mitigate the impacts to Empire, such as beginning on the southeast end away from the town.

"It would take a decade-plus to get anywhere near them," he said. "And with this land acquisition deal failing, there will now be a permanent physical barrier between what we do and the Town of Empire."

“We’re not a big, noisy mess,” he continued. “We’ve designed the construction of this reservoir to protect Empire and the folks who live around there.”

Langenfeld said residents are welcome to reach out to him and his colleagues with questions, saying they want to engage with the community through these application processes.