



Peak Ranch Resource

Permit M2020-041

Response to Objection Letter Comments Submitted to the DRMS
re: 112c Construction Materials Reclamation Permit Application

December 18, 2020

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INTRODUCTION

The Division of Reclamation, Mining and Safety (DRMS) received 142 objection letters about the Peak Ranch Resource project. This report provides general responses to comments received for the benefit of the objectors even though not all objections raised in the letters are within the jurisdictional purview of the DRMS. This report organizes the comments under one of sixteen topics. The first four topics are within the jurisdictional purview of the DRMS (Jurisdictional Topic); the twelve topics that follow are outside the jurisdictional purview of the DRMS (Non-Jurisdictional Topic). Within each topic, we have provided the following information:

- A list of the objectors who commented on the topic. We assigned a number to each objection letter. For each topic, you will see a list of numbers. Each number corresponds to an objector number. At the end of this report, you will find Attachment A: List of Objection Letters. The table provides the list of objection letters received by the DRMS, the name and address of each objector, and the number we assigned to the objection letter for purposes of this report.¹
- A summary of the comments made about the topic.²
- Our response to the comments.

1.0 RECLAMATION BOND (JURISDICTIONAL TOPIC)

1.1 OBJECTORS MAKING COMMENTS ON THIS TOPIC

30

1.2 SUMMARY OF COMMENTS

- A reclamation bond liability of at least ten times the amount proposed by Peak Materials should be required.

1.3 RESPONSE TO COMMENTS

When the DRMS reviewed the application and provided Peak Materials with comments about Exhibit L: Reclamation Cost Estimate, they indicated that they will calculate and impose a final bond amount based on their review of the proposed reclamation plan. Colorado mining and reclamation law has overseen the successful reclamation of numerous sand and gravel mines like Peak Ranch with adequate bonding, inspection, and enforcement.

¹ We did our best to include the number of each objector that commented about a topic, but we may have missed listing an objector number. If we missed one, it was an unintentional oversight.

² The list of comments is a general summary and we worked to minimize duplication yet capture the concept of the comments made.

2.0 RECLAMATION (JURISDICTIONAL TOPIC)

2.1 OBJECTORS MAKING COMMENTS ON THIS TOPIC

8, 13, 15, 24, 30, 44, 46, 53, 54, 56, 76, 77, 78, 81, 83, 107, 114, 127, 129, 140

2.2 SUMMARY OF COMMENTS

- Peak Materials' reclamation plan is inadequate.
- The application for the proposed mine does not address where the waste fines will be impounded and how the final reclamation will accommodate that waste.
- The land can't be "reclaimed" to restore the natural beauty of the existing property.
- Future reclamation is proposed to be a public use park, but it is on private land; also, there is no indication of who will be responsible for caring for the area.

2.3 RESPONSE TO COMMENTS

The property was acquired by Peak Materials in 2018. It had previously been used as ranchland and the site was overgrazed and segmented by a series of livestock fences. As a result, the property is in poor condition. Below is a photo of the site looking north. The highest quality vegetation on this site is on the west edge along the Blue River. That portion of the site will not be disturbed by the proposed mining operation.



The post-mine land use identified in the 112c Reclamation Permit application is rangeland because that is the land-use option that is most similar to the land's current use. Peak Materials has worked with Colorado Parks and Wildlife (CPW) to implement changes to the proposed reclamation plan to enhance the site for the benefit of

wildlife. Rangeland as a reclamation land use demands that we establish a consistent vegetative cover to ensure protection against soil erosion, while providing some forage. This vegetative cover must be well established before the reclamation bond, held by the DRMS, can be released. The seed mix proposed for the site was developed in consistent with the local Natural Resource Conservation Service standard guidance to maximize the ability of the seed mix to successfully establish on the site.

There will be no waste fines to handle at this site because no materials processing will take place at this facility.

Following reclamation of the property and release of the property by the DRMS, Peak Materials plans to preserve the land as open space in perpetuity.

3.0 WATER QUALITY AND QUANTITY (JURISDICTIONAL TOPIC)

3.1 OBJECTORS MAKING COMMENTS ON THIS TOPIC

8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 22, 24, 26, 27, 28, 30, 33, 34, 35, 36, 37, 41, 42, 43, 46, 47, 49, 50, 52, 53, 54, 55, 56, 57, 58, 59, 61, 62, 63, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 86, 87, 89, 92, 93, 94, 96, 97, 98, 100, 101, 102, 103, 104, 105, 106, 108, 110, 113, 114, 115, 116, 117, 118, 119, 120, 122, 121, 124, 126, 127, 128, 129, 130, 131, 133, 135, 138, 139

3.2 SUMMARY OF COMMENTS

- Mining will negatively impact the Blue River, Green Mountain Reservoir, and the Colorado River as water sources.
- Water flow, quality, and quantity in aquifers will be affected.
- The study only included residential wells within 600 feet; concern about all wells in the area.
- Wells will dry up and residents will need to dig new ones.
- Irreversible damage to the quality and quantity of our water supply.
- Inadequate historical water data for the area makes the current information unreliable.
- Groundwater will fill the reclaimed lake making water scarcer.
- Mining could impact the Colorado watershed environment which serves 40 million people downstream.
- Ranches that use the river for their cattle and fields will be impacted.
- Potential for water siphoning.
- Activity is too close to the river.
- Peak Materials will use their unlimited money supply to take over water rights, leaving residents without usable water resources.
- The mine will alter hydrology beyond the site's boundaries; the lake could affect the river and ecosystem should it flood.
- Sediment and other pollutants will be released via underground waterways or surface runoff to the river.
- The water supply at Lost Creek Ranch will be impacted because the mine will pull water downhill.
- There is no water table, just random water pockets in the shale; mining will disrupt those pockets used for residential wells.
- The proposed pit site is honeycombed with voids filled with peat. There were peat fires that were once put out by thousands of gallons of water pumped underground. The underground channels will become pollution channels to the Blue River.
- There is no back-up plan for impacts to water resources.
- Mining will impede efforts to return the Blue River to its Gold Medal status.

- Mining could impact on our ability to access our legal water rights from the Blue River via the Green Mountain Canal, which runs close to the proposed mine. Mining could change the water levels and flow of water in the Canal.
- The applicant didn't explain their calculation of water demands.

3.3 RESPONSE TO COMMENTS

Peak Materials addressed water quality- and quantity-related issues in Exhibit G of the 112c Reclamation Permit application. That document is a resource for understanding the situation with surface and groundwater; below is a summary of important information regarding how Peak Materials' team of professional engineers, geologists, hydrogeologists, and water law experts designed the proposed Peak Ranch Resource project to prevent negative impacts on water quality and quantity in the area.

- Peak Materials will protect the Blue River and will not discharge water from the Peak Ranch Resource facility into the river. The mine is designed so that all stormwater which contacts areas disturbed by mining will enter a mining cell and infiltrate into the ground. The operation will not negatively impact efforts being made to return the Blue River to its Gold Medal status.
- All mining activity will occur at least 300 feet away from the river and outside of the floodplain. In addition, the grade difference between the plateau being mined and the river channel is significant; the operation will have no impact on the floodplain and the floodplain will not impact the operation.
- Leased water, released from upstream storage, will be pumped out of the Blue River and used for dust control purposes. That water will be diverted through an approved Substitute Water Supply Plan. Therefore, there will be no net change in Blue River flows.
- All out-of-priority depletions to the Blue River and its alluvial aquifer that result from the proposed mining activities will be fully replaced; all vested water rights will be protected from injury, following plans and measures approved by the Division of Water Resources (DWR) and, ultimately, the Water Court.
- Peak Materials must obtain approval of an augmentation plan from the DWR and Water Court before exposing any groundwater.
- A wet mining operation is proposed; therefore, no dewatering will occur.
- As wet mining occurs and groundwater is exposed, water in the alluvial aquifer system will equilibrate and the historical condition of the alluvial aquifer will not change.
- Consistent with well permitting statutes, the permitted wells located within 600 feet were identified in the application. However, all vested water rights will be protected from injury, pursuant to plans and measures to be approved by the DWR and the Water Court.
- We installed monitoring wells/piezometers at the site to document subsurface conditions. None of the monitoring wells/piezometers encounter voids, peat, or indications of fires. The depth to groundwater at the site varies from approximately 5 feet below ground surface to about 25 feet. The deposit at the site is unconsolidated sand and gravel. This type of deposit does not contain voids.
- Information from the well construction reports and boreholes as well as water level measurements collected under the Water Quality Monitoring Plan demonstrate there is a healthy saturated alluvial aquifer underneath the Peak Ranch Resource property. The site will not be mined deep enough to encounter shale.
- Water rights approved for industrial use will be the legal water supply for the mining activities.
- Peak Materials has installed a network of monitoring wells to ensure that our mining operation does not negatively impact the groundwater supply and to allow us to obtain good water quality data. A water monitoring plan is in place to ensure regular monitoring both before and during the mining operation.
- The historical water data we relied on was reviewed by the DRMS and determined to be sufficient and adequate for the purpose of mining plan design.
- Water demand calculations were described in the notes on Table G-2 of Exhibit G of the 112c Reclamation Permit application. The assumptions made for the Peak Ranch Resource site are typical of

those used generally, and those used and specifically approved by the State Engineer's Office concerning the water supply plan for the Maryland Creek Ranch facility which contains a similar resource.

4.0 WILDLIFE (JURISDICTIONAL TOPIC)

4.1 OBJECTORS MAKING COMMENTS ON THIS TOPIC

7, 8, 9, 12, 13, 15, 16, 17, 23, 26, 28, 30, 32, 33, 35, 36, 37, 38, 42, 45, 47, 48, 49, 50, 52, 53, 54, 56, 61, 62, 63, 65, 66, 67, 69, 70, 71, 76, 77, 78, 79, 80, 81, 83, 87, 89, 91, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 107, 108, 109, 116, 118, 119, 120, 121, 122, 124, 125, 126, 127, 128, 130, 131, 132, 133, 135, 136, 137, 140, 141

4.2 SUMMARY OF COMMENTS

- Concerned about wildlife safety, depletion of wildlife resources, and the destruction of wildlife habitat that will force the relocation of animals.
- Habitats would be destroyed for ground animals: mountain lions, bears, skunks, raccoons, coyotes, fox, mountain goats, squirrels, weasels, snakes, and insects.
- The migration patterns of deer, elk, and moose would be disrupted; their refuge and ecosystems would be endangered.
- Increased wildlife vs. car accidents and deaths due to shifts in migration patterns and more truck traffic.
- Blue River fishery is threatened, as is the general fish population.
- Wildlife can't access freshwater sources due to mine location; possible pollution of river would impact wildlife.
- Nesting birds would relocate, due to disruption; bird migration patterns would also be impacted.
- Local osprey, raptors, red-tailed hawk, geese, ducks, bald eagle habitats would be negatively impacted due to sound and disturbance of feeding grounds.
- Negative effects on wildlife from noise and air pollution from trucks using highway, driving between pits.

4.3 RESPONSE TO COMMENTS

Peak Materials hired Ecological Resource Consultants, Inc. to prepare a site-specific wildlife impact and mitigation report for the proposed Peak Ranch Resource project. The report was included in Exhibit H of the 112c Reclamation Permit application that was submitted to the DRMS. Information related to wildlife that could be on the site, existing habitat areas, and recommendations for mitigation measures to protect wildlife and their habitat are all covered in this report. The mitigation measures recommended in the report are all being followed by Peak Materials. CPW reviewed the site-specific wildlife impact and mitigation report and did not have any concerns about its content. They did make some requests for modifications to the mining and reclamation plan to allow the site to better accommodate wildlife. In response to their requests, Peak Materials made changes to the proposed mining and reclamation plan to provide some added benefits in support of wildlife. While these changes were made, it is important to note that the 112c Reclamation Permit application post-mining land use for the site is rangeland.

5.0 AIR QUALITY (NON-JURISDICTIONAL TOPIC)

5.1 OBJECTORS MAKING COMMENTS ON THIS TOPIC

7, 8, 15, 18, 22, 25, 26, 29, 33, 34, 35, 37, 39, 43, 45, 46, 50, 52, 53, 58, 61, 62, 65, 66, 67, 69, 70, 72, 73, 75, 77, 78, 81, 84, 89, 90, 94, 96, 97, 98, 99, 101, 103, 105, 107, 108, 109, 110, 116, 117, 120, 122, 124, 125, 126, 128, 130, 135, 136, 137, 140

5.2 SUMMARY OF COMMENTS

- Operation of the mine will negatively impact the air quality in the Lower Blue River Valley due to pollution from increased truck traffic and machinery used in mining activity.
- Gravel trucks making trips to Maryland Creek Ranch for eight months each year will have adverse impacts on people and animals near Highway 9.
- Livestock and other animals in the area will be negatively affected by increased dust and air pollution.
- Pollution will be an adverse impact on the personal enjoyment of my home; we like to hike and bike, enjoying outdoor activities on our land.
- Clean air is essential for those residents who have underlying health issues such as weakened immune systems or existing respiratory issues.
- Pollutants and dust emitted from the gravel yard, trucks, and other equipment could cause long-lasting health issues or exacerbate existing ones, even within established limits.
- Summit County's Master Plan's values do not include pollution from equipment.
- The pollution from this pit will exceed its value for both this site and the processing area.
- Air pollution from trucks moving along the highway is a "threat to our security in this valley."
- Electric and hybrid trucks should be used if possible, to help meet mandated State goals, reduce fossil fuel use, and reduce air quality impacts.
- We have experienced the impact of wildfire smoke on our quality of life; constant fine dust and exhaust fumes will add to the hardship.

5.3 RESPONSE TO COMMENTS

Peak Materials is committed to protecting the air quality of the region, as is required through the Colorado Department of Public Health and Environment (CDPHE). Developing Peak Ranch Resource to support the local construction materials market will help minimize air pollution by reducing the distance that material will need to travel to meet the local needs of Summit County.

The Lower Blue Valley region is classified by the EPA as an attainment area for pollutants based on the National Ambient Air Quality Standards (NAAQS). This means that the air in the region meets or exceeds all national ambient air quality standards for carbon monoxide, lead, nitrogen dioxide, ozone, particle pollution, and sulfur dioxide. This includes both the primary standards which are set forth to protect public health (including the health of "sensitive" populations such as asthmatics, children, and the elderly) and secondary standards in place to protect animals, vegetation, crops, and buildings. Activity at Peak Ranch Resource will not change this designation.

An air pollution emissions assessment is in progress for the project and the necessary Air Pollution Permits will be obtained per CDPHE requirements. Consistent with CDPHE regulations related to air quality, the impact from mobile sources like haul trucks is anticipated to have minimal impact on the ambient air quality of the region.

Most of the material removed from the site will be wet mined so dust will not be a significant problem at this mine site. However, plans will be in place to prevent dust by regularly spraying down the disturbed areas with water.

As a company, Peak Materials, a division of Kilgore Companies and a subsidiary of Summit Materials, is committed to sustainability. As electric and hybrid vehicle technology continues to advance, Peak Materials will evaluate the feasibility of its use.

6.0 CAPITALISM (NON-JURISDICTIONAL TOPIC)

6.1 OBJECTORS MAKING COMMENTS ON THIS TOPIC

77, 78, 81, 104, 137, 115

6.2 SUMMARY OF COMMENTS

- Peak Materials is placing the desires of their company ahead of the interests of the residents of the Lower Blue Valley.
- Don't let money and greed play into the decisions about the project. Instead, the decision should be focused on the concerns of the neighboring citizens and the best interests, in the long run, of the Lower Blue Valley.
- It is more important to protect the pristine natural beauty of the area and the tourism industry than worry about Peak Materials' special interests.

6.3 RESPONSE TO COMMENTS

For more than 50 years, Peak Materials has provided construction materials, including sand and gravel (aggregate), to meet the needs of communities throughout Colorado. Aggregate is a basic construction material needed to support every community's public infrastructure, housing, and, in the case of Summit County, tourism. Peak Materials believes Summit County's residents and tourists desire well-maintained and safe roads to travel to and through Summit County.

Peak Materials' application to permit the Peak Ranch Resource site is driven by the desire to sustain our existing business as we face the depletion of our aggregate reserves in the next 5 years. Peak Materials is being proactive and responsible to identify and permit a replacement site so that we can continue to meet the needs of the Summit County community. Sourcing sand and gravel from within the County, for use by County residents, provides an economical solution to the local community's needs, with minimal impact on the community and the environment. The permitting process that Peak Materials must complete will help ensure that the concerns of the immediate neighbors and the greater community of Summit County are addressed.

The proposed application will have minimal impact on the natural beauty of the County. The site is not highly visible, as evidenced by the findings shown on the Lower Blue Valley's Visibility Map included in the Summit County Lower Blue Master Plan. In addition, the site being disturbed is not pristine (see the photo of the site included in Section 2.3 of this document). The existing condition of the site is not optimal due to a history of overgrazing; the plans for reclaiming the site after the sand and gravel are mined will turn that around; ultimately, the site will have open water pond areas surrounded by healthy, native vegetation.

7.0 CAR INSURANCE (NON-JURISDICTIONAL TOPIC)

7.1 OBJECTORS MAKING COMMENTS ON THIS TOPIC

125

7.2 SUMMARY OF COMMENTS

- Increase in auto insurance claims due to damaged windshields

7.3 RESPONSE TO COMMENTS

Peak Materials complies with and will continue to comply with the State law that requires all loads to be covered with a tarp to prevent gravel from flying out of a loaded truck and onto the highway.

8.0 CONDITIONAL USE PERMIT (NON-JURISDICTIONAL TOPIC)

8.1 OBJECTORS MAKING COMMENTS ON THIS TOPIC

48, 82, 129, 134, 142

8.2 SUMMARY OF COMMENTS

- The DRMS application ignores that there is nowhere for the mined material to go for processing.
- According to Lower Blue Planning Commission Resolution No 2016-08, Maryland Creek processing facility is not allowed to use imported raw materials.
- A new special use permit to import material to the Maryland Creek site will be needed.
- Maryland Creek's processing permit expires September 1, 2026.

8.3 RESPONSE TO COMMENTS

As requested by Summit County, we will submit a Conditional Use Permit (CUP) application to the County for the Peak Ranch Resource site after we obtain a 112c Reclamation Permit from the DRMS. All material mined at Peak Ranch Resource is proposed to be taken to Peak Materials' Maryland Creek Ranch for processing. Therefore, we will also work with Summit County for an updated CUP for Maryland Creek Ranch, as needed, to allow that facility to accept and process the material from Peak Ranch Resource. A Technical Revision to the existing DRMS permit for Maryland Creek Ranch will also be necessary. This will be completed following approval of the Peak Ranch Resource 112c Reclamation Permit by the DRMS.

Peak Materials will not proceed with the development of the Peak Ranch Resource until all applicable state, local, and federal permits and approvals are in place.

9.0 CRIME (NON-JURISDICTIONAL TOPIC)

9.1 OBJECTORS MAKING COMMENTS ON THIS TOPIC

53

9.2 SUMMARY OF COMMENTS

- Having more truck drivers and mining personnel nearby may increase security issues.

9.3 RESPONSE TO COMMENTS

It is unclear to us how the presence of truck drivers and mining personnel poses a security issue.

10.0 ECONOMICS (NON-JURISDICTIONAL TOPIC)

10.1 OBJECTORS MAKING COMMENTS ON THIS TOPIC

30, 51, 53, 58, 71, 89, 99, 100, 104, 110, 115, 127

10.2 SUMMARY OF COMMENTS

- Peak Materials will not pay their fair share of the costs of this mining development through normal tax or fee structures in Colorado.
- Local property values will fall, as will resale values and marketability of real estate in the area; most residents spent a lot of their savings to purchase homes here.
- My million-dollar view will be ruined if the mine is open.
- The legacy of my home and property will be compromised.

10.3 RESPONSE TO COMMENTS

Peak Materials has hired an economist to analyze potential economic impacts and benefits related to the project. The documents will be shared when we submit a Conditional Use Permit to Summit County.

Peak Materials will take several actions at the Peak Ranch site that will mitigate the potential for impacts and help maintain property values. For example, site operations will be limited to daytime hours with trucking hours that will avoid weekends and morning and evening commute hours; material transport will occur only on State Highway 9 and not on local roads or through urbanized areas; material will not be processed on-site; landscaped screening berms and trees will be provided on the perimeter of site; and when mining is over and the site has been reclaimed, the plan is to preserve it in perpetuity as open space.

11.0 LAND USE (NON-JURISDICTIONAL TOPIC)

11.1 OBJECTORS MAKING COMMENTS ON THIS TOPIC

9, 13, 15, 16, 17, 21, 22, 23, 24, 26, 27, 28, 29, 30, 33, 34, 35, 36, 37, 38, 39, 40, 41, 43, 44, 49, 50, 53, 54, 55, 56, 60, 61, 62, 64, 65, 66, 67, 69, 70, 71, 72, 73, 75, 76, 77, 78, 79, 81, 83, 84, 85, 89, 91, 94, 96, 97, 98, 101, 103, 104, 105, 107, 108, 109, 111, 115, 116, 117, 118, 119, 120, 121, 122, 126, 127, 129, 131, 132, 135, 136, 140

11.2 SUMMARY OF COMMENTS

- The proposed use is not compatible with the surrounding land use (rural/residential/agricultural/open space).
- This gravel mine will interfere with the quiet family life of the ranchers and the pristine natural beauty.
- Peak Materials developing a new mine and trucking the mined materials to their existing plant is totally irresponsible from an environmental and safety standpoint.
- Acres of working ranches that are protected from development by conservation easements will be impacted.
- Our home was acquired for the remoteness of its location and the abundance of wildlife. An operation such as Peak Ranch Resource threatens both the lifestyle we invested in, as well as the diverse wildlife we enjoy in this protected valley.
- Aggrieved by the intrusion of industrial uses in an area of Summit County where there are thousands of acres of Federally protected wilderness with conservation easements to provide the exact kind of conservation benefit that the Peak Ranch Resource application is seeking to destroy.
- Summit County has spent many dollars protecting open space in the area; approval of this mine could set a new precedent for future industry up and down the valley.
- Summit county's real economic base is tourism, worth billions a year. Self-serving interest mining companies are not a worthy sacrifice of our pristine wildernesses which are rapidly shrinking.
- This 10-mile stretch of road is some of the most beautiful in the state and is bordered on two sides by National Forest but also by National Wilderness land and the Blue River. The proposed dramatic increase in heavy truck traffic will harm the character of this area and cause irreparable damage to wildlife, the blue river fishery, river water, well water, reservoir water (Green Mountain Reservoir), and recreation (hunting, fishing, biking, hiking, etc.).
- The proposed pit would be in the middle of the preserved viewshed. According to the Lower Blue Planning document, the natural and undeveloped lands separate and buffer the impacts of development and contribute to the rural mountain quality of the local landscape. A gravel pit would destroy the open spaces' protection.

11.3 RESPONSE TO COMMENTS

Both the Summit County Countywide Comprehensive Plan and Lower Blue Master Plan describe that resource extraction uses, such as gravel mining, are necessary and expected in rural areas, like the Peak Ranch Resources site. Peak Materials will be applying for a Conditional Use Permit (CUP) for the Peak Ranch Resource project. As will be detailed in the CUP application, the project will include numerous design features and mitigation measures intended to ensure compatibility with surrounding land uses and avoid and mitigate adverse impacts.

The tourism industry that Summit County enjoys would not be possible without aggregate. Aggregate is used to construct the infrastructure in the County that is used by the tourists and residents; aggregate mining is an existing land use found in the Lower Blue Valley. Modern mining operations are heavily regulated to ensure

protection of the environment. Maryland Creek Ranch, the existing mine near Silverthorne, has not prevented tourists from recreating in the area.

The Peak Ranch Resource site itself is not currently protected by a conservation easement, is not Federally protected wilderness land and is not in an area designated as a “protected viewshed”. The land was previously used as a ranch, was overgrazed, and is in poor condition. However, after the property is mined, Peak Materials will reclaim it as rangeland with open water ponds. The land will be returned to a condition that is better than it is currently. Peak Materials’ long-term plan for the property following mining and reclamation is to investigate a way to preserve the land as open space.

The US Forest Service’s Acting District Ranger reviewed the proposed application as it relates to the adjacent Forest Service land. She stated that “the Dillon Ranger District supports this type of land use on private property. As you are aware, the U.S. Forest Service often works with mining claimants and manages mining activities that occur on National Forest System lands in accordance with 36 CFR Part 228 and the agency’s multiple-use mandate. However, when possible, siting mining operations on private property can be beneficial as it maintains opportunity for other uses on public land.”

12.0 LIGHT POLLUTION (NON-JURISDICTIONAL TOPIC)

12.1 OBJECTORS MAKING COMMENTS ON THIS TOPIC

33, 35, 58, 113

12.2 SUMMARY OF COMMENTS

- If the night lighting is like the Peak One processing plant, it will add considerable light pollution to the night sky, dimming and destroying dark sky vision.
- Light pollution from the mining activity will negatively impact my property value.
- Peak Material likes to work through the night; I can see the strong floodlights through my bedroom window when they work overnight hours.

12.3 RESPONSE TO COMMENTS

No lights are proposed at the Peak Ranch Resource site. It will only operate during daylight hours. There are no plans to expand operations at Maryland Creek Ranch. Lighting concerns at that facility will be addressed when we update its Conditional Use Permit.

13.0 MASTER PLAN AND ZONING (NON-JURISDICTIONAL TOPIC)

13.1 OBJECTORS MAKING COMMENTS ON THIS TOPIC

7, 8, 13, 15, 16, 17, 18, 22, 26, 29, 30, 33, 34, 35, 37, 40, 41, 42, 46, 54, 57, 58, 60, 61, 62, 64, 65, 66, 67, 69, 70, 71, 72, 73, 75, 76, 77, 78, 81, 84, 85, 86, 89, 91, 94, 96, 97, 98, 101, 103, 105, 107, 109, 115, 116, 117, 119, 126, 128, 129, 132, 135, 140

13.2 SUMMARY OF COMMENTS

- The Summit County Lower Blue Master Plan, adopted in March 2010, offered specific protections for our property and all of the surrounding area by declaring that the overall philosophy of the plan is the protection of the Basin's rural character, specifically, "to maintain the Basin's rural character through protection of elements such as agricultural land uses, accessibility to public lands for dispersed recreation, open spaces, abundant wildlife and fisheries, and scenic views." The plan will clearly be hostile to and undermine the values of the Master Plan.
- The plan deems any industrial activity antithetical to the natural, rural, and economic values and sustainability of the Blue River Valley. The property was never intended for heavy construction or industrial development.
- The continuance of Summit County's planning policies is threatened, relative to the maintenance of the Master Plan's designation of Colorado Highway 9 as a scenic byway.
- The Master Plan states that the Blue River Valley is forever protected from development by conservation easements.
- This is an agriculturally zoned area and mining is the antithesis of agricultural use; it is not zoned for commercial or industrial activities.
- Residents' substantial investments in the property were justified by the belief that development in the area would be consistent with the Lower Blue River Master Plan.
- Residents are here because it is separate from town congestion, noise, industrial projects, and has been established as an area to remain that way.

13.3 RESPONSE TO COMMENTS

The Peak Ranch Resource property is zoned A-1 and, per the Summit County Code, mining is a conditional use in that zone. Both the Summit County Countywide Comprehensive Plan and Lower Blue Master Plan describe that resource extraction uses, such as gravel mining, are necessary and expected in rural areas, like the Peak Ranch Resource site. Peak Materials will apply for a Conditional Use Permit for the Peak Ranch Resource project and we will address compliance with the County Countywide Comprehensive Plan and Lower Blue Master Plan in detail at that time.

14.0 NOISE (NON-JURISDICTIONAL TOPIC)

14.1 OBJECTORS MAKING COMMENTS ON THIS TOPIC

7, 8, 12, 15, 18, 22, 23, 25, 26, 29, 33, 34, 35, 37, 43, 45, 46, 51, 53, 58, 61, 62, 63, 65, 66, 67, 68, 69, 70, 72, 73, 74, 75, 77, 78, 81, 84, 87, 89, 93, 94, 96, 97, 98, 99, 101, 102, 103, 104, 105, 108, 109, 110, 112, 116, 117, 121, 124, 125, 128, 130, 133, 135, 136, 138, 140

14.2 SUMMARY OF COMMENTS

- General comments about dissonance and noise in the Lower Blue River Valley, 230 trucks per day would disturb the peace and way of life for residents 12 hours per day, 6 days per week, all year.
- Residents can hear the highway with normal amounts of traffic; increased truck traffic will make it worse.
- A new pit would double the amount of noise; we already hear noise from the existing gravel pit.
- Our small children's schedule will be disrupted significantly by the noise of the truck brakes in front of our property.
- Noise pollution will impact wildlife and birds in the area and may cause their displacement.

- Noise carries and echoes for miles in the valley—we don't want to hear the beeping of tractors backing up and other activity at the mine.
- Land value will decrease due to the noise from mining activity.
- Using berms will not alleviate noise for anyone who is uphill from the mine.
- Noise not only will affect our way of life in the pristine quiet area, but also disrupt hiking and outdoor activities.
- Increased traffic noise goes against the values of the Summit County Master Plan.
- Noise from large trucks is an additional threat to residents' security.
- Trucks are noisy; the use of air brakes is too loud and diminishes the enjoyment of our property.

14.3 RESPONSE TO COMMENTS

Peak Materials is preparing a noise study, which will be submitted to Summit County as part of the Conditional Use Permit application materials. The noise study will propose techniques to ensure that State and local noise standards are met, and adjacent residential properties will not be subjected to noise levels above the residential noise limits. The hours of operation of the Peak Ranch Resource facility will be limited to 9 months of the year (closed for the winter), operations will only occur Monday through Friday, and trucking from the facility will be limited to the middle of the day. No materials processing will occur at this site to minimize the sources of noise coming from this site. In addition, it is not likely that trucks traveling on State Highway 9 will need to utilize engine brakes as there is not a lot of elevation change along this stretch of highway. Engine brakes are used more often to slow down trucks when they are on steep grades.

15.0 TRAFFIC (NON-JURISDICTIONAL TOPIC)

15.1 OBJECTORS MAKING COMMENTS ON THIS TOPIC

1, 2, 3, 4, 5, 6, 8, 9, 12, 13, 15, 16, 17, 18, 19, 20, 21, 23, 24, 25, 26, 27, 28, 30, 31, 32, 35, 36, 37, 38, 39, 40, 41, 43, 45, 46, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 63, 71, 74, 75, 76, 77, 78, 79, 80, 81, 82, 86, 87, 88, 89, 90, 91, 92, 93, 95, 96, 97, 98, 99, 102, 107, 108, 110, 111, 112, 115, 116, 117, 118, 119, 121, 123, 124, 125, 127, 128, 131, 132, 134, 135, 137, 138, 139, 142

15.2 SUMMARY OF COMMENTS

- Truck traffic causes additional wear and tear (potholes, fractures to the road surface), dangers to other drivers, cyclists, pedestrians, and wildlife.
- The new pit would create additional frequent disturbance causing unsafe driving conditions.
- Rocks and debris are scattered by the trucks; causing broken windshields and other damage.
- Bikers are adversely affected by the material that ends up on the shoulders in the area.
- Careless truck drivers cause more risk in the area.
- Traffic within a mine is a leading source of serious injuries and fatalities.
- Safety and mobility are impacted for cyclists on the Great Divide Mountain Bike Route and the TransAmerica Bicycle Trail.
- Daily lines of vehicles are already an issue for locals, as impatient drivers attempt to pass slow trucks out of frustration; more trucks will create more traffic issues.
- The intersection of Highway 9 and Ute Park Road will become dysfunctional for those who want to turn south to Silverthorne.
- Drivers speed through the school zone near Smith Ranch Road and Sage Creek Canyon where speed limits vary several times in a one-mile section; can police or highway patrol ticket the speeders?

- Trucks in the school zone approaching the bus stop while students are boarding creates a dangerous situation.
- A broad traffic and highway safety analysis needs to be done in the area; there is a need for more turn lanes and other highway improvements.
- The bike path should be extended from its present end to at least Ute Pass Road, or Heeney Road.
- Potential horse boarders may be deterred by the increased area truck traffic.

15.3 RESPONSE TO COMMENTS

Peak Materials has hired a traffic engineer to prepare a traffic report for the project. The report will be included in the Conditional Use Permit (CUP) application that is submitted to Summit County. The project will implement improvements required or recommended to address safety concerns. As required by Colorado law, all trucks will be tarped to prevent materials from falling out during transport. Rocks getting hitting windshields on highways is an existing statewide challenge.

Driver safety is a priority for Peak Materials. We cannot control the driving habits of other drivers; however, we do have a strict safety protocol that all our drivers must follow. Upon being hired, all Peak Materials' drivers complete a comprehensive driver training program through a company called Smith System (www.drivedifferent.com). Drivers are also required to complete an annual refresher course. All of Peak Materials' trucks are equipped with a Samsara safety system (www.samsara.com/safety) that monitors "events" (speed, abrupt stops, and any erratic movements). The system uses a forward-facing camera and a camera on the driver. The system will send Peak Materials a notice when any "event" has occurred. Peak Materials then uses the information gathered by the Samsara system to understand the "event" and determine what the driver did wrong or absolve the drivers if the other driver involved is responsible for the "event." Any time a Peak Materials driver is at fault for an event, the driver is coached, or another action is taken, depending on the circumstances.

Potholes and fractures in the road are caused by all vehicles using the highway; and as pointed out, the roads need repair. Those repairs can't happen without aggregate which is the reason the Peak Ranch Resource facility is needed for Peak Materials to continue to provide aggregate to meet the needs within Summit County. While Peak Materials can't prevent vehicles from using the highways, we can do our part to help ensure that the County has a local source of aggregate which is needed to make repairs and maintain highways.

The purpose of a highway is to accommodate vehicles and the benefit of mining the Peak Ranch Resource site is that only the highway and no other local roads will be impacted trucks transporting material to Maryland Creek Ranch for processing. Impacts on traffic along the highway will be minimized because the facility will operate between the hours of 9:00 a.m. and 4:00 p.m. during most months that the site operates (the site will be closed through the winter). The hours of operation will be further limited to between 10:00 a.m. to 3:00 p.m. in early spring and late fall. Based on recommendations made in the traffic study prepared for the project, road improvements will be made to help ensure that the aggregate hauling trucks can safely enter and exit the highway and not unsafely impede the flow of traffic.

The DRMS does not require a traffic study for a 112c Reclamation Permit application. That is a requirement of Summit County for the CUP application. Acceleration and deceleration lanes required or recommended by the study to address safety concerns will be made by Peak Materials.

The functionality of the State Highway 9 and Ute Park Road intersection will not be analyzed as part of this project because it is not near the intersections of the entrances to Peak Ranch Resource or Maryland Creek Ranch. If there are safety concerns related to this intersection, those concerns would best be shared with CDOT. In general, we anticipate that traffic on Ute Park Road is probably heaviest in the morning and afternoon when people are coming and going from work and school. Peak Ranch Resource's trucking hours will be outside those timeframes.

Citizens can request that the State Highway Patrol or Silverthorne police use radar to assess traffic speeds and ticket violators in the Silverthorne school zone. Local bike riders may also want to discuss building or extending existing bike paths with State or local authorities. Approval of the Peak Ranch Resource site and its material supply can facilitate the development of greater pedestrian and cycling paths in the area at a lower cost.

16.0 UNDERLYING HEALTH CONDITIONS (NON-JURISDICTIONAL TOPIC)

16.1 OBJECTORS MAKING COMMENTS ON THIS TOPIC

90

16.2 SUMMARY OF COMMENTS

- How will the mining activity affect those people with underlying health conditions, COVID-19, unborn babies, etc.?

16.3 RESPONSE TO COMMENTS

The facility will be designed and operated to meet all federal, state, and local regulations that are in place to protect the health, safety, and welfare of the community.

ATTACHMENT A: LIST OF OBJECTION LETTERS



Commenter #	Name(s)	Address	City, State Zip
1	Philip Sanderman	PO Box 934	Frisco, CO 80443
2	Ed Wingfield	33 Cooper Dr	Dillon, CO 80435
3	John Bowyer	1512 Legend Lake Circle	Silverthorne, CO 80498
4	Ferol Menzel	18 Buffalo Terrace	Breckenridge, CO 80424
5	Alison Hagan	72 Corinthian Circle #C203	Dillon, CO 89435
6	Charles Babbitt	PO Box 3034	Silverthorne, CO 80498
7	Allen Gordon	2810 Hunters Knob	Silverthorne, CO 80498
8	Patti Worthen	1256 Blue Ridge Rd	Silverthorne, CO 80498
9	Erin & Mattias Nordlof	2044 Pebble Creek Rd	Silverthorne, CO 80498
10	Nancy Duplan	692 Lindstrom Rd	Silverthorne, CO 80498
11	Michele Higgen	745 N Regent	Mesa, AZ 85205
12	Cari Mankowski	132 Oasis Ranch Rd	Silverthorne, CO 80498
13	Richard & Margaret Dow	1124 Elk Run Rd	Silverthorne, CO 80498
14	Karen Loro	18221 Nubian Way	Nevada City, CA 95959
15	Sarah Sullivan	57 Blue Ridge Rd	Silverthorne, CO 80498
16	Michael Grady	1436 Blue Ridge Rd	Silverthorne, CO 80498
17	Dave & Patty Belletete	1516 Blue Ridge Rd	Silverthorne, CO 80498
18	Jeffrey Harris	PO Box 7294	Dillon, CO 80435
19	Ginny Sullivan	150 E Pine St	Missoula, MT 59802
20	Carmen Chavez	PO Box 25422	Silverthorne, CO 80497
21	Margaret Nelson & David Krischer	4682 Meadow Dr	Vail, CO 81657
22	John Hillman	178 Arrowhead Bluff Dr	Silverthorne, CO 80498
23	Michael Lane	227 Blue Ridge Rd	Silverthorne, CO 80498
24	Kellie Akers	845 Elk Run Rd	Silverthorne, CO 80498
25	Frank & Myra Isenhardt	2302 Rodeo Drive	Silverthorne, CO 80498
26	Katherine Altorfer	550 Darby Drive	Silverthorne, CO 80498
27	Laura Fox	216 Cottonwood Drive	Dillon, CO 80435
28	Gavin & Gillian Keiner	567 Blue Ridge Rd	Silverthorne, CO 80498
29	Margaret Hillman	178 Arrowhead Bluff Dr	Silverthorne, CO 80498
30	Kenneth Brown	35245 Hwy 9 145 NW 15th Street	Silverthorne, CO 80498 Delray Beach, FL 33444
31	Jacob Browne	397 CR 1353	Silverthorne, CO 80498
32	Howard Carver	727 Willowbrook Rd	Silverthorne, CO 80498
33	Glenn Amstutz	268 Bear Wallow Way	Silverthorne, CO 80498

Commenter #	Name(s)	Address	City, State Zip
34	Bette Casapulla	1840 Elk Run Rd	Silverthorne, CO 80498
35	Mary Amstutz	268 Bear Wallow Way	Silverthorne, CO 80498
36	Arthur & Deborah Scipione	1456 Blue Ridge Rd	Silverthorne, CO 80498
37	Robert Hill	316 Blue Ridge Rd	Silverthorne, CO 80498
38	Frank Lilly	334 Hillside Dr	Silverthorne, CO 80498
39	Dennis Heagney	700 N Colorado Blvd, Ste 511	Denver, CO 80206
40	Paula & David Kraemer	1170 County Road 1353	Silverthorne, CO 80498
41	Frederick Fox	500 County Road 2900 11801 E Yale Ct	Silverthorne, CO 80498 Aurora, CO 80014
42	Jonathon Knopf	191 Elkview Rd	Silverthorne, CO 80498
43	Ann Clement & David Matthews	1634 Meadowbrook Lane	Silverthorne, CO 80498
44	Harlan Sorkin	177 County Rd 1353	Silverthorne, CO 80498
45	Ann Marie Damian	421 Green Mountain Ave	Heeney, CO 80498
46	Lori J.B. O'Bryan	1010 Elk Run Road	Silverthorne, CO 80498
47	Michael Miller	0433 Rodeo Dr	Silverthorne, CO 80498
48	Adam Poe	1420 County Rd 1351 90 Eudora St	Silverthorne, CO 80498 Denver, CO 80220
49	Penelope Francis Raymond Petereit	117 County Rd 1353 2815 W Wildwind Circle	Silverthorne, CO 80498 The Woodlands, TX 77380
50	Jim McCotter	1488 Wazee St #2F	Denver, CO 80202
51	Donna Clark	0437 County Rd 2400	Silverthorne, CO 80498
52	Laura Glise	196 County Rd 1014	Silverthorne, CO 80459
53	Jane Bruce	34985 Hwy 9 15232 W 50th Ave	Silverthorne, CO 80498 Golden, CO 80403
54	Theanna Server	2512 Santa Ana Ave, Apt B	Costa Mesa, CA 92627
55	Susan Knopf	191 Elkview Rd	Silverthorne, CO 80498
56	David Broadway	0239 Rodeo Drive	Silverthorne, CO 80498
57	Mark Rogers	446 Rodeo Dr	Silverthorne, CO 80496
58	Mike Evans	630 Ute Pass Rd 1255 W Victoria St	Silverthorne, CO 80498 Chicago, IL 60660
59	Paul & Mary Seid	PO 2090	Silverthorne, CO
60	John Land Le Coq	863 Otter Creek Rd	Silverthorne, CO 80498
61	Brian Taylor	1501 N 2nd St	Philadelphia, PA 19122
62	Daniel Zaloom & Christine Metzger	15 High Meadow Trail	Dillon, CO 80435

Commenter #	Name(s)	Address	City, State Zip
63	Sioux Barr	968 Lindstrom Rd	Silverthorne, CO 80498
64	Mary Anne & Richard Johnston	212 Spruce Ridge Rd	Silverthorne, CO 80498
65	Caitlin Schultz	1441 Little Raven St, 7006	Denver, CO 80202
66	Bill Grady	307 Lincoln Avenue	Maple Shade, NJ 08052
67	Peter Kleinman	310 Hopi Pl	Boulder, CO 80303
68	Kim Onasch	273 Elk Run Rd	Silverthorne, CO 80498
69	Charles Winch	605 Spruce Hills Dr	Glen Gardner, NJ 08826
70	Sally Philbrook	64 Salt Lick Pl	Silverthorne, CO 80498
71	Toni Napolitano	421 Longs Rd, CR 2450	Silverthorne, CO 80498
72	Richard Post	379 Hummingbird Cir	Silverthorne, CO 80498
73	Alyse Marie Piburn	609 Belford St	Frisco, CO 80443
74	Julie Hodges	1035 Johnson Rd	Silverthorne, CO 80498
75	Jarisse Sanborn	361 Two Cabins Drive	Silverthorne, CO 80498
76	Pamela Moret	967 Sprink Creek Ranch Rd 2 Greenway Gables	Silverthorne, CO 80498 Minneapolis, MN 55403
77	Justin White	408 S Gaylord St	Denver, CO 80209
78	Hank Wiethake	145 Lone Wolf Court	Dillon, CO 80435
79	Ryan Anderson	0048 SCR 2406	Silverthorne, CO 80498
80	Ellen Yeiser	0328 Rodeo Rd	Silverthorne, CO 80498
81	John Norton	222 CR 1013	Silverthorne, CO 80498
82	John Connor	0037 County Rd 1353 1206 Forest St	Silverthorne, CO 80498 Denver, CO 80220
83	Leigh Girvin	13 Meadow Lark Green	Breckenridge, CO 80424
84	Jon Harrington	524 CR 2400	Silverthorne, CO 80498
85	Carol Bereuter Bell	Hwy 9 & CR 25-29932 109 Wall Street	Silverthorne, CO 80498 New Haven, MO 63068
86	Henry Barr	0968 Lindstrom Rd	Silverthorne, CO 80498
87	Norma & Tom Watkins	47 Crescent Rd 115 Garden Hill	Silverthorne, CO 80498 San Antonio, TX 78260
88	Piep van Heuven	1525 Market St, Ste 100	Denver, CO 80202
89	Eric & Kim Kircher	0293 Longs Rd	Silverthorne, CO 80498
90	Peggy Kappy	537 Sage Creek Canyon Dr	Silverthorne, CO 80498
91	Dennis & Glocile Francis	1996 Rodeo Dr 3709 Brookview Dr	Silverthorne, CO 80498 West Des Moines, IA 50265
92	Peter Gallup	135 County Rd 100	Silverthorne, CO 80498

Committer #	Name(s)	Address	City, State Zip
93	Susan Rose	74 Hillside Dr	Silverthorne, CO 80498
94	Ted & Barbara Smith	4320 Meadowridge Lane	Collegeville, PA 19426
95	Cacey & Steve Martin	463 County Rd 1012	Kremmling, CO 80459
96	Lawrence & Lisa Woods	5251 E Wolfer Dr	Tucson, AZ 85739
97	Sylvia Koneman	251 County Rd 3810	Kremmling, CO 80459
98	Jessica Smith	83 County Rd 101	Silverthorne, CO 80498
99	Helen Barker	154 Hillside Dr	Silverthorne, CO 80498
100	Justin Armstrong	35 County Rd 1602	Heeney, CO 80498
101	Erik Vermulen	127 County Rd 76	Dillon, CO 80435
102	Melissa Heiter	1519 Point Drive #202	Frisco, CO 80443
103	Barbara Dolhansky	304 N Arrow Drive	Pocono Lake, PA 18347
104	Dale Montagne	377 Elk Run Rd	Silverthorne, CO 80498
105	Peter Gardner	303 North Arrow Dr	Pocono Lake, PA 18347
106	Jeannette Thompson	202 Main St	Frisco, CO 80443
107	Kenwyn Terrill	0017 Kokanee Lane	Heeney, CO 80498
108	Rebecca Richardson	1858 Johnson Rd 91 W Thymewood Pl	Silverthorne, CO 80498 The Woodlands, TX 77382
109	Flip Brumm	56 County Rd 100	Silverthorne, CO 80498
110	Bradley Heinrich	35055 Hwy 9 5521 S Marigold Ct	Silverthorne, CO 80498 Greenwood Village, CO 80121
111	Andrea & Martin Herre	1601 Cutty Sark Rd	Silverthorne, CO 80498
112	Samuel & Cynthia Maine	118 Blue Grouse Lane	Silverthorne, CO 80497
113	Ryan Janaes	88 Moss Way	Silverthorne, CO 80498
114	Robert Hooke	PO Box 610	Littleton, CO 80160
115	Bruce Buehner	2150 Elk Run Rd	Silverthorne, CO 80498
116	Jason McCanless	84 Snow Peak Court	Dillon, CO 80435
117	Maryann Gaug	596 W Coyote Dr	Silverthorne, CO 80498
118	Gary Royal	372 Elk Run Rd	Silverthorne, CO 80498
119	Nancy Lohrenz	258 Hillside Dr	Silverthorne, CO 80498
120	Albert Melcher	13801 E Yale Ave, Apt 326	Aurora, CO 80014
121	Janice Goodwin	1428 Rainbow Dr	Silverthorne, CO 80498
122	Michelle Donlon	600 Pass Creek Ranch	Silverthorne, CO 80498
123	Paul Lippe	876 Country Rd 1425	Silverthorne, CO 80498
124	Lawrence Allen	34842 & 34950 Hwy 9 2730 CR 41	Silverthorne, CO 80498 Hudson, CO 80642
125	Brian Duchinsky	1512 Point Drive, Unit C	Frisco, CO 80443

Commenter #	Name(s)	Address	City, State Zip
126	Douglas Foote & Lynette Hampton	370 Darby Dr	Silverthorne, CO 80498
127	Camille Heinrich & Adam Ziccardi	35055 Hwy 9 1667 S Pearl St	Silverthorne, CO 80498 Denver, CO 80210
128	George & Kathryn Resseguie	PO Box 1787	Silverthorne, CO 80498
129	Harris Sherman	410 Acoma St	Denver, CO 80204
130	Christine Donlon	1784 Beverly St	Sylvan Lake, MI 48320
131	Elden & Patrice Geer	816 Blue Ridge Rd	Silverthorne, CO 80498
132	John Craven	2045 County Road 44 ZN	Norwood, CO 81423
133	Viva Steffans	163 Moss Way	Silverthorne, CO 80424
134	Robert Wyler	1800 SCR 1351	Silverthorne, CO 80498
135	Rep. Julie McCluskie	CO House District 61	
136	Jeanette Whitney	600 Pass Creek Ranch	Silverthorne, CO
137	Kent Abernethy	714 Belford	Frisco, CO 80443
138	Richard Strauss	8290 Hoyt Way	Arvada, CO 80005
139	Laura Pless & Timothy Bicknell	461 Longs Rd	Silverthorne, CO 80498
140	Catherine & Lawrence Lazar	437 CR 1352 462 W Spruce St	Silverthorne, CO 80498 Louisville, CO 80027
141	Sue & William Clark	225 Riverside Dr	Silverthorne, CO 80498
142	Pebble Creek Ranch Foundation	90 Eudora St	Denver, CO 80220