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DIVISION OF RECLAMATION  
MINING AND SAFETY

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## Teller County Community Development Services

P.O. Box 1886 ■ Woodland Park, Colorado 80866 ■ (719) 687-3048 ■ FAX (719) 687-5256

January 20, 2016

Timothy A. Cazier  
Environmental Protection Specialist  
Colorado Division of Reclamation, Mining and Safety  
1313 Sherman Street, Room 215  
Denver, Colorado 80203

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**Ref: Permit No. M-1980-244; Cripple Creek & Victor Gold Mining Company ("CC&V"); Cresson Project;- Transmittal of State of Colorado Division of Reclamation, Mining and Safety (DRMS) Application for Amendment 11** ✓

Dear Mr. Cazier,

The Teller County Planning Department is currently conducting its initial review of Cripple Creek & Victor Gold's (CC&V) Amendment 11 materials. While we have not yet received a formal application from CC&V, we anticipate that it will include a request for zoning changes as a result of proposed modifications to the Cripple Creek Mining Overlay District (CCMOD) presented as part of Amendment 11.

Teller County has no objections to the Mine Plan or the Reclamation Plan as outlined in the advance materials we have received. However, in accordance with Appendix A, Cripple Creek Mining Overlay District (CCMOD) of the Teller County Land Use Regulations, 2008, any proposed change to the current CCMOD boundaries can only be amended by application to Teller County for an amendment of the Official Zone District Map. To be eligible for inclusion within the CCMOD a property shall be contiguous with the CCMOD boundary at the time of application, and it must be demonstrated that the property has the geologic potential for precious metal resource development.

Pursuant to Appendix A, Section 1. B. "*Lots, parcels, tracts of land or mining claims bisected by the CCMOD boundary are construed to lie entirely within the CCMOD*". Teller County also understands that this request for a change of the CCMOD boundary map will be initiated by CC&V upon the submission of its application.

In accordance with Section 2.11.C.2, "*If the development permit application requests an amendment to the Official Zone District Map ("rezoning") or a regulatory map incorporated into an appendix of these Regulations, it shall include a boundary survey of the subject property, prepared by a State of Colorado Licensed Professional Land Surveyor. The survey shall accurately describe the dimensions of the subject property, including its size in square feet or acres, and shall be accompanied by a written statement or map describing the present zone district and existing uses of the subject property and all adjoining and adjacent properties, together with a site plan prepared in accordance with Section 7.4 Site Plan for Applications Other than a Building Permit showing the property's proposed zone district, land use, and density. The timing for the future development of the property shall be stated*".

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From Staff's initial review of the CC&V provided advance materials to include maps depicting the current CCMOD boundary and proposed Amendment 11 changes, we have identified an expansion area outside of the current CCMOD as it is reflected on the Teller County Official Zone District Map. The specific area is defined as:

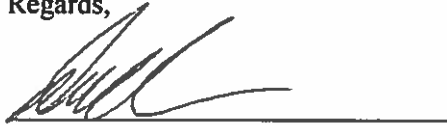
*"A line lying southeast of the Town of Cripple Creek in support of Amendment 11 and the Chicago Tunnel/Proper Adit Permit No. M-1988-026 access area comprised of the outer Western boundaries of the contiguous mining claims lying outside of the current CCMOD, following the metes and bounds and legal descriptions of the existing and recorded Mining Claim Patents found in Teller County Records and existing property monuments, beginning south of Cripple Creek at State Highway 67 and running North east and bisecting Hwy 67 North east of Cripple Creek, then following the curve of Hwy 67 west to a point southwest of the Mollie Kathleen then following the southern boundary of the Mollie Kathleen mine until bisecting the existing CCMOD boundary just south of County Road 82 and north of Globe Hill."*

In addition to a boundary survey for the above area a site plan for the area shall be prepared by CC&V pursuant to Section 7.4. At the discretion of the Planning Director the Site Plan Requirements of Section 7.4 B may be appropriately modified during the permit Pre-submittal meeting.

Teller County looks forward to continuing to working with the DRMS and CC&V towards a successful Amendment 11 submission and appreciates the oversight provided by the State of Colorado and the DRMS.

If you have any questions, please contact Dan Williams, the Teller County Planner, at 686-5414.

Regards,



Lynda Morgan  
Community Services Development Director





## **Teller County Community Development Services**

**P.O. Box 1886 ■ Woodland Park, Colorado 80866 ■ (719) 687-3048 ■ FAX (719) 687-5256**

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January 22, 2016

Mr. Chris Hanks  
Newmont Mining Corporation  
Cripple Creek and Victor Gold Mine  
100 North 3<sup>rd</sup> Street  
Box 191, Victor, CO 80860

**Ref: Permit No. M-1980-244; Cripple Creek & Victor Gold Mining Company ("CC&V"); Cresson Project;- Transmittal of State of Colorado Division of Reclamation, Mining and Safety (DRMS) Application for Amendment 11**

Dear Mr. Hanks:

The Teller County Planning Department is in receipt of a copy of your application submission to the Colorado Division of Reclamation, Mining and Safety (DRMS). While we have not yet received your formal Teller County Land Use Application, we anticipate that it will include a request for zoning changes as a result of modifications to the Cripple Creek Mining Overlay District (CCMOD) presented as part of Amendment 11 and pursuant to the discussion in our meeting on and your letter dated December 28, 2015 .

Your request to determine the scope of the legal boundary survey is acknowledged and the process outlined in our Land Use Regulations. In accordance with Appendix A, Cripple Creek Mining Overlay District (CCMOD) of the Teller County Land Use Regulations, 2008, the boundaries may be amended by application to Teller County for an amendment of the Official Zone District Map. To be eligible for inclusion within the CCMOD a property shall be contiguous with the CCMOD boundary at the time of application, and it must be demonstrated that the property has the geologic potential for precious metal resource development.

Pursuant to Appendix A, Section 1. B. "*Lots, parcels, tracts of land or mining claims bisected by the CCMOD boundary are construed to lie entirely within the CCMOD*". Teller County also understands that this request for a change of the CCMOD boundary map will be initiated by CC&V upon the submission of its application.

In accordance with Section 2.11.C.2, "*If the development permit application requests an amendment to the Official Zone District Map ("rezoning") or a regulatory map incorporated into an appendix of these Regulations, it shall include a boundary survey of the subject property, prepared by a State of Colorado Licensed Professional Land Surveyor. The survey shall accurately describe the dimensions of the subject property, including its size in square feet or acres, and shall be accompanied by a written statement or map describing the present zone district and existing uses of the subject property and all adjoining and adjacent properties, together with a site plan prepared in accordance with Section 7.4 Site Plan for Applications Other than a Building Permit showing the property's proposed zone district, land use, and density. The timing for the future development of the property shall be stated*".

From Staff's initial review of the CC&V provided maps depicting the current CCMOD boundary and proposed changes as a result of Amendment 11, and the discussion we had on 13 January 2016 in the CDSD office, we have identified the area that lies outside of the published CCMOD boundary as it is reflected on the Teller County Official Zone District Map that will require a full boundary survey. That area can be generally described as:

*"A line lying southeast of the Town of Cripple Creek in support of Amendment 11 and the Chicago Tunnel/Proper Adit Permit No. M-1988-026 access area comprised of the outer Western boundaries of the contiguous mining claims lying outside of the current CCMOD, following the metes and bounds and legal descriptions of the existing and recorded Mining Claim Patents found in Teller County Records and existing property monuments, beginning south of Cripple Creek at State Highway 67 and running North east and bisecting Hwy 67 North east of Cripple Creek, then following the curve of Hwy 67 west to a point southwest of the Mollie Kathleen then following the southern boundary of the Mollie Kathleen mine until bisecting the existing CCMOD boundary just south of County Road 82 and north of Globe Hill."*

In addition to a boundary survey for the above described area, we will also need a site plan submitted for the area pursuant to Section 7.4. At the discretion of the Planning Director the Site Plan Requirements of Section 7.4 B may be appropriately modified during the permit Pre-submittal meeting.

Finally, we have received a request from the Colorado Division of Reclamation, Mining and Safety (DRMS) dated January 5, 2016, requesting comments on the mining plan and reclamation plan which we will provide along with the above requirement for a boundary survey of the effected area. Teller County looks forward to continuing to work with CC&V towards a successful Amendment 11 submission.

If you have any questions, please contact Dan Williams, the Teller County Planner at 686-5414.

Regards,

  
Lynda Morgan  
Community Services Development Director