



Community Development
Department

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Located in the Historic
County Courthouse
2nd & 3rd Floors
203 Eureka Street
Central City, Colorado

June 12, 2007

To: Carl Mount
From: Tony Petersen
RE: MLRB Review, Albert & Mary Frei Irrevocable Trust

Dear Mr. Mount:

On January 16, 2007, Gilpin County approved a Special Use Permit issued to the Albert & Mary Frei Irrevocable Trust for the purpose of depositing fill material over portions of 53 acres located in the SW ¼ of Section 35, T3S, R72W. The permit was approved with the following conditions:

1. *SUR shall allow fill activity only. No mining shall be permitted.*
2. *Previous year's accounting sheets reporting fill volumes shall be delivered to Gilpin before January 31 of each year. Permit fees shall be assessed at the rate of \$.06/cu yd.*
3. *Retention/infiltration basin shall be sized to hold storms equal to or more frequent than the 25-year event with no surface release. Runoff from storms less frequent than the 25-year event shall be detained and released at rates less than or equal to existing conditions.*
4. *Water shall be applied to active fill surfaces during working hours. Hydro-mulch, or an acceptable equivalent shall be applied to all exposed fill surfaces left fallow for a period in excess of 2 weeks.*
5. *Final reclamation shall be accomplished by native re-vegetation dominated by species presently found on-site. Said reclamation plan shall include a 5-year management and monitoring plan approved by Gilpin County.*
6. *A \$.05/cu. yd. fee shall be paid to Gilpin County for the purposes of open space preservation as mitigation for potential wildlife habitat impacts.*
7. *All applicable State permits shall be obtained.*
8. *Historic sites shall be identified and avoided.*
9. *Tests assessing potential impacts from uranium and/or pyrites shall be required.*
10. *A renewable performance bond guaranteeing reclamation funds sufficient to reclaim a minimum of 10 acres at a rate established by the Colorado State MLRB formula shall be required.*

As is customary with Special Use Permits in Gilpin County, an annual review is conducted to determine compliance with the above conditions. The means of measuring compliance will be established upon final engineering plan review and final operating plan review. Performance standards based on those plans will be established and monitored.

If you have any questions, please feel free to contact me directly at 303/582/5831 x1.

Sincerely,

A handwritten signature in black ink, appearing to read "Tony Petersen", is written over a horizontal line.

Tony Petersen