



Teller County Community Development Services

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March 14, 2017

Meg Burt
Senior Environmental Manager
Cripple Creek and Victor Gold Mining Company (CC&V)
Box 191, Victor, CO 80860
Woodland Park, CO 80863

SUBJECT: Planning Review: Re. No Impact Technical Revision (Appendix A-Section 8.B) of Cripple Creek and Victor Gold Mining (CCV) Permit No. M-1980-244-Mine Development Plan (MDP); Concentrate Shipping – TR # 89

Dear Ms. Burt:

The Teller County Planning Department has completed its review of the Department of Reclamation, Mining and Safety (DRMS) required Technical Revision (TR-89) that proposes, among other changes, gold concentrate shipping outside of the CCMOD.

1. Teller County understands that the current production rate of the High Grade Mill is 5,000 tons per day of high grade ore processed by methods approved in the CC&V Mine Development Plan through Amendment 10 to the MDP.
2. Teller County understands that activities associated with TR #89 propose the following changes:
 - A process change from the approved HGM procedure involving the removal of gold concentrate from the CCMOD to be transported by ground to Newmont's Nevada operations for further refining.
 - The proposal involves the construction of a new storage area, a modification to the HGM with a new conveyor belt, and construction of a new semi-enclosed concentrate storage structure (64x70 feet) and a truck load-out area. The facility is proposed to be 55 feet high.
 - A modified Toxicity Characteristic Leaching Procedure (TCLP).
 - A new truck scale to be constructed north of the Midway Fuel Island (12 x 70 feet)
 - An increase in truck activity within Teller County.
 - Site will be visible from State Highway 67 until ore eventually obscures the site.

- Enlargement of the HGM pad to accommodate increased traffic involving an additional 4,500 cubic yards of fill.
 - Relocation of impacted existing infrastructure to include water and electrical facilities.
3. As you may recall from our January 25, 2017 meeting to review Amendment 11 and the Map change process, you briefly mentioned the removal of gold ore from the CCMOD overland by truck to a location in Nevada, a proof of concept of around 5 trucks per day with a potential to expand to 25. Your focus during that portion of our meeting was traffic count and you mentioned that you may introduce this concept to DRMS and to Teller County through the No-Impact Technical Revision process.
 4. With information you provided in the meeting and now with the formal No-Impact Technical Revision #89, Dan and I reviewed Section 8 of the CCMOD appendix to the Teller County Land Use Regulations together and the key elements authorized in Amendment 10 to see if a No Impact Technical Revision, Minor Modification to a MDP, or a full MDP would be required to support your concept for the movement of ore outside of the CCMOD to another location.
 5. In reviewing the CC&V Cresson Project, Amendment 10 MLE 2 application and materials, including the February 28, 2012 letter provided to us, there is no mention of this concept in the key project elements which were proposed and approved by DRMS and MLE2 (Amendment 10), nor in any of the other submitted volumes. Further, none of the eight (8) changes proposed as part of TR #89 and listed in paragraph 2 above were included in Amendment 10.
 6. As you recall from previous conversations related to Section 8 of the CCMOD Regulation related to the Amendment of an approved Mining Development Plan (MDP), Teller County has defined criteria for whether a change can be considered a No-Impact Technical Revision, a Minor Modification of an MDP, or if it requires a full Amendment.
 7. In reviewing the criteria contained in Section 8.B.3, page 29 of the CCMOD which we use to make a determination and which apply to both the No-Impact TR and the Minor Modification of an MDP, there are several criteria of the eight (8) we have to use that are **not met** by your proposal:
 - b. The change remains within the affected Mined Land Reclamation Permit Boundary – **it does not.**
 - c. There is no material change in the approved Mined Land Reclamation Permit, nor any change in the approved post-precious metal mining use – **there is, the material is taken outside of the CCMOD and Teller County. There may be impacts not evaluated to the DRMS approved reclamation permit, even with 5 trucks a day. There is new construction, new processing techniques, view-shed impacts and modified procedures for gold ore beyond that approved in Amendment 10 for the HGM. Additionally, removed material is not available for reclamation.**
 - d,e. **Undetermined impacts other than traffic as the concept was not previously evaluated under Amendment 10.**
 - g. **The terms and conditions of the MDP were not informed by this concept so it is impossible for us to determine if they are affected.**
 - h. The activity itself, if not the particulars, is part of an approved MDP – **it is not listed or contemplated in Amendment 10/MLE 2. (including new construction, new gold ore process or production above and beyond HGM, interstate movement outside of the CCMOD etc).**

8. With the information presented in TR- 89 and based on the established standards in the CCMOD, Section 8.C of the CCMOD Appendix A then states that “if any change to an approved MDP is neither a No-Impact Technical Revision or a Minor Modification or meets the requirements for a Mined Land Reclamation Permit Amendment, then the Applicant **shall** apply for an Amendment to the MDP in the same manner as a new MDP application under the CCMOD Regulations.
9. Regrettably, **we cannot support** this request for a No-Impact Technical Revision as outlined in the March 9, 2017 Memorandum. Clearly, to us this request would need to be included as an Amendment to the MDP. Know you will understand the County’s position based on the CCMOD Appendix to our Land Use Regulations.
10. If you have any additional information and or thoughts that you feel would provide more details to the concept as it relates to Amendment 10/MLE2 we will be happy to discuss it further with you and your staff.

Regards,



Lynda Morgan
Community Development Services Director

*Cc: Dan Williams, Teller County Planner
Tim Cazier, DRMS
Russell Elliot, DRMS*