



**COLORADO**  
Division of Reclamation,  
Mining and Safety  
Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

May 19, 2017

Lance Baller  
High Speed Mining, LLC  
8480 East Orchard Rd, Suite 3600  
Greenwood Village, CO 80111

**RE: Objections to 112 Hard Rock Conversion Application; Fairplay Au Pit;  
DRMS File No. M-1991-037**

Dear Mr. Baller,

The Division has received a timely objection to the Fairplay Au Pit conversion application. The objection was received within the public comment period that began when the application was called complete for the purposes of filing on March 28, 2017, and before the public comment period ends on May 18, 2017.

Timely objection received:

1. On May 18, 2017, the Division received an objection from M. Jamie Morrow, dated May 18, 2017.

A copy of the written objection has been enclosed for your records. Please inform the Division how the Applicant intends to address the jurisdictional issues raised by the timely Objectors.

If you have any questions, you may contact me at (303)866-3567 x8116.

Sincerely,

Michael A. Cunningham  
Environmental Protection Specialist

Enclosure: Objection Letter (2)

CC: Wally Erickson, DRMS  
Ben Langenfeld, Greg Lewicki and Associates



Michael Cunningham  
State of Colorado  
Division of Reclamation, Mining and Safety  
1313 Sherman Street  
Room 215  
Denver, CO 80203

**RECEIVED**

**MAY 18 2017**

**DIVISION OF RECLAMATION  
MINING AND SAFETY**

Mr. Cunningham:

I am writing to register a FORMAL COMPLAINT. I am a neighbor to the Katuska Pit operated by High Speed Mining off Platte Drive in Fairplay CO (M1991037). I am deeply concerned with the violations of both ponds and permit area. My family literally lives downstream from this operation and are directly impacted by this. I am aware of the deforestation of over 2 acres of land just northwest of our home on Tristan Loop. We also discovered that High Speed Mining, LLC has a history of "bending and breaking the rules" as evidenced in DRMS records. The operator has been found guilty on several occasions. The most recent violation, operating out of their permitted area should not be rewarded with an expansion of said area. I am writing to ask that this permit NOT be converted to Hard Rock, that their operations NOT be allowed to expand, and that High Speed Mining NOT be granted operating hours 7 days a week, sunrise to sunset.

Non-compliance with their current permit shows lack of respect for the regulations put in place to protect our environment. High Speed Mining has displayed lack of concern for the neighbors' property rights. I understand that they have a right to conduct business, however, they do not have a right to infringe upon the enjoyment of MY property.

I strongly oppose any expansion of the Katuska Pit area and/or any change of zoning of the Residential area this company seeks. We live in Fairplay to enjoy the amazing natural beauty and wildlife. Increasing the Katuska Pit would have severe negative impact on not only my family but also on tourism and recreation which provides a livelihood for many in the South Park region. Any additional sediment in the Platte River could completely destroy the trout fishing for which Fairplay is famous.

Our family has also noticed a distinct decline in the number of wildlife we have observed since the mine has increased its activities. We no longer have elk, deer, nor foxes crossing the meadow near our home.

We respectfully request that DRMS not make any decisions regarding expanding the Katuska/High Speed Mining permit until the County resolves the zoning infractions. High Speed Mining has already infringed upon 2.5 acres outside of their permitted 8. Allowing this company a 500% increase is not a fine but a reward for illegal practices. I fear that these changes would further embolden the flagrant disregard for the law. Further we request that DRMS deny the permit change of High Speed Mining to that of a hard rock mining reclamation permit. High Speed Mining should be made to honor the terms and conditions of their CURRENT permit and pay any fines for violating them.

Sincerely,

M. Jamie Morrow

## **DRMS Complaint Intake Tool**



**COLORADO**  
Division of Reclamation,  
Mining and Safety  
Department of Natural Resources

By Submitting this form you are requesting an investigation of compliance with DRMS rules.

### **COMPLAINANT INFORMATION**

**Date of Complaint**

05/18/2017

**\*** *Indicates a Required Field*

**Do you wish to remain anonymous? \***

☐ Yes ☒ No

**Your First Name \***

M Jamie

**Your Last Name \***

Morrow

**Your Address \***

P O BOX 1867 654 Tristan Loop

**Your City \***

Fairplay

**Your State**

CO

**Your Zip Code \***

Maximum of 10 digits. (Example) 80202

80440

**Email Address \***

Enter a valid email address in this field to receive a confirmation e-mail and copy of your Complaint form.

morrowfamily.co@gmail.com

**Your Phone Number \***

Used only to follow up. Please enter phone number in this format: (Example) 123-456-7890

719-839-0005

**Alternate Phone Number**

Used only to follow up. Please enter phone number in this format: (Example) 123-456-7890

240-475-0185

**Connection to Incident \***

Select all that apply

☐ Land Owner

☒ Nearby Resident

☐ Other

☐ Mineral Owner

☐ Observed Incident

### **DESCRIPTION OF COMPLAINT**

(Please be as specific as possible)

Note: Please provide as much detail related to location and issue as possible. Without enough detail, DRMS will not be able to process or investigate the complaint and, therefore, DRMS will have no choice but to discard the complaint.

**Location of Concern \***

Please provide as much detail as possible. It is important to narrow down the location. If available, please include Township, Range and Section, physical address, or GPS location. You may also upload a pdf map below.

FAIRPLAY AU PIT aka KATUSKA PIT

(located between Platte Dr and Hwy 9, west of the Town of Fairplay -- less than 1/4 mile from my home)

**Incident County \***

Park County

**Is this an ongoing issue(s)?**

☒ Yes ☐ No

**Nature of Complaint \***

Select all that apply

- |  |   |
|--|---|
| <input type="checkbox"/> Illegal Mining  | <input type="checkbox"/> Dust                               |
| <input type="checkbox"/> Ground Water / Water Well Impact                        | <input type="checkbox"/> Acid or Toxic Materials/Spills     |
| <input checked="" type="checkbox"/> Surface Water Impact / Stormwater Management | <input checked="" type="checkbox"/> Property Damage         |
| <input checked="" type="checkbox"/> Mine Plan Compliance                         | <input type="checkbox"/> Waste Management / Dumping         |
| <input type="checkbox"/> Signs and Markers                                       | <input type="checkbox"/> Overburden / Development Waste     |
| <input type="checkbox"/> Financial Warranty                                      | <input type="checkbox"/> Backfilling and Grading            |
| <input type="checkbox"/> Processing Waste / Tailings                             | <input type="checkbox"/> Processing Facilities              |
| <input type="checkbox"/> Fish / Wildlife   | <input checked="" type="checkbox"/> Erosion / Sedimentation |
| <input checked="" type="checkbox"/> Off-Site Damage                              | <input type="checkbox"/> Roads                              |
| <input type="checkbox"/> Explosives / Blasting                                   | <input type="checkbox"/> Topsoil                            |
| <input checked="" type="checkbox"/> Revegetation                                 | <input type="checkbox"/> Weeds                              |
| <input type="checkbox"/> Reclamation Plan Compliance                             | <input type="checkbox"/> Other <input type="text"/>         |

**Detailed description of the issue(s) \* (?)**

Please provide as much detail as possible. It is important to narrow down the issue(s).

I am a neighbor to the Katuska Pit operated by High Speed Mining off Platte Drive in Fairplay CO. I am deeply concerned with the violations of both ponds and permit area. My family literally lives downstream from this operation and are directly impacted by this. I am aware of the deforestation of over 2 acres of land just northwest of our home on Tristan Loop. We also discovered that High Speed Mining, LLC has a history of "bending and breaking the rules" as evidenced in DRMS records. The operator has been found guilty on several occasions. The most recent violation, operating out of their permitted area should not be rewarded with an expansion of said area. I am writing to ask that this permit NOT be converted to Hard Rock, that their operations NOT be allowed to expand, and that High Speed Mining NOT be granted operating hours 7 days a week, sunrise to sunset.

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Our family has also noticed a distinct decline in the number of wildlife we have observed since the mine has increased its activities. We no longer have elk, deer, nor foxes crossing the meadow near our home.

We respectfully request that DRMS not make any decisions regarding expanding the permit until the County resolves the zoning infractions. High Speed Mining has already infringed upon 2.5 acres outside of their permitted 8. Allowing this company a 500% increase is not a fine but a reward for illegal practices but a reward. I fear that these changes would further embolden the flagrant disregard for the law. AND that DRMS deny the change request of High Speed Mining to that of a hard rock mining reclamation permit. High Speed Mining should be made to honor the terms and conditions of their CURRENT permit.

**Have you contacted the operator or party conducting the operation? If yes, please provide details. \***

☐ Yes ☒ No

**If known, please provide the name of the operator or party conducting the operation.**

High Speed Mining, LLC

**If known, please provide the Permit or NOI Number (ie M1970111 or P1970111).**

Must be entered in the following format: M1970111 or P1970111 (No dashes allowed)

M1991037

**Have you contacted any other agencies or local governments related to this issue or issues? If so, please provide details. \***

☒ Yes ☐ No

#### Details

Park County Board of County Commissioners

My husband, my neighbors and myself have attended BOCC meetings to express our concerns regarding the increased mining activity that surrounds our neighborhood. We would like the BOCC to enact a 1041 regulating hours of operation, dust mitigation, traffic patterns and other issues under their prevue. We are concerned with our quality of life, enjoyment of our natural environment, safety of our children (traffic and heavy equipment) and our property values.

BLM

There also exists another mining operation adjacent to our neighborhood. The Destiny Mine operators have also violated the terms of their permit to which we filed a complaint.

The mining operators in our area seem to believe that they are not to be held accountable to the agencies from which the permits were issued.

### ADDITIONAL INFORMATION

**Are there supporting photos, maps, or documents you wish to upload? \***

☐ Yes ☒ No

**What is your preferred method for DRMS to communicate with you throughout the investigation? \***

Select all that apply

☐ Phone ☒ E-mail ☐ US Mail