



Teller County Community Development Services

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January 4, 2018

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); Wildlife Protection – Technical Revision # 91 Wildlife Fence.

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 #91) Wildlife Protection/Wildlife Fence.

1. Teller County understands that this request pertains to Wildlife Protection and the Wildlife Fence that was briefed as part of Amendment 11 to the Teller County Planning Commission on September 12, 2017 and to the Teller County Board of County Commissioners on October 12, 2017. In its resolution approving Amendment 11 (Resolution (10-12-17 (30) recorded at Reception No. 701691), the Board of County Commissioners included as Condition E in its approval the following statement:

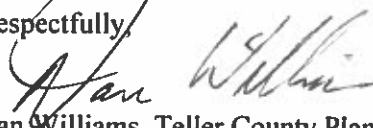
Condition E. "That the Wildlife Fence be constructed pursuant to the Colorado Parks and Wildlife recommendation and as outlined in the No-Impact Technical Revision submitted by CC&V to the Colorado Division of Reclamation Mining and Safety (DRMS) on August 31, 2017 pursuant to the timeline submitted in that document."

2. It is also understood that a site visit involving Colorado Parks and Wildlife, DRMS, and Newmont occurred on October 25, 2017 and consensus on the configuration and type of fencing was reached. The Teller County Planning Department received a call from CPW (Tim Kroening) shortly after the site visit expressing the same (and pursuant to the condition listed above).
3. Teller County is in receipt of the DRMS approval letter, dated, December 29, 2017, for TR # 91, containing the revised bond numbers.

4. Construction timelines, distances, and proposed schedules for the Wildlife Fence are as depicted in Table 2 in the CC&V response to the DRMS Adequacy Review. It is also understood that weather and contractor availability may cause minor changes in the schedule.
5. Further, as a result of the October 25, 2017 site visit, a revision of the CPW approved Wild Life Protection Plan was requested (and has been complied with) by DRMS, that includes:
 - The addition of a proposed Wildlife Monitoring Plan
 - The addition of specific actions taken to mitigate ponding on the leach pads.
 - The addition of necropsies completed on all mortalities when associated with process areas.
 - The addition of signage placed along public roads to warn drivers to not harass wildlife.
 - The addition of work to better understand wildlife exposure limits to designated chemicals on site.
6. TR #91 proposed to build the Wildlife Fence using the Colorado Division of Transportation (CDOT) design with a note stating that CC&V may modify the fence installation to address terrain limitations and employee safety risks. It has been presented that CC&V contacted three engineering firms to obtain designs for a wildlife fence specific to CC&V property and that all three firms declined the work due to the "uncommon nature of the request". As a result, on August 23, 2017 CC&V met with Tim Kroening and Karen Voltura of CPW and with Elliot Russell and Tim Cazier of DRMS on August 28, 2017 to determine a way forward agreeable to all parties. Additionally, we have reviewed the Taylor Fence design deviations listed in the DRMS adequacy response and note that the wildlife escape ramps are not planned for implementation until 2019 and work continues between CPW and CC&V to identify an acceptable design.
7. Teller County is aware that the Bond has been updated to reflect and accommodate a 45-foot long, 8-foot high wildlife escape structure and subsequent, post-mining removal of wildlife escape structures. (as reflected in the December 29, 2017 DRMS approval letter).
8. Teller County has no objections to TR# 91 as written as it complies fully with that presented to the Board of County Commissioners and is pursuant to its Condition E of the approval resolution (10-12-17 (30) recorded at Reception No. 701691, and appreciates the opportunity to comment subject to the following conditions:
 - a) Once the work is completed on a design for the wildlife escape ramp between CC&V and CPW that a copy is provided to Teller County Planning for our records, along with any refinement on method or timing of removal post mining.
 - b) Although Teller County understands that the fence has been started due in large part to safety concerns and available end of year funding, please apply for and obtain a Teller County Building permit due to the height of the fence.
 - c) No additional lighting is requested or authorized for any portion of the fencing as presented.

If you have any questions, please contact me at (719) 686-5414 or email williamsd@co.teller.co.us.

Respectfully,



Dan Williams, Teller County Planning Official

Cc: Lynda Morgan, CDS Director
Tim Cazier/Russell Elliot, DRMS
Tim Kroening