



Teller County Community Development Services

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September 28, 2018

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

SUBJECT: Planning Review: Re. No Impact Technical Revision (Appendix A - 8.B) of Cripple Creek and Victor Gold Mining (CCV) Permit No. M-1980-244; Cripple Creek & Victor Gold Mining Company; Cresson Project; - TR-104 Mineralized Waste Processing

Dear Ms. Burt:

The Teller County Planning Department has completed its review of the Newmont Mining Corporation's (CC&V) Technical Revision TR # 104.

1. Teller County understands that this TR is being submitted to DRMS as a business case which presents activity which depends on economic circumstances and the price of gold before it will be placed into action. It is also understood that, as written in the background paragraph in the TR request, that Newmont currently has no plan to mine these areas. Later in the request however, it states that if the TR is approved, activity will in fact begin.
2. Teller County also understands that CC&V states that it will balance the potential of mining these areas with the requirements in the CCMOD, any changes to the Reclamation Plan, and the Environmental Protection Plan. With this intent in mind, Staff has evaluated this TR request against the standards contained in *Section 7 and 8 of Appendix A of the CCMOD Regulation to the TCLUR* in an attempt to evaluate any possible impacts to Teller County.
3. In reviewing this TR, as written, it appears to be a request to allow for mining and mining related activity in five (5) primary areas now not being used for mining. Additionally, this material is then proposed to be deposited in a yet to be determined Valley Leach Field (VLF) site.
4. Teller County is being asked for its approval in advance of any changed economic condition and without the specificity we would need to comment on a specific location to be re-opened for mining as evaluated by the standards outlined in *Section 7 and 8 of Appendix A of the CCMOD Regulation*. The request is open ended and contains a lack of operational detail which is required to evaluate this TR against the standards in the CCMOD appendix.

5. In order to determine if a No-Impact Technical Revision is appropriate for this request, Teller County needs to determine the impact of the proposal to the County, to include infrastructure and adjacent and adjoining property owners. Impacts could then be addressed through possible revision, mitigation, or conditioning of the No-Impact Technical Revision request.
6. As proposed, using the criteria and standards of review in Appendix A:CCMOD Section 8.3 Criteria and Section 7 Mining Development Plan Standards, there are numerous concerns with TR-104 as written.
7. With the information that has been provided to our Department, it is unclear if this request is due to new mining technologies or techniques, is an expansion of the CC&V mining operation, or if there are unintended impacts to the post-mining reclamation plan or view shed. Therefore, it is difficult to determine if the requested activity still lies within the scope and range of the approved Mining Development Plan (MDP) and its amendments.
8. **As written, Teller County does not approve of TR # 104 for Mineralized Waste Processing, as a No Impact Technical Revision for the following reasons:**
 - a. The request lacks sufficient detail, with the exception of depicting 5 generalized areas inside the CCMOD in Figure 1, to determine if there are impacts based on the standards contained in Section 7 and 8 of Appendix A:CCMOD.
 - b. The request as written, is open ended and seeks approval to begin at any time with a very large quantity of material and activity without a public process for Teller County. While it is acknowledged in the request that, *"currently, CC&V does not plan to mine these areas"*, it then states that depending on economic conditions *"they may be identified as a resource at any given time... and CC&V will schedule mining of mineralized waste pending approval of this TR."* Additionally, the volume of the mineralized waste under consideration is one hundred million tons, from 5 different sites around the CCMOD, to be placed on one or several undetermined VLF sites is a considerable amount of material and activity with potential impact to Cripple Creek, Victor, and other adjacent and adjoining property owners.
 - c. Even with unchanged economic conditions, the request indicates that mining and mining related activity will in fact occur if this TR is approved... "if approved, this material will be either crushed and placed on one of the Valley Leach Facilities (VLFs) or taken directly to one of the VLFs: and categorized as a run of mine ore. So despite stating that CC&V does not plan on mining mineralized waste at the beginning of the request, it ends by stating it will without any specificity.

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

Respectfully,


Dan Williams

The Teller County Planning Official

Cc: Lynda Morgan, CDSD Director
Camille Krochta, Administrative Planning Assistant
Tim Cazier, DRMS