

BOARD OF COUNTY COMMISSIONERS OF TELLER COUNTY, COLORADO**RESOLUTION NO. 05-24-2018 (17)****RESOLUTION TO APPROVE AMENDMENT 12 TO THE CRESSON PROJECT,
PERMIT NO. M-1980-244 – MINE DEVELOPMENT PLAN (MDP).**

File No. LUR-Z17-0055

WHEREAS, the Newmont Mining Corporation, Cripple Creek & Victor Gold Mining Company (CC&V), submitted a land use application for approval of Amendment 12 to its Mining Development Plan for the Cresson Project, Permit No. M-1980-244-Mine Development Plan (MDP) on land zoned Agricultural (A-1) (the "Amendment 12 Application"); and

WHEREAS, the Amendment 12 Application was approved by the Colorado Division of Reclamation and Mining Safety (DRMS) on November 14, 2017 and needs further approval from the Board of County Commissioners of Teller County (the "Board");

WHEREAS, on May 8, 2018, the Teller County Planning Commission held a duly-noticed public hearing and considered the Amendment 12 Application, the findings of that Staff Report dated March 5, 2018 (the "Staff Report"), the testimony and materials presented at that hearing, and the Planning Commission has recommended that the Board approve the Amendment 12 Application with certain conditions; and

WHEREAS, after notice as provided by law, a public hearing was held by this Board on May 24, 2018, and the Board considered the Amendment 12 Application, the Planning Commission recommendation, and all testimony and materials presented at that hearing; and

WHEREAS, the Board adopts the findings of the Staff Report and further finds that Amendment 12 meets the standards and requirements of the regulations for the Cripple Creek Mining Overlay District (CCMOD), including Section 7, Mine Development Plan Standards, and Section 8, Amendment to Mine Development Plan, at Appendix A to the Teller County Land Use Regulations and is consistent with the purposes, goals, objectives and policies of the *Teller County Growth Management Plan*; and

WHEREAS, the Board hereby finds, determines and declares that adoption of this Resolution is necessary for the preservation and protection of the public health, safety and welfare of the inhabitants of Teller County, Colorado.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Teller, State of Colorado, as follows:

- A. Approval of Amendment 12 to the Cresson Project M-1980-244 Mine Development Plan (MDP) does not imply, indicate nor suggest approval or likelihood or availability of approval of, nor does it in any way approve or grant, any subsequent amendments, necessary zoning, platting or other development applications or requests related to the Cresson Project DRMS Permit No. M-1980-244 Mine Development Plan (MDP).
- B. The Colorado Division of Reclamation Mining and Safety (DRMS) approved Amendment 12 on November 14, 2017 as an amendment to DRMS Cresson Project permit, M-1980-244, a Section 112(d) reclamation permit. The scope of Amendment 12 is limited to an adjustment of the affected lands boundary only.
- C. The terms and conditions contained in that "Contractual Agreement for Victor-Goldfield Buffer Area and Cripple Creek Historic/Recreation Area Related to the Cripple Creek Mining District" recorded 06/27/2000 at Reception No. 506476, and Resolution 09-12-2012(39) approving MLE2 recorded at Reception No. 656481 remain in full force and effect.

Unless otherwise modified by these conditions, all material representations of the Applicant in its submittal material and in public hearings shall be considered binding

THE FOREGOING RESOLUTION IS ADOPTED AT A REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF TELLER COUNTY, COLORADO, HELD THE 24th DAY OF MAY 2018 AT CRIPPLE CREEK, COLORADO.

THE BOARD OF COUNTY COMMISSIONERS
OF TELLER COUNTY, COLORADO

BY 
MARC DETTENRIEDER, CHAIRMAN

ATTEST:


COUNTY CLERK

