



June 30, 2022

RE: Recommendation to Approve a 110c to 112c Permit Conversion Application with Objections, Denver Brick Company, Golden Mine, Permit M-1976-007UG

Dear Party and/or Interested Person:

The Division of Reclamation, Mining and Safety (Division) hereby issues its recommendation for approval of the 110c to 112c permit conversion application (Application) for the Golden Mine, Permit M-1976-007UG, submitted by Denver Brick Company (Applicant).

This recommendation is based on the Division's determination that the Application satisfied the requirements of Section 34-32.5-115(4) of the Colorado Land Reclamation Act for the Extraction of Construction Materials, 34-32.5-101 *et seq.*, C.R.S (Act). The Applicant addressed all adequacy issues which were identified by the Division during the adequacy review process to the Division's satisfaction. Therefore, on June 30, 2022, the Division determined the Application satisfied the requirements of C.R.S. 34-32.5-115(4) and issued its recommendation to approve the Application over objections. The Division's rationale for approval (Rationale) identifies the jurisdictional issues raised by objecting parties and commenting agencies, and groups them into the following broad categories:

- 1) Potential Conflict with Existing Approved Land Use/County Zoning
- 2) Hydrologic Balance Issues (including concerns regarding impacts to groundwater and surface water quantity and quality)
- 3) Wildlife/Sensitive Environment/Floodplain Issues (including concerns regarding impacts to wildlife, wildlife habitat, migratory paths, and traffic danger to wildlife)
- 4) Off-Site Damage/Blasting Concerns
- 5) Mining Plan Adequacy
- 6) Reclamation Plan Adequacy
- 7) Completeness and Accuracy of Provided Application Materials
- 8) Reclamation Bond Adequacy

The Division's Rationale provides a full and thorough analysis of the above mentioned broad categorical issues raised by objecting parties. A copy of the Division's Rationale is available for public review on the Division's website at <https://drms.colorado.gov>, by clicking on the "Applications Under Review" link on the homepage, then selecting the "Golden Mine" link under "Permit Specific Information". The Division's Rationale is also available through the Laserfiche system (using permit "M1976007UG"), which can be accessed from the Division's website via the "DRMS Weblink" link on the homepage.



The Division's recommendation to approve the Application over objections is to the Colorado Mined Land Reclamation Board (MLRB or Board). The Application with objections will be considered by the Board during a formal hearing, scheduled for the July 20-21, 2022 Board meeting. This meeting will occur virtually (Zoom meeting) beginning at 9:00a.m. During the hearing the Board will consider the application with objections and may decide to approve, approve with conditions, or deny the conversion application for the Golden Mine. Pursuant to Rule 2.8.1(1) of the Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials (Rules), any party who does not attend the Board hearing forfeits its party status and all associated rights and privileges.

A live audio broadcast of the formal Board hearing can be found at the Division's website at <https://drms.colorado.gov>. Please be aware that the audio stream service may be temporarily unavailable or limited due to technical difficulties and bandwidth limitation, and could result in loss of audio signals or in the impairment of the quality of the transmission.

All parties who intend to participate in the Board hearing are strongly encouraged to attend the Pre-hearing Conference. Pursuant to Rule 2.7.3(4), any party who does not attend the Pre-hearing Conference forfeits its party status and all associated rights and privileges, unless such party provides a fully executed proxy authorization form to the Pre-hearing Conference Officer and the party's authorized representative is present. Additional copies of the official proxy authorization form may be obtained from the Division's website. The Pre-hearing Conference is scheduled to occur virtually (Zoom meeting) on **July 7, 2022**, beginning at 1:00 p.m., and terminating at or before 3:00 p.m. Mr. Jason Musick will preside as the Pre-hearing Conference Officer.

Sincerely,



Eric Scott
Environmental Protection Specialist

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