



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

April 9, 2024

**Re:     *Leadville Mill, Permit No. M-1990-057, 112d-1 Conversion Application (CN-3) Receipt of Public Comment or Objection***

Dear Interested Party,

The Division of Reclamation, Mining and Safety (Division) appreciates you taking the time to participate in the review process of the Leadville Mill Conversion Application filed with our office on February 8, 2024, by Union Milling Company, LLC (Applicant). April 3, 2024 was the final day for comments to be submitted and your comments were received and considered timely pursuant to Hard Rock and Metals Mining Rule 1.7.1 (2)(a).

The Division will set the matter for a Mined Land Reclamation Hearing pursuant to Rule 1.7.1(2)(b). The current Decision Date for the application is set for Wednesday July 10, 2024 and may be extended by the Applicant. The Division will issue a Decision Recommendation as soon as all adequacy items have been appropriately addressed. Staff will then schedule a Pre-Hearing Conference (PHC). Per Rule 2.7.1(5) the PHC must occur at least ten (10) working days prior to the Mined Land Reclamation Board Hearing. You will be notified of both the Hearing and the PHC as soon as they are scheduled. Please be aware that the Applicant can request, at their discretion, an extension to the Decision Date for up to 365 days of when the application was considered filed per Rule 1.4.1(9).

An explanation of the Division's review process, your rights as either a party or non-party, and the jurisdiction of the Board is provided in a 12 page memorandum, Guide to Citizens Participation, last revised on October 7, 2021 has been enclosed with this letter. It is also available on our website at:

<https://drive.google.com/file/d/1bZmZjkSOM49SMgm-YD495cEcn46RfbAh/view>

The lists of all commenting, objecting, supporting and agencies who have filed timely comments are enclosed with this letter and have been sorted alphabetically by first name. Please note that all future correspondence regarding reference to comments or objections will use the number assigned in the enclosed tables. Any comments or objections submitted after the public comment period are considered "untimely" and therefore, the person submitting the comment or objection is not considered a party to the application. Also, duplicate comments or objections have been omitted.

Mined Land Reclamation Act (Act) and the Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for Hard Rock, Metals and Designated Mining Operations (Rules). The Act and Rules are available on our website at <https://drms.colorado.gov/rules-and-regulations>. All permit files, including any correspondence regarding the application, can be viewed through our online imaged document system (Laseriche) available on our website at <https://dnrweblink.state.co.us/drms/search.aspx?cr=1>, searched under the M1990057 permit number index.



April 9, 2024

If you need any additional information, please contact me at the Division of Reclamation, Mining and Safety, Grand Junction Field Office, 101 South 3<sup>rd</sup> Street, Suite 301, Grand Junction, Colorado 81501. I can also be reached by phone at (303)-866-3567 Extension 8187 or by email at [lucas.west@state.co.us](mailto:lucas.west@state.co.us).

Sincerely,



**Lucas West**

Environmental Protection Specialist

Division of Reclamation, Mining and Safety

Cc: Travis Marshall, Senior Environmental Protection Specialist

Enclosure: List of timely Comments, Letters of Support and Agency Comments  
Guide to Public Participation in the 112 Reclamation Permit Application Process

Ec: All interested parties

Agency #	Contact First Name	Contact Last Name	Company Name	Date Submitted
1	Anne	Schneider	Lake County Community Planning & Development	4/3/2024
2	Lake County	Conservation District	Lake County Conservation District	4/3/2024

Objection #	Contact First Name	Contact Last Name	Company Name	Date Submitted
1	A	Westbourne		4/1/2024
2	A.L.	Steiner		3/30/2024
3	Abbey	Hickey		4/2/2024
4	Abbie	Bernstein		3/31/2024
5	Adam	Giffen		4/2/2024
6	Adelheid	Koepfer		3/31/2024
7	Aidan	McCraw		3/31/2024
8	AJ	Cho		3/31/2024
9	Alan	Schenck		3/30/2024
10	Aleks	Kosowicz		3/30/2024
11	Alex	Stavis		3/30/2024
12	Alexa	Wall		3/30/2024
13	Alexandra	Koll		4/2/2024
14	Alfred	Beckmann		4/2/2024
15	Ali	Hart		3/30/2024
16	Allison	Fradkin		3/30/2024
17	Allison	Albright		3/31/2024
18	Allister	Layne		3/30/2024
19	Amanda	Lowe		3/31/2024
20	Amber	Winter		3/19/2024
21	Amy	Frykholm		3/26/2024
22	Anahata	Iradah		3/31/2024
23	Andi	Shotwell		3/30/2024
24	Andrea	Rogers		3/23/2024
25	Andrew	Maddox		3/12/2024
26	Andrew	Petersen		4/3/2024
27	Andy	Neinas		3/6/2024
28	Andy	Hofer		3/14/2024
29	Angela	Esslinger		3/30/2024
30	Angela	Isaacs		3/30/2024
31	Angie	Thompson		3/12/2024
32	Anja	Timmerman		3/21/2024
33	Ann	Dorsey		3/30/2024
34	Anna	Cowen		3/30/2024
35	Anne	Bond		3/8/2024
36	Anne	Kirkwood		3/30/2024
37	Annette	Medina		3/29/2024
38	Anthony	Kotner		3/16/2024
39	Armando A.	Garcia		3/30/2024
40	Art	Hanson		3/30/2024
41	Ash	Warner		4/2/2024
42	Avery	Potter		3/14/2024
43	Barbara	Swider		3/24/2024
44	Barbara	Tillman		3/30/2024
45	Barbara	Harper		3/30/2024
46	Barbara	Winner		3/31/2024
47	Barbara	Rosenkotter		3/31/2024
48	Becky	Dunn		3/20/2024
49	Becky	Daiss		3/30/2024
50	Ben	Brucker		3/30/2024
51	Benjamin	Martin		3/30/2024
52	Beth Jane	Freeman		3/30/2024
53	Betty	Benson		3/21/2024
54	Betty	Kissilove		3/30/2024
55	Bill	Dvorak		3/4/2024
56	Bill	Holt		3/30/2024
57	Bill	Roberson		3/30/2024
58	Bjorn	Nicolaisen		3/11/2024
59	Blake	Wu		3/31/2024
60	Blake	Hodges		4/3/2024
61	Blanche	Nicholson		3/30/2024
62	Bonnie	Arbuckle		3/30/2024
63	Brad	Everson		3/23/2024
64	Brad	Jolly		3/30/2024
65	Brad	Miller		3/30/2024
66	Bradford	Smith		3/22/2024
67	Brandon	Bauer		3/6/2024
68	Brandon	Perras		4/1/2024

<b>Objection #</b>	<b>Contact First Name</b>	<b>Contact Last Name</b>	<b>Company Name</b>	<b>Date Submitted</b>
69	Breanne	Conway		3/23/2024
70	Brenda	Smith		3/25/2024
71	Brent	Smith		4/2/2024
72	Bret	Tennis		3/22/2024
73	Bretton	Little		3/30/2024
74	Brian	Pohl		3/5/2024
75	Brian	Hagle		3/12/2024
76	Brian	Schill		3/30/2024
77	Brian	Dunn		3/30/2024
78	Brice	Karsh		3/7/2024
79	Brittany	Snider		3/16/2024
80	Brooke	Carlsen		2/27/2024
81	Brooke	Fredlund		3/20/2024
82	Brooklyn	German		4/2/2024
83	Bruno	Broll-Barone		4/1/2024
84	Bryan	Bergstrom		3/12/2024
85	Bryanne	Busato		3/25/2024
86	Byron	Brown		3/6/2024
87	C	Kasey		3/30/2024
88	C	s		3/30/2024
89	C. James	Ringwald		3/30/2024
90	cara	artman		3/31/2024
91	Carol	Wagner		3/30/2024
92	Carol	Collins		3/30/2024
93	Carol	Cook		3/30/2024
94	Carol Joa	Patterson		4/3/2024
95	Carolyn	Croom		3/31/2024
96	Casey F	Vansise		3/30/2024
97	Catherine	Beauchamp		4/1/2024
98	Catherine	Caron		4/3/2024
99	Cathy	Stegman		3/30/2024
100	CECELIA	HANCOCK		3/30/2024
101	Cekest	Rogers		3/30/2024
102	Charlotte	Serazio		3/30/2024
103	Chris	Loch		3/30/2024
104	Chris	Graber		3/30/2024
105	Chris	Colman		4/3/2024
106	Christian	Luna-Leal		4/1/2024
107	Christina	Wood		3/27/2024
108	Christina	King		3/28/2024
109	Christopher	Lamson	Collegiate Peaks Chapter of Trout Unlimited (CPCTU)	2/20/2024
110	Christopher	Ware		4/2/2024
111	Cindy	Hatcher		3/30/2024
112	Claudia	McIntyre		3/25/2024
113	Claudia	Leff		3/30/2024
114	Cole	Tallerman		3/21/2024
115	Connie	Raper		3/30/2024
116	Connie	Lindgren		4/1/2024
117	Cori	MacFarland		3/21/2024
118	Cory	Fleagle		4/3/2024
119	Craig	Gooch		3/16/2024
120	Cramer	Vlerebome		4/2/2024
121	Curt	Welty		3/22/2024
122	Cynthia	Simon		3/30/2024
123	Dainella	Nartker		3/14/2024
124	Dalia	Salgado		3/30/2024
125	Dan	Morgan		4/3/2024
126	Dana	Greene	City of Leadville	4/3/2024
127	Daniel	Frank	Colorado Trout Hunters	3/11/2024
128	Daniel	Frank		3/11/2024
129	Daniel	Houtchens		3/22/2024
130	Daniel	Davis		3/30/2024
131	Daniel	Conford		3/30/2024
132	Daniel	Karpen		3/30/2024
133	Daniel	Dailey		4/2/2024
134	Danielle	DiMauro	Welborn Sullivan Meck & Tooley, PC	4/1/2024
135	Darrell	Williamson		3/20/2024

<b>Objection #</b>	<b>Contact First Name</b>	<b>Contact Last Name</b>	<b>Company Name</b>	<b>Date Submitted</b>
136	Dave	Hanson		3/8/2024
137	Dave	Hornstein		3/30/2024
138	Dave	Eason		4/3/2024
139	David	TenEyck		3/2/2024
140	David	Kissam		3/30/2024
141	David	Harlan		3/30/2024
142	David	English		3/30/2024
143	David	Burtis		3/31/2024
144	David	Warner		4/1/2024
145	Dayna	Thomas		3/30/2024
146	Debbie	Tatro		3/30/2024
147	Deborah	Burnett		3/22/2024
148	Deborah	Wiggin		3/30/2024
149	Delphine	Labbé		3/30/2024
150	Derek	Benedict		3/30/2024
151	Diane	Smith		3/23/2024
152	Diane	George		3/30/2024
153	Diane-Michele	Petrillo		3/30/2024
154	Diego	Gonzalez		4/2/2024
155	Donald	Mackler		4/2/2024
156	Donna	Sharee		3/31/2024
157	Doris	Verkamp		3/31/2024
158	Doug	Yeakel		3/9/2024
159	doug	krause		3/30/2024
160	Douglas	Estes		3/30/2024
161	Earl	Richmond		3/27/2024
162	EARL	ROBERTS		3/30/2024
163	Edward	Green		3/26/2024
164	Elaine	Becker		3/30/2024
165	Elaine	Livingston		3/30/2024
166	Elinore	Kent		4/2/2024
167	Elizabeth	Brooks		3/5/2024
168	Elizabeth	Camann		3/12/2024
169	Elizabeth	Fine		3/20/2024
170	Elizabeth	Edinger		3/30/2024
171	Elizabeth	Potter		4/1/2024
172	Elyjah	Albright		3/30/2024
173	Emilie	Bilokur		3/30/2024
174	Emily	Freeman		3/30/2024
175	Emily	Olsen		4/1/2024
176	Eric	West		3/30/2024
177	Erica	Gift		3/29/2024
178	Erica	Johanson		3/30/2024
179	Erin	Watkins		4/1/2024
180	Ethan	Moyer		4/1/2024
181	Felicia	Hermosillo		3/28/2024
182	Floors	Anderson		3/30/2024
183	Frances	Karsh		3/11/2024
184	Francisco	Tharp		3/20/2024
185	Francisco	Tharp		3/27/2024
186	Franco	De Nicola		3/30/2024
187	Frank	Nickle		3/23/2024
188	Fred	Spaziani		3/27/2024
189	Fred	Granlund		3/30/2024
190	Gabrielle	Burkham		3/25/2024
191	Gail	Veiby		3/30/2024
192	Gary	GOLDFAIN		3/10/2024
193	Gary	Rocamora		3/26/2024
194	Gary	Gover		3/30/2024
195	Gary	Jones		3/30/2024
196	Genevieve	Harrison		4/1/2024
197	George	Hasapidis		4/1/2024
198	Gerald	Shultz		3/30/2024
199	Gerritt and Elizabeth	Baker-Smith		3/30/2024
200	Gita	Carey		3/19/2024
201	Glenn	Hufnagel		3/30/2024
202	Grady	Warren		3/30/2024

<b>Objection #</b>	<b>Contact First Name</b>	<b>Contact Last Name</b>	<b>Company Name</b>	<b>Date Submitted</b>
203	Grayson	Cooper		4/2/2024
204	Greg	Mihalik		4/2/2024
205	Gregory	Cross		3/10/2024
206	Guy	Grabau		3/5/2024
207	H	S		3/30/2024
208	Hallie	Hauer		3/30/2024
209	Hank	Ramírez		3/30/2024
210	Hans F	Kuhlmann		3/27/2024
211	Hayden	Mellsop		4/1/2024
212	Heather	Vasquez		3/30/2024
213	Heather	Parker		4/3/2024
214	Hope	Maruzo		3/30/2024
215	Ian	Hicks		3/12/2024
216	ILENE	KAZAK		3/30/2024
217	Ilene	Jack		4/3/2024
218	ilona	ketting		4/2/2024
219	Ilya	Speranza		3/30/2024
220	Jacob	Marienthal		3/30/2024
221	Jacqui	Skill		3/30/2024
222	James	Dawson		3/30/2024
223	James	Flasch		3/30/2024
224	James	Smits		3/9/2024
225	James	Stratman PhD		3/31/2024
226	James R	Monroe		3/30/2024
227	Jamey	Frykholm		4/2/2024
228	Jamie	Seiffer		3/4/2024
229	Jamie	Shields		3/30/2024
230	JAN	NIKOLAJSEN		4/1/2024
231	Jane	Cole		3/12/2024
232	Janell	Copello		3/30/2024
233	Janet	Kuech		3/30/2024
234	Jason	Miller		3/30/2024
235	Jean	Beckmann		3/9/2024
236	Jean	Olivett		3/30/2024
237	Jean	Schwinberg		3/30/2024
238	Jean Marie	VanWinkle		3/30/2024
239	Jeff	Baker		3/30/2024
240	Jeff	Renner		3/30/2024
241	Jeff	Thayer		4/3/2024
242	Jennifer	Swan		3/11/2024
243	Jennifer	Murray		3/27/2024
244	Jennifer	Reinert		3/30/2024
245	Jennifer	Stotlar		4/1/2024
246	Jennifer	Abbott		4/2/2024
247	Jeremy	Caves		3/23/2024
248	Jeri	Fry		4/3/2024
249	Jerry	Wright		3/17/2024
250	Jesse	Caldwell		3/30/2024
251	Jesse	Gore		3/30/2024
252	Jesse	MacDonald		3/30/2024
253	Jesse	Kessler		3/30/2024
254	Jessea	Greenman		3/30/2024
255	Jessica	Miracola		3/30/2024
256	Jessica	Cross		3/10/2024
257	Jessica	Caughell		3/26/2024
258	Jessica	Russell		3/28/2024
259	Jessica	Claudio		3/30/2024
260	Jill	Smith		3/25/2024
261	Jill	Levy		3/30/2024
262	Jim	Kohlmoos		3/16/2024
263	Jim	VandenBosch		3/30/2024
264	JL	Angell		3/30/2024
265	Joan	Sitomer		3/30/2024
266	Joann	Koch		3/30/2024
267	JoAnn	Hackos		3/30/2024
268	Joanne	Britton		3/30/2024
269	Joe	Sidor		3/30/2024

Objection #	Contact First Name	Contact Last Name	Company Name	Date Submitted
270	John	Arceneaux		3/5/2024
271	John	Mankus		3/5/2024
272	John	Kreski		3/26/2024
273	John	Velner		3/30/2024
274	John	Marchetti		3/30/2024
275	John	McLain II		3/30/2024
276	John	Wills		3/30/2024
277	John	Clary		3/31/2024
278	John	Welsh		4/3/2024
279	Jolinda	C.		3/30/2024
280	Jon	Mallette		3/21/2024
281	Jonathan	Bird		3/13/2024
282	Jonathan	Rittenhouse		3/30/2024
283	Jonathan	Burk		4/2/2024
284	Jorge	De Cecco		3/30/2024
285	Joseph	Naidnur		3/30/2024
286	Joseph	Wasserman		3/30/2024
287	Josh	Smith		3/14/2024
288	Joshua	Little		4/1/2024
289	Joshua	Leonard		4/1/2024
290	Joy	Yudnich		3/10/2024
291	Joy	Reich		3/30/2024
292	Judith	Lienhard		3/30/2024
293	Judy	Schultz		3/30/2024
294	Judy	Cacioppo		4/1/2024
295	Julian	Rule		3/30/2024
296	Julie	Beer		3/30/2024
297	Julie	Blanda		3/25/2024
298	Julie	Lundgren		3/26/2024
299	Julie	McCarthy		3/30/2024
300	Julie	Anderson		4/2/2024
301	julie	holmes		4/2/2024
302	Jussi	Gamache		4/1/2024
303	Justin	Ernst		4/2/2024
304	Justin	Yeakel		4/3/2024
305	Justine	Gussen		3/30/2024
306	Justine	Cooper		4/3/2024
307	Kai	Leahy		3/13/2024
308	Kaitlin	Hansen		4/1/2024
309	Kaleb	Schumaker		4/1/2024
310	Karen	King		3/7/2024
311	Karen	Dukovich		3/31/2024
312	karyn	barry		3/30/2024
313	Kate	Goetz		3/30/2024
314	Kate	Ruland		3/30/2024
315	Katherine	Wright		3/30/2024
316	Katherine	Tildes		3/30/2024
317	Kathi	Karn		3/30/2024
318	Kathryn	Melton		3/30/2024
319	Kathy	Hoerlein		3/24/2024
320	kathy	goulding		3/27/2024
321	Kathy	Bradley		3/30/2024
322	Katie	CAIN		3/26/2024
323	Keisha	Massarotti		3/23/2024
324	Keith	Thompson		3/31/2024
325	Kelly	Bergkessel		3/10/2024
326	Kelly	Asble		3/13/2024
327	Ken	Holmgren		3/12/2024
328	Ken	Canty		3/30/2024
329	Kenneth	Cook		3/20/2024
330	Kenneth	Ruby		3/30/2024
331	Kenneth	Kirsch		4/3/2024
332	Kenneth C.	Grosso		3/31/2024
333	Kerri	Quinlan		3/4/2024
334	Kerry	Covey		3/30/2024
335	kerry	newell		4/3/2024
336	Kevin	Moltenbrey		3/13/2024



<b>Objection #</b>	<b>Contact First Name</b>	<b>Contact Last Name</b>	<b>Company Name</b>	<b>Date Submitted</b>
337	Kevin	Wrobbel		3/30/2024
338	Kevin	Walsh		3/30/2024
339	Kevin	Oldfield		4/2/2024
340	Kim	Phenix		3/21/2024
341	Kim	Messmer		3/30/2024
342	Krista	Topp		3/30/2024
343	Krista	Powell		3/30/2024
344	Kristen	Krasnow		3/20/2024
345	Kristi	Galarza		3/8/2024
346	Kristin	Huntoon		3/31/2024
347	Kristy	Smith		4/3/2024
348	Kyle	Elwood		3/30/2024
349	L	Fendle		3/30/2024
350	Lacey	Kohlmoos		2/26/2024
351	Larry	Galloway		3/12/2024
352	Larry	Lambeth		3/30/2024
353	Laura	Long		3/30/2024
354	Laura	Saunders		3/30/2024
355	Lauren	Bryant		3/5/2024
356	laurie	strasburger		3/19/2024
357	Lee	Kirsch		4/2/2024
358	Lena	Mosser		4/2/2024
359	Leo	Kucewicz		3/30/2024
360	LEONARD	SCHOCH		3/30/2024
361	leslie	klein		3/30/2024
362	LINDA	DUTHIE		4/3/2024
363	Linda	Bebell		4/3/2024
364	Lindsay	Samora		3/27/2024
365	Lisa	Douglas		3/21/2024
366	Lisa	Witte		3/30/2024
367	Lisa	Whitaker		4/3/2024
368	liz	Stuart		3/27/2024
369	Lloyd	Michell		4/2/2024
370	Loretta	McElhiney		3/23/2024
371	Loretta	Lehman		3/30/2024
372	Lori	Olcott		3/30/2024
373	Lorri	Lau		3/18/2024
374	Lory	Ono		4/1/2024
375	Lynette	Schwanger		3/31/2024
376	Lynne	Weiske		3/30/2024
377	Lynne	Kane		3/30/2024
378	M	Port		3/30/2024
379	Madison	Hartshorn		3/13/2024
380	Mara	Saunders		3/20/2024
381	Mara	Taub		3/30/2024
382	Margaret	Silver		3/30/2024
383	Margaret	Schulenberg		3/30/2024
384	Marianne	Lanphier		3/30/2024
385	Mark	Krasnow		3/11/2024
386	Mark	Houdashelt		3/30/2024
387	Mark	Locke		3/30/2024
388	Mark	Knight		3/31/2024
389	Martha	Lawler		3/30/2024
390	Martin	Horwitz		4/3/2024
391	Mary	Jelf		3/11/2024
392	Mary	Magana		3/11/2024
393	Mary	Bristow		3/30/2024
394	Mary	Bugbee		4/3/2024
395	Marya	Bradley		3/30/2024
396	Maryann	Staron		3/30/2024
397	MaryAnn	Plant		3/30/2024
398	Maryanne	Himmelsbach		3/23/2024
399	Matthew	Boguske		3/30/2024
400	Megan	Wagaman		3/23/2024
401	Megan	Witherspoon		3/26/2024
402	Meghan	Behm		4/1/2024
403	Mel	Wiggin		3/29/2024

Objection #	Contact First Name	Contact Last Name	Company Name	Date Submitted
404	Melissa	McElhaney		3/10/2024
405	Michael	Ebuna		4/2/2024
406	Michael	Elder		3/5/2024
407	Michael	Olson		3/25/2024
408	Michael	Rotzler		3/30/2024
409	Michael	Brandes		3/30/2024
410	Michael	Gabriel		3/30/2024
411	Michael	Lacy		3/30/2024
412	Michelle	Bridges		3/14/2024
413	Michelle	Cavanaugh		3/14/2024
414	michelle	graves		3/30/2024
415	Michelle	Sewald		3/30/2024
416	Mickie	Flanigan		3/30/2024
417	Mike	Whatley		4/1/2024
418	Mildred	Raiola		3/16/2024
419	Mohan	Sakhrani		3/30/2024
420	Monica	Smits		3/13/2024
421	Mt Elbert Water Association	MEWA	Mt Elbert Water Association	3/13/2024
422	Myles	Robertson		3/30/2024
423	Nan	Anderson		3/21/2024
424	Nancy	Freedland		3/31/2024
425	Nathan	Matsuda		3/20/2024
426	nathan	schaefer		3/30/2024
427	Nicholas	Roseveare	Roseveare family	3/11/2024
428	Nicholas	Blake		3/30/2024
429	Nicole	Everling		3/30/2024
430	Nicole	TUNNELL		3/29/2024
431	Nicole	Punday		3/30/2024
432	Nina	Montemarano Bonneville		3/24/2024
433	Nina	Minsky		3/31/2024
434	Nora	Ismail		3/30/2024
435	Nora	Privitera		3/30/2024
436	Nora	Roman		3/31/2024
437	Orva M	Gullett		3/30/2024
438	Ozlem	Erol		3/31/2024
439	Pamela A.	Lowry		4/1/2024
440	Pat	Mace		3/30/2024
441	Patricia	Harlow		3/30/2024
442	Patricia	Quinn		3/30/2024
443	Patrick	Hamilton		4/2/2024
444	Patrick Duffy	Counsell		3/23/2024
445	Patti	Nagel		3/29/2024
446	Patti	Packer		3/31/2024
447	Paul	Terranova		3/11/2024
448	Paul	Mourer		3/20/2024
449	Paul	Majewski		4/1/2024
450	Peter	Frykholm		3/25/2024
451	Peter	Day		4/1/2024
452	Peter	Jaacks	Concerned Citizens for Lake County (CC4LC)	4/2/2024
453	Philip	Brown		3/23/2024
454	Phillip	Hope		3/30/2024
455	Phyllis	Annett		3/30/2024
456	Ra	Szumal		3/30/2024
457	Rafael	Millan Garcia		4/1/2024
458	Rain	Hastings		3/25/2024
459	Randall	Webb		3/31/2024
460	Rebecca	Halverson		3/24/2024
461	Rebecca	Rottapel		3/31/2024
462	Rene	Giffen		4/2/2024
463	Richard	Karsh		3/15/2024
464	Richard	Smith		3/25/2024
465	Richard	Reichmann		3/30/2024
466	Rick	Gregory		3/30/2024
467	Rita	Pesini		3/30/2024
468	Rob	Williams	Arkansas River Outfitter Association, AROA	3/25/2024
469	Robert	Gray		2/29/2024
470	robert	king		3/7/2024

<b>Objection #</b>	<b>Contact First Name</b>	<b>Contact Last Name</b>	<b>Company Name</b>	<b>Date Submitted</b>
471	Robert	Witzel		3/13/2024
472	Robert	Dorson		3/30/2024
473	Robert	Rutkowski		3/30/2024
474	Robert	Fingerman		3/30/2024
475	Robin	Beals		3/11/2024
476	Robin	Dax		3/30/2024
477	Robin	Patten		3/30/2024
478	Robin	Lande		3/30/2024
479	Robyn	Holmes		3/31/2024
480	Roger	Hebbert		4/3/2024
481	Ron	Silver		3/30/2024
482	Ronald	Yudnich		3/4/2024
483	Ronnie	Bolling		3/30/2024
484	russ	ziegler		3/30/2024
485	Ruth	Goltzer		4/2/2024
486	Ryan	Davis		3/30/2024
487	Salem	Sumrall		4/2/2024
488	Sally	Roth		3/30/2024
489	Sam	Butler		3/30/2024
490	Samantha	Govert		4/1/2024
491	Samuel	Morningstar		3/30/2024
492	Sandra	Serazio		3/30/2024
493	Sandra	Gamble		3/30/2024
494	Sandra	Materi		3/30/2024
495	Sandra	Woodall		3/30/2024
496	Sandy	Oldfield		4/2/2024
497	Sara	Bhakti		3/30/2024
498	Sara	Edwards		4/2/2024
499	Sarah	Dannenbrink		3/11/2024
500	Sarah	Stewart		3/30/2024
501	Sarah	Hamilton		4/2/2024
502	Satya	Vayu		3/31/2024
503	Savannah	Crow		2/27/2024
504	Scott	Mikutowski		3/23/2024
505	Sean	Haider		3/30/2024
506	Seth	Roseman		3/30/2024
507	Seth	Olsen		4/3/2024
508	Sharon	Walker		3/14/2024
509	Sharon	Gillespie		3/30/2024
510	Sharon	Baker		3/30/2024
511	Shawn	Hall		3/30/2024
512	Shelby	Seitzinger		4/1/2024
513	Sheldon	Muller		3/30/2024
514	Sherry	Poirrier		3/24/2024
515	Shirin	Wertime		3/30/2024
516	Sonja	Nicolaisen		2/27/2024
517	Sonja	Nicolaisen		2/27/2024
518	Stacy	Karacostas		4/1/2024
519	Stephanie	Meacham		3/30/2024
520	Steve	McCauley		3/10/2024
521	Steven	Tracey		3/30/2024
522	Stevie	Day		3/30/2024
523	Stuart	Francone		3/24/2024
524	Stuart	Brown		4/2/2024
525	Susan	Roland		3/30/2024
526	Susan	Shallers		3/11/2024
527	Susan	Stutz		3/30/2024
528	Susan	Davenport		3/30/2024
529	Susan	Spilecki		3/30/2024
530	Susan	Welsford		3/30/2024
531	Susan	Gardner		4/1/2024
532	Susan	Ostlie	Great Old Broads	3/30/2024
533	Susan	Fladager		4/1/2024
534	Susan	Fishman		4/1/2024
535	Susan	Detato		4/2/2024
536	Susan	Gordon		4/3/2024
537	Susan	Estes		4/3/2024

<b>Objection #</b>	<b>Contact First Name</b>	<b>Contact Last Name</b>	<b>Company Name</b>	<b>Date Submitted</b>
538	Susannah	Moyer		4/1/2024
539	Suzanne	Sweeney		3/30/2024
540	Sybil	Schlesinger		3/30/2024
541	Sydney	Pohl		3/11/2024
542	Teddy	Dugger		4/2/2024
543	Teresa	Garcia		4/3/2024
544	Terri	Prichard		3/8/2024
545	Terri	Gooch		3/15/2024
546	Terry	Jacobs		3/15/2024
547	Therese	Rocamora		3/22/2024
548	Thomas	Gutherie		3/21/2024
549	Thomas	Gorman		4/1/2024
550	Thomasin	Kellermann		3/30/2024
551	Tika	Bordelon		3/31/2024
552	Tim	Hanson		3/30/2024
553	Tim	Kotula		3/13/2024
554	Tim	Litch		3/19/2024
555	Tim	Hill		3/23/2024
556	Tim	Katz		3/30/2024
557	Tim	Fleischer		3/30/2024
558	tim	dudley		3/30/2024
559	Tim	Schmitt		4/1/2024
560	Tim and Abby	Mueller		4/1/2024
561	Tito	Galdo		4/1/2024
562	Tom	Sanchez		3/30/2024
563	Toni	Logan		3/30/2024
564	Tracey	Lauritzen		3/20/2024
565	Tracy	Ouellette		3/30/2024
566	Tracy	Feldman		3/30/2024
567	Tracy S	Troth		3/30/2024
568	Tristan	Schmid		3/31/2024
569	Ty	Fenton		3/23/2024
570	Tyson	Hall		2/27/2024
571	Veronica	Goins		3/28/2024
572	Vic	Bostock		3/30/2024
573	Vicki	Wheeler		3/30/2024
574	Victoria	Cooper		3/23/2024
575	Victoria	Fuller		3/30/2024
576	Victoria	Maxson		3/31/2024
577	Virginia	James		3/30/2024
578	Wally	Cantu		3/25/2024
579	Wayne	Grafel		3/30/2024
580	Wendy	Wyskiel		3/11/2024
581	Wendy	Weiner		3/14/2024
582	Wendy	Slavin		3/14/2024
583	Westley	Rupsis		3/25/2024
584	Whit	Willson		3/10/2024
585	William	Reich		3/30/2024
586	William	Frey		3/11/2024
587	William	Lucchetti		3/26/2024
588	William	Jacobs		3/28/2024
589	William	Stone		3/30/2024
590	William	Nelson		3/30/2024
591	William	Osmer		3/31/2024
592	William	Insley		4/1/2024
593	William	Crimbring		4/2/2024

<u>Support #</u>	<u>Contact First Name</u>	<u>Contact Last Name</u>	<u>Company Name</u>	<u>Date Submitted</u>
1	Christensen	Peter		4/2/2024
2	Cincilla	William		3/12/2024
3	Cooper	Jill		3/21/2024
4	Dixon	Diane		3/13/2024
5	Hite	Anne		3/18/2024
6	Hulse	Donald		4/1/2024
7	Mastin	Kevin		4/1/2024
8	McElroy	Shaun		3/11/2024
9	Miller	Tanya		4/2/2024
10	Molleur	Scott	Molleur Construction, Inc.	3/25/2024
11	Montera	Chuck		3/13/2024
12	Myklebust	Christen R		4/3/2024
13	Schreiber	Craig		4/2/2024
14	Silver	Douglas		3/14/2024
15	Slifka	Gary		3/21/2024
16	Tull	Hanna		4/3/2024
17	Ward	Kelly		4/2/2024
18	Winters	Richard		4/2/2024



## MEMORANDUM

To: Whom it May Concern

From: Division of Reclamation, Mining and Safety, Minerals Program

Date: October 2, 2001; Revised on October 19, 2001, August 2, 2004, January 12, 2006, and October 7, 2021

Re: **Guide to Public Participation in the 112 Reclamation Permit Application Process for Construction Materials and Hard Rock/Metal Mining Operations**

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Thank you for taking the time to be involved in the State of Colorado's process of reviewing applications for new mining operations or amendments to existing permits. The purpose of this memorandum is to explain the 112 reclamation permit application process for construction materials and hard rock/metal mining operations, your rights as either a party or a non-party, and the jurisdiction of the Mined Land Reclamation Board (MLRB or the Board).

### Background

Colorado's general assembly codified Colorado's Mined Land Reclamation Act (§ 34-32-101, C.R.S., *et seq.*) and the Land Reclamation Act for the Extraction of Construction Materials (§ 34-32.5-101, C.R.S., *et seq.*; together "Acts") to regulate mining operations in the state. The corresponding Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for Hard Rock, Metal, and Designated Mining Operations ("Hard Rock/Metal Mining") and Extraction of Construction Materials ("Construction Materials") were subsequently promulgated by the Mined Land Reclamation Board (2 C.C.R. 407-1 and 2 C.C.R. 407-4; together "Rules"). The Acts and Rules are available at: <https://drms.colorado.gov/rules-and-regulations>.

The Minerals Program of the Division of Reclamation, Mining and Safety (Division or DRMS) issues various types of mining permits, including for: 110 Limited Impact Operations, 110 Limited Impact Designated Mining Operations, 111 Special Operations, 112 Regular Operations, and 112 Regular Designated Mining Operations. All permit applications are available at: <https://drms.colorado.gov/forms/minerals-program-forms>. This document is focused solely on the application review process for 112 reclamation permit applications.

## **The Role of the Mined Land Reclamation Board**

Pursuant to the Acts, the Board has exclusive jurisdiction over the reclamation of a mining operation's affected lands. A reclamation permit establishes a post-mining land use for the affected lands. The post-mining land use may be for forest, rangeland, cropland, general agriculture, residential, recreational, industrial/commercial, developed water resources, or other "uses". Although the Board does not have jurisdiction over local land use decisions (e.g., visual impacts, economic impacts, noise, traffic), a permit Applicant must obtain all required permits, licenses, and approvals prior to conducting any mining operations. Local governmental entities have jurisdiction over their land use, zoning, and permitting processes. A reclamation permit Applicant may not be required to have all necessary approvals or permits from other agencies in place, including city and county zoning and land use permits, before a reclamation permit is issued.

The Board is a multi-interest citizen board which establishes the regulations, standards, and policies that guide the Division. Colorado's governor appoints five Board members from nominations submitted by each of the various constituencies represented, resulting in two members with substantial experience in the mining industry, two with substantial experience in conservation and environmental resources, and one with substantial experience in agriculture. A sixth Board member is the Executive Director of the Department of Natural Resources, or his/her appointee, and the seventh is a member of the State Soil Conservation Board. (§ 34-32-105, C.R.S.). The Board typically meets for one to two days every month. Some of the Board's responsibilities include: promulgating Rules that implement the Acts; issuing violations, civil penalties, and cease and desist orders; determining corrective actions for operators found in violation of the Acts and Rules; and conducting hearings regarding reclamation permit applications.

## **The Role of the Division**

Division staff specialize in numerous areas including geology, biology, wildlife management, range and soil science, engineering, hydrology, and chemistry. During the reclamation permit application process, the Division is responsible for ensuring that the contents of the application adequately address the requirements of the Acts and Rules. To monitor compliance with permit requirements, the Division conducts periodic inspections of all permitted mining, exploration, and prospecting operations in Colorado. If an operator fails to timely correct any compliance issues identified during an inspection, the Division may present the possible violations to the Board. The Division calculates the reclamation bond required for a proposed mining operation based on the operator's proposed reclamation plan. The bond is reassessed periodically throughout the life of mine to ensure it is sufficient for reclaiming the site in accordance with the approved plan. Where there is a written objection to a permit application or a request for reconsideration of a Board decision, the Division serves as staff to the Board. For 112 applications that receive no timely objections, or for which, all objecting parties withdraw prior to the scheduled Board Hearing, the Division is authorized to approve or deny the application without a hearing before the Board.

## **The Role of the Applicant**

During the reclamation permit application process, the Applicant has the burden of proving the application submitted to the Division meets all requirements of the Acts and Rules, including providing sufficient evidence that all required notices have been posted or delivered within the required timeframes.

Applicants for 112 Reclamation Permits or Amendments must place a copy of the application at the County Clerk or Recorder's office in the county containing the land to be affected by mining. The Applicant must notify the local Board of County Commissioners, the Board of Supervisors of the local Soil Conservation District, all surface and mineral rights owners of the affected lands, and all surface owners within 200 feet of the affected lands. The Applicant must also post signs at the proposed mine site and publish a public notice in a local newspaper of general circulation once a week for four consecutive weeks.

## **The Role of the Public Participant**

A person may participate in the Board Hearing process regarding a contested reclamation permit application as a party or a non-party. Pursuant to the Acts and Rules, a person may participate as a "party" if they:

- (1) Submit a written comment or objection to the Division not more than 20 calendar days after the last date for the newspaper publication of notice of the application. The comment or objection letter must include the person's: name, mailing address, telephone number, and an explanation of how they are directly and adversely affected or aggrieved by the proposed mining operation [see "party" definition in Construction Materials Rule 1.1(38) and Hard Rock/Metal Mining Rule 1.1(50)]. To ensure timely receipt, any comments or objections on an application should be submitted via our website at: [https://dnrlaserfiche.state.co.us/Forms/DRMS\\_Comment](https://dnrlaserfiche.state.co.us/Forms/DRMS_Comment); and
- (2) Attend the Pre-hearing Conference *or* provide a proxy authorization form (see attached Authorization to Appear on Behalf of a Party) to the Board's Pre-hearing Conference Officer on or before the date of the Pre-hearing Conference and the Party's authorized representative is present at the conference [pursuant to Rule 2.7.3(4)]. Any party may be represented by an attorney; and
- (3) Attend the Board Hearing.

A party may present evidence, call witnesses, and cross-examine witnesses during the Board Hearing on the application. A party also has the right to sue or be sued in district court on matters regarding the Board's decision on the application. For additional information regarding a party's rights and responsibilities, please refer to Rules 1.7, 2.6, 2.7, 2.8, and 2.9.



Per Rule 2.7.3(3), any person who is a party to a matter before the Board, and who wishes to withdraw as a party, must do so in writing prior to the commencement of, or on the record during, the Formal Board Hearing on the matter (see attached Party Status Withdrawal Form).

If you choose not to be a party, or to withdraw your party status, as a non-party, you may still address the Board on matters of concern during the public comment portion of the Board meeting. However, in this case, you will not preserve or be entitled to the rights of a party. In the event that all objecting parties withdraw prior to the Board Hearing, the Division is authorized to approve or deny the application without consideration by the Board. Thus, in this instance, there would be no opportunity for a non-party to provide public comment at a Board Hearing.

### **The Role of Other Governmental Agencies**

Once a reclamation permit application is received by the Division and considered “filed” (or “complete”), the Division sends a notice of the application to various local, state, and federal agencies. These governmental agencies may include: county commissioners, county planning and zoning departments, Colorado Parks and Wildlife, Colorado Department of Public Health and Environment, Colorado Division of Water Resources/Office of the State Engineer, local Conservation District(s), Colorado State Land Board, State Historic Preservation Office, U.S. Army Corps of Engineers, Colorado Oil and Gas Conservation Commission (for sites that overlap oil and gas facilities or are surrounded by oil and gas activity), Urban Drainage (for sites located within the 100 year floodplain in Adams, Arapahoe, Boulder, Denver, Douglas, or Jefferson County), U.S. Bureau of Land Management and/or U.S. Forest Service (for sites located on federal lands), and any municipalities located within 2 miles of the proposed affected lands. The Division’s review of the application may be coordinated with these and/or other governmental agencies as appropriate.

### **The 112 Reclamation Permit Application Process**

Completeness Review: Upon receipt of an application, the Division first determines whether it contains sufficient information for it to be considered “filed” (or “complete”), as defined by Construction Materials Rule 1.1(23) and Hard Rock/Metal Mining Rule 1.1(27).

Adequacy Review: Once a 112 reclamation permit application is considered filed, the Division has 90 days to complete its adequacy review of the application and to make its decision to approve, approve with conditions, or deny the application. During the adequacy review process, the Division evaluates each exhibit in the application to verify that it meets all applicable requirements of the Acts and Rules (exhibit requirements are outlined in Rule 6). If the Division determines an exhibit is inadequate, it will send an adequacy review letter to the Applicant identifying the deficiencies. The Applicant must address all deficiencies in the application to the satisfaction of the Division in order for the application to be approved. The 90-day application review period may be extended at the request of the Applicant, not to exceed 365 days from the date the application was filed, in order to provide the necessary information to meet the adequacy requirements. The 90-day application review period may also be extended by the Division in accordance with Rule 1.4.1(7) in the case of “complex” applications, serious unforeseen circumstances, or significant snow cover on the affected land that

prevents a necessary on-site inspection, or Rule 1.4.1(13) where the Applicant failed to publish the public notice pursuant to Rule 1.6.2(1)(d). If the Division's review period is extended, the decision date on the application is reset.

If no timely objections are received on a 112 reclamation permit application, the Division will make the decision to approve, approve with conditions, or deny an application on or before the decision date.

If timely objections are received on a 112 reclamation permit application, the Division will schedule the matter for a formal Board Hearing, during which, the Board will make the final decision on the application. In this case, on or before the application decision date, the Division will make a recommendation to the Board on whether to approve or deny the application. Such recommendation shall identify the issues raised by the Division or by timely objectors. The Division's recommendation and rationale for approval or denial shall be sent to all parties at least 3 working days prior to the Pre-hearing Conference.

While a reclamation permit application may be *approved* by the Division or the Board, the permit is not issued until the required performance and financial warranties are received.

Pre-hearing Conference: A Pre-hearing Conference is held after the Division has issued its recommendation and rationale on the application, and at least 10 calendar days prior to the Board Hearing. Persons seeking to participate in the hearing process are encouraged to review Rules 2.6, 2.7, and 2.8 prior to the Pre-hearing Conference. The purpose of the Pre-hearing Conference, which is held by a Pre-hearing Conference Officer ("PHCO") delegated by the Board, is to explain the Division's application review and Board Hearing processes, identify issues raised that are within and outside of the Board's jurisdiction, and recognize the parties. Following the Pre-hearing Conference, the PHCO drafts a proposed Pre-hearing Order for the Board to consider at the hearing. The PHCO's proposed Order recommends a list of parties, identifies issues within the Board's jurisdiction to be considered at the Board Hearing, and proposes a hearing schedule with time allotments (the Board may adopt this Order as drafted or amend it). *Please note that parties are required to present their list of all potential witnesses and exhibits at the Pre-hearing Conference in accordance with Rule 2.6(2).*

Board Hearing: The Division shall provide all parties to an application at least 30 days written notice of the Board Hearing date. During the hearing, the Board will consider all of the evidence presented, deliberate on the issues, and vote on whether to approve the reclamation permit application. Subsequently, the Board's written decision, in the form of a Board Order, will be sent to all parties that participated in the hearing. Any decision by the Board is considered final agency action for purposes of appeal.

**Helpful Weblinks:**

Colorado Division of Reclamation, Mining and Safety homepage: <https://drms.colorado.gov>

The Acts and Rules for Construction Materials and Hard Rock/Metal Mining operations are available at: <https://drms.colorado.gov/rules-and-regulations>.

A list of permitting actions currently under review is available at:  
<https://drms.colorado.gov/information/permitting-actions-currently-under-review>.

Comments or objections on an application under review can be submitted at:  
[https://dnrlaserfiche.state.co.us/Forms/DRMS\\_Comment](https://dnrlaserfiche.state.co.us/Forms/DRMS_Comment).

All (non-confidential) permit files are available for public review through our online imaged document system (called Laserfiche) at: <https://dnrweblink.state.co.us/drms/search.aspx>. A Laserfiche User Guide is available at: [https://drive.google.com/file/d/1l8OUdf\\_Mpjo3kxIHkP5hMH-w7MeBtxX7/view](https://drive.google.com/file/d/1l8OUdf_Mpjo3kxIHkP5hMH-w7MeBtxX7/view).

This guidance document as well as the attached Proxy Authorization and Party Status Withdrawal forms are available on our website (under the section labeled “Information”) at:  
<https://drms.colorado.gov/forms/minerals-program-forms>.

# AUTHORIZATION TO APPEAR ON BEHALF OF A PARTY

(Please Type or Print the Requested Information)

SIGNATURES MUST BE IN BLUE INK

I \_\_\_\_\_,  
(person's name) (title, if applicable)

of \_\_\_\_\_ (name of company, association, organization,  
etc., if applicable)

hereby delegate to \_\_\_\_\_,  
(person or entity's name)

the right to appear on behalf of \_\_\_\_\_  
(person, company, association, organization, etc.)  
at the Pre-hearing Conference.

SIGNED AND DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_ If corporate attest (seal)  
Authorized Signature (must be signed in blue ink)

Title: \_\_\_\_\_

State of \_\_\_\_\_ )

)

County of \_\_\_\_\_ )

The forgoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_  
\_\_\_\_\_ by \_\_\_\_\_ as \_\_\_\_\_ of \_\_\_\_\_.

\_\_\_\_\_

Notary Public

My commission expires: \_\_\_\_\_

SIGNATURES MUST BE IN BLUE INK

# PARTY STATUS WITHDRAWAL FORM

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Signature \_\_\_\_\_