

6.3.6 EXHIBIT F

List of Other Permits and Licenses Required

All additional required permits will be provided to DRMS upon receipt by the applicant.

Permit	Issuing Entity	Issued Date	Status
Access/Driveway/Culvert	Gilpin Public Works	11/14/2024	Issued, included
1041 Special Use	Gilpin County	--	Approved w/conditions
Road/Site Grading	Gilpin County	03/10/2025	Issued, included
Stormwater/Discharge	CDPHE	N/A	See included comments

After conferring with Gilpin County a stormwater construction permit was determined not to be a requirement as the total planned surface disturbance is less than 1.0 acres. No other permits other than those listed herein are determined to be a requirement.

Upon further review with DRMS, it was determined further investigation into whether a stormwater or other permit through CDPHE would be required. The applicant conferred with Emily Mortazavi, a Work Group Lead in the Permits Section of Industrial & Natural Resource Extraction Permitting Unit within CDPHE. She informed the applicant *“site will be running a Zero Liquid Discharge (ZLD) system with no potential for process water to discharge. If that is the case, the site would not require a discharge permit for process water”..... “if all runoff from the mine site (including all disturbed areas, roads, road ditch lines, berm outslopes, etc) is retained on site, stormwater discharge permit coverage is not required.”* The email correspondence with the applicant and Ms. Mortazavi is included in this exhibit.

As it relates to this project, the applicant understands that if conditions/methods on the project change such that a stormwater discharge permit is required, the applicant/owner/operator must apply for stormwater discharge permit coverage at least 30 days prior to any discharge.

Access/Driveway/Culvert Permit from Gilpin County Public Works expired on March 14th, 2025. We requested a date extension on this permit, but the Public Works computer system wouldn't let them amend the dates for an already issued permit (see included comments from Public Works).

Regarding the 1041 Special Use Permit, Gilpin County Board of County Commissioners held a hearing on Tuesday, April 22nd at 9:30am and unanimously approved our local permit with the conditions recommended by County staff. The applicant received a recommendation to “approve the 1041 permit with conditions” from the Community Development office and a third-party consultant who together reviewed our project and application materials. That email, with conditions is included in this exhibit.



GILPIN COUNTY PUBLIC WORKS DEPARTMENT
255 Braecher Park Road, Black Hawk, Colorado, 80422
303-582-5004 gcroads@gilpincounty.org

DRIVEWAY ACCESS PERMIT

Applicant is free to begin work at the below referenced address. Permit expires in 120 days. Final inspection must be completed within 120 days of permit issuance.

Permit Number: DW-24-28
Description of Work:
Property Account #: N0019131
Project Location: S: 14 T: 3S R: 73W MINE: EAST LEAVENWORTH - 539 100% ownership 3.93 ACRES
Property Owner:
Mailing Address:

Permit issued this 14 day of November in the year 2024 by:
This permit will expire March 14, 2025

Print: Craig Connell

Sign

Gilpin County Public Works
Right of Way Specialist

✔ **Permit Issued**

🕒 **Final Inspection**

Issue Certificate of Completion



Greg Smith

Mar 10, 2025 at 1:29 pm

Gotcha, thanks for the clarification. I'll let you know when we're ready for inspection.



Andy Decker

Mar 10, 2025 at 1:06 pm

Hi Greg,
I can reissue the permit, but our software doesn't allow me to select a date. I just used the reissue function, and the new permit still expires 3/14/25. Let me know when you're ready for Final Inspection and I'll straighten out the dates before approving in our system.
Andy



Greg Smith

Mar 10, 2025 at 12:57 pm

Hi Andy, are you able to extend this permit to May 30th, 2025? I just received our road/grading permit from the County today and anticipate work to begin on the driveway in the next 1-3 weeks, pending contractor availability.

Staff recommending permit conditions



Inbox x



Torie Jarvis

to me, Robert ▾

Apr 16, 2025, 10:42 AM (2 days ago)



Hi Greg,

Staff is finishing up its staff report, which includes a recommendation. Staff is recommending, based on your application, that the BOCC approve your project with several conditions that ensure all the review criteria are satisfied.

Rob will be sending the hearing packet, including the staff report, shortly.



Torie Jarvis

to Harold, me, Robert ▾

Apr 16, 2025, 3:22 PM (2 days ago)



Hi Greg,

Thanks for the swift response.

And for connecting the dots between me and Rob that the grading permit has been issued. We'll make sure the staff report is updated accordingly and have deleted that condition.

As to your comments on the haul route. We edited the language to include your first sentence. The second sentence isn't appropriate to be included in your permit but it's absolutely implied and is the intent of the County that you should only be liable for excessive damage, should any occur. There is a good chance that nothing will come of these provisions, which is great for the County and for you all.

We are updating Condition 3 (old Condition 4) to read: "The Applicant shall be responsible for all costs associated with excessive damage along proposed haul routes determined to be a direct result of hauling operations related to the Project." Condition 4(b) was repetitive and has been deleted.

NEW VERSION OF CONDITIONS:

1. The Applicant shall submit the final DRMS (State of Colorado Division of Mining, Reclamation, and Safety) Reclamation Permit to the County Manager before initiating operation of the Project. Before submission of the DRMS permit to the County Manager, the Applicant may conduct surface disturbance for construction of road/driveway in compliance with County grading permit and may install the temporary structure. The Applicant may not disturb tailing piles or haul any materials before submitting the final DRMS Reclamation Permit to the County Manager.
2. Construction and operation of the Project shall be limited to the hours of 7 AM to 5 PM on Monday through Friday. High-noise operations and heavy vehicle traffic shall avoid dusk and dawn time periods to the extent feasible.
3. The Applicant shall be responsible for all costs associated with excessive damage along proposed haul routes determined to be a direct result of hauling operations related to the Project.
 - a. Before hauling commences on site, Applicant will provide the County with a list of proposed haul routes, as negotiated with the contract haulers, and have a pre-haul inspection with the Public Works Department. The notification shall include the route, number of vehicles, approximate maximum weight to be hauled, and other information as requested by the county to inform the location of and potential impact to proposed haul routes.
 - b. A post-hauling inspection of the proposed haul route(s) is required. Contact the County Manager and Public Works Department to schedule an inspection.
 - c. Gilpin County does not guarantee that any identified haul route is acceptable to the contractor and is not responsible for any road improvements to accommodate the Project.
 - d. Any roadway not deemed a public road shall be the responsibility of the applicant to secure legal access.
 - e. Access to the Central City Parkway shall require a separate permit from the City of Central.
4. The Applicant shall comply with all plans and reports in the Application, which are incorporated by reference, including namely the Natural Hazard Mitigation Plan (Section 5.12.3. of Application) and Erosion and Sediment Control Plan (5.25 of Application).

Torie Jarvis

Sullivan Green Seavy Jarvis LLC

(she, her, hers)

torie@sullivangreenseavy.com

cell: 970-596-5039 (call or text)

GRADING PERMIT

Gilpin County

Department of Community Development



Permit Number:	GRD-24-5
Permit Issued On:	March 10, 2025
Permit Expires On:	March 10, 2026

Project Address:	0 NO STREET, CO, 00000
Parcel AAN:	N009131
Permit Applicant:	Greg Smith
Property Owner (if not applicant):	Russell Gulch LLC
Work Conducted by:	Property Owner
Contractor Name:	
Contractor Phone:	
Project Description:	
Vacant Land?	Yes, there are no structures on the land.
Total Area of Disturbance:	27,400 sq.ft.
Total Fill or Excavation:	600 cubic yards

In consideration of the issuance of this permit, the undersigned hereby agrees to comply with all state and local regulations for land alteration.

Greg Smith

Name (Print)

—

Owner/Authorized Agent Signature
(Applicant)

March 10, 2025

Date

March 10, 2025

Rob Gutierrez
Director of Community Development

Date

THIS PERMIT MUST BE PROMINENTLY DISPLAYED ONSITE.

(303)582-5831 | PO BOX 661 | 203 EUREKA ST CENTRAL CITY, CO 80427





Greg Smith <gregorydavidsmith@gmail.com>

Re: Permit for Russel Gulch

Mortazavi - CDPHE, Emily <emily.mortazavi@state.co.us>
To: Harold Lesser <jaymrdr@gmail.com>, gregorydavidsmith@gmail.com

Mon, Apr 28, 2025 at 12:40 PM

Hello Harold,

This email is to follow up on our call this morning. As I stated there are no acreage exemptions for mining sites. Currently the Water Quality Control Division's (Division) is not authorizing certification under any general permit that would cover the mining activity at the site site.

It is my understand site will be running a Zero Liquid Discharge (ZLD) system with no potential for process water to discharge. If that is the case, the site would not require a discharge permit for process water. **If there is potential the stormwater to discharge offsite, a hard rocking mining individual permit for stormwater is required.** The application for that permit can be found here: <https://cdphe.colorado.gov/wq-commerce-and-industry-permitting>. Please be sure to include accurate, detailed and clear maps of the site per the requirements of items 9, 10 and 20 in the application, as well as any representative water quality data of the stormwater discharge (item 24).

You may also configure your site to have no potential to discharge stormwater from the mining activities. The following discussion provides the Division expectations with respect to facilities that have no potential to discharge stormwater from their mining activities, within a discharge permit context.

In accordance with the Colorado Water Quality Control Act (the CWQCA) and 5 CCR 1002-61 (Regulation No. 61 - Colorado Discharge Permit System Regulations), the requirement to obtain stormwater discharge permit coverage applies to stormwater discharges from specific mining activities, to surface waters of the State.

For a metal mine facility (SIC code 10), stormwater discharge permit coverage is required for stormwater runoff that contacts overburden, historic waste rock, raw material (including reclaimed material to be processed or processed for gold/silver), intermediate or finished product, by products or waste products located at the facility. Please note that this description includes stormwater runoff from immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility, among other pollutant sources such as the out-slopes of any unstabilized berms on the perimeter of the facility. Also, if any pre-mine law material is disturbed and results in a discharge as described above, a discharge permit from the WQCD is required.

However, if all runoff from the mine site (including all disturbed areas, roads, road ditch lines, berm outslopes, etc) is retained on site, stormwater discharge permit coverage is not required. The CWQCA does not establish a threshold to aid the facility owner/operator in making the determination that stormwater does not discharge from the facility (e.g., a 100-year storm event); therefore, the facility owner/operator must make this determination. Typically, the appropriateness of a 'no potential to discharge' claim is based on such factors as site topography and hydrology, and the implementation of engineered structures to direct and retain stormwater on the facility.

Note that the division does not review or approve any engineered structures implemented to prevent a discharge from the facility to surface water. It is up to the applicant to make the 'no discharge' determination.

Note that discharging stormwater from the facility once mining activity has started, without the required stormwater discharge permit coverage, is a violation of the CWQCA and may be subject to enforcement action by the Division. If conditions at the facility change such that a stormwater discharge permit is required, the owner/operator must apply for stormwater discharge permit coverage at least 30 days prior to any discharge.

Best,
Emily

Emily Mortazavi

Preferred pronouns: she/her/hers

Work Group Lead

Industrial & Natural Resource Extraction Permitting Unit - Permits Section

Office hours: Mon -Th 7:30AM to 4:30 PM; Fri 8:00am-12:00pm

(303)692-3685

emily.mortazavi@state.co.us

4300 Cherry Creek Drive South, Denver, CO 80246

www.colorado.gov/cdphe/wqcd

24-hr Environmental Release/Incident Report Line: 1.877.518.5608

[Quoted text hidden]