

STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY

Department of Natural Resources

1313 Sherman St., Room 215

Denver, Colorado 80203

Phone: (303) 866-3567

FAX: (303) 832-8106



August 17, 2012

John W. Hickenlooper
Governor

Mike King
Executive Director

Loretta E. Pineda
Director

Notice to Parties to the Animas Glacier Gravel Permit Application

Re: Animas Glacier Gravel (AGG), File No. M-2011-028, Proposed Permit Approval with Stipulation and Party Status - Revised

To Whom it May Concern:

Relative to the informal hearing held on August 15, 2012, the Division of Reclamation, Mining, and Safety (Division) is proposing the approval of the application for the Animas Glacier Gravel (AGG) with the following stipulation:

The operator will be required to submit a Technical Revision to address the final design plans for the potential effects related to storm water detention and release and run off as it pertains to discharge restrictions and impacts to the drop structure in Basin Creek. Approval of the Technical Revision and, per the Rules, all other applicable state, local and federal permits must be in place prior to any mining-related excavation at the site.

The approval of the permit application with this stipulation will allow the operator to commence installation of the access road, provided all other applicable state, local and federal permits are in place, including the required construction storm water permit from CDPHE. This approval, however, does not give the operator permission to perform any excavation relative to mining until the technical revision process is completed.

As part of this technical revision, the current parties to the application will be notified upon submittal of the technical revision materials. The current parties will have the opportunity to provide input regarding the final designs within a reasonable time frame. Any decision by the Division may be appealed to the Mined Land Reclamation Board for a hearing if a party is not satisfied with the manner in which the operator and Division have addressed the concerns relative to the stipulation.

In that the concerns voiced by your agency will be addressed through the above process, please sign below to indicate that you and your agency are withdrawing party status relative to the approval of the permit with the above stipulation. Please return the signed document to Kate Pickford, DRMS, 691 CR 233, Ste., A-2, Durango, CO, 81303 before August 28th, 2012.

Victoria L Schmitt

Printed Name

Victoria L Schmitt

Signature

La Plata County

Agency

Planning Engineer

Title

CERTIFICATE OF SERVICE

I, Kate Pickford, hereby certify that on this 17th day of August, 2012, I deposited a true copy of the foregoing Animas Glacier Gravel (AGG), File No. M-2011-028, Proposed Permit Approval with Stipulation and Party Status - Revised in the United States Mail, postage paid, addressed to the following:

Victoria Schmitt
La Plata County Planning Department
1060 E. 2nd Ave.
Durango, CO 81301

Russell D. Howard
Animas-La Plata Operation, Maintenance and Replacement Assoc.
103 Everette Street
Durango, CO 81303

Tyler Artichoker
Western Colorado Area Office
835 E. Second Ave., Ste 300
Durango, CO 81301



Signature