

SAVE OUR SOUTH PARK WATER 08

Good afternoon:

There have now been 3 "stakeholder" meetings concerning rule making for implementation of HB 1161 and SB 228. These are being conducted by the Colorado Department of Natural Resources, Division of Mined Land Reclamation and Safety. These are not formal hearings, but testimony and submissions by interested parties to DNR/MLRS staff. Presumably staff will prepare their recommendations for submission to the Mined Land Reclamation Board when they hold their formal rule making hearings some time late this fall.

However, things are not going all that well for us. The mining industry is pulling out the stops in terms of what they are proposing to circumvent the legislation we worked so hard to see adopted. Nothing new here. We must rededicate ourselves to seeing this process through to protect our homes and property.

I hope to provide you with a written substantive analysis of what has transpired to date in the near future. We are working closely with Jeff Parsons, Senior Attorney, Western Mining Action Project throughout this process and hope to provide you with his thoughts on where we stand. We have committed to provide WMAP with up to \$1000 of our existing \$1280 bank balance to help with expert witness fees and other related expenses.

The next meeting at DNR is scheduled for Thursday, July 30 from 1-4 pm in room 318 of 1313 Sherman St., just south of the State Capitol. Live audio feed of the meeting is available via the internet, the link will be posted on July 30 on www.mining.state.co.us

. Proposed rules and submissions are available at www.mining.state.co.us/Rulemaking.htm

In general, the mining industry is asking for a narrow interpretation of the revised prospecting provisions of SB 228. This would once again keep all of their application process away from public comment until the DNR/DMLRS is ready to issue a permit. This defeats the entire purpose of the public notice provisions of claims "prospecting" and claims staking that were adopted by the 2008 legislature. DNR announced their intention to deny formal public comment periods and administrative appeals for all prospecting and explorations permits.

In my judgment, the real guts of HB 1161 concern the process which companies will have to follow in establishing baseline ground water quality prior to ore body characterization for ISL mines. Including independent "best science and technology" reviews. The industry is asking that public comment and review not be allowed until these processes are complete. This is totally contrary to what we worked for since the mining company will have sole access to what they actually found during the characterization process. This is a major problem for us.

There are some encouraging developments to report on the federal level. Sen. Jeff Bingham is proposing amendments to the 1872 Mining Law along the lines of those adopted by the US House of Representative last year. In addition, amendments are being prepared to make the filing of mining claims follow the same process as oil and gas leases on federal lands. This would be a massive step in the right direction to establish transparency for the public and to force mining companies to pay their fair share for the public domain. I would like to encourage you to go to the Theodore Roosevelt Conservation Partnership www.trcp.org

for complete information on this and other important natural resource issues. I have been a member of this outstanding organization for years. They are one of the few who truly represent the interests of us who hunt and fish on public land.

Lastly, I would like to get a feel for interest in holding a SOSPW08 meeting in Hartsel on Labor Day (Sept. 7) weekend. We could have a comprehensive update on rule making and work out our strategy for testimony and lobbying the Mined Land Rec. Board and the Governor's office. This is going to be a battle so we must be prepared!

I haven't heard anything new on the El Paso gas well proposal but have seen their location signs on state and BLM land over in Playa country east of Reinecker Ridge. Looks like they will be building their roads through the State Wildlife area. This is a very unique area for elk hunting, not another like it with public access within 100 miles of metro Denver. Take my word for it from long experience, enjoy it now because when El Paso gets started the elk will be gone.

Sue and I went in and met with the Assessor's Office staff about our property tax valuation. They refuse to acknowledge that the mining claims staked last summer and the New Horizon mine proposal had any adverse effect on property values. Unbelievable!

Best regards,

Doran