AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Ratification of BOCC Chair Sign.; Sunset Roadless

Action Requested: Other Ratify Letter Signed on 7-13-2020

Parties to the Agreement:

Term Begins: **Term Ends:** **Grant Contract #:**

Summary:

Board Ratification of Letter signed July 13, 2020

Fiscal Impact:

Submitted by: Lauren Hibbard **Submitter's Email Address:** lhibbard@gunnisoncounty.org

Finance Review: ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date:

County Attorney Review: ○ Required ◉ Not Required

Comments:

Reveiwed by: Discharge Date: Certificate of Insurance Required

Yes ○ No ○

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\emense Discharge Date: 7/17/2020

◉ Consent Agenda ○ Regular Agenda ○ Worksession Time Allotted: 0

Agenda Date: 7/21/2020

Revised April 2015

Gunnison County
COLORADO

Gunnison County Board of County Commissioners
Phone: (970) 641–0248 • Fax: (970) 641–3061
Email: bocc@gunnisoncounty.org • www.GunnisonCounty.org

July 13, 2020

Colorado Mined Land Reclamation Board

Ginny Brannon, Director

Colorado Division of Reclamation, Mining and Safety

1313 Sherman Street

Denver, Colorado 80203

Ginny.brannon@state.co.us

cc: chad.stewart@usda.gov

Re: Sunset Roadless Area; Gunnison National Forest

Dear Board and Ms. Brannon,

The Board of County Commissioners of Gunnison County, Colorado provides this correspondence regarding the construction by Mountain Coal Company of approximately one mile of new road and two new methane well pads in the Sunset Roadless Area of the Gunnison National Forest. This work was performed in spite of a ruling from the 10th Circuit Court of Appeals vacating the North Fork Exception from the Roadless Rule that applies to the Sunset Roadless Area.

The Board of County Commissioners understands that the Division of Reclamation, Mining and Safety (DRMS) issued a cessation order on June 18, 2020 requiring Mountain Coal to stop surface disturbance activities in the Sunset Roadless Area immediately. And that this cessation order is being appealed to the Colorado Mined Land Reclamation Board.

While the Board of County Commissioners has regulated and has generally been supportive for many years of legal mineral extraction and oil and gas operations on federal lands

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in the North Fork of the Gunnison River, the Board of County Commissioners does not condone activity found to be illegal by the 10th Circuit Court of Appeals.

The Board of County Commissioners also understands that there is further and on-going litigation in the United States District Court for the District of Colorado on this matter.

The Board of County Commissioners respectfully requests that DRMS keep the cessation order in place unless or until the disturbed area is reclaimed, the federal court determines that the work is authorized in the Sunset Roadless area, and Mountain Coal has obtained a legal right of entry, consistent with all applicable regulatory requirements.

Respectfully,

Jonathan Houck
Chairperson
Board of County Commissioners
200 E. Virginia Ave.
Gunnison, Colorado 81230

200 East Virginia Avenue • Gunnison, CO 81230