



Application for Improvement Permit

*** Please also see the included Supplement to Application for Improvement and Land Use Permits ***

Applicant	Name	Joy Global Underground Mining LLC f/k/a Joy Manufacturing Co.		APPROVAL CHECKLIST		Initial	Date
	Address	40 Pennwood Place, Ste. 100, Warrendale, PA 15086		Land Use Administrator			
		Eileen Sisca, Deputy General Counsel (724)779-4568 (o)/(724)759-9985 (c)Phone		Ownership of Surface See Exhibit A, property deed.			
Owner	Name	Joy Global Underground Mining LLC f/k/a Joy Manufacturing Co.		Ownership of Minerals See Exhibit A, property deed.			
	Address	40 Pennwood Place, Ste. 100, Warrendale, PA 15086		Vicinity Map See Exhibit D.			
		Eileen Sisca, Deputy General Counsel (724)779-4568 (o)/(724)759-9985 (c)Phone		Certified Survey Plat See Exhibit E.			
Contractor	Name	Geo Resource Associates, LLC		Monumentation See Exhibit E.			
	Address	264 Liberty Boulevard, Canonsburg, PA 15317		Basic Plan Map See Exhibits D & E.			
		(724)344-9410 Phone		Plans and Drawings Not Applicable. No construction proposed.			
Legal Description of Property:				Road System Relationship See Exhibit F.			
<div>U.S. Survey 20726, see property deed, Attachment A.</div> <div></div> <div>Township 42 N, Range 7W, Section 21</div>				Zoning Compatibility Not Applicable. No construction proposed.			
				State Mining Permit Not Applicable.			
				Owner Notification Applicant is owner			
				Avalanche Hazard Not Applicable. No construction proposed.			
				Geologic Hazard None present.			
				Floodplain Hazard None present.			
				Wildfire Hazard See Exhibit G-1			
				Mineral Resource Impact None present.			
Nature of Improvement Planned:				Wildlife Impact None present.			
<div>Demolish precarious remaining structure of dilapidated former mill to eliminate ongoing public safety risk to passersby due to accidents, with restoration of site to approximate original contours and re-vegetation. The mill is located immediately adjacent to the USEPA water treatment plant, associated settling ponds and sludge staging areas, and ancillary equipment for discharge from the Gold King Mine. Structures relating to the former Gold King Mine complex have already been removed. The treatment plant facility has a very industrial appearance (see photos in Exhibit B) that is not consistent with the natural or scenic environment. An asbestos survey of the site indicates no asbestos-containing material (ACM) to be present on the remaining structure or the current debris pile. See Attachment C, asbestos survey report. The project will result in the removal of the remaining structure and all debris in a controlled manner and in accordance with applicable regulations, rules, and guidance, with disposal at appropriately-permitted facilities.</div>				Historic Site Impact See Exhibit G-2			
				Watershed Gearance Not Applicable.			
				County Building Inspector			
				Full Building Permit application w/all Exhibits provided under separate cover.			
				State Electrical Inspector Not Applicable. No construction proposed.			
				Electrical Permit Not Applicable. No construction proposed.			
Land Use Zone: Mountain Zone/Historic Preservation District				San Juan Basin Health Unit Not Applicable. No construction proposed.			
Applicant Signature 				Sewage Disposal: Test			
				Design			
				Central Sewage Collection			
Date Application Requested		7/29/2025	State Division of Water Resources Not Applicable. No construction proposed.				
Date Submitted for Permit		8/29/2025	Adequate Water Source				
Date Permit Issued			Well Permit				
Date Permit Denied			Central Water Distribution				
Reason for Denial			U.S. Forest Service/BLM Not Applicable. Site access is directly from County roads.				
			Access Approval				
			State Division of Highways Not Applicable. No construction proposed.				
			Driveway Permit				
Receipt	FEE PAYMENT		Amount	Date			
	Application	\$840					
	Building Permit						
	Subdivision/PUD				Subdivision Variance		
	Hearing Notice				Subdivision Approval		
PUD Approval							

SAN JUAN COUNTY

SUPPLEMENT TO APPLICATION FOR IMPROVEMENT AND LAND USE PERMITS

(Attach additional sheets as necessary)

County Land Use Regulations, the County Master Plan and relevant forms may be found on the County website: <http://www.sanjuancountycolorado.us/planning>

NOTE: THIS CHECK LIST HAS BEEN PREPARED TO MAKE IT EASIER FOR APPLICANTS FOR LAND USE PERMITS TO DETERMINE WHAT IS REQUIRED BY SAN JUAN COUNTY FOR LAND USE APPROVAL. IF YOU DON'T THINK YOU CAN COMPLETE IT, CONSIDER HIRING A PROFESSIONAL TO ASSIST YOU. SEVERAL PROFESSIONALS ARE AVAILABLE IN SILVERTON OR ELSEWHERE WHO ARE FAMILIAR WITH THE COUNTY LAND USE CODE AND MIGHT BE ABLE TO ASSIST YOU IN COMPLETING YOUR APPLICATION. THE COUNTY PLANNER CANNOT COMPLETE THIS CHECK LIST FOR YOU!

See Section 3-102 for a preliminary list of information required for all improvement and use permit applications.

NOTE: NO LAND USE OR IMPROVEMENT PERMIT APPLICATION WILL BE REVIEWED BY THE SAN JUAN COUNTY PLANNING COMMISSION OR BOARD OF COUNTY COMMISSIONERS UNTIL THE LAND USE ADMINISTRATOR HAS CERTIFIED THAT THE APPLICATION IS COMPLETE AND CONTAINS ALL REQUIRED INFORMATION.

1. A. Names/Addresses/telephone numbers/email addresses of all Owners of any interest in Property and a description of their interest (fractional ownership, mineral interests, easements, etc.) Joy Global Underground Mining LLC f/k/a Joy Manufacturing Co.

40 Pennwood Place, Ste. 100, Warrendale, PA 15086

Attention: Eileen Sisca, Deputy General Counsel

(724)779-4568(o)/(724)759-9985(c) eileen.sisca@global.komatsu

B. Property Description/location/size (3-102.3): Lead Carbonate Mill Claim, 4.435 acres, U.S. Survey 20726

T42N R7W Sec. 21 at the intersection of County Roads 110, 51 & 52 in the area known as Gladstone

- Proof of ownership or consent of all owners of any interest in the land (3-102.2)?
☒ Y ☐ N Property deed provided as Exhibit A, L.C.M. Millsite, Survey #20726

- Proof of legal and adequate access for maximum use of proposed development and provision of emergency services consistent with the proposed use? (3-102.2, 3-102.12, 3-102.13, 4-103.3(f)) ☐ Y ☐ N

Demolition of dilapidated structure. No development proposed. Local emergency services to be notified prior to start.
☐ federal access permit if access is across federal land (3-102.13, 4-103.3(f)(ii))

Federal land access not required.

☐ Easement if access is across private property owned by others (4-103.3(f)(ii))
Not applicable.

☐ County driveway permit if access is from adjacent County road or if access requires new intersection with or change to any County road (3-102.12)
Not applicable. Project does not involve construction.

☐ State driveway permit if access is from adjacent State highway (3-102.12)
Not applicable. Project location not accessed from State highway and does not involve construction.

☐ Road Use and Maintenance Agreement if multiple properties accessed from a private road (3-1-2.13, 4-103.3(f)(ii))
Not applicable.

How does the applicant propose to get to and from the state highway system?
Via County Road 110.

C. What is the proposed improvement or use? Demolition of dilapidated structure to address public safety concerns.

D. Name and contact info for any contractor who will be working on the project.

Geo Resource Associates, LLC, 264 Liberty Blvd., Canonsburg, PA 15317 - Bob Fargo (724)344-9410

Envirotech, Inc. 5796 U.S. Highway 64, Farmington, NM 87401 - John De Anda (505)632-0615

E. Are there any existing structures or other improvements on the Property? ☒ Y ☐ N
If yes, describe them in detail including nature or type of improvement, location, etc. and provide photographs of all such improvements. _____

Dilapidated former mill structure, located on the Lead Carbonate Mill claim. Structure is readily accessible to the public from adjacent County Roads 110, 51, and 52. Structure has partially collapsed previously, resulting in assorted dangerous debris. Remaining structure is precarious and poses significant safety risk to passersby who may attempt to access the property and/or structure from. See attached survey as Exhibit E and photographs in Exhibit B.

F. Are there any historic structures, sites or artifacts known on the property? ☒ Y ☐ N
If so, describe them in detail including nature or type, location, etc. and provide photographs of all such structures, sites and known artifacts. See Section 1.E. above.

G. Are all property taxes assessed against the property fully paid up (2-105.5, 3-102.18)
☒ Y ☐ N If the Answer is NO, the application cannot be processed until all taxes are fully paid.

2. Applicable Land Use Zone: Mountain Zone/Historic Preservation District; elevation of property? +/- 10,600'

A. Is the proposed use consistent with the intent of the applicable zone as stated in the Code (see section 1-106.1 for statement of intent for each zone)? ☒ Y ☐ N

The current condition of the property does not represent a "scenic characteristic", but poses a significant safety hazard. See Exhibit B.

B. Is proposed development consistent with applicable zone regulations re density, minimum parcel size, setbacks (see 1-113)? ☐ Y ☐ N

Not applicable. No development proposed.

C. If the proposed use is in the Mountain Zone (see 1-106.1):

- Does the proposed use adversely affect natural and scenic environment? If so, how? _____

The mill is located immediately adjacent to the USEPA water treatment plant, associated settling ponds and sludge staging areas, and ancillary equipment for discharge from the Gold King Mine. Structures relating to the former Gold King Mine complex have already been removed. The treatment plant facility has a very industrial appearance (see photos in Exhibit B) that is not consistent with the natural or scenic environment. The proposed project will eliminate an unsightly pile of debris from previous partial collapse of the mill structure and address significant safety risk for passersby who may attempt to access the property or structure. The proposed project will result in the removal of all material from the site in a controlled manner, in compliance with applicable rules, regulations, and guidance, and with disposal at a properly-permitted facility.

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- Is the proposed use consistent with seasonal access? ☒Y ☐N

The location is accessible year-round. As such, the public safety risk is present year-round, but would be eliminated by the proposed project.

- Is it within the alpine tundra ecosystem (see 1-107.1)? ☐Y ☒N Note: Residential development is prohibited within any alpine tundra ecosystem.
- Is the applicant or any related person or entity the owner of any existing residence in the Mountain Zone? ☐Y ☒N If so, what existing property?

Note: Under 1-107.1, if an applicant has an existing residential property in the Mountain Zone, any land use application cannot be processed as a use subject to review but must be reviewed using the criteria of the subdivision regulations in Chapter 7.

D. If the proposed development is at or above 11,000 feet elevation, does it meet the limitations on square footage (4-110.20)? The project site is at an elevation of +/-10,600'.

E. Is the proposed use a vacation rental? ☐Y ☒N If so, is it permitted under and consistent with the vacation rental regulations (4-110.21)?

F. Is the proposed development a subdivision? ☐Y ☒N If so, see Chapter 7 of the Code for additional requirements. No development is proposed.

3. Are any Overlay Zones applicable? (check all applicable)

No Overlay Zones are applicable.

☐ Scenic preservation – is property within 1500 ft of ☐ SNGRR? ☐ Hwy 550?
☐ Alpine Loop? (1-107.4, 1-114)

☐ Mineral (see 1-107.5) – is property located within Sections 10, 13, 14, 15, 16, 17, 22
25 of T 41 N, R 7 W? (1-116.1)

☐ Watershed Protection? (1-107.6)

☐ Town – County Mutual Interest (1-107.7) – is property ever likely to be connected to
Town services or annexed into Town? (1-107.7, 1-117)

☐ Does the property likely cross a county line or is access from another County?

4. Master Plan Compliance (4-103.3):

A. What provisions of Master Plan apply to area or to proposed use/development?
4-103.3(a) and (e).

B. Is the proposed development consistent with applicable Master Plan provisions? List
applicable sections and explain how proposed development/use is consistent with those
provisions?

Regarding 4-103.3(a) and (e), the proposed project, while razing the dilapidated remains of a former mill structure, will eliminate a pile of unsightly debris from previous partial collapse of the mill and significant public safety risk to passersby who may attempt to access the property or structure. With regard to scenic value, it is noted that the site is located adjacent to the USEPA water treatment plant and associated settling ponds, sludge staging piles, and ancillary equipment and structures for the Gold King Mine discharge, which has a very industrial appearance that is not consistent with the natural or scenic environment (see site photos in Exhibit B), and the structures associated with the adjacent Gold King Mine have been razed previously. The proposed project will result in the removal of the remaining structure and dangerous debris from the prior partial collapse of the mill in a controlled fashion and in compliance with applicable rules, regulations, and guidance, with disposal at properly permitted facilities.

5. Is County review of the application likely to cost the County more than the base review fee (see 2-104.1)? ☐Y ☒N If so, what additional services is the County likely to require in connection with its review of the application? _____

6. How many properties/parcels/claims are located within a relevant area for determination of cumulative impacts under (4-103.1 and .2))? _____ Describe the area deemed to be relevant and the basis for that determination _____

4-103.1 and 4-103.2 contemplate land development. The proposed project, while improving public safety, does not constitute development and will not have an effect on adjacent/nearby properties/parcels/claims.

A. How many other parcels are accessed via same road? _____

The mill site is located at the intersection of County Roads 110, 51, and 52. Dozens of patented claims are accessed by these roads.

B. How many other parcels are located within the same drainage basin or other relevant area and might be affected by drainage from the property? _____

See Section 6.A. above. None of the parcels will be affected by drainage from the property.

C. How many other parcels are located within the same air shed? _____

See Section 6.A. above. None of the parcels will be affected by the proposed project.

D. Are any other parcels likely to obtain water from any underground source which is interconnected with any underground water source which is proposed to be tapped for water for use on the property? If so, how many? _____

No underground water source will be used in connection with the project.

7. Do any natural hazards pose a risk on the property or with regard to any access to the property? (check as applicable)

No development is being proposed. Evaluation of natural hazards is not applicable to this project.

☐ Avalanche Hazard (Chapter 8)

☐ Geologic Hazard (Chapter 9)

☐ Floodplain Hazard (Chapter 10)

☐ Wildfire Hazard (Chapter 11)

Explain the nature of the natural hazards which may pose a risk in connection with the proposed development and how the applicant proposes to minimize or avoid such risks.

The proposed project does not involve land development. As such, none of the natural hazards listed pose a risk to the project.

8. Historic Impact Review (3-105) Might the proposed development have any impact on historic sites or assets located either on or off the property? (4-103.3(e)) If so, identify the historic sites

or assets which might be affected and explain how they might be affected and how the applicant proposes to avoid such effects. _____

The proposed project will eliminate unsightly debris from previous partial collapse of the mill and significant public safety risk to passersby who may attempt to access the property or structure. The site is located adjacent to the USEPA water treatment plant and associated settling ponds, sludge staging piles, and ancillary equipment and structures for the Gold King Mine discharge. Structures associated with the adjacent Gold King Mine already have been razed. The water treatment plant area has a very industrial appearance that is not consistent with the natural or scenic environment (see site photos in Exhibit B). The proposed project will result in the removal of the remaining structure and dangerous debris from the prior partial collapse of the mill in a controlled fashion and in compliance with applicable rules, regulations, and guidance, with disposal at properly permitted facilities.

9. Potential Health Impacts – Might the proposed use (when considered cumulatively with existing or potential development on all other properties within the relevant area – see number listed in 6 and in 6(a – d) above) have any adverse impact on health of humans, wildlife or natural habitat or on environmental quality? (3-106, 4-103.3(a) and (e))

☐ Y ☒ N Wildlife

☐ Y ☒ N Dust, smoke, fumes, contaminants or air pollution

☐ Y ☒ N Noise Periods of noise associated with the project will be brief and limited to normal working hours.

☐ Y ☒ N Water pollution

☐ Y ☒ N Adverse affect on quality of water for human consumption? (1-115.3)

☐ Y ☒ N Soil contamination, erosion, etc.

☐ Y ☒ N Hazardous materials/substances

Explain the nature of each potential impact and how the applicant proposes to minimize or avoid such risks. _____

The proposed project does not involve land development and will have no adverse impact on human health, wildlife, natural habitat, or environmental quality. Rather, the project will eliminate significant risk to public safety through removal of a precarious structure that is easily accessible to passersby and will remove dangerous debris from the site. All material removed during the project will be removed in accordance with applicable rules, regulations, and guidance, with disposal at an appropriately-permitted facility. During the project, robust erosion and sedimentation controls will be implemented and the site will be re-graded to approximate original contours and vegetated.

10. Might the proposed development (when considered cumulatively with existing or potential development on all other properties within the relevant area – see number listed in 6(a) above) have any adverse impacts on County roads? (3-107) ☐ Y ☒ N

Explain the nature of each potential impact and how the applicant proposes to minimize or avoid such risks. _____

The proposed project does not involve development. As such, it will not have an adverse impact on County roads. During the project, contractor personnel will be assigned to ensure safe passage of vehicles on County roads adjacent to the work area.

11. Might the proposed development (when considered cumulatively with existing or potential development on all other properties within the relevant area – see numbers listed in 6 and 6(a – d) above) have any adverse impacts on other property? (4-103.3(d)) ☐ Y ☒ N

Explain the nature of each potential impact and how the applicant proposes to minimize or avoid such risks. _____

The proposed project does not involve development. As such, will not have an adverse impact on other property.

12. Might the proposed development (when considered cumulatively with existing or potential development on all other properties within the relevant area – see numbers listed in 6 and 6(a – d) above) have any adverse impacts on scenic values? (4-103.3(e)) ☐ Y ☒ N

Explain the nature of each potential impact and how the applicant proposes to minimize or avoid such risks. _____

The project will eliminate a pile of unsightly debris from previous partial collapse of the mill and significant public safety risk to passersby who may attempt to access the property or structure. The site is located adjacent to the USEPA water treatment plant and associated settling ponds, sludge staging piles, and ancillary equipment and structures for the Gold King Mine discharge. Structures associated with the adjacent Gold King Mine already have been razed. The water treatment plant area has a very industrial appearance that is not consistent with the natural or scenic environment (see site photos in Exhibit B). The project will result in the removal of the remaining structure and dangerous debris in a controlled fashion and in compliance with applicable rules, regulations, and guidance, with disposal at properly permitted facilities.

13. Might the proposed development (when considered cumulatively with existing or potential development on all other properties within the relevant area – see numbers listed in 6 and 6(a – d) above) have any adverse impacts on wildlife (habitat, food sources, migration, hunting, etc.)? (4-103.3(e)) ☐ Y ☒ N

Explain the nature of each potential impact and how the applicant proposes to minimize or avoid such risks. _____

The proposed project does not involve land development. The duration of the project is estimated to be two weeks, or less, and the project area is small (i.e., 4.435 acres). As such, the project will not have an adverse impact on wildlife (habitat, food sources, migration, hunting, etc.).

14. Might the proposed development (when considered cumulatively with existing or potential development on all other properties within the relevant area – see numbers listed in 6 and 6(a – d) above) have any adverse impacts on erosion or other natural condition? (4-103.3(e)) ☐ Y ☒ N

Explain the nature of each potential impact and how the applicant proposes to minimize or avoid such risks. _____

The proposed project does not involve land development and will have no adverse impact on erosion or other natural conditions. During the project, robust erosion and sedimentation controls will be implemented and the site will be re-graded to approximate original contours and vegetated.

15. Are Skyline Regulations (3-102.7, 4-110.18) applicable? ☐ Y ☒ N If yes, has the Applicant demonstrated compliance with Skyline regulations? ☐ Y ☒ N
The proposed project does not involve development. As such, no structures will be erected that silhouette against the sky.

☒ Photos of existing property conditions (3-102.7(a))

Photos of existing property conditions are provided as Exhibit F.

☐ Representations of proposed development against skyline (3-102.7(b))

☐ Story poles (if necessary) (3-102.7(c))

16. Has the applicant provided a Scenic Quality Report (4-110.19)? ☐ Y ☒ N
The proposed project does not involve development.

16. Has Applicant provided proof of availability of adequate source of potable water for maximum potential use of proposed development, fire fighting and other purposes (3-102.8, 4-103.3(b)) The proposed project does not involve development. Development of a water source is not needed.

☐ Decreed water right

☐ Central water system

☐ Well permit

☐ Water storage system

17. Has Applicant provided proof of adequate sewage disposal for maximum use of proposed development (3-102.10, 4-1-3.3(c)) ☐ Y ☒ N

☐ Central sewer system ☐ existing or ☐ new

☐ Individual septic system permit

The proposed project does not involve development. Development of a sewage disposal system is not needed. For the duration of the project, the contractor will be required to provide a portable toilet facility for use by project personnel.

18. Has the Applicant provided proof of adequate utilities for maximum use of proposed development (4-103.3(g))? ☐ Y ☒ N

The proposed project does not involve development. Installation of utilities is not needed.

a. electric ☐ SMPA service commitment

☐ other _____

b. telephone communications ☐ land line service commitment

☐ cell phone service available

☒ satellite phone service available

☐ other

For the duration of the project, the contractor will be required to have on-site a functional satellite communication device capable of notifying first responders, should an emergency situation arise.

19. A. What emergency services might be required by the proposed development or its potential uses?

☒ Fire

☒ EMS

☐ Law Enforcement

☐ Mountain or back country rescue

☐ Other _____

The project does not involve development. Long-term emergency services are not required. Prior to the start of the project, contractor personnel will notify local emergency response personnel of the nature and duration of the project. For the duration of the project, the contractor will be required to have on-site a functional satellite communication device capable of notifying first responders, should an emergency situation arise.

B. What are probable response times for any indicated emergency services?

☒ Fire 15 - 20 minutes _____

☒ EMS 15 - 20 minutes _____

☐ Law Enforcement _____

☐ Mountain or back country rescue _____

☐ Other _____

C. Has the Applicant provided proof of availability of each emergency service which might be required for the proposed use (unless deemed unnecessary) (4-103.3(h))?
Explain how Applicant proposes to secure each emergency service which may be required by or in connection with the proposed development or its use?

Prior to the start of the project, contractor personnel will notify local emergency response personnel in Silverton of the nature and duration of the project.

D. If any emergency service listed is deemed unnecessary, explain why it is unnecessary? _____

The project site is at the intersection of County Roads 110, 51, and 52 (see Exhibit F). As such, mountain or back country rescue is not needed. With regard to law enforcement, any such need is not expected to be an emergency situation (e.g., vandalism or theft of project equipment).

20. Is Expert Assistance required for any portion of the County's review? If so, in what area and for what purpose? The need for expert assistance is not anticipated for any portion of the County's review of this permit application.

21. Are any special permit conditions needed to:

- a. Protect of health, safety or welfare of general public? (2-110.1)
- b. Protect of persons or property? (2-110.1)
- c. Protect of historic assets? (1-114.3, 2-110.1)
- d. Protect of scenic views and vistas? (1-114.2, 1-115.1, 1-116.4, 2-110.1)
- e. Protect cultural assets? (2-110.1)
- f. Protect against natural hazards? (2-110.2 and .3)
- g. Protect environmental assets? (1-114.2, 1-115.1 1-116.4)
- h. Address soils, slopes, geologic hazards? (1-114.4, 1-115.2, 1-116.5)
- i. Adequately address access incl. roads, drives, parking? (1-114.5, 1-116.6)
- j. Protect water purity? (1-115.1)
- k. Preserve access to mineral development? (1-116.3)

With regard to 21.a above, an asbestos inspection of the remaining mill structure and the existing debris has been completed by a professional certified by the Colorado Department of Public Health and Environment. All samples collected during the survey were non-detect for asbestos. See asbestos survey report in Exhibit C.

Land Use Checklist 2016.11.1