

**BEFORE THE MINED LAND RECLAMATION BOARD
STATE OF COLORADO**

ORDER

**IN THE MATTER OF PROPOSED CHANGES TO THE RULES AND REGULATIONS
OF THE MINED LAND RECLAMATION BOARD**

**FIRST ORDER REGARDING RECEIPT OF
ORAL PUBLIC COMMENT BY NON-PARTIES**

The Mined Land Reclamation Board ("Board") of the State of Colorado adopts the following procedures and ground rules for receiving oral public comment by non-parties as part of its Public Rulemaking Hearing regarding proposed changes to the Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for Hard Rock, Metal and Designated Mining Operations. 2 CCR 407-1:

1. Receipt of oral public comment is intended to encourage citizen participation and provide a forum for information-gathering by the agency; it is not an adversarial proceeding, nor is it a question and answer session with the Board or the Division of Reclamation, Mining and Safety ("Division").
2. The purpose of oral public comment in this matter is to elicit and record the oral comments of any interested person regarding the new rules and amendments proposed by the Division to the Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for Hard Rock, Metal and Designated Mining Operations.
3. Oral public comment will not be allowed on specific prospecting or mining operations or on issues and matters not within the jurisdiction of the Board and Division.
4. The Board shall only allow and receive oral public comment from members of the public who are not formal parties to the Public Rulemaking Hearing. Written public comment, pictures or other documents will not be allowed or accepted by the Board at the hearing. However, written public comments may be submitted to the Board pursuant to the process and deadline (of March 1, 2010) set forth in the Notice of Public Rulemaking, published by the Secretary of State's Office. The Notice can also be found on the Division's website at <http://mining.state.co.us/Rulemaking.htm>.
5. Those presenting comments shall conduct themselves in an orderly manner during their presentations and during the hearing. The Board may limit or exclude repetitive, redundant or irrelevant comments.

6. Oral comments will be limited to three (3) minutes per commenter, unless otherwise specified by the Board at the hearing.
7. Individuals can appoint a spokesperson and pool their allotted comment time up to a maximum amount of comment time the Board determines appropriate.
8. In order to pool their comment time, individuals must be present when the Board hears the public comments.
9. Public comment participants should refrain from engaging in debate with the Board, the Division, or other commenters regarding their position on the proposed new rules and amendments, and should instead focus on making their comments on the proposed new rules and amendments for the record.
10. The oral public comments will be tape recorded and transcribed, and will be included as part of the rulemaking record.
11. Every person or organization who presents oral comment must state on the record, and must provide to the Division in writing, their name, address, and phone number as required by section 24-4-106(4), C.R.S.
12. Interested persons should file with the Division any written information supporting their positions by the March 1, 2010 deadline set for the submission of written public comment in the Notice of Public Rulemaking Hearing. Filings must be done pursuant to the procedures set forth in that Notice.

BY THE MINED LAND RECLAMATION BOARD

DATE: 02/10/2010


CHAIRMAN