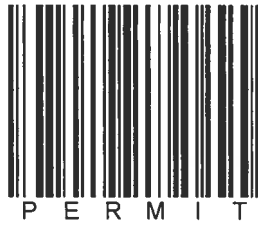


Permit Documents





COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

November 13, 2014

Thomas G. Miller
5260 Garrison St., #12
Arvada, CO 80002

RE: Notice of Intent to Conduct Prospecting Application; Silent Hill; File No. P-2014-020;
Notice of Deficiencies

Dear Mr. Miller,

On October 15, 2014, the Division of Reclamation, Mining and Safety (Division) received the Notice of Intent (NOI) to Conduct Prospecting Application for Silent Hill, File No. P-2014-020. The Application was filed for review on October 15, 2014. Our review indicates the NOI application contains deficiencies as defined by Rule 5.1.3 of the Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for Hard Rock, Metal, and Designated Mining Operations. The Division requires the information described below before we can approve the NOI application.

1. The Applicant is proposing to re-open an existing Forest Service road. Please describe what steps will be taken to re-open the road. In addition, the Applicant has identified a north and a south access road. Please specify which access road will be utilized.
2. The Applicant has stated the access road will be reclaimed by installing water bars at regular intervals. Please indicate if the proposed access routes currently have water bars. Also, specify the interval at which the water bars will be placed and specify if the US Forest Service will require the road to be revegetated as part of reclamation.
3. Exhibit B shows the proposed prospect pit is located to the west of the access road. Please specify the distance between the proposed prospect pit and the access road. Also, confirm the Applicant will need to create a road from the existing access road to the prospect pit. If so, specify the dimensions of the road which will connect the prospect pit to the access road. This information is required in order to calculate the financial warranty.
4. The Applicant has stated that approximately 4,600 cubic yards of material will be moved as part of the proposed prospecting operation. The proposed pit dimensions are 300 ft. long by 100 ft. wide by 30 ft. deep. Using the proposed pit dimensions, the Division determined that 33,333 bank cubic yards of material may be moved if the pit is fully excavated. The Division must calculate the required financial warranty based on the maximum disturbance of the site,



which would include backfilling approximately 33,333 cubic yards of material into the pit. Please confirm that the pit dimensions specified in the application are correct or revise the pit dimensions as necessary.

5. The Applicant has indicated the total project area to be disturbed is 0.7 acres, which appears to only account for the area to be excavated. The affected area also includes topsoil and overburden stockpiles, equipment storage areas and roads. Please specify how much area will be needed for stockpiles, equipment storage and roads.
6. The Applicant has stated that the topsoil and spoil stockpiles will have silt fences erected around them. Since the area has been recently affected by fire and the vegetation is sparse, it is critical to minimize erosion which may occur as the result of prospecting activities. Please commit to installing silt fences around all stockpiles immediately after the stockpiles are put into place. In addition, please commit to using best management practices (BMP's) for installing and maintaining the silt fencing. A copy of the BMP's for silt fencing has been enclosed with this letter.
7. The applicant has stated native rock dams will also be used to stabilize the spoil stockpile. Please describe the native rock dams.
8. The applicant has stated the pit will be fenced for safety. Please describe the type of fencing which will be erected and commit to placing fencing around the entire area of excavation.
9. The Applicant has specified the species of grasses to be planted, but did not specify the seeding rate. Please list the seeding rate for each grass species as pounds of pure live seed per acre to be planted. In addition, please specify how seed will be applied to the reclaimed area, i.e. drill seeded, broadcast, etc. In addition, describe how the seed bed will be prepared. A firm, weed-free seed bed is necessary for successful establishment of vegetation.
10. The Division recommends applying mulch to the reclaimed area due to the limited amount of available topsoil and organic matter. Typically, hay mulch is applied at a rate of 2 tons per acre. Please respond.
11. The applicant has stated the proposed prospecting pit is at least 800 ft. from any permanent stream. Please identify the stream which is located within 800 ft. from the proposed pit and specify if it is perennial or ephemeral.
12. Please specify if you have applied for a Notice of Intent or a Plan of Operations with the US Forest Service (USFS). In addition, please commit to providing the Division with a copy of the USFS authorization to proceed with this project.

Mr. Thomas Miller
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Be advised that if these items have not been addressed within 60 days of the date of this letter (January 12, 2015), the Division may terminate the NOI application in accordance with Rule 5.1.3(c) of the Hard Rock Rules.

Please remember to designate as appropriate those materials in the application that you desire to be made confidential versus those to be made public. Additionally, if you have received any pertinent correspondence from the US Forest Service, please forward copies to the Division.

If you have any questions, you may contact me at (303)866-3567 x8116.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael A. Cunningham', with a long horizontal flourish extending to the right.

Michael A. Cunningham
Environmental Protection Specialist

CC: Tom Kaldenbach, DRMS
Amy Titterington, USFS, South Park Ranger District (via email)