



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

June 12, 2016

Donald Self
P.O. Box 473
Indian Hills, CO 80454

**Re: Double Eagle Claim, File No. M-2016-002,
Preliminary Adequacy Review for New Permit Application**

Dear Mr. Self:

The Division of Reclamation, Mining and Safety (Division) has completed its preliminary adequacy review of your 110(1) hard rock limited impact mine reclamation permit application. The application was received on January 29, 2016 and called complete for review on March 21, 2016. **The decision date for this application is June 19, 2016.** Please be advised that if you are unable to satisfactorily address any concerns identified in this review before the decision date, **it will be your responsibility to request an extension of the review period.** If there are outstanding issues that have not been adequately addressed prior to the end of the review period, and no extension has been requested, the Division will deny this application.

The review consisted of comparing the application content with specific requirements of Rules 3.1, 6.3 and 6.5 of the Minerals Rules and Regulations of the Colorado Mined Land Reclamation Board for the for Hard Rock, Metal, and Designated Mining Operations. Any inadequacies are identified under the respective exhibit heading along with suggested actions to correct them.

The following items must be addressed by the applicant in order to satisfy the requirements of C.R.S. 34-32-101 et seq. and the Mineral Rules and Regulations of the Mined Land Reclamation Board:

APPLICATION

1. Item 3, p. 1, Permitted Acreage: This item lists 3 acres as that to be permitted. The US Forest Service (USFS) is requiring some road segments be reclaimed per the Design Criteria in the approved Mine Plan of Operations. These road segments need to be included in the three acres to be permitted. If these three acres are sufficient to include the road segments, then no revision to this item is necessary, otherwise, please submit a revised page 1 of the Application to include five (5) acres or less on this line. Please see Comments 3 and 6 below regarding road reclamation.

6.3 SPECIFIC EXHIBIT REQUIREMENTS – LIMITED IMPACT OPERATIONS

6.3.3 EXHIBIT C – Mining Plan

2. Pursuant to Rule 6.3.3(1)(a), please confirm you are requesting “Intermittent Status” as your application suggests you plan to operate less than 180 days per year.



3. Rule 6.3.3(1)(g). During the joint inspection with the USFS on June 9, 2016. It was agreed by all that the road reclamation responsibility for this permit would begin at the “Y” at the top of the hill (approximately 39° 0'59.11"N, 105°17'10.69"W). The Division estimates this road to be approximately 350 feet long by 8 feet wide (0.6 acres). This differs from what the USFS described via an emailed map and an April 18, 2016 letter to the Division (enclosed). Please coordinate with the USFS and the Division in order to identify the segments of road to be reclaimed.

6.3.4 EXHIBIT D – Reclamation Plan

4. Rule 6.3.4(1). Requirements to satisfy Rule 3.1. the Division requires the following to check the cost estimate as required in Comment 5 below:
 - a. Rule 3.1.5(7). Please describe the maximum anticipated side slopes (e.g., vertical, 2H:1V, etc.) for the proposed three 100-foot long trenches. Also provide:
 - i. the average/typical anticipated trench depth,
 - ii. the maximum anticipated trench depth, and
 - iii. the average/typical trench width.
 - b. Rule 3.1.10(1). Please provide specifics for the seed mix approved by the USFS. The seed mix information shall include specific species and pounds of pure live seed per acre. Also indicate the anticipated method of seed application.
5. Rule 6.3.4(2). All 110 Limited Impact applications must provide an estimate of the actual costs to reclaim the site based on what it would cost the State of Colorado using an independent contractor to complete reclamation. No such cost estimate was included in Exhibit D. Please provide a reclamation cost estimate.

6.3.5 EXHIBIT E – Map

6. Rule 6.3.5(2), Mining Plan Map. The submitted “Detailed claim map” does not outline and label the boundaries of the proposed three-acre disturbance. The boundary labeled will be what the Division uses during future inspections to determine whether or not mining activity is in fact confined to the permit boundary. Please keep in mind this must include the segment(s) of road to be reclaimed.
7. Rule 6.3.5(3), Reclamation Plan Map. No map was submitted detailing the types of reclamation planned for the proposed disturbed area. The Division would accept notes on the “Detailed claim map” indicating what types of reclamation are planned for each of the four identified types on disturbance on said map. The reclamation specifics should include what areas need: grading, backfill, seed bed prep, and seeding.

6.3.6 EXHIBIT F – List of Other Permits and Licenses Required

8. Rule 6.3.6. The list of agencies requiring permits and licenses did not include the USFS or Teller County. Please submit a revised list to include these two agencies.

6.3.7 EXHIBIT G – Source of Legal Right to Enter

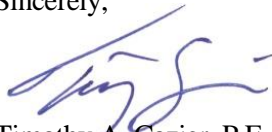
9. Rule 6.3.7. A signed copy of the USFS Plan of Operations was provided. However, it did not include the USFS “Design Criteria” document that clarifies the right to enter and conduct reclamation at the site. Please provide the Division with a copy of the USFS Design Criteria.

Other Comments

10. The Division received a timely letter of objection from Mr. James E. Hedricks on April 12, 2016. Two issues were raised that are under the jurisdiction of the Division: a) blocking the access road to an adjacent claim, and b) wildlife impacts, specifically the Northern Goshawk. These issues have been adequately addressed as follows:
- a. During the June 9, 2016 inspection, the Division and the USFS agreed that you would only be responsible for reclamation of the access road from the "Y" as discussed in Comment 3 above. This should eliminate potential interference with access to the adjacent claim. No response is necessary.
 - b. The Division verified with the US Fish and Wildlife that the Northern Goshawk is not an endangered species as indicated in the objection letter. Further investigation led the Division to discover that the USFS has designated the Northern Goshawk as "a Forest Service sensitive species". It was listed as such by the Regional Forester in relation to timber projects (sales, firewood, slash, etc). The USFS stated this means that the Goshawk species is an indicator species for the health of the timber project. Its presence or absence has little to no impact from mining operations. Therefore, the Division considers the issue resolved. No response is necessary.
11. The Division received a second letter from the Colorado Parks and Wildlife (CPW) on April 21, 2016 after our letter forwarding other agency comments was sent to you. The second CPW letter is attached.

Please remember that the decision date for this application is June 19, 2016. As previously mentioned if you are unable to provide satisfactory responses to any inadequacies prior to this date, it will be your responsibility to request an extension of time to allow for continued review of this application. If there are still unresolved issues when the decision date arrives and no extension has been requested, the application will be denied. If you have any questions, please contact me at (303) 866-3567, ext. 8169.

Sincerely,



Timothy A. Cazier, P.E.
Environmental Protection Specialist

Enclosures

ec: Wally Erickson, DRMS
Elliott Russell, DRMS
DRMS file
Amy Titterington, USFS
Jeff Self
Ian Merkel



United States
Department of
Agriculture

Forest
Service

South Park Ranger District

320 Highway 285
Fairplay, CO 80440
719-836-2031
FAX: 719-836-3875

File Code: 2810
Date: April 18, 2016

Mr. Tim Cazier
Environmental Protection Specialist
Division of Reclamation, Mining, and Safety
Department of Natural Resources
1313 Sherman St., Room 215
Denver, CO 80203

RECEIVED
APR 22 2016
DIVISION OF RECLAMATION
MINING AND SAFETY

Dear Tim,

Thank you for the opportunity to comment on the Double Eagle (M-2016-002) Reclamation Permit application.

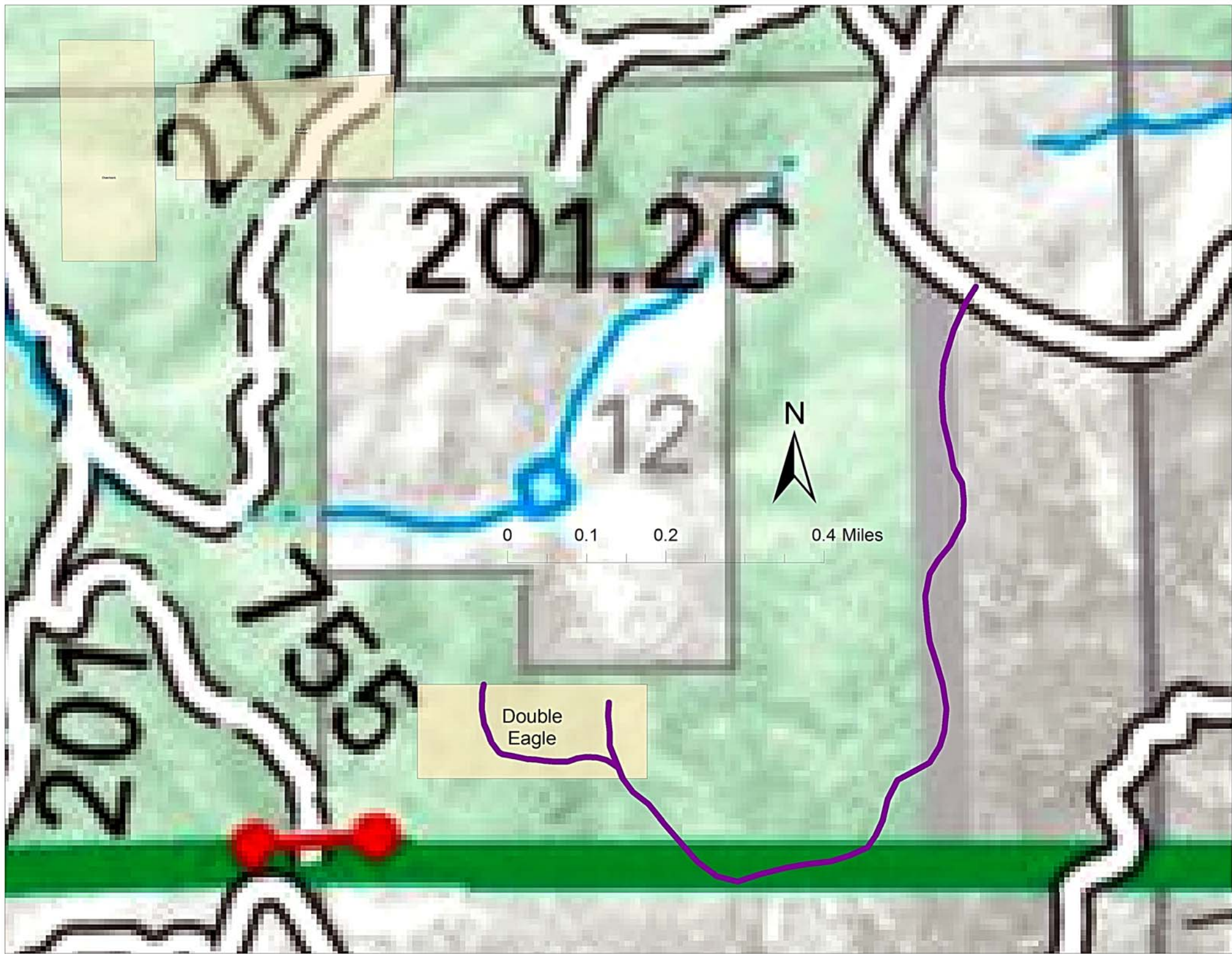
According to Forest Service rules and regulations, if a road is not on the Motor Vehicle Use Map (MVUM), it is considered non-system and is not open to the public for use; regardless of whether or not it physically exists on the ground. The operator, Donald Self, has proposed to use such a road to access his mine site. The road is approximately 0.6 miles in length (3,168 feet) and 8 feet in width. The Forest Service requests that this non-system road be included in the Reclamation Permit and Reclamation Bond, as it is specifically used as access to the claim, and will need to be removed upon the conclusion of mining activities.

If you have any questions, please contact Amy Titterington of my staff at (719) 836-3871 or amyjtitterington@fs.fed.us.

Sincerely,

JOSHUA S. VOORHIS
District Ranger







COLORADO

Parks and Wildlife

Department of Natural Resources

Southeast Region
4255 Sinton Road
Colorado Springs, CO 80907
P 719.227.5200 | F 719.227.5223

RECEIVED

APR 21 2016

DIVISION OF RECLAMATION
MINING AND SAFETY

April 20, 2016

Timothy Cazier
Environmental Protection Specialist
Division of Reclamation, Mining and Safety
1313 Sherman St. Room 215
Denver, CO. 80203

Re: Revised Notice of 110(1) Hard Rock/Metal Mining Reclamation Permit Application
Consideration Donald J. Self, Double Eagle, File No. M-2016-002

Dear Mr. Cazier,

Colorado Parks and Wildlife (CPW) is in receipt of the above referenced permit application and is familiar with the site located at or near Section 12, Township 12S, Range 71W, 6th Principal Meridian in Teller County. CPW staff offers the following comments for your consideration.

CPW suggests care be taken during mining to avoid excess erosion or disturbance of more land than necessary to accomplish the project. We also suggest the area be reasonably reclaimed following mining. We recommend reusing the original top soil that is removed from the surface by placing it back in its original location after mining is completed. Once the original top soil is in place, we recommend planting the disturbed areas with native vegetation that matches the native vegetation already present in the surrounding area.

CPW recommends the development and implementation of a noxious weed control plan for the site. It is recommended that all disturbed soils in the area be monitored for noxious weeds and noxious weeds should be actively controlled until native plant revegetation and reclamation is achieved. It is recommended that all areas disturbed by the development be revegetated with native plant species.

If fill material will be used in the project, CPW recommends using a native fill material that would be conducive to growing native vegetation. Non-native vegetation can out-compete native vegetation and thus degrade valuable wildlife habitat.

CPW also recommends that at each trench a gradual slope be in place leading out. This would allow any wildlife that happens to fall in the trenches to escape with ease.





COLORADO

Parks and Wildlife

Department of Natural Resources

Southeast Region
4255 Sinton Road
Colorado Springs, CO 80907
P 719.227.5200 | F 719.227.5223

Thank you for the opportunity to comment on this permit application. If you have any questions or require additional information please contact District Wildlife Manager Tim Kroening at 719-227-5281 or via e-mail tim.kroening@state.co.us.

Sincerely,

Frank McGee
Area Wildlife Manager

Cc: Tim Kroening DWM
SE Regional File
Area 14 File

