



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, SACRAMENTO DISTRICT
1325 J STREET
SACRAMENTO CA 95814-2922

September 29, 2016

Regulatory Division (SPK-2007-00980-DC)

Wildcat Mining Corporation
Attn: Mr. George Robinson
PO Box 62
Hesperus, Colorado 81326

Dear Mr. Robinson:

We are responding to your request for an after-the-fact Department of the Army permit for the May Day Idaho Mine project. The project sites are located at both the access road to May Day Idaho Mine near the La Plata River and at the Chief Portal near Little Deadwood Gulch, Latitude 37° 20' 57.33", Longitude -108°04'28.86" and Latitude 37° 21' 19.28", Longitude -108°04'6.09", Hesperus, La Plata County, Colorado.

Based on the information you provided to this office, the May Day Idaho Mine project involves the construction of stormwater pond near the La Plata River, and access into the Chief Portal, in accordance with the *Restoration and Compliance Plan for May Day Idaho Mine Complex*, dated June 2016, prepared by Bikis Water Consultants. The specific activities that require the discharge of dredged or fill material in waters of the United States include the installation of a new culvert at the Chief Portal and the construction of a stormwater management pond. These activities will result in the permanent loss of approximately 0.015 acre of Little Deadwood Gulch for the Chief Portal access and 0.028 acre of a wetland adjacent to the La Plata River for the construction of a stormwater pond.

We have determined activities in waters of the U.S. associated with the project are authorized by Nationwide Permit Number (NWP) 14 to install a new culvert at the Chief Portal, and NWP 32 to retain fill within a wetland adjacent to the La Plata River for the stormwater management pond.

You must comply with all terms and conditions of the NWP and applicable regional conditions. Information about the NWP and regional conditions are available on our website at www.spk.usace.army.mil/Missions/Regulatory/Permitting/NationwidePermits.aspx. Within 30 days after completion of the authorized work, you must sign the enclosed Compliance Certification and return it to this office.

This verification is valid until March 18, 2017, when the existing NWPs are scheduled to be modified, reissued, or revoked. Furthermore, if you commence or are under contract to commence this activity before the date the NWP is modified, reissued, or revoked, you

will have 12 months from the date of the modification, reissuance or revocation to complete the activity under the present terms and conditions. Failure to comply with the general and regional conditions of this NWP, or the project-specific special conditions of this authorization, may result in the suspension or revocation of your authorization.

We would appreciate your feedback on this permit action including your interaction with our staff. At your earliest convenience, please tell us how we are doing by completing the Corps' Regulatory Program national customer service survey found on our website at www.spk.usace.army.mil/Missions/Regulatory.aspx.

Please refer to identification number SPK-2007-00980-DC in any correspondence concerning this project. If you have any questions, please contact me at the Durango Regulatory Office, 1970 E 3rd Ave., #109, Durango, Colorado 81301, by email at Kara.A.Hellige@usace.army.mil, or telephone at 970-259-1604.

Sincerely,

Kara A. Hellige
Senior Project Manager, CO West Branch
Regulatory Division

Enclosures

1) Compliance Certificate

cc: (w/o encls)

Mr. Dave Mehan, Bikis Water Consultants, 555 Rivergate Lane, Suite B4-82, Durango, Colorado 81301

Ms. Leslie Jakoby, La Plata County, 1060 Main #104, Durango, Colorado 81301;

Mr. Ken Champagne, US Environmental Protection Agency, 1595 Wynkoop Street, Denver, Colorado 80202

Mr. Steve Shuey, Colorado Division of reclamation, Mining, and Safety, 101 South 3rd Street, Suite 301, Grand Junction, Colorado 81501

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COMPLIANCE CERTIFICATION

Permit File Name: May Day Idaho Mine: Stormwater Facility and Chief Portal

Action ID: SPK-2007-00980-DC

Nationwide Permit Number: NWP 14 and 32

Permittee: Wildcat Mining Corporation
Attn: Mr. George Robinson
PO Box 62
Hesperus, Colorado 81326

County: La Plata

Date of Verification: September 29, 2016

Within 30 days after completion of the activity authorized by this permit, sign this certification and return it to the following address:

U.S. Army Corps of Engineers
Sacramento District
1970 E. 3rd Ave, #109
Durango, Colorado 81301
DLL-CESPK-RD-Compliance@usace.army.mil

Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with the terms and conditions of the permit your authorization may be suspended, modified, or revoked. If you have any questions about this certification, please contact the U.S. Army Corps of Engineers.

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I hereby certify that the work authorized by the above-referenced permit, including all the required mitigation, was completed in accordance with the terms and conditions of the permit verification.

Permittee Signature

Date