

Voluntary – 43 CFR 3809 Exploration Notice Form



United States Department of the Interior
BUREAU OF LAND MANAGEMENT
Royal Gorge Field Office
3028 East Main Street
Cañon City, Colorado 81212



DATE FILED:

**Please indicate any fields you feel are confidential information.*

Fields highlighted in yellow are not likely to be applicable to a small miner (dredge/highbank).

Section 1: Operator/Claimant Information

Pursuant to 43 CFR 3809.301(b)(1).

1. Operator Information

Operator Name: _____

Mailing Address: _____

City: State: ZipCode: _____

Phone #: _____ Alternate Phone #: _____

Operator Tax Payer Identification Number: _____

2. Claimant/Claim Information, if applicable; if open minerals check here ☐

Primary Claimant: _____

Mailing Address: _____

City: State: ZipCode: _____

Phone #: _____ Alternate Phone #: _____

Additional claimant name(s), if applicable: _____

Claims Information: Please list the CMC numbers, claim names, and claim type (i.e. placer, lode, mill site, tunnel site) for all claims involved in the proposed operations.

CMC	Claim Name	Claim Type

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Section 2: Location

Pursuant to 43 CFR 3809.301(b)(2).

1. Legal Description

Principal Meridian	Township (North or South)	Range (East or West)	Section	Quarter Section (NE, SE, SW, NW)	Quarter Quarter Section (NE, SE, SW, NW)

County: _____

2. Surface Ownership:

☐ Private ☐ BLM ☐ USFS ☐ State Other

3. Access: Please identify the intended access to work sites. Describe in writing and on the location map.

4. Maps & Drawings of Operations: Please include an accurate topographic base map showing the location of the proposed project with this form. The prospector may submit a U.S.G.S 7.5 minute quadrangle or similar map of adequate scale that:
- Provides a general location in relation to major roads, towns, etc.
 - Identifies the proposed prospecting site(s) or activity areas involving surface disturbance. Activity areas include, but are not limited to, all drill holes, mud pits, excavations, trenches, adits, shafts, tunnels, rock dumps, stockpiles, impoundments, prospecting roads, etc.; and
 - Includes sufficient detail to identify and locate known prospecting features and facilities that may be affected and those that are not anticipated to be affected. This includes, but is not limited to, the location of all drill holes, mud pits, excavations, trenches, adits, shafts, tunnels, rock dumps, stockpiles, impoundments, prospecting roads, etc. Color photographs, adequately labeled (including date, orientation and location), of the prospecting site may be used to fulfill this requirement if included with this form.

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Section 3: Description of Operations (i.e., Proposed Action)

Pursuant to 43 CFR 3809.301(b)(2).

1. Proposed Disturbance: _____ acres
2. Commodity:
Primary _____ Secondary _____ Others _____
3. Period of Operation:
Beginning: _____ Ending: _____
4. General Schedule of Operations: Please describe the different parts of operation (Site Development, Operational Phases, Reclamation Phases). Describe each phase of the exploration operation including design, operations, timeframe for completion, and reclamation.

5. Access and other roads: include information such as, but not limited to, the type (haul, light vehicle, access), location(s), length, maintenance, upgrades, uses, temporary, permanent, etc. Indicate any part of the access that is in current existence and the current condition. Indicate these items on the location map(s) in section 2.3.

6. Equipment: Please list all vehicles, equipment and devices that will be used Notice level operations.

Activities	General Type	Size
Site Development		
Exploration Operations		
Reclamation		
Other		

7. Exploration Operations: In the table below, identify the type or method of prospecting proposed and the quantity to be extracted including, but not limited to, dredging, high banking, cuts, pits, trenches, shafts, tunnels, adits, declines, air drilling, fluid drilling, blasting, etc. In the open comments box, describe any additional exploration activities including but not limited to: water source, pipelines, generator/pump, storage containers, etc. Indicate items listed in the table and comments on the location map(s) in section 2.3.

Type or Method of Prospecting	Quantity of Material Removed (tons)	Estimated Area of Surface Disturbance (acres)
TOTAL		

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a. **Drilling (if applicable):**

	Quantity	Average Width (ft)	Average depth (ft)	Average length (ft)	Diameter (in)
Mud Pits			varies		N/A
Drill Pads			N/A		N/A
Drill Holes					

- b. **Underground Operations (if applicable):** Describe the proposed underground exploration work including reopening of old workings, advancement of adits or shafts, trenches, pits, cuts, rock dumps, or other types of disturbance. Further describe dimensions if necessary:

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- c. **Scope of Operation:** Clearly state the objective for this operation. Then, describe in detail the type and extent of the operation to be performed. Provide detailed information for any surface excavation or other land disturbance including roads, pits, trenches, waste piles, drill pads and collar areas of underground workings, ponds, etc. For placer type exploration include the amount of material to be processed from each test site, and the dimension of test sites (Section 3.5). Indicate the different types and locations of disturbance on the location map(s) in section 2.3.

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8. **Use and Occupancy (if applicable):**

The following information must be included in the proposed Notice in order to comply with the 43 CFR 3715, Use and Occupancy under the Mining Laws, when use or occupancy exceeds 14-days in a 30-day period. The definitions of terms are found in 43 CFR 3715.0-5. These regulations apply to public lands administered by the BLM. A written description of the proposed occupancy that describes in detail: (see 43 CFR 3715.3-2):

- How the proposed occupancy is reasonably incident;
- How the proposed occupancy meets the conditions specified in 43 CFR 3715.2 and 43 CFR 3715.2-1
- Where you will place temporary or permanent structures for occupancy;

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- d. The location of and reason you need enclosures, fences, gates, and signs intended to exclude the general public;
- e. The location of reasonable public passage or access routes through or around the area to adjacent public lands; and
- f. The estimated period of use of the structures, enclosures, fences, gates and signs, as well as, the schedule for removal and reclamation when operations end.
- g. Indicate these items on the location map(s) in section 2.3.

9. **Hazardous Substances, *if applicable*:** Indicate if chemicals and/or fuel are to be used on site. Include information such as, but not limited to, type of generator, chemicals, fuels, quantities, disposal, storage, etc. Indicate locations of use and storage on location map(s) in section 2.3. Include a spill contingency plan if chemicals and fuel are to be used or stored on site.

10. **Water Management Plan:**

- a. Describe anticipated relationship to surface water and groundwater (proximity to streams, penetration of ground water aquifers, known water depth of lenses, major watershed, storm water plan per CDPHE regulations, etc.).

- b. If the use of water is required, describe the location of source and quantity to be used. Please include any necessary permits in Section 3.12 below.

11. Please list any and all permits associated with the proposed operations:

Issuing Agency	Permit Type	Permit #	Date of Expiration

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Section 4: Cultural and Paleontological Resources, & Fish, Wildlife, and Plant Habitats

Pursuant to 43 CFR 3809.420.

Cultural and Paleontological Resources:

1. Operators shall not knowingly disturb, alter, injure, or destroy any scientifically important paleontological remains or any historical or archaeological site, structure, building or object on Federal lands.
2. Operators shall immediately bring to the attention of the authorized officer any cultural and/or paleontological resources that might be altered or destroyed on Federal lands by his/her operations, and shall leave such discovery intact until told to proceed by the authorized officer. The authorized officer shall evaluate the discoveries brought to his/her attention, take action to protect or remove the resource, and allow operations to proceed within 10 working days after notification to the authorized officer of such discovery.
3. The Federal Government shall have the responsibility and bear the cost of investigations and salvage of cultural and paleontology values discovered after a Notice has been approved, or where a Notice is not involved.

Fish, Wildlife, and Plant Habitat:

The operator shall take such action as may be needed to prevent adverse impacts to threatened or endangered species, and their habitat which may be affected by operations.

Section 5: Reclamation Plan

Pursuant to 43 CFR 3809.301(b)(3).

1. A plan for reclamation, per 43 CFR 3809.401, to meet the standards in 43 CFR 3809.420 is required with this application. The disturbance created under this mining plan will dictate the reclamation plan. The cost of implementing the reclamation plan will dictate the bond amount.

The reclamation plan should include, but is not limited to, a description of the equipment and devices, practices you propose to use, a timeline for completion, etc.

- a. It is suggested that a photographic record of the pre-prospecting and post-prospecting conditions be kept by the prospector. These photos should be taken from the same location and by the same method to clearly show the pre-site conditions of the land and the reclamation efforts. Upon completion of reclamation and request for bond or surety release, the photos may be considered as evidence of adequate reclamation, and thus, aid the BLM to act more quickly on the request for release.

- b. Period of Reclamation:

Beginning: _____

Ending: _____

- c. Provide a description of the native vegetation of the area to be disturbed, including tree, shrub, and grass communities of the area. Color photographs, sufficient to adequately represent the ecology of the site and adequately labeled (including date, orientation and location), may be used in lieu of a written description.

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- d. Describe the estimated topsoil depth and how topsoil will be salvaged, stockpiled, managed during operations, and redistributed for the re-establishment of vegetation at final reclamation. Specify approximate redistribution depth.

- e. Describe how drill holes will be plugged. (Refer to Colorado Division of Reclamation and Mining Safety (CDRMS) and State of Colorado regulations for required abandonment procedures):

- f. Describe how portals, adits, shafts, ponds, excavations, or other disturbances will be reclaimed (refer to Colorado Division of Reclamation and Mining Safety (CDRMS) for specific reclamation performance standards). You may wish to contact other State and Federal Agencies for closure specifications. *If not applicable write N/A.*

- g. Describe how roads will be reclaimed or returned to their pre-prospecting (or better) condition. *If not applicable write N/A.*

- h. List the seed mixture to be used in the re-establishment of vegetation. For assistance with formulating seed mixtures and rates, contact the local NRCS.

Provide Plant name and seeding rate

Plant Name	Seeding Rate (PLS/Acre)	Seeding Method

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2. Reclamation Cost Estimate: required by 43 CFR 3809.552.

The reclamation cost estimate must ensure:

1. the estimated costs as if reclamation work was contracted with a third party to reclaim the operations according to the reclamation plan, including construction and maintenance costs for any treatment facilities necessary to meet Federal and State environmental standards.
2. The Cost of Equipment Rental, Operation and Labor Appropriate for the Geographic Area

Enter those values in the cost estimate that are appropriate to this project. Attach sources/information used in cost estimate (examples: Caterpillar Performance Handbook, contractor's estimate, etc.). Some line items may not apply.

A. Earthwork/Recontouring	Labor ⁽¹⁾	Equipment ⁽²⁾	Materials	Total
Exploration	\$	\$	\$	\$
Exploration Roads & Drill Pads				
Roads				
Drill Hole Abandonment				
Pits				
Underground Openings				
Waste Rock Dumps				
Foundation & Buildings Area				
Lay down/storage yards, Etc.				
Drainage & Sediment Control				
Other				
Mobilization/Demobilization				
Subtotal "A"				
B. Revegetation/Stabilization	Labor ⁽¹⁾	Equipment ⁽²⁾	Materials	Total
Exploration	\$	\$	\$	\$
Exploration Roads & Drill Pads				
Roads				
Drill Hole Abandonment				
Pits				
Underground Openings				
Waste Rock Dumps				
Foundation & Buildings Area				
Lay down/storage yards, Etc.				
Drainage & Sediment Control				
Mobilization/Demobilization				
Other				
Subtotal "B"				
C. Structure, Equipment and Facility	Labor ⁽¹⁾	Equipment ⁽²⁾	Materials	Total
Foundation & Buildings Area	\$	\$	\$	\$
Other Demolition				
Equipment Removal				

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Fence Removal				
Pipe & culvert Removal				
Rip-Rap, rock lining, gabions				
Subtotal "C"				
D. Monitoring	Labor⁽¹⁾	Equipment⁽²⁾	Materials	Total
Reclamation Monitoring & Maintenance	\$	\$	\$	\$
Ground and Surface Water Monitoring				
Subtotal "D"				
E. Construction Management & Support	Labor⁽¹⁾	Equipment⁽²⁾	Materials	Total
Construction Management	\$	\$	\$	\$
Road Maintenance				
Other				
Subtotal "E"				
F. Operation & Maintenance Costs	Labor⁽¹⁾	Equipment⁽²⁾	Materials	Total
Subtotal A through E	\$	\$	\$	\$
G. Indirect Costs (see text below for further information)				
1. Engineering, Design and Construction (ED&C) Plan (6.1)				
4. Bond (6.2)				
5. Contractor Profit (6.3)				
6. Contract Administration (6.4)				
Subtotal Add-on Costs				
GRAND TOTAL				

RECLAMATION COST ESTIMATION SUMMARY SHEET FOOTNOTES

1. Federal construction contracts require Davis-Bacon wage rates for contracts over \$2,000. Wage rate estimates may include base pay, payroll loading, overhead and profit. (NOTE – Depending on type of operations, it may be issued as a service contract.)

2. The reclamation cost estimate must include the estimated plugging cost for holes utilizing the most reliable assumption of total depth.

3. Miscellaneous items should be itemized on accompanying worksheets.

4. Management plans for hazardous material to include petroleum products

5. Any mitigation measures identified in the Notice must be included in the reclamation cost estimate. Mitigation may include measures to avoid, minimize, rectify and reduce or eliminate the impact, or compensate for the impact.

6. Details in reference to section “G – Indirect Costs” of the table above.

(1) Engineering, design and construction (ED&C) plans are often necessary to provide details on the reclamation needed to contract for the required work. To estimate the cost to develop an ED&C plan use 4. 8% of the operations and maintenance cost. Inclusion of a line item for the development of an ED&C plan may not be necessary for small operations, such as notice-level exploration. With small, uncomplicated reclamation efforts contracting may be able to proceed without developing an ED&C plan.

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(2) Federal construction contracts exceeding \$100,000 require both a performance and a payment bond (Miller Act, 40 U.S.C. 270 et seq.). Each bond premium is figured at 1.5% of the O&M cost. Enter the sum of both premium costs on this line, as applicable.

(3) For Federal construction contracts, use 7% of estimated O&M cost for the contractor's profit.

(4) To estimate the contract administration cost, use 6 to 10% of the operational and maintenance (O&M) cost.

Comments:

Section 6: Terms and Conditions for Notice Level Operations

Complete Filing and Starting Exploration Operations:

1. If BLM does not take any of the actions described in § 3809.313, you may begin operations no sooner than 15 calendar days after the appropriate BLM office receives your complete notice. BLM may send you an acknowledgement that indicates the date we received your notice. If you don't receive an acknowledgement or have any doubt about the date we received your notice, contact the office to which you sent the notice. This subpart does not require BLM to approve your notice or inform you that your notice is complete.
2. If BLM completes our review sooner than 15 calendar days after receiving your complete notice, we may notify you that you may begin operations.
3. A financial warranty must be provided for the cost of reclamation of the disturbance described in this Notice, pursuant to 43 CFR 3809.500-599. The financial warranty must be submitted prior to entry upon lands for the purpose of prospecting in a manner greater than casual use. Information on additional financial warranties can be found in the regulations. (www.ecfr.gov; title 43, subpart 3809)
4. Your operations may be subject to BLM approval under part 3710, subpart 3715, of this title relating to use or occupancy of unpatented mining claims.
5. Performance standards outlined in 43 CFR 3809.420 must be met during all aspects of the exploration operations. Failure to comply may result in enforcement per 43 CFR 3809.600-605.

Section 7: Departmental Use Only

Case File # _____

Reviewed By: _____

Received on: _____

Response Due by: _____

Remarks: