



**COLORADO**  
Division of Reclamation,  
Mining and Safety  
Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

April 7, 2017

Sara Glinatsis  
Sunrise Mining LLC  
13742 W. 59th Ave.  
Arvada, CO  
80004

**Re: May Day Idaho Mine Complex, File No. M-1981-185, Notice of Incompleteness, 112d-2 Amendment Application, AM-2**

Dear Mrs. Glinatsis:

On Monday, April 03, 2017, the Division of Reclamation, Mining and Safety received the 112d-2 Designated Mining Operation Reclamation Permit Amendment Application package for the May Day Idaho Mine Complex File No. M-1981-185. A preliminary review of the information received determined that the Application is incomplete for filing and review.

While the application does address the items outlined in the Board Order dated January 9, 2017 an amendment application must meet all requirements of section 1.4.5 of the Hard Rock and Metals Mining Rules, specifically section 1.4.5 (2) (b) (ii) “all information, attachments, maps, and exhibits as listed and described in Subsection 1.4.1 and Section 6.4” and as outlined in C.R.S 34-32-112. The application therefore must be considered incomplete for filing and notice purposes. Due to the complex nature of the permit history, please submit the final copies (after adequacy reviews) of all previously submitted exhibits that were not included in the above listed Amendment Application. If necessary, please update this information to reflect changes proposed in this amendment. In accordance with C.R.S. 34-32-112(8) and Rule 1.10(4) all Amendment Applications are treated as new permit applications and, once approved, will serve as the active permit file. The required information must be received within **60 (sixty) days** of the date of this letter, no later than Tuesday June 6, 2017. Copies of the following exhibits must be received before the Division can consider the application submitted and technical review can begin:

#### **6.4. EXHIBIT A - Legal Description**

- (1) The legal description must identify the affected land, specify affected areas and be adequate to field locate the property. Description shall be by (a), township, range, and section, to at least the nearest quarter-quarter section and (b), location of the main entrance to the site reported



as latitude and longitude, or the Universal Transverse Mercator (UTM) Grid as determined from a USGS topographic map. A metes and bounds survey description is acceptable in lieu of township, range, and section. Where available, the street address or lot number(s) shall be given. This information may be available from the County Assessor's office or U.S. Geological Survey (USGS) maps.

- (2) The main entrance to the mine site shall be located based on a USGS topographic map showing latitude and longitude or Universal Transverse Mercator (UTM). The operator will need to specify coordinates of latitude and longitude in degrees, minutes and seconds or in decimal degrees to an accuracy of at least five (5) decimal places (e.g., latitude 37.12345 N, longitude 104.45678 W). For UTM, the operator will need to specify North American Datum (NAD) 1927, NAD 1983, or WGS 84, and the applicable zone, measured in meters.

#### **6.4. EXHIBIT B - Index Map**

An index map showing the regional location of the affected land and all roads and other access to the area. A standard U.S. Geological Survey topographic quadrangle or equivalent is acceptable. Scale criteria need not be followed for this map.

#### **6.4. EXHIBIT C - Pre-mining and Mining Plan Map(s) of Affected Lands**

One or more maps may be necessary to legibly portray the following information:

- (a) all immediately adjoining surface owners of record;
- (b) the name and location of all creeks, roads, buildings, oil and gas wells and lines, and power and communication lines on the area of affected land and within two hundred (200) feet of all boundaries of such area;
- (c) the existing topography of the area with contour lines of sufficient detail to portray the direction and rate of slope of the affected land;
- (d) the total area to be involved in the operation, including the area to be mined and the area of affected lands (see definition of "Affected Land");
- (e) the type of present vegetation covering the affected lands; and
- (f) in conjunction with Exhibit G - Water Information, Subsection 6.4.7, if required by the Office, further water resources information will be presented on a map in this section.
- (g) Show the owner's name, type of structures, and location of all significant, valuable, and permanent man-made structures contained on



the area of affected land and within two hundred (200) feet of the affected land.

- (h) In conjunction with Exhibit I - Soils Information, Subsection 6.4.9, soils information may be presented on a map in this section;
- (i) Aerial photos, if available, may be included in this section.

#### **6.4 EXHIBIT H - Wildlife Information**

- (1) In developing the wildlife information, the Operator/Applicant may wish to contact the local wildlife conservation officer. The Operator/Applicant shall include in this Exhibit, a description of the game and non-game resources on and in the vicinity of the application area, including:
  - (a) a description of the significant wildlife resources on the affected land;
  - (b) seasonal use of the area;
  - (c) the presence and estimated population of threatened or endangered species from either federal or state lists; and
  - (d) a description of the general effect during and after the proposed operation on the existing wildlife of the area, including but not limited to temporary and permanent loss of food and habitat, interference with migratory routes, and the general effect on the wildlife from increased human activity, including noise.
- (2) All new applicants for designated mining operations shall contact the Division of Wildlife (DOW) for their recommendations. The DOW's recommendations shall be included into the application submitted to the Office for review. If the protection of wildlife is determined to be necessary by the Board for 112d Reclamation Permit Operations, or by the Office for 110d Limited Impact Permit operations, the Board or Office may incorporate such wildlife protection recommendations into the new permit as a condition for such permit.

#### **6.4. EXHIBIT I - Soils Information**

- (1) In consultation with the Soil Conservation Service or other qualified person, the Operator/Applicant shall indicate on a map (in Exhibit C) or by a statement, the general type, thickness and distribution of soil over the affected land. Such description will address suitability of topsoil (or other material) for establishment and maintenance of plant growth. The



above information shall satisfy "completeness" requirements for purposes of determination of date of filing.

- (2) If necessary, at its discretion, the Board may require additional information on soils or other growth media to be stockpiled and used in revegetation to be submitted subsequent to the filing and notification of "completeness" of the application.

#### **6.4. EXHIBIT J - Vegetation Information**

- (1) The Operator/Applicant shall include in this Exhibit a narrative of the following items:
  - (a) descriptions of present vegetation types, which include quantitative estimates of cover and height for the principal species in each lifeform represented (i.e., trees, tall shrubs, low shrubs, grasses, forbs);
  - (b) the relationship of present vegetation types to soil types, or alternatively, the information may be presented on a map; and
  - (c) estimates of average annual production for hay meadows and croplands, and carrying capacity for range lands on or in the vicinity of the affected land, if the choice of reclamation is for range or agriculture.
- (2) The Operator/Applicant shall show the relation of the types of vegetation to existing topography on a map in Exhibit C. In providing such information, the Operator/Applicant may want to contact the local Soil Conservation District.

#### **6.4. EXHIBIT K – Climate**

Provide a description of the significant climatological factors for the locality, and where determined appropriate by the Office on a case-by-case basis provide the required information of Paragraph 6.4.20(13).

#### **6.4. EXHIBIT M - Other Permits and Licenses**

A statement identifying which of the following permits, licenses and approvals the Operator/Applicant holds or will be seeking in order to conduct the proposed mining and reclamation operations: effluent discharge permits, air quality emissions permits, radioactive source material licenses, the State Historic Preservation Office



clearance, disposal of dredge and fill material (404) permits, permit to construct a dam, well permits, explosives permits, highway access permits, U.S. Forest Service permits, Bureau of Land Management permits, county zoning and land use permits, and city zoning and land use permits.

#### **6.4. EXHIBIT N - Source of Legal Right to Enter**

The source of the Operator's/Applicant's legal right to enter and initiate a mining operation on the affected land. (Same requirements as Rule 6.3.7)

#### **6.4. EXHIBIT O - Owner(s) of Record of Affected Land (Surface Area) and Owners of Substance to be Mined**

The complete list of all owners can be submitted as a list or on a map in Exhibit C.

#### **6.4. EXHIBIT P - Municipalities Within Two Miles**

A list of any municipality(s) within two miles of the proposed mining operation and address of the general office of each municipality.

#### **6.4. EXHIBIT S - Permanent Man-Made Structures**

The Applicant shall provide information sufficient to demonstrate that the stability of any structures located within two hundred (200) feet of the operation or affected land will not be adversely affected. If the Office determines that such information is inadequate to demonstrate that the operation will not adversely affect the stability of any significant, valuable and permanent man-made structure, the Applicant shall either:

- (a) provide a notarized agreement between the applicant and the person(s) having an interest in the structure, that the applicant is to provide compensation for any damage to the structure; or
- (b) where such an agreement cannot be reached, the applicant shall provide an appropriate engineering evaluation that demonstrates that such structure shall not be damaged by activities occurring at the mining operation; or
- (c) where such structure is a utility, the Applicant may supply a notarized letter, on utility letterhead, from the owner(s) of the utility that the mining and reclamation activities, as proposed, will have "no negative effect" on their utility.



Your application will not be considered submitted until the information listed above is received and found sufficient to begin our technical review. All required information must be received by the Division's Denver Office within **sixty (60) days** from the date of this letter for the application to be considered filed. Completeness must be achieved no later than **Tuesday June 6, 2017**. This letter shall not be construed to mean that there are no other technical deficiencies in your application.

Please note that this amendment application is being considered complex and once the amendment is complete for review, the Division will be extending the decision due date by an additional sixty (60) days to the normal ninety (90) day deadline, pursuant to Rule 1.4.1(7) and C.R.S. 34-32-115(2). The decision date for the amendment application will be set one hundred and fifty (150) days from the date the application is considered complete for review.

If you have any questions or require additional information please don't hesitate to contact me at the DRMS Grand Junction Field Office at (970)-243-6368 or by email at [lucas.west@state.co.us](mailto:lucas.west@state.co.us).

Sincerely,



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Environmental Protection Specialist  
Division of Reclamation, Mining and Safety  
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**Phone:** (970)-243-6368

Cc: Russ Means, Senior Environmental Protection Specialist

Ec: George Robinson, R<sup>2</sup> Incorporated

