



**File Code:** 2810  
**Date:** July 18, 2017

**CERTIFIED MAIL – RETURN**

**RECEIPT REQUESTED**

**NUMBER:** 7016 0910 0002 0319 7956

Mr. Jeffrey Forrest  
Claimant/ Operator  
8057 S. Vermejo Peak  
Littleton, CO 80127

Dear Mr. Forrest,

Enclosed is the final, signed Decision Memorandum (DM) dated July 18, 2017 (attachment 1), and related documents associated with the Forrest Mine Plan of Operations (MPO) (#2810-021210-MPO-2017-001). This MPO is for lode exploration on the South Park Ranger District of the Pike National Forest.

On February 7, 2014, the President signed into law the Agricultural Act of 2014, Public Law Number 113-79 (i.e. Farm Bill). Section 8006(a) of the 2014 Farm Bill repealed the Appeals Reform Act, Public Law Number 102-381, 106 Stat. 1419 (1992). Section 8006(b) directs that the pre-decisional objection process established in Section 428 of division E of the Consolidated Appropriation Act of 2012, Public Law Number 112-74, shall not be applicable to categorically excluded projects or activities. Therefore, this decision is not appealable.

Prior to final approval of your MPO, there are two additional steps that must be completed:

(1) Accepting the changes and additions listed in the July 18<sup>th</sup> Forrest Mine DM.

Prior to Forest Service (FS) approval of the final MPO, you will need to accept the changes and additions that were identified in the enclosed DM. These changes and additions are carried forward into Section VI-A of the final MPO (Required changes/modifications/special mitigation for plan of operations). By signing Section 8 (Operating Plan Acceptance) of the MPO, you (Mr. Forrest) accepts the changes and additions, and agree to incorporate them into the operations.

(2) Posting a Reclamation Performance Bond.

The Reclamation Performance Bond is a guarantee of faithful performance with the terms and conditions listed in the MPO and DM. The Reclamation Performance Bond also extends to, and can include any unauthorized activities conducted in connection with this operation. The bond amount may also be adjusted during the term of the MPO in response to changes in the operations or to changes in the economy.

As per the Memorandum of Understanding (MOU) between the Forest Service and the State of Colorado, Division of Reclamation, Mining, and Safety (DRMS), the DRMS is the lead bond authority and will be responsible for calculating your reclamation bond. This bond will need to be submitted to and approved by DRMS and the Forest Service in accordance with 36 CFR 228.13, prior to the authorization of your MPO.



If you have any questions and/or need clarification regarding the above information, please contact Geologist Amy Titterington at the South Park office, by phone at 719-836-2031, and/or by email at amyjtitterington@fs.fed.us.

Sincerely,



for

JOSHUA S. VOORHIS  
District Ranger

cc: elliottrussell@state.co.us; williamsd@co.teller.co.us; Jeffrey Otten

Attachments:

1. Forrest DM
2. Forrest MPO

**DECISION MEMO**  
**FORREST EXPLORATION AND MINING PROJECT**  
**STUDENT LOAN NO. 1, STUDENT LOAN NO. 2,**  
**RUFF LODE NO. 1, MICK-MAN LODE NO. 1**  
**UNPATENTED MINING CLAIMS**  
**U.S. FOREST SERVICE**  
**PIKE NATIONAL FOREST**  
**SOUTH PARK RANGER DISTRICT**  
**TELLER COUNTY, COLORADO**  
**T12S, R71W, SECTIONS 1, 2, & 12, 6<sup>TH</sup> PRINCIPAL MERIDIAN**

**BACKGROUND**

Jeffrey Otten (operator/ agent) submitted a Mine Plan of Operations (MPO) on February 10, 2017, to conduct exploration, mining, and reclamation activities in the Crystal Creek area on portions of the Student Loan No. 1, Student Loan No. 2, Ruff Lode No. 1, and Mick-Man Lode No. 1 unpatented mining claims, found in Sections 1, 2, and 12, T12S, R71W, 6<sup>th</sup> Principal Meridian, approximately 5.0 miles northeast of Lake George, in Teller County, Colorado. The mining operations may be accessed from FSR 201 to FSR 273 to two non-system access roads, approximately 11 feet wide x 80 feet long and 11 feet wide x 450 feet long, respectively (0.13 acres).

This proposal entails the use of mechanized equipment and hand tools to mine five (5.0) total acres of National Forest System lands over a period of 5 years. Work conducted will consist of 5 to 6 small excavations, totally 3.25 acres. Mining activities will be compliant with all other local, State and Federal regulations. Mechanized operations will occur on an intermittent basis, for a maximum of 180 days this year. If the operator requires more working days, the Forest Service will be notified prior to the continuation of operations.

Mr. Otten's proposed activities fall under purview of the Mining Law of 1872, as amended. The operator is entitled to conduct operations that are reasonably incidental to exploration of mineral deposits on their mining claim pursuant to applicable U.S. laws and regulations and is asserting their rights under the General Mining Law to explore for locatable minerals.

The Forest Service (FS) is required by regulation to respond to a MPO to conduct operations pursuant to the Mining Law of 1872, as amended. Under 36 CFR 228.5, the FS must determine whether to approve the MPO as proposed, or to require changes or additions deemed necessary to meet the requirements of the regulations for environmental protection set forth in 36 CFR 228.8. The FS conducts a thorough review of the environmental effects and determines if any changes or design criteria are needed to minimize resource impacts. Approval of a MPO is not a discretionary action for the FS, and the FS has

authority over the surface resources only. Subsurface mineral resources are under the authority of the Bureau of Land Management (BLM).

## DECISION

After a review of the project record, I have decided to authorize Mr. Otten a Plan of Operations to conduct exploration and mining activities, and subsequent reclamation, for amazonite, smoky quartz, and other pegmatite minerals on portions of the Student Loan No. 1, Student Loan No. 2, Ruff Lode No. 1, and Mick-Man Lode No. 1 unpatented claims in the Crystal Creek area of Teller County, Colorado. It is my decision to approve the Forrest MPO for exploration and mining activities as described above pending (1) the operator incorporates the design features into the final MPO, and (2) the operator posts an appropriate reclamation bond as approved by the FS. Operations approved by this decision will be in compliance with the rules and regulations for operations on NFS lands (36 CFR 228, Subpart A). All operations will be conducted in accordance with the design features to minimize and/or eliminate environmental impacts on NFS surface resources (36 CFR 228.8). Approval of this MPO is consistent with 36 CFR 228.5. Activities are authorized for up to five years from the date of signature on the MPO.

This action is categorically excluded from documentation in an environmental impact statement (EIS) or an environmental assessment (EA). The applicable category of actions is identified in agency procedures as 36 CFR 220.6(e)(3): *"Approval, modification, or continuation of minor special uses of NFS lands that require less than five contiguous acres of land."*

This category of action(s) is applicable because there are no cause-effect relationships between the proposed action and the potential effect on resource conditions that could lead to effects on any extraordinary circumstance that would warrant analysis beyond a categorical exclusion (36 CFR 220.6(b)) (FSH 1909.15, Sec. 31.2). I have considered the resource conditions listed in the Forest Service NEPA regulations at 36 CFR 220.6(b) as outlined below.

I find that there are no extraordinary circumstances that would warrant further analysis and documentation in an EA or EIS. I took into account resource conditions identified in agency procedures that should be considered in determining whether extraordinary circumstances might exist:

- a. **Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species** – Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species. There are 10 Forest Service Sensitive species (Fringed myotis, Hoary bat, Townsend's big-eared bat, Peregrine falcon, Bald eagle, Flammulated owl, Northern goshawk, Olive-sided flycatcher, Northern leopard frog, and Boreal toad) and 1 Federally – threatened species (Mexican spotted owl) that have the potential to occur within the Analysis area which is defined as one mile from the footprint of the proposed action. No observations of any of these species have been recorded within one mile of the project area. There is no critical or proposed critical habitat for any species in the project area.

The Forest Service sensitive species Fringed myotis, Hoary bat, Townsend's bit-eared bat, Peregrine falcon, Bald eagle, Flammulated owl, Northern goshawk, Olive-sided flycatcher, Northern leopard frog, and Boreal toad were analyzed because 5.0 acres of habitat would be directly impacted. This is a minute amount of habitat and it is unlikely these species utilize this particular piece of land during the summer because of the ongoing activities. There is suitable habitat for all of these species adjacent to the proposed action where they likely prefer to forage and rest. No habitat would be directly impacted. There are already noise disturbances in the area due to other mining operations in Crystal Creek, and without an acoustical study it is unknown as to how much disturbance the additional noise would cause. Once the project is completed, wildlife use of the area would likely return to pre-implementation levels. Because this proposed project will take place during the daylight hours of the summer months, it is determined that the project may adversely impact individuals, but will not likely result in a loss of viability in the planning area for all sensitive addressed in this analysis.

A separate Biological Assessment and Biological Evaluation were completed for botanical and wildlife species. They are included in the project record. No other federally listed or proposed species have habitat in the project area.

- b. **Flood plains, wetlands, or municipal watersheds** – The project will not occur within or affect floodplains, wetlands, or municipal watersheds. (Project file record: Forrest Project Map, 2017).
- c. **Congressionally designated areas such as wilderness, wilderness study areas, or national recreation areas** – The project will not occur within or affect any congressionally designated areas (Project file record: Location of Forrest Project Map, 2017).
- d. **Inventoried roadless areas or potential wilderness areas** – The project will not occur within or affect inventoried roadless areas (Project file record: Forrest Project Map, 2017).
- e. **Research natural areas** – The project will not occur within or affect research natural areas (Project file record: Location of Forrest Project Map, 2017).
- f. **American Indians and Alaska Native religious or cultural sites** – There are no known Native American or Alaska Native religious or cultural sites within the project area (Project file record: Cultural Resources Investigation #12-2806/ INFRA 2007-107) for the Forrest Mining Project, Teller County, Colorado).
- g. **Archaeological sites, or historic properties or areas** – The Forest has completed compliance with Section 106 of the National Historical Preservation Act of 1966, as amended. The Forest has determined that no historic properties would be affected by the Forrest Mining Project (see also Cultural Resource Report, 2016).

Based upon these determinations, I conclude that the operations are limited in context and intensity (40 CFR 1508.27), and this action is expected to produce little or no individual or cumulative environmental effects to either biological or physical components of the human environment (see Table 1). My conclusion is based on a review of the record that shows a thorough analysis using the best available science. Therefore, the proposed action with the

addition of design features identified above is consistent with the management direction, standards, and guidelines.

**Table 1: Summary of Resource Conditions**

<b>Extraordinary Circumstances</b>	<b>Present?</b>	<b>Effects to any Extraordinary Circumstance?</b>
a. Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal Listing or proposed critical habitat, or Forest Service sensitive species	Yes (see BA & BE)	No
b. Flood plains, wetlands, or municipal watersheds	No	No
c. Congressionally designated areas, such as wilderness, wilderness study areas, or national recreation areas	No	No
d. Inventoried road less areas or potential wilderness areas	No	No
e. Research natural areas	No	No
f. American Indians and Alaska Native religious or cultural sites	No	No
g. Archaeological sites, or historic properties or areas	No	No

## **DESIGN CRITERIA**

Forest Service wildlife biologist, botanist, archaeologist, geologist, hydrologist, recreation, lands, timber, wilderness, fuels, and fire specialists have reviewed the proposed project. Measures necessary to protect threatened or endangered species, Region 2 sensitive species, their habitat, or potential habitat from the effects of the proposed management actions are addressed through the development of project design criteria. Design criteria are intended to minimize the project's effects to the environment. The FS has created the following design criteria that will be required of the Operator to be incorporated into the final MPO prior to MPO approval. Specific design criteria include:

### **ADMINISTRATIVE**

- The operator will establish a reclamation bond or acceptable surety as a guarantee of faithful performance with the terms and conditions identified in the reclamation requirements (36 CFR 228.13). Bond calculations will be based on local and Davis-Bacon wage and equipment rates. Bonds will be updated as necessary throughout

the life of the project to reflect the actual cost of reclamation.

- Upon completion of the project, a partial bond can be refunded withholding funds for re-vegetation, monitoring, and portions of indirect costs for a minimum of three (3) years pending attainment of acceptable ground cover as determined by the Authorized Officer.
- If the design or location of this project changes in ways that differ from the approved MP, the project work will stop, and the PSICC Geologist will be notified immediately. The new information will be evaluated prior to the recommencement of work, which may require additional analyses under the National Environmental Policy Act (NEPA).
- The operator will contact the FS prior to the start of operations, during operations if operating conditions or requirements deviate from those analyzed, and once operations have been completed, to schedule a visit to the site as a final inspection of the operations.
- All project-related materials and trash, including flagging, fencing, stakes, sample bags, and other items, must be removed from the site after project completion.
- This plan has been approved for a period of 5 years, or until December 31, 2022.

#### **FIRE PREVENTION**

- All internal combustion engines including but not limited to generators, mechanized mining equipment and power tools, must be fitted with an approved spark arresting device.
- Operator has tools, fire extinguisher on site and readily available during fire season.
- Operator notifies South Platte Ranger District or Pueblo Dispatch (719) 553-1600 promptly, in the event of a fire.

#### **CAMPING**

- Overnight stays and leaving vehicles on the Forest are limited to a maximum of 14 consecutive days and no more than 28 days in a 60 day continuous period.
- Forest Service Motor Vehicle Use Map (MVUM) related regulations require vehicles to park only in areas immediately adjacent to National Forest System roads.
- All foodstuffs will be properly contained and located to minimize conflicts with wildlife, especially bears. Food items should be stored in a bear proof container away from any tenting or camping sites.
- All trash and garbage will be removed from National Forest Lands.
- Human waste shall be removed from National Forest Lands.

#### **OPERATIONS**

- Equipment must be in good working order and not leak fluids onto ground.
- Inoperable or broken equipment must be immediately removed from Forest Service lands.
- Operator must have all applicable Federal, local, and State permits in place prior to operating.

## **ROADS**

- Motorized off-road travel is prohibited with the exception of prospecting, mining and reclamation equipment.
- The operator will install a gate at the start of the access road to prevent a new 2-track from being established.
- Maintenance will be required on the access road to prevent erosion. This may include the installation of water bars to Forest Service engineering standards.
- A sign will be placed on the access gate to prevent public travel. Sign will state "NOTICE - PRIVATE ROAD ACCESS authorized by U.S. FOREST SERVICE PERMIT".
- Gate will remain unlocked for the duration of the operations.
- The non-system access road will be permanently ripped, graded, seeded, and closed with boulders or other appropriate materials upon the completion of final site reclamation.

## **WEED PREVENTION**

- Ensure all equipment and tools moved onto National Forest System lands are free of soil, seeds, vegetative matter, or other debris that could contain or hold noxious weed seed.
- The operator will coordinate with FS personnel to ensure that inspections of equipment are performed, prior to use.

## **VEGETATION**

- Minimal vegetation clearing will occur. When clearing vegetation, straight clearing limits are voided; a natural appearance is maintained. Natural features such as large boulders, rock outcrops, and significant vegetation will remain intact, unless otherwise approved by the South Park District Ranger.
- Topsoil will be removed and stockpiled on site for use in reclamation.

## **TIMBER**

- Snags should be avoided unless they present an obvious hazard to individuals conducting mining and reclamation work.
- Only dead trees up to a width of 10 inches will be removed along the access routes.
- Slash will be lopped and scattered and/ or piled, or used in erosion control on slopes.
- A firewood permit or forest products permit is required to remove any trees not necessary for mining operations.
- To the best ability of the Contractor, reclaim site to pre-disturbance conditions as listed in the reclamation plan and bond. If at any time deleterious effects occur to multiple trees or larger swathes of existing vegetation please contact Silviculture / Timber management for further consultation.



## HAZARDOUS MATERIALS

- The operator will ensure that all employees involved in the use, storage, transportation, and disposal of hazardous materials receive proper training to reduce the risk of an incident on NFS lands.
- The operator will manage the use, storage, discharge, or disposal of pollutants and hazardous or toxic substances generated in compliance with applicable regulations and requirements.

## WATER QUALITY

- If excessive gullyng or rilling occurs downhill from excavations, erosion control measures such as silt fencing or contour berms may be necessary to protect water quality.
- Operator will comply with applicable Federal and State water quality standards, including regulations pursuant to the Federal Water Pollution Control Act, as amended (33 USC 1151 et seq.).
- Operator will comply with National Best Management Practices for Water Quality Management on National Forest System Lands. This includes providing silt fences, waddles, and straw bales as necessary.

[http://www.fs.fed.us/biology/resources/pubs/watershed/FS\\_National\\_Core\\_BMPs\\_April2012.pdf](http://www.fs.fed.us/biology/resources/pubs/watershed/FS_National_Core_BMPs_April2012.pdf)

## CULTURAL

- If a previously unknown archaeological site is discovered by either the operator or the Forest Service, mining operations will stop immediately until the site is evaluated by the Forest Service Archaeologist, and any needed mitigation measures are developed.

## WILDLIFE

- If any new nesting/denning sites for threatened, endangered, or Forest Service sensitive species are observed during implementation, it will be reported immediately to the Wildlife Biologist and appropriate protection measures will be implemented.
- Design criteria mentioned above for noise, weed prevention, vegetation and water quality all coincide with protection of wildlife habitat.

## RECLAMATION

The operator(s) agree to complete the following reclamation measures:

- Within the one year expiration of this authorization, the operator will commence final reclamation.
- Remove all materials and return the mining area to the original natural contours. This includes all excavation cuts.
- Silt fences or other erosion control will be utilized to prevent off-site sediment transport.
- Straw waddles must be weed-free (shredded aspen fill recommended).
- Water bars may be required on slopes and access road to control erosion.
- Slash should be scattered and/ or piled, or used in erosion control on slopes.

- Any erosion control blankets must be 100% natural fiber (i.e. no monofilament) and weed-free.
- Reclamation will be monitored by the operator, USFS personnel, and State of Colorado (DRMS) inspectors on an as needed basis.
- The road and site will be seeded with USFS-approved seed mixtures, as needed.
- Re-vegetation will not be complete until at least 50% plant re-growth has been established; when compared to adjacent undisturbed areas.
- Top soil must be saved and used to cover all disturbed areas.
- Return large rocks, boulders, and logs to their original position.
- The U.S. Forest Service may require additional reclamation measures if needed.
- Earth work- which includes: re-contouring and smoothing all disturbed areas. Earth work will not be considered complete if the surface is rough, no rough piles higher than 12 inches may be left.
- Remove all trash off of Forest Service Lands.
- Remove all structures (fences, signs) from Forest Service Lands with the exception of pre-existing structures.
- Complete all reclamation within one year of the end of the operating plan.
- Refund of any reclamation bond is contingent upon the success of reclamation.

## **MONITORING**

- The Forest Service will monitor and assess the progress of reclamation activities, including re-vegetation and erosion control, for a minimum of three years. Dependent on the success of the second phase of reclamation, additional seeding, weed treatment, or installation of erosion control structures may occur.

## **PUBLIC INVOLVEMENT**

This action was listed as a proposal on the Pike and San Isabel National Forests, Cimarron and Comanche National Grasslands Schedule of Proposed Actions (SOPA) in July 2017. A scoping letter describing the details of the proposed action was sent to all neighboring claimants (9) and INFORM Colorado on March 14, 2017, with a 30 day comment period. One response was received. Internal scoping among FS resource specialists was initiated on February 17, 2017, and responses are documented in the project record.

## **FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS**

This decision is consistent with the Pike and San Isabel National Forests, Comanche and Cimarron National Grasslands Land and Resource Management Plan (the Forest Plan) as required by the National Forest Management Act. The actions in this project are in full compliance with the Forest Plan, Management Area Direction, including that contained under the various management prescriptions and the Forest-wide standards and guidelines (See Chapter II). Implementation of this decision will not violate any federal, state or local laws or requirements imposed for the protection of the environment, including: Clean Water Act, as amended; Clean Air Act, as amended; Endangered Species Act, as amended; American Antiquities Act; Historic

Preservation Act; Executive Order 13186, Migratory Bird Treaty Act; Executive Order 12898, Environmental Justice..

### ADMINISTRATIVE REVIEW (APPEAL) OPPORTUNITIES

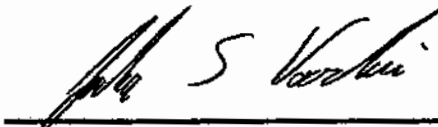
On February 7, 2014, the President signed into law the Agricultural Act of 2014, Public Law Number 113-79 (i.e. Farm Bill). Section 8006(a) of the 2014 Farm Bill repealed the Appeals Reform Act, Public Law Number 102-381, 106 Stat. 1419 (1992). Section 8006(b) directs that the pre-decisional objection process established in Section 428 of division E of the Consolidated Appropriation Act of 2012, Public Law Number 112-74, shall not be applicable to categorically excluded projects or activities. Therefore, this decision is not appealable.

### IMPLEMENTATION DATE

Implementation will commence once the Plan of Operations is authorized. The Plan of Operations will be authorized for a five (5) year period, which will end December 31, 2022. If Mr. Otten proposes a modification to the MPO, it is within the scope of the previously authorized MPO, and a sufficiency review of this analysis proves adequate, it may be authorized.

### CONTACT

For additional information concerning this decision, contact: Amy Titterington, Geologist, South Park Ranger District, 320 Highway 285, Fairplay, CO 80440, Phone number 719 836-2031, or email [amytitterington@fs.fed.us](mailto:amytitterington@fs.fed.us).

  
Joshua S. Voorhis  
District Ranger

7/18/2017

Date

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

# **PLAN OF OPERATIONS FOR MINING ACTIVITIES ON NATIONAL FOREST SYSTEM LANDS**

**USE OF THIS FORM IS OPTIONAL** 1<sup>st</sup> TIME USERS SHOULD DIRECT QUESTIONS REGARDING THIS FORM OR REGULATIONS (36 CFR 228A) TO THE FOREST SERVICE DISTRICT OFFICE NEAREST YOUR AREA OF INTEREST.

Submitted by:	<u>Jeffrey L Otten</u> Signature	<u>FIELD REPRESENTATIVE</u> Title	<u>4/1/17</u> Date (mm/dd/yy)
	<u>Amey H</u> Signature	<u>Geologist</u> Title	<u>4/5/17</u> Date (mm/dd/yy)
Plan Received by:			

## **I. GENERAL INFORMATION**

- A. Name of Mine/Project: FORREST MINING PROJECT
- B. Type of Operation: LODE EXPLORATION & DEVELOPMENT  
(lode, placer, mill, exploration, development, production, other)
- C. Is this a (☒new/☐continuing) operation? (check one).  
If continuing a previous operation, this plan (☐replaces/☐modifies/☐supplements) a previous plan of operations. (check one)
- D. Proposed start-up date (mm/dd/yy) of operation: 06/01/2017
- E. Expected total duration of this operation: 5 YEAR
- F. If seasonal, expected date (mm/dd/yy) of annual reclamation/stabilization close out: 12/01/2017
- G. Expected date (mm/dd/yy) for completion of all required reclamation: 06/01/2023

## **II. PRINCIPALS**

- A. Name, address and phone number of operator:  
AMAZONITE MINING, LLC 8057 S. VERMEJO PEAK, LITTLETON, CO 80127 303-246-7819
- B. Name, address, and phone number of authorized field representative (if other than the operator).  
Attach authorization to act on behalf of operator.  
JEFFREY L. OTTEN 4175 COUNTY ROAD 5, DIVIDE, CO 80814 719-505-3576  
AMAZONITE MINING, LLC MEMBER
- C. Name, address and phone number of owners of the claims (if different than the operator):  
JEFFREY S. FORREST 8057 S. VERMEJO PEAK, LITTLETON, CO 80127 303-246-7819  
AMAZONITE MINING, LLC MEMBER
- BETSY C. FORREST 8057 S. VERMEJO PEAK, LITTLETON, CO 80127 303-246-7819  
AMAZONITE MINING, LLC MEMBER

(If more space is needed to fill out a block of information, use additional sheets and attach form)

- D. Name, address and phone number of any other lessees, assigns, agents, etc., and briefly describe their involvement with the operation, if applicable:

### III. PROPERTY OR AREA

(Name of claim, if applicable, and the legal land description where the operation will be located.)

MCH	Name	Section	Township	Range
255354	STUDENT LOAN NO. 1	1	T 12 S	R 71 W
255355	STUDENT LOAN NO. 2	1 & 12	T 12 S	R 71 W
272515	RUFF-LODE NO. 1	1 & 2	T 12 S	R 71 W
274852	MICK-MAN LODE NO. 1	1 & 2	T 12 S	R 71 W

### IV. DESCRIPTION OF THE OPERATION

- A. Access. Show on a map (USGS quadrangle map or a National Forest map, for example) the claim boundaries, if applicable, and all access needs such as roads and trails, on and off the claim. Specify which Forest Service roads will be used, where maintenance or reconstruction is proposed, and where new construction is necessary. For new construction, include construction specifications such as widths, grades, etc., location and size of culverts, describe maintenance plans, and the type and size of vehicles and equipment that will use the access routes.

The main operation site will be accessed using Forest Service Road 273. The operations east of Forest Service Road 273 will be accessed by a route of approximately 80 feet in length by 11 feet wide. The operations west of Forest Service Road 273 will be accessed along a route approximately 450 feet in length by 11 feet wide. These 2 routes will be used as non-system roads. Only dead trees up to a width of 10 inches will be removed along the routes. The grade on these 2 routes is approximately 4:1 or less. No significant grade changes or culverts are anticipated. Only personal vehicles and excavation equipment such as or similar to a John Deere 310D backhoe or a Link-Belt 290 LX excavator will be used along the routes. All routes will be graded to their original grade if changed and reclaimed with a blend of native grass seed approved by the Forest Service.

SEE ATTACHED SKETCH/EXHIBIT A & EXHIBIT B

- B. Map, Sketch or Drawing. Show location and layout of the area of operation. Identify any streams, creeks or springs if known. Show the size and kind of all surface disturbances such as trenches, pits, settling ponds, stream channels and run-off diversions, waste dumps, drill pads, timber disposal or clearance, etc. Include sizes, capacities, acreage, amounts, locations, materials involved, etc.

SEE ATTACHED SKETCH/EXHIBIT B

(If more space is needed to fill out a block of information, use additional sheets and attach form)

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- C. **Project Description.** *Describe all aspects of the operation including mining, milling, and exploration methods, materials, equipment, workforce, construction and operation schedule, power requirements, how clearing will be accomplished, topsoil stockpile, waste rock placement, tailings disposal, proposed number of drillholes and depth, depth of proposed suction dredging, and how gravels will be replaced, etc. Calculate production rates of ore. Include justification and calculations for settling pond capacities, and the size of runoff diversion channels.*

The mining excavation for pegmatites will be done using a combination of backhoe and hand shovel digging. The workforce will be Jeffrey Forrest, Betsy Forrest and Jeffrey Otten. The construction and operation schedule will be from May to November. Power requirements will be met using a small portable generator. Any timber clearing will be done by the operators and field representative using chainsaws. Topsoil and tailings will be stockpiled adjacent to the excavated areas. Depth of excavation will not exceed 30 feet from the original surface. There are no streams in operation area so no dredging will be necessary.

Safety fencing will be erected around open excavations that surpass 3 feet in depth.

Sloping or benching for excavations greater than 20 feet deep shall be designed by a registered professional engineer.

- 
- D. **Equipment and Vehicles.** *Describe that which is proposed for use in your operation (Examples: drill, dozer, wash plant, mill, etc.). Include: sizes, capacity, frequency of use, etc.*

Vehicles will typically park adjacent to Forest Service Road 273. A backhoe such as or similar to a John Deere 310 or a excavator such as Link-Belt 290 LX will be used periodically to expose pegmatites and back fill pits or trenches. Hand digging will then resume. Electric drills will be used occasionally in rock breaking. Electrical power will be met using a small portable generator such as or similar to a Honda EB3000C. Vehicles will occasionally be used to access the pits to move supplies.

The backhoe or excavator will be transported in and out of the site as needed during the May thru November season.

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- E. **Structures.** *Include information about fixed or portable structures or facilities planned for the operation. Show locations on the map. Include such things as living quarters, storage sheds, mill buildings, thickener tanks, fuel storage, powder magazines, pipelines, water diversions, trailers, sanitation facilities including sewage disposal, etc. Include engineering design and geotechnical information for project facilities, justification and calculations for sizing of tanks, pipelines and water diversions, etc.*

No fixed or portable structures are planned. Raw Sewage will be placed in a plastic portable container within the project area and removed daily from the site. It will be deposited at a local RV dump station.

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## V. ENVIRONMENTAL PROTECTION MEASURES (SEE 36 CFR 228.8)

- A. **Air Quality.** *Describe measures proposed to minimize impacts on air quality such as obtaining a burning permit for slash disposal or dust abatement on roads.*

Due to the small size of this operation, no impact on air quality will be made. The operation area is located in the 2002 Hayman fire burn area. There are areas of the operation that will have small aspen trees removed. These trees will be removed from the site or dispersed to an area decided by the Forest Service. The Forest Service will be notified before cutting any trees over 5" diameter.

---

*(If more space is needed to fill out a block of information, use additional sheets and attach form)*

**B. Water Quality.** State how applicable state and federal water quality standards will be met. Describe measures or management practices to be used to minimize water quality impacts and meet applicable standards.

1. State whether water is to be used in the operation, and describe the quantity, source, methods and design of diversions, storage, use, disposal, and treatment facilities. Include assumptions for sizing water conveyance or storage facilities.
  2. Describe methods to control erosion and surface water runoff from all disturbed areas, including waste and tailings dumps.
  3. Describe proposed surface water and groundwater quality monitoring, if required, to demonstrate compliance with federal or state water quality standards.
  4. Describe the measures to be used to minimize potential water quality impacts during seasonal closures, or for a temporary cessation of operations.
  5. If land application is proposed for waste water disposal, the location and operation of the land application system must be described. Also describe how vegetation, soil, and surface and groundwater quality will be protected if land application is used.
1. This operation will be dry excavation.
  2. Erosion and surface water runoff will be controlled by contractor grade silt fence if necessary. It will be placed at the Forest Service's recommended locations.
  3. The closest surface water is Crystal Creek, 0.6 miles to the west.
  4. Contractor grade silt fence will be used if required.
  5. No land application is proposed.

---

**C. Solid Wastes.** Describe the quantity and the physical and chemical characteristics of solid waste produced by the operation. Describe how the wastes will be disposed of including location and design of facilities, or treated so as to minimize adverse impacts.

No solid waste will be produced.

---

**D. Scenic Values.** Describe protection of scenic values such as screening, slash disposal, or timely reclamation.

Due to the small size of the operation a minimum impact is expected on the scenic values of this area. Any slash will be disposed of per the Forest Service's recommendations. Reclamation will be done per the Forest Service's recommendations.

---

*(If more space is needed to fill out a block of information, use additional sheets and attach form)*

- E. Fish and Wildlife.** *Describe measures to maintain and protect fisheries and wildlife, and their habitat (includes threatened, endangered, and sensitive species) affected by the operations.*

Due to the small size of the operation a minimum impact is expected on the fisheries, wildlife and their habitat. Any slash will be disposed of in per the Forest Service's recommendations. Reclamation will be done per the Forest Service's recommendations.

- 
- F. Cultural Resources.** *Describe measures for protecting known historic and archeological values, or new sites in the project area.*

There are no known historic or archeological values on this area.

- 
- G. Hazardous Substances.**

1. *Identify the type and volume of all hazardous materials and toxic substances which will be used or generated in the operations including cyanide, solvents, petroleum products, mill, process and laboratory reagents.*

No chemicals or toxic substances will be used for exploration or mineral production at this site.

Possible hazardous substances include fuel or fuel leaks from machinery.

Gasoline, 2.5 gallons may be on site at any one time for use with small portable generator and chainsaw.

Diesel fuel, 100 gallons may be on site at any one time for use with backhoe or excavator.

No gasoline or diesel fuel will be stored on site.

- 
2. *For each material or substance, describe the methods, volume, and frequency of transport (include type of containers and vehicles), procedures for use of materials or substances, methods, volume, and containers for disposal of materials and substances, security (fencing), identification (signing/labeling), or other special operations requirements necessary to conduct the proposed operations.*

The gasoline will be transported on and off the operations site by personal vehicles only on days as needed.

(Approximately 90 days of the annual season.) The gasoline will be transported in a 2.5 gallon steel, type 2 safety container.

The diesel fuel will be transported on and off the operations site in the fuel tank of the equipment. Additional diesel fuel would be transported to the site in a 50-100 gallon fuel transfer tank by personal vehicle.

The excavating equipment will be moved on and off the site only as needed, approximately 3-10 times per season.

The excavating equipment will be on site 180 days or less annually.

- 
3. *Describe the measures to be taken for release of a reportable quantity of a hazardous material or the release of a toxic substance. This includes plans for spill prevention, containment, notification, and cleanup.*

If there is a spill of contaminants, all contaminated soils will be removed and disposed of off National Forest lands.

To prevent fuel leaks/spills from contacting the ground, a tarp and absorbent pad (moving blanket) will be placed under the machinery while parked or refueling. In the event of a fluid leak that contacts the ground, USFS, WQCD and CO DRMS will be notified in order to comply with required clean up procedures. Five gallon buckets will be available to remove contaminated soil from the site.

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- H. **Reclamation.** Describe the annual and final reclamation standards based on the anticipated schedule for construction, operations, and project closure. Include such items as the removal of structures and facilities including bridges and culverts, a revegetation plan, permanent containment of mine tailings, waste, or sludges which pose a threat of a release into the environment, closing ponds and eliminating standing water, a final surface shaping plan, and post operations monitoring and maintenance plans.

Annual reclamation will be done prior to November 30th on those excavated areas deemed not worth expanding. They will be back filled and graded to their original grade. Where topsoil is located, it will be salvaged and maintained on site adjacent to the excavated area. This topsoil will be replaced on those backfilled areas and seeded with a blend of native grass seed approved by the Forest Service. Any topsoil stockpile not replaced by the end of the annual season will be seeded to prevent erosion. Any overburden not replaced by the end of the annual season will be stabilized. Final reclamation will be done within one year expiration of approved Plan of Operations. All excavated and other disturbed areas will be reclaimed as stated above in the annual reclamation process.

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## VI. FOREST SERVICE EVALUATION OF PLAN OF OPERATIONS

- A. Required changes/modifications/special mitigation for plan of operations:

- 
- B. **Bond.** Reclamation of all disturbances connected with this plan of operations is covered by Reclamation Performance Bond No. \_\_\_\_\_, dated (mm/dd/yy) \_\_\_\_\_, signed by \_\_\_\_\_ (Principal) and \_\_\_\_\_ (Surety), for the penal sum of \_\_\_\_\_. This Reclamation Performance Bond is a guarantee of faithful performance with the terms and conditions listed below, and with the reclamation requirements agreed upon in the plan of operations. This Reclamation Performance Bond also extends to and includes any unauthorized activities conducted in connection with this operation.

The bond amount for this Reclamation Performance Bond was based on a bond calculation worksheet. The bond amount may be adjusted during the term of this proposed plan of operations in response to changes in the operations or to changes in the economy. Both the Reclamation Performance Bond and the bond calculation worksheet are attached to and made part of this plan of operations. Acceptable bond securities (subject to change) include:

1. Negotiable Treasury bills and notes which are unconditionally guaranteed as to both principle and interest in an amount equal at their par value to the penal sum of the bond; or
  2. Certified or cashier's check, bank draft, Post Office money order, cash, assigned certificate of deposit, assigned savings account, blanket bond, or an irrevocable letter of credit equal to the penal sum of the bond.
-

## VII. TERMS AND CONDITIONS

- A. If a bond is required, it must be furnished before approval of the plan of operations.
- B. Information provided with this plan marked confidential will be treated in accordance with the agency's laws, rules, and regulations.
- C. Approval of this plan does not constitute certification of ownership to any person named herein and/or recognition of the validity of any mining claim named herein.
- D. Approval of this plan does not relieve me of my responsibility to comply with other applicable state or federal laws, rules, or regulations.
- E. If previously undiscovered cultural resources (historic or prehistoric objects, artifacts, or sites) are exposed as a result of operations, those operations will not proceed until notification is received from the Authorized Officer that provisions for mitigating unforeseen impacts as required by 36 CFR 228.4(e) and 36 CFR 800 have been complied with.
- F. This plan of operations has been approved for a period of \_\_\_\_ or until (mm/dd/yy) \_\_\_\_\_. A new or revised plan must be submitted in accordance with 36 CFR part 228, subpart A, if operations are to be continued after that time period.

## VIII. OPERATING PLAN ACCEPTANCE

☐ ☒ We have reviewed and agreed to comply with all conditions in this plan of operations including the required changes, modifications, special mitigation, and reclamation requirements.

☐ ☒ We understand that the bond will not be released until the Authorized Officer in charge gives written approval.

Signature of ☐ Operator (or ☐ Authorized Representative)

(Date)  
(mm/dd/yy)

## IX. OPERATING PLAN APPROVAL

(Name)

(Title)

Signature of (Authorized Officer)

(Date)  
(mm/dd/yy)

### Burden and Non-Discrimination Statement

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0022. The time required to complete this information collection is estimated to average 12 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call toll free (866) 632-9992 (voice). TDD users can contact USDA through local relay or the Federal relay at (800) 877-8339 (TDD) or (866) 377-8642 (relay voice). USDA is an equal opportunity provider and employer.

(If more space is needed to fill out a block of information, use additional sheets and attach form)

7-25-2017

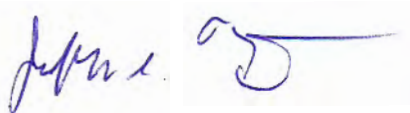
Jeffrey Forrest  
Member, Amazonite Mining, LLC; and Operator, Forrest Mine Plan (MPO)  
Amazonite Mining, LLC  
8057 S. Vermejo Peak  
Littleton, CO 80127

Mr. Joshua Voorhis  
USDA/Forest Service  
South Park Ranger District  
320 Highway 285  
Fairplay, CO 80440

Dear Mr. Voorhis:

Please find enclosed the original signed MPO for the Forrest Mining Project. Many thanks for your continued help in this process! Please let me know if you have any questions or need further information.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeffrey Forrest", followed by a stylized flourish or mark.

Jeffrey Forrest  
[jforrest@jforrest.org](mailto:jforrest@jforrest.org)  
303.246.7819 (c)

cc. Jeffrey Otten, Member, Amazonite Mining, LLC; Field Representative, Forrest Mining Project

**PLAN OF OPERATIONS FOR MINING ACTIVITIES  
ON NATIONAL FOREST SYSTEM LANDS**

**USE OF THIS FORM IS OPTIONAL!** 1<sup>st</sup> TIME USERS SHOULD DIRECT QUESTIONS REGARDING THIS FORM OR REGULATIONS (36 CFR 228A) TO THE FOREST SERVICE DISTRICT OFFICE NEAREST YOUR AREA OF INTEREST.

Submitted by: Jeffrey L Otten FIELD REPRESENTATIVE 4/1/17  
Signature Title Date (mm/dd/yy)

Plan Received by: Amy H Geologist 4/5/17  
Signature Title Date (mm/dd/yy)

**I. GENERAL INFORMATION**

- A. Name of Mine/Project: FORREST MINING PROJECT
- B. Type of Operation: LODE EXPLORATION & DEVELOPMENT  
(lode, placer, mill, exploration, development, production, other)
- C. Is this a (☒new/☐continuing) operation? (check one).  
If continuing a previous operation, this plan (☐replaces/☐modifies/☐supplements) a previous plan of operations. (check one)
- D. Proposed start-up date (mm/dd/yy) of operation: 06/01/2017
- E. Expected total duration of this operation: 5 YEAR
- F. If seasonal, expected date (mm/dd/yy) of annual reclamation/stabilization close out: 12/01/2017
- G. Expected date (mm/dd/yy) for completion of all required reclamation: 06/01/2023

**II. PRINCIPALS**

- A. Name, address and phone number of operator:  
AMAZONITE MINING, LLC 8057 S. VERMEJO PEAK, LITTLETON, CO 80127 303-246-7819
- B. Name, address, and phone number of authorized field representative (if other than the operator).  
Attach authorization to act on behalf of operator.  
JEFFREY L. OTTEN 4175 COUNTY ROAD 5, DIVIDE, CO 80814 719-505-3576  
AMAZONITE MINING, LLC MEMBER
- C. Name, address and phone number of owners of the claims (if different than the operator):  
JEFFREY S. FORREST 8057 S. VERMEJO PEAK, LITTLETON, CO 80127 303-246-7819  
AMAZONITE MINING, LLC MEMBER
- BETSY C. FORREST 8057 S. VERMEJO PEAK, LITTLETON, CO 80127 303-246-7819  
AMAZONITE MINING, LLC MEMBER

(If more space is needed to fill out a block of information, use additional sheets and attach form)



- D. Name, address and phone number of any other lessees, assigns, agents, etc., and briefly describe their involvement with the operation, if applicable:

### III. PROPERTY OR AREA

(Name of claim, if applicable, and the legal land description where the operation will be located.)

MC#	Name	Section	Township	Range
255354	STUDENT LOAN NO. 1	1	T 12 S	R 71 W
255355	STUDENT LOAN NO. 2	1 & 12	T 12 S	R 71 W
272515	RUFF-LODE NO. 1	1 & 2	T 12 S	R 71 W
274852	MICK-MAN LODE NO. 1	1 & 2	T 12 S	R 71 W

### IV. DESCRIPTION OF THE OPERATION

- A. **Access.** Show on a map (USGS quadrangle map or a National Forest map, for example) the claim boundaries, if applicable, and all access needs such as roads and trails, on and off the claim. Specify which Forest Service roads will be used, where maintenance or reconstruction is proposed, and where new construction is necessary. For new construction, include construction specifications such as widths, grades, etc., location and size of culverts, describe maintenance plans, and the type and size of vehicles and equipment that will use the access routes.

The main operation site will be accessed using Forest Service Road 273. The operations east of Forest Service Road 273 will be accessed by a route of approximately 80 feet in length by 11 feet wide. The operations west of Forest Service Road 273 will be accessed along a route approximately 450 feet in length by 11 feet wide. These 2 routes will be used as non-system roads. Only dead trees up to a width of 10 inches will be removed along the routes. The grade on these 2 routes is approximately 4:1 or less. No significant grade changes or culverts are anticipated. Only personal vehicles and excavation equipment such as or similar to a John Deere 310D backhoe or a Link-Belt 290 LX excavator will be used along the routes. All routes will be graded to their original grade if changed and reclaimed with a blend of native grass seed approved by the Forest Service.

SEE ATTACHED SKETCH/EXHIBIT A & EXHIBIT B

- B. **Map, Sketch or Drawing.** Show location and layout of the area of operation. Identify any streams, creeks or springs if known. Show the size and kind of all surface disturbances such as trenches, pits, settling ponds, stream channels and run-off diversions, waste dumps, drill pads, timber disposal or clearance, etc. Include sizes, capacities, acreage, amounts, locations, materials involved, etc.

SEE ATTACHED SKETCH/EXHIBIT B

(If more space is needed to fill out a block of information, use additional sheets and attach form)



- 
- C. Project Description.** *Describe all aspects of the operation including mining, milling, and exploration methods, materials, equipment, workforce, construction and operation schedule, power requirements, how clearing will be accomplished, topsoil stockpile, waste rock placement, tailings disposal, proposed number of drillholes and depth, depth of proposed suction dredging, and how gravels will be replaced, etc. Calculate production rates of ore. Include justification and calculations for settling pond capacities, and the size of runoff diversion channels.*

The mining excavation for pegmatites will be done using a combination of backhoe and hand shovel digging. The workforce will be Jeffrey Forrest, Betsy Forrest and Jeffrey Otten. The construction and operation schedule will be from May to November. Power requirements will be met using a small portable generator. Any timber clearing will be done by the operators and field representative using chainsaws. Topsoil and tailings will be stockpiled adjacent to the excavated areas. Depth of excavation will not exceed 30 feet from the original surface. There are no streams in operation area so no dredging will be necessary.

Safety fencing will be erected around open excavations that surpass 3 feet in depth.

Sloping or benching for excavations greater than 20 feet deep shall be designed by a registered professional engineer.

- 
- D. Equipment and Vehicles.** *Describe that which is proposed for use in your operation (Examples: drill, dozer, wash plant, mill, etc.). Include: sizes, capacity, frequency of use, etc.*

Vehicles will typically park adjacent to Forest Service Road 273. A backhoe such as or similar to a John Deere 310 or a excavator such as Link-Belt 290 LX will be used periodically to expose pegmatites and back fill pits or trenches. Hand digging will then resume. Electric drills will be used occasionally in rock breaking. Electrical power will be met using a small portable generator such as or similar to a Honda EB3000C. Vehicles will occasionally be used to access the pits to move supplies.

The backhoe or excavator will be transported in and out of the site as needed during the May thru November season.

- 
- E. Structures.** *Include information about fixed or portable structures or facilities planned for the operation. Show locations on the map. Include such things as living quarters, storage sheds, mill buildings, thickener tanks, fuel storage, powder magazines, pipelines, water diversions, trailers, sanitation facilities including sewage disposal, etc. Include engineering design and geotechnical information for project facilities, justification and calculations for sizing of tanks, pipelines and water diversions, etc.*

No fixed or portable structures are planned. Raw Sewage will be placed in a plastic portable container within the project area and removed daily from the site. It will be deposited at a local RV dump station.

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## **V. ENVIRONMENTAL PROTECTION MEASURES (SEE 36 CFR 228.8)**

- A. Air Quality.** *Describe measures proposed to minimize impacts on air quality such as obtaining a burning permit for slash disposal or dust abatement on roads.*

Due to the small size of this operation, no impact on air quality will be made. The operation area is located in the 2002 Hayman fire burn area. There are areas of the operation that will have small aspen trees removed. These trees will be removed from the site or dispersed to an area decided by the Forest Service. The Forest Service will be notified before cutting any trees over 5" diameter.

**B. Water Quality.** *State how applicable state and federal water quality standards will be met. Describe measures or management practices to be used to minimize water quality impacts and meet applicable standards.*

1. *State whether water is to be used in the operation, and describe the quantity, source, methods and design of diversions, storage, use, disposal, and treatment facilities. Include assumptions for sizing water conveyance or storage facilities.*
  2. *Describe methods to control erosion and surface water runoff from all disturbed areas, including waste and tailings dumps.*
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  4. *Describe the measures to be used to minimize potential water quality impacts during seasonal closures, or for a temporary cessation of operations.*
  5. *If land application is proposed for waste water disposal, the location and operation of the land application system must be described. Also describe how vegetation, soil, and surface and groundwater quality will be protected if land application is used.*
1. This operation will be dry excavation.
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  3. The closest surface water is Crystal Creek, 0.6 miles to the west.
  4. Contractor grade silt fence will be used if required.
  5. No land application is proposed.

---

**C. Solid Wastes.** *Describe the quantity and the physical and chemical characteristics of solid waste produced by the operation. Describe how the wastes will be disposed of including location and design of facilities, or treated so as to minimize adverse impacts.*

No solid waste will be produced.

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**D. Scenic Values.** *Describe protection of scenic values such as screening, slash disposal, or timely reclamation.*

Due to the small size of the operation a minimum impact is expected on the scenic values of this area. Any slash will be disposed of per the Forest Service's recommendations. Reclamation will be done per the Forest Service's recommendations.

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- E. Fish and Wildlife.** *Describe measures to maintain and protect fisheries and wildlife, and their habitat (includes threatened, endangered, and sensitive species) affected by the operations.*

Due to the small size of the operation a minimum impact is expected on the fisheries, wildlife and their habitat. Any slash will be disposed of in per the Forest Service's recommendations. Reclamation will be done per the Forest Service's recommendations.

- 
- F. Cultural Resources.** *Describe measures for protecting known historic and archeological values, or new sites in the project area.*

There are no known historic or archeological values on this area.

- 
- G. Hazardous Substances.**

1. *Identify the type and volume of all hazardous materials and toxic substances which will be used or generated in the operations including cyanide, solvents, petroleum products, mill, process and laboratory reagents.*

No chemicals or toxic substances will be used for exploration or mineral production at this site.

Possible hazardous substances include fuel or fuel leaks from machinery.

Gasoline, 2.5 gallons may be on site at any one time for use with small portable generator and chainsaw.

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No gasoline or diesel fuel will be stored on site.

2. *For each material or substance, describe the methods, volume, and frequency of transport (include type of containers and vehicles), procedures for use of materials or substances, methods, volume, and containers for disposal of materials and substances, security (fencing), identification (signing/labeling), or other special operations requirements necessary to conduct the proposed operations.*

The gasoline will be transported on and off the operations site by personal vehicles only on days as needed.

(Approximately 90 days of the annual season.) The gasoline will be transported in a 2.5 gallon steel, type 2 safety container.

The diesel fuel will be transported on and off the operations site in the fuel tank of the equipment. Additional diesel fuel would be transported to the site in a 50-100 gallon fuel transfer tank by personal vehicle.

The excavating equipment will be moved on and off the site only as needed, approximately 3-10 times per season.

The excavating equipment will be on site 180 days or less annually.

3. *Describe the measures to be taken for release of a reportable quantity of a hazardous material or the release of a toxic substance. This includes plans for spill prevention, containment, notification, and cleanup.*

If there is a spill of contaminants, all contaminated soils will be removed and disposed of off National Forest lands.

To prevent fuel leaks/spills from contacting the ground, a tarp and absorbent pad (moving blanket) will be placed under the machinery while parked or refueling. In the event of a fluid leak that contacts the ground, USFS, WQCD and CO DRMS will be notified in order to comply with required clean up procedures. Five gallon buckets will be available to remove contaminated soil from the site.



- H. **Reclamation.** Describe the annual and final reclamation standards based on the anticipated schedule for construction, operations, and project closure. Include such items as the removal of structures and facilities including bridges and culverts, a revegetation plan, permanent containment of mine tailings, waste, or sludges which pose a threat of a release into the environment, closing ponds and eliminating standing water, a final surface shaping plan, and post operations monitoring and maintenance plans.

Annual reclamation will be done prior to November 30th on those excavated areas deemed not worth expanding. They will be back filled and graded to their original grade. Where topsoil is located, it will be salvaged and maintained on site adjacent to the excavated area. This topsoil will be replaced on those backfilled areas and seeded with a blend of native grass seed approved by the Forest Service. Any topsoil stockpile not replaced by the end of the annual season will be seeded to prevent erosion. Any overburden not replaced by the end of the annual season will be stabilized. Final reclamation will be done within one year expiration of approved Plan of Operations. All excavated and other disturbed areas will be reclaimed as stated above in the annual reclamation process.

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## VI. FOREST SERVICE EVALUATION OF PLAN OF OPERATIONS

- A. **Required changes/modifications/special mitigation for plan of operations:**

- 
- B. **Bond.** Reclamation of all disturbances connected with this plan of operations is covered by Reclamation Performance Bond No. \_\_\_\_\_, dated (mm/dd/yy) \_\_\_\_\_, signed by \_\_\_\_\_ (Principal) and \_\_\_\_\_ (Surety), for the penal sum of \_\_\_\_\_. This Reclamation Performance Bond is a guarantee of faithful performance with the terms and conditions listed below, and with the reclamation requirements agreed upon in the plan of operations. This Reclamation Performance Bond also extends to and includes any unauthorized activities conducted in connection with this operation.

The bond amount for this Reclamation Performance Bond was based on a bond calculation worksheet. The bond amount may be adjusted during the term of this proposed plan of operations in response to changes in the operations or to changes in the economy. Both the Reclamation Performance Bond and the bond calculation worksheet are attached to and made part of this plan of operations. Acceptable bond securities (subject to change) include:

1. Negotiable Treasury bills and notes which are unconditionally guaranteed as to both principle and interest in an amount equal at their par value to the penal sum of the bond; or
  2. Certified or cashier's check, bank draft, Post Office money order, cash, assigned certificate of deposit, assigned savings account, blanket bond, or an irrevocable letter of credit equal to the penal sum of the bond.
-

## VII. TERMS AND CONDITIONS

- A. If a bond is required, it must be furnished before approval of the plan of operations.
- B. Information provided with this plan marked confidential will be treated in accordance with the agency's laws, rules, and regulations.
- C. Approval of this plan does not constitute certification of ownership to any person named herein and/or recognition of the validity of any mining claim named herein.
- D. Approval of this plan does not relieve me of my responsibility to comply with other applicable state or federal laws, rules, or regulations.
- E. If previously undiscovered cultural resources (historic or prehistoric objects, artifacts, or sites) are exposed as a result of operations, those operations will not proceed until notification is received from the Authorized Officer that provisions for mitigating unforeseen impacts as required by 36 CFR 228.4(e) and 36 CFR 800 have been complied with.
- F. This plan of operations has been approved for a period of \_\_\_\_\_ or until (mm/dd/yy) \_\_\_\_\_. A new or revised plan must be submitted in accordance with 36 CFR part 228, subpart A, if operations are to be continued after that time period.

## VIII. OPERATING PLAN ACCEPTANCE

☒ We have reviewed and agreed to comply with all conditions in this plan of operations including the required changes, modifications, special mitigation, and reclamation requirements.

☒ We understand that the bond will not be released until the Authorized Officer in charge gives written approval.

\_\_\_\_\_  
Signature of ☒ Operator (or ☐ Authorized Representative) \_\_\_\_\_  
\_\_\_\_\_  
(Date)  
(mm/dd/yy)

## IX. OPERATING PLAN APPROVAL

\_\_\_\_\_  
(Name) \_\_\_\_\_  
\_\_\_\_\_  
(Title)  
\_\_\_\_\_  
Signature of (Authorized Officer) \_\_\_\_\_  
\_\_\_\_\_  
(Date)  
(mm/dd/yy)

### Burden and Non-Discrimination Statement

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(If more space is needed to fill out a block of information, use additional sheets and attach form)