



## COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

August 17, 2017

Mr. Jack Henris  
Cripple Creek & Victor Gold Mining Company  
100 N. Third Street  
P.O. Box 191  
Victor, CO 80860

**Re: Technical Revision No. 94 (TR-94), Cresson Project, Permit No. M-1980-244**

Dear Mr. Henris:

On August 9, 2017, TR-94 was filed with the Office, addressing a significant modification to the reclamation and environmental protection plans for the Arequa Gulch Valley Leach Facility (AGVLF). Pursuant to Rule 1.9.1, the 30-day decision deadline for TR-94 is September 8, 2017.

The plans proposed through TR-94 have a significant effect upon the approved reclamation and environmental protection plans, and thereby exceeds the scope of the technical revision process, as defined under Rules 1.1(52) and 1.9. Pursuant to C.R.S. 34-32-112(8), the proposed modifications to the AGVLF are more appropriately filed for Office review through the amendment process, as defined under Rules 1.1(6) and 1.10. Therefore, please withdraw the application for TR-94 and resubmit the proposed plans for Office review through the amendment process.

Failure to withdraw the application for TR-94 will cause the Office to issue a decision to deny TR-94 on or before September 8, 2017. Provisions for appeal of the Office's decision to deny TR-94 are provided under Rules 1.9.2 and 1.4.11.

The proposed plans addressing long term erosional stability of the AGVLF were due August 7, 2017. Therefore, the Office imposes a 60-day deadline for filing the amendment, due October 16, 2017.

The AGVLF is an environmental protection facility. Therefore, design criteria for stormwater and erosion control improvements for the AGVLF shall include the following:

- i. Pursuant to Rule 7.3.1(3), stormwater conveyance designs to safely convey the peak flow resulting from the 100-year, 24-hour design storm off the AGVLF with adequate freeboard;
- ii. Pursuant to Rules 3.1.5(3) and 3.1.6(3), a demonstration that the interbench slope lengths are short enough to control rill and gully erosion;



- iii. Pursuant to Rule 6.4.21(10)(a), all design specifications shall be certified by a Colorado licensed professional engineer experienced in stormwater conveyance designs and slope stability; and
- iv. Pursuant to Rules 7.3.1(4) and 7.3.2(2), within 30 days of completion provide a certified verification by a Colorado licensed professional engineer experienced in stormwater designs and slope stability confirming the facility was constructed in accordance with the approved designs.

Other environmental protection facilities, such as the Squaw Gulch Valley Leach Facility, East Cresson Overburden Storage Area, and Squaw Gulch Overburden Storage Area will require similar amendments prior to initiating final reclamation. The amendment referenced herein may address these additional environmental protection facilities and need not be limited to the AGVLF. Regardless, the amendment to the reclamation and environmental protection plans for the AGVLF is due October 16, 2017.

If you have any questions or need further information, please contact me at (303) 866-3567 x8169.

Sincerely,



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

cc: Wally Erickson, DRMS  
Elliott Russell, DRMS  
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