

September 29, 2017

Mike Eiselein
Cripple Creek & Victor Gold Mining Company
100 North Third Street
Victor, CO 80860

RE: Adequacy Review (TR-91), Cresson Project, Permit No. M-1980-244

Dear Mr. Eiselein,

On September 6, 2017, the Division received the re-submittal of Technical Revision (TR-91) for the Cresson Project, File No. M-1980-244. The Division has reviewed the content of TR-91 and submits the following comments. The Division has extended the decision date by 30 days, from October 2, 2017 to November 1, 2017, in order to allow time for a proper adequacy response and to allow the Division, Colorado Parks & Wildlife (CPW), and CC&V to participate in a site visit on October 25, 2017. Please respond to this Adequacy Review with the requested information and summarize each response to the numbered items below, in a cover letter titled "Adequacy Review Response TR-91, M-1980-244". To allow appropriate time to review your adequacy responses, the Division requests you submit the responses no later than three working days before the decision date.

The review consisted of comparing the Technical Revision content with specific requirements of the Minerals Rules and Regulations of the Colorado Mined Land Reclamation Board for Hard Rock, Metal, and Designated Mining Operations. Any inadequacies are identified below.

1. The proposed schedule for wildlife fence installation segments includes a Proposed Installation column. Please revise this table to include two additional columns: Proposed Commencement and Proposed Completion.
2. Please submit a temporary plan between now and completion of the wildlife fence, acceptable to CPW, demonstrating compliance with Rule 6.4.21(18) to prevent wildlife from coming into contact with designated chemicals and Rule 3.1.8(1) for the safety and protection of wildlife from encountering the crest of highwalls. Please note, this temporary plan, similar to the minimum requirements of the TR-91 wildlife fence, only needs to account for the exterior edges of the Valley Leach Facilities (VLFs) and highwalls where there exists significant unaffected lands which serve as potential wildlife habitat for ungulates.
3. TR-91 proposes to build the site's wildlife fence using Colorado Division of Transportation (CDOT) design specifications with a note which states CC&V may modify the fence installation to address terrain limitations and associated employee safety risks. Please submit all planned modifications. In lieu of submitting the modifications as a part of TR-91 review, please commit to, prior to the implementation of any modification, submitting the modified plans, with documentation demonstrating CPW acceptance, to the Division. The Division may determine the modification is sufficient as a notice or if it should be submitted as Technical Revision.
4. Please commit to submitting an as-built certification report upon completion of each segment as identified in the proposed installation schedule and map.

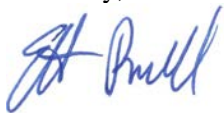


5. The Division has discovered a possible error in the financial warranty calculation section of TR-91. CC&V uses the assumption the wildlife escape structures are 24 foot long and 9 foot high to determine the cubic yardage, however, the CDOT design specify the escape structure being 45 feet long and between 6 feet and 8 feet high. Please clarify and adjust volume calculations and the financial warranty estimate accordingly.
6. The TR-91 Map, referenced as Figure 4. TR 91 Wildlife, Air Permit, and Security Fence, does not meet the general requirements for maps in accordance with Rule 6.2.1(2). Please resubmit the map with an appropriate scale (acceptable range of map scales shall not be larger than 1"=50' nor smaller than 1"=660') and the signature of the registered surveyor, professional engineer, or other qualified person who prepared the map. Additionally, please revise the color/contrast of the line identifying the existing chainlink fence as it is hard to distinguish on the aerial image. Furthermore, please revise the color the South Cresson segment from the VLF 1 segment as the similar colors make it hard to distinguish where one segment ends and the other begins.
7. Please discuss the purpose of the isolated VLF underdrain pond facilities being enclosed by small segments of the proposed wildlife fence.
8. It appears there are small portions of the Globe Hill and the South Cresson/Vindicator segments are beyond the permit boundary. Based on the scale it is hard to verify these small areas of the fence as compared to the permit boundary. Please confirm the entire wildlife fence and associated disturbances are located within the approved permit boundary.

This concludes the Division's adequacy review of TR-91. This letter shall not be interpreted to mean that there are no other technical deficiencies in your request as other issues may arise when additional information is supplied. Please be advised the Cresson Project Technical Revision TR-91 may be deemed inadequate, and the request may be denied on November 1, 2017, unless the above mentioned adequacy review items are addressed to the satisfaction of the Division.

If you need additional information or have any questions, please contact me at the Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203, by telephone at **303-866-3567 x8132**, or by email at elliott.russell@state.co.us.

Sincerely,



Elliott R. Russell
Environmental Protection Specialist

CC: Wally Erickson; Division of Reclamation, Mining & Safety
Tim Cazier; Division of Reclamation, Mining & Safety