



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

December 6, 2018

H. Bruce Humphries
Regulatory Permits Management, Inc.
25049 E. Alder Dr.
Aurora, Colorado 80016

**RE: Old Town Reclamation Project, M-2018-057, 110d application
Adequacy Review No. 1**

Dear Mr. Humphries,

The Colorado Division of Reclamation, Mining, and Safety (“DRMS” or “Division”) has reviewed the above referenced application. The application was deemed complete for review on November 27, 2018. The Division is required to issue a decision on the application by December 26, 2018. The following items will need to be addressed prior to the approval of the application.

Exhibit B - Rule 6.3.2, Site Description

1. Please submit the wildlife statement prepared by the Colorado Parks and Wildlife (formally known as Colorado Division of Wildlife) in accordance with Rule 6.3.2(d).

Exhibit C – Rule 6.3.3, Mining Plan

2. Page 34 of the mining plan indicates a map of all groundwater wells is attached at the end of Exhibit C. However, it appears this map is located in Attachment V at the end of the Exhibits. Please revise page 34 to correctly cite the location of this map within the application documents.
3. Page 34 of the mining plan indicates the water from the Argo tunnel is worse than the leachate from the abandoned mine dump and page 35 indicates an analysis of the dump sample is located in an appendix. The Division could not locate this appendix. Please update page 35 to indicate which appendix the dump sample leachate analysis is located and please provide this analysis/information in a labeled attachment or appendix.
4. In accordance with Rule 6.3.3(1)(m), please describe the intended use of the primary and secondary commodities to be mined at the site.



Exhibit E – Rule 6.3.4, Reclamation Plan

5. Page 39 and 40, under section 6.3.4(1)(c)(i) discusses remediation of the growth medium once the waste material is removed. Please remove the alternative plan discussed on page 40, to leave the site sit for a few years to allow the exposed soils to leach. The Division will not accept this alternative plan. Please revise this exhibit accordingly and commit to conducting the soils analysis once the soil medium is exposed and submitting the results and remediation plan to the Division.
6. Similar to the item above; page 40 under section 6.3.4(1)(c)(ii), please remove the language about leaving the site to sit for several years before conducting revegetation. Please revise this language to indicate the site will be seeded once the soil remediation requirements have been identified and completed.
7. Section 6.3.4(1)(b) of Exhibit D (page 39) states the maximum gradient of the reclaimed slopes will be 5H:1V. The contour lines on the Reclamation Plan map (E3) depict a reclaimed topography with slopes ranging from 4.5H:1V to 7.2H:1V. Please revise this page to be consistent with the proposed post-mine topography.
8. Page 41, under subsection 6.3.4(1)(c)(v), indicates the NRCS recommends using straw covered with netting or wood cellulose hydromulch with a long-live tackifier at the site. Please provide an application rate for the wood cellulose hydromulch/tackifier option.
9. The Division has reviewed the reclamation cost estimate included in Attachment VI. The estimate did not include the mulching plan outlined in the reclamation plan, equipment mobilization and applicable indirect costs. The Division has conducted a reclamation cost estimate based on the proposed reclamation plan, it is enclosed for your review. Please indicate if the applicant concurs with the estimate.
10. Though not specifically stated on page 43 of the application, the Operator will be required to comply the time limits for reclamation required by Rule 3.1.3(2). Please affirm this is understood.
11. Section 3.1.11 indicates on page 52 that there are no buildings on site. Based on the pre-operation inspection and the E1-a,d,f map there is a “Shaft Head Gear and Ore Bin” onsite. Even though these structures are not part of the current operation, it would be good to note they currently exist on the site and that they will remain onsite at the conclusion of the operation. Please revise Section 3.1.11, page 52 accordingly.

Exhibit E – Rule 6.3.5, Map

12. Under the notes section of the reclamation plan map (E3), there is a note that says “No reclamation”. It is unclear what this note is referring to. Please remove this citation on the map as there is not an area currently proposed that will not be reclaimed.
13. In the legend section on the reclamation plan map (E3), it states the “Average Slope Gradient < 3:1.” Section 6.3.4(1)(b) of Exhibit D (page 39) states the maximum gradient of the reclaimed slopes will be 5H:1V. The contour lines on the reclamation map depict a reclaimed topography with slopes ranging from 4.5H:1V to 7.2H:1V. Please revise the legend to be consistent with the reclamation plan text and the contour lines on the reclamation plan map.

Exhibit L – Rule 6.3.12, Permanent Man-Made Structures:

14. Based on the Exhibit E1-a, d, f map, there are two additional permanent man-made structures within 200 feet of the affected land. One is shown as the “Shaft Head Gear and Ore Bin” and the other is the “Old Town Mine Road – Pre-existing Historic Mine Road”. Please add these items to the list on page 61.
15. In accordance with Rule 6.3.12, please 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.

Exhibit U – Rule 6.4.21, Environmental Protection Plan

16. Page 66 indicates a Stormwater Management permit from the Colorado Water Quality Control Commission will be obtained. A copy of the proposed storm water management plan was included with the permit application. Under section 6.4.21(4)(c), please commit to submitting a copy of the approved stormwater management plan within 30 days once it is obtained.
17. Page 68, under section 6.4.21(7)(f) discusses that drainage control at the site considered recommendations from several cited documents. Based on a review of the proposed storm water management plan, the operator only proposes to install silt fence downgradient of the waste rock pile. The Division recommends the applicant consider also utilizing hay bales as a best management practice, particularly near where storm water will flow into the ephemeral drainage onsite. Under this section, please discuss the drainage control best management practices.
18. Page 68 under section 6.4.21(8)(a) indicates a map of all surface water and groundwater wells is attached to an appendix of Exhibit C. However, it appears this map is located in Attachment V at the end of the Exhibits. Please revise page 68 to correctly cite the location of this map within the application documents.

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19. The map discussed above on page 68 under section 6.4.21(8)(a) does not depict all the information required by Rule 6.4.21.8(a). Please revise the map to include this information.
20. In section 6.4.21(11)(a) on page 72, it states existing adjudicated water rights within this area have been reviewed; a list is attached in the Appendix of this Exhibit U. The Division could not located this Appendix within the application materials. Please supply this Appendix and please update page 72 to cite the location of this Appendix for easy reference.
21. Under section 6.4.21(11)(b) page 72 indicates streamflow data is attached in the Appendix of Exhibit U. The Division could not located this Appendix within the application materials. Please supply this Appendix and please update page 72 to cite the location of this attachment for easy reference.
22. Under section 6.4.21(13)(a) and (b) on page 73, it states the climatic (precipitation, wind, temperature) data is attached. The Division could not located this data/attachment(s) within the application materials. Please supply this information and please update page 73 to cite the location of this attachment for easy reference.

Notice and Publication

23. Please provide documentation the publication required by Rule 1.6.2(1)(d) was completed.
24. Please provide documentation that the notification to the required parties was completed in accordance with Rule 1.6.2(e).

This concludes the Division's preliminary adequacy review of the application. As indicated above, the Division is required to issue a decision on the application by December 26, 2018. If you need additional time to address the adequacy review items listed above, you will need to request an extension of the decision date.

If you have any questions feel free to contact me at (303) 866-3567, extension 8120.

Sincerely,



Jared Ebert
Environmental Protection Specialist III

Enclosure: December 5, 2018 Cost Estimate

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CC: Mr. Patrick Maher
Venture Resources, Inc.
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P.O. Box 3338
Idaho Springs, Colorado 80452