



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources
1313 Sherman Street, Room 215
Denver, Colorado 80203

March 26, 2019

Taylor Conway
1936 Alpine Dr.
Erie, CO 80516

RE: Adequacy Review #2, 110(1) Hardrock Application, Project P.J., File No. M-2018-007

Dear Mr. Conway,

The Division of Reclamation, Mining, and Safety (Division) has reviewed the content of your 110(1) Limited Impact Operation Reclamation Permit Application for the Project P.J., File No. M-2018-007, and submits the following additional comments. **The Division is required to make an approval or denial decision no later than April 3, 2019; therefore, a response to the following adequacy review concerns should be submitted to the Division as soon as possible.** Please respond to this Adequacy Review #2 with a cover letter titled "Adequacy Review Response #2; M-2018-007" and summarizing each response to the numbered items below and attach additional/updated documents as necessary.

EXHIBIT C - Mining Plan (Rule 6.3.3)

1. The Division understands you have obtained a temporary access agreement to legally access your proposed permit boundary. Although the access road is pre-existing, and therefore not considered affected lands, please provide a brief description and map of how you will temporarily access the permit area (from Trail Creek Drive or Cedar Mountain Road).
2. Please discuss the plan moving forward to address a permanent access to the permit area. Please note, any new road constructed will be considered affected lands, will need to be incorporated into the permit area, and will be included in the total permitted acreage.
3. The Division has calculated the total required financial warranty for the site to be \$21,000.00. A copy of the reclamation cost summary is attached for the Applicant's review. The Forest Service has been provided a copy of this estimate and has deemed the amount adequate. At this time, upon approval of the application, the required financial warranty for the site will be set at \$21,000.00; please contact me prior to the decision date to discuss any questions regarding the cost estimate or if you identify any errors with this calculation.
4. As previously discussed on March 25, 2019, the reclamation cost estimate referenced in Adequacy Item #3 was determined by utilizing an acreage-limited bonding approach whereas you need to make the following formal commitments: 1) At any one time the total amount of overburden (waste rock) that needs to be backfilled at the site does not exceed 10,000 cubic yards; and 2) the total amount of area where topsoil needs to be replaced at the site does not exceed 1 acre.



EXHIBIT F – List of Other Permits and Licenses Required (Rule 6.3.6)

5. Within Exhibit F you have indicated that a U.S. Forest Service (USFS) permit is required for this operation. On March 15, 2018, the USFS conditionally approved your Mine Plan of Operations (MPO) for this operation. The Division understands that there may be discrepancies between the 110(1) permit application and the USFS MPO or there may now be discrepancies follow the Division's technical review and your subsequent adequacy review responses. Please commit to informing the USFS of any revisions to the operation once the Division approves your application.

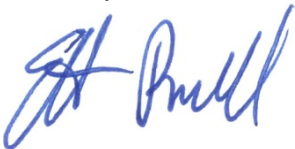
EXHIBIT I - Proof of Filing with County Clerk (Rule 6.3.9)

6. Any changes or additions to the application on file with the Division, must also be reflected in the public review copy. Please submit proof that the public review copy has been updated or a copy of the response to this adequacy letter has been added to it.

This concludes the Division's adequacy review of this application. This letter shall not be interpreted to mean that there are no other technical deficiencies in your application; other issues may arise as additional information is supplied. **Please be advised the Project P.J. permit application may be deemed inadequate, and the application may be denied on April 3, 2019, 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 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

Enclosure: Reclamation Cost Estimate M2018007

CC: Taylor Conway, taylorconway@icloud.com
Michael Cunningham with DRMS