



August 13, 2019

Robert Burger
Sierta LLC
1885 Redcoach Rd.
Allison Park, PA 15101

Re: Second Notice of Deficiencies, Modification MD-01, Red Cone, File No. P-2014-003

Dear Mr. Burger,

The Division of Reclamation, Mining and Safety (Division or DRMS) has reviewed the Red Cone MD-01 application and your responses to the Division's June 24, 2019 Notice of Deficiencies. This review indicates MD-01 contains deficiencies which need to be addressed before the Division can approve the NOI Modification. Please title your response to this notice with "Response to Second Notice of Deficiencies, MD-01, P-2014-003". You can respond to each item by the respective number below.

10. The Prospector has provided a list of grass species that the United States Forest Service (USFS) has recommended and stated they will broadcast this seed mix at 25 lbs/acre, however, the Prospector did not specify the seeding rate of each species or the percentage of each species within the seed mix. The USFS recently forwarded the recommended seed mix (attached) to the Division and has specified the percentages of each species within the mix. Please commit to using this seed mix at the recommended species percentages.
11. The Division has calculated the total required financial warranty for the proposed prospect activities to be \$39,000.00. This is an increase of \$33,228 from the current \$5,772 bond held for prior activities. A copy of the reclamation cost summary is attached for the Applicant's review. The USFS has concurred with this required amount. Please contact the Division prior to the decision date to discuss any questions regarding the cost estimate or if you identify any errors with this calculation. The Division has enclosed the requested financial warranty forms, which can also be found on the Division's website at <http://mining.state.co.us>.

This letter shall not be interpreted to mean that there are no other technical deficiencies in the NOI application as other issues may arise when additional information is supplied. **Please be advised that if these items have not been addressed on or before August 23, 2019, the Division may terminate the NOI Modification application.**

If you have any questions, please contact me at **303-866-3567 ext. 8132** or elliott.russell@state.co.us.

Sincerely,

Elliott R. Russell
Environmental Protection Specialist

Cc: Michael Cunningham with DRMS
Amy Titterington with USFS



Handcart Gulch/ Red Cone - Native Reveg Seed Mix

This is fairly generic, but will likely germinate and provide good cover.

<u>Species</u>	<u>Common Name</u>	<u>Percent of mix</u>
<i>Poa palustris</i>	fowl brome	25
<i>Bromus ciliates</i>	fringed brome	25
<i>Festuca idahoensis</i>	Idaho fescue	15
<i>Calamagrostis canadensis</i>	bluejoint reedgrass	15
<i>Deschampsia caespitosa</i>	tufted hairgrass	10
<i>Elymus trachycaulis</i>	slender wheatgrass	10

For broadcast seeding, a rate of 25 lbs/acre should be plenty. I haven't included any forbs as they generally have abundant seeds in the soil that last years. They seem to work in just fine on their own.

All of the species listed above are readily available at a reasonable cost.

Recommended Seed Distributors:

Coaldale, CO

Western Native Seed (excellent native seeds)

Greeley, CO

Pawnee Buttes (generic native seeds)

Sharp Brothers (generic native seeds)