



January 30, 2020

James Thomas
3506 Mesa Grande Dr.
Colorado Springs, CO 80918

**RE: Crystal Falls #1; File No. M-2019-045, 110(1) Application;
Second Adequacy Review**

Dear Mr. Thomas:

The Division of Reclamation, Mining and Safety (DRMS) has completed its review of your responses to our preliminary adequacy 110(1) Limited Impact Reclamation Permit Application package for the Crystal Falls #1, File No. M-2019-045. Your responses were received on January 29, 2020. The current decision date for this application is **February 26, 2020**. **Please be advised that if you are unable to satisfactorily address any concerns identified in this review before the decision date, it will be your responsibility to request an extension of the review period. If there are outstanding issues that have not been adequately addressed prior to the end of the review period, and no extension has been requested, the Division will deny this application.**

The review consisted of comparing the application content with specific requirements of Rules 3, 6.1, 6.2, 6.3 and 6.5 of the Minerals Rules and Regulations of the Colorado Mined Land Reclamation Board for Hard Rock, Metal, and Designated Mining Operations (Rule). Any inadequacies are identified under the respective exhibit heading along with suggested actions to correct them.

APPLICATION

1. Page 1, Item 8, Type of mining operation – The response is adequate.
2. Page 2, Item 9, Inspection Contact – The response is adequate.
3. Page 6, Item 10, For joint venture partnership operators – The response is adequate.

6.3.3 EXHIBIT C – Mining Plan

4. No. 14, Type of mining operation – The response is adequate.

6.3.5 EXHIBIT E – Map

5. Maps, General – The response is adequate.
6. Reclamation plan map – The response is adequate.



6.3.6 EXHIBIT F – Other Permits and Licenses

7. Blank Exhibit – The response is not adequate. The revised Exhibit F had boxes checked for both “Effluent discharge permits” and “County zoning and land use permits”, but not “U.S. Forest Service permits”. As an approved Notice of Intent (NOI) from the USFS was received, this type of permit is required. Please resubmit Exhibit F with all three boxes (Effluent discharge permits, U.S. Forest Service permits, and County zoning and land use permits) checked.

6.3.7 EXHIBIT G – Source of Legal Right to Enter

8. Source – The DRMS received a copy of the approved Notice of Intent (NOI) from the USFS via email on December 23, 2019. No response is necessary.

Reclamation Cost Estimate

9. DRMS Cost Estimate – The response is adequate.

Newspaper Publication Error

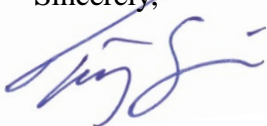
10. Error in Public Comment Period – The DRMS received your revised affidavit of publishing the required newspaper notice on December 20, 2019. No response is necessary.

Please be advised the Crystal Falls #1 110(1) Application may be deemed inadequate and the application may be denied on **February 26, 2020** unless the abovementioned adequacy review item is addressed to the satisfaction of the DRMS. If you feel more time is needed to complete your reply, the DRMS can grant an extension to the decision date. This must be received no later than the decision date.

The DRMS received only one agency comment. A copy of the comment from the State Historic Preservation Office is enclosed for your records.

If you have any questions, please contact me at (303) 866-3567 x 8169.

Sincerely,



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

Enclosure

ec: DRMS file
Jeff Hovermale, USFS