



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

February 19, 2020

Jacob P Ulrich
17619 Leisure Lake Dr
Monument, CO 80132

**RE: Adequacy Review, 110(1) Hardrock Application
Ulrich - Rovedo Mine, File No. M-2019-057**

Dear Mr. Ulrich,

The Division of Reclamation, Mining, and Safety (Division) has reviewed the content of your 110(1) Reclamation Permit Application for the Ulrich - Rovedo Mine operation, File No. M-2019-057, and submits the following comments. **The Division is required to make an approval or denial decision no later than February 21, 2020; therefore, a response to the following adequacy review concerns should be submitted to the Division as soon as possible.** If more time is needed to respond to this Adequacy Review, the Division can grant an extension of the decision date following a request by the Applicant. 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; M-2019-057".

The review consisted of comparing the application content with specific requirements of Rules 1, 3, 6.1, 6.2, and 6.3 of the Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for Hard Rock, Metal, and Designated Mining Operations. Any inadequacies are identified under the respective exhibit heading.

APPLICATION FORM

1. The notary portion of the Certification Page (Page 7 of the application form) is missing the date of notary acknowledgement. Please execute and submit a new certification page.

GENERAL APPLICATION PROCEDURES

2. As required by Rule 1.6.2, please submit proof of publication in a newspaper of general circulation in the locality of the proposed mining operation.
3. As required by Rule 1.6.2, please submit proof of the notice to all owners of record of surface and mineral rights of the affected land and the owners of record of all land surface within 200 feet of the boundary of the affected land. Proof of notice may be return receipts of a Certified Mailing or by proof of personal service.
4. To date, the Division has received comments from the Park County Development Services, Division of Water Resources, Office of Archaeology and Historical Preservation, and U.S. Army Corps of Engineers, regarding the application. The letters are attached for your review. Please acknowledge and address any comments noted in the letters and make changes to the application as necessary.

EXHIBIT C - Mining Plan (Rule 6.3.3)

5. The Division has calculated the total required financial warranty for the site to be \$1,200.00. A copy of the reclamation cost summary is attached for the Applicant's review. The USFS has been provided a copy of



this estimate to review it for sufficiency. Please note, the USFS may require an additional bond to be posted with their agency to cover any reclamation tasks outside of jurisdiction of the Division. At this time, upon approval of the application, the required financial warranty for the proposed operation will be set at \$1,200.00; 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.

EXHIBIT D – Reclamation Plan (Rule 6.3.4)

6. Included on the Exhibit E Mine Plan Map is a note regarding existing disturbances within the proposed permit boundary. In accordance with Rule 6.3.5(2)(f), please discuss if these existing disturbances will be re-disturbed as a part of the proposed operation and if so please provide details of the associated reclamation of the re-disturbance.
7. The Mining and Reclamation Plans state that activities will be limited to 200 cubic yards and 0.15 acres of disturbance each season. The reclamation cost estimate discussed above includes a task to backfill and grade 200 cubic yards of material as this would be the “worse-case” scenario at any given time. However, the estimate does not include the 0.15 acre area because the Division needs to bond for a larger area to reseed than what is disturbed in any one season as it may take several seasons to obtain successful revegetation on the reclaimed areas. Please commit to a specific maximum disturbance acreage whereas the cumulative total acreage of disturbance will not exceed this maximum disturbance. In the future when approaching this maximum disturbance, you may either submit a Technical Revision to the permit to increase the size of the maximum disturbance or utilize the Division’s Surety Reduction/Acreage Reduction Release Request processes to gain credit for completed reclamation tasks/successful revegetation to then apply the associated bond on the additional disturbance. Please note, the reclamation cost estimate discussed above includes a 0.5 acre maximum disturbance for your reference.

EXHIBIT E – Map (Rule 6.3.5)

8. Included on the Exhibit E Mine Plan Map is a note regarding existing disturbances within the proposed permit boundary and states the Operator will work with the USFS and the Division to document these disturbances. In accordance with Rule 6.3.5(2)(f), please submit a map which outlines and labels the existing disturbances within and adjacent to the permit boundary OR commit to submitting a report prior to commencement of mining activities which documents the existing disturbances (reference map, coordinates, photographs, etc.).

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

9. As the proposed operation has an approved MPO from the USFS, there may now be discrepancies between the USFS permit and the 110(1) permit application following the Division’s technical review and your subsequent adequacy review responses. Please commit to informing the USFS of any revisions to your proposed operation once the Division approves your application.

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

10. 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

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supplied. Please be advised the Ulrich - Rovedo Mine permit application may be deemed inadequate, and the application may be denied on February 21, 2020, unless the above mentioned adequacy review items are addressed to the satisfaction of the Division. **If more time is needed to complete the reply, the Division can grant an extension to the decision date. This will be done upon receipt of a written waiver of the Applicant's right to a decision by February 21, 2020, and the request for additional time. This must be received no later than the deadline date.** The Division typically receives extension requests for 30, 60, or 90 additional days.

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,

A handwritten signature in blue ink, appearing to read "E. Russell", is positioned above the printed name.

Elliott R. Russell
Environmental Protection Specialist

Attachment: Reclamation Cost Estimate M2019057
Park County comment letter M2019057
DWR comment letter M2019057
USACE comment letter M2019057
OAHP comment letter M2019057

Cc: Jason Musick, Division of Reclamation, Mining & Safety
Jacob Ulrich, ulrich585@comcast.net