



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

March 4, 2020

James and Yvette Downing
1067 E. US Highway 24 #263
Woodland Park, CO 80863

**RE: Adequacy Review #2, 110(1) Hardrock Application
D Family Jewels, File No. M-2019-055**

Dear Mr. and Mrs. Downing:

The Division of Reclamation, Mining, and Safety (Division) has reviewed the content of your March 3, 2020 Adequacy Review Response to the Division's February 26, 2020 Adequacy Review of the 110(1) Reclamation Permit Application for the D Family Jewels operation, File No. M-2019-055. After a review of your responses, the Division submits the following additional comments. **The Division is required to make an approval or denial decision no later than March 7, 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 a letter titled "Adequacy Review Response #2; M-2019-055".

14. In response to Adequacy Item #3, regarding the two agency comment letters received by the Division, you acknowledged the letters and stated you will comply with all requirements and State laws. The letter from the Office of Archaeology and Historical Preservation identified seven cultural resource inventories have been conducted in or near the proposed permit boundary and four sites have been recorded. After further research, the Division has learned that these inventories and recorded sites are all located outside of the proposed permit boundary. However, no inventories have been conducted within the proposed permit boundary, therefore cultural resources may exist on the affected lands. The Division requests you formally commit to contacting and working with the United States Forest Service and the Office of Archaeology and Historical Preservation if any cultural resources are found on the affected lands.

This concludes the Division's second adequacy review of this application. Please be advised the permit application may be deemed inadequate, and the application may be denied on March 7, 2020, 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

Cc: Jason Musick, Division of Reclamation, Mining & Safety
Yvette Downing, jydowning@yahoo.com

