



March 18, 2020

Robin Reilley M.S. GISP  
CDRMS  
1313 Sherman Street, Room 215  
Denver, CO 80203

**RE: Yoast Mine, Permit No. C1994-082  
DRMS review of Sampling Methods for Yoast Mine SL7 Adequacy Response #1**

Dear Ms. Reilley,

Seneca Properties, LLC has reviewed your adequacy regarding the sample methods for the Yoast mine SL7. We are providing the following responses:

***Phase II Areas***

DRMS finds the submission indicates that sampling of the reference areas for portions of the Phase II bond release parcels occurred in 2016 and sampling of the 2006 and 2010 reclaimed areas (including the haul road) were sampled in 2017. It appears that the following parcels, were seeded in 2006 or 2010 and total **20.79 acres**. (see table from DRMS letter Feb 7<sup>th</sup>, 2020)

- 1. Please note that DRMS cannot make the finding required for Phase II bond release on the 2006 and 2010 reclaimed areas given the discrepancy in the time frames for sampling the approved reference areas and the bond release areas. The Division will withhold our approval of Phase II bond release of these parcels.**

***SPL Response***

1. SPL included the 2017 interim vegetation report in the original submittal of SL7. In searching our records we found that the report that should have actually been referenced in the SL7 is the **2016 BRB2a/BRB3 phase II monitoring report**. Due to this change majority of the Phase II parcels will be removed from SL7 and submitted as part of the upcoming SL8. SPL has reverted to using only Map 1B and therefore Map 1A will be removed from the BR. Map1B has been updated to reflect the following changes:
  - a. All Phase II only parcels will be removed from SL7 except parcel 4 and 13.
  - b. Parcels 4 and 13 will be moved to the Phase II & III Map 1b, as they are part of the BRB2 Phase III monitoring success. These parcels total 8.1 acres.

***Combined Phase II & II and Phase III Areas***

DRMS also notes a discrepancy between acreage in sampling of Bond Release Block 2. The monitoring report submitted indicates sampling of 363.3 acres, while the application request comprises a total of 355.43 acres of Phase II/III acres. DRMS's would like to know if sampling

may have included areas not comprising the bond release requested area. If this is the case, DRMS cannot accept data from data points that fall outside of the SL7 bond release area.

2. **Please provide documentation that all sample points for the reclaimed areas fell within the SL7 Phase II/III and Phase III areas. Please identify the 7.87 acres that were included in the sample universe but were outside of the 355.43 acre bond release area. If sample points fell outside of the bond release area, that data cannot be used toward meeting the revegetation success criteria.**

***SPL Response***

2. During 2007 the seeding took place during the spring allowing the summer of 2007 to count as the first growing season. With 2007 as the first year that would put 2015 and 2016 as year 9 and 10 for the Phase III vegetation sampling events as reflected in the Phase III Monitoring report submitted with SL7. The 7.87 acres missing from the release are represented as follows:
  - a. Parcels 4 and 13 will move from Phase II to Phase III adding 8.1 acres.
  - b. Parcel 59 represents the permanent roads through the mine and accounts for 8.21 acres. This parcel will be moved to SL8 Phase II
  - c. Parcel 11 was seeded in 2011 and is not part of the BRB2 monitoring and will be removed from SL7 and added to SL8 Phase II release which is 0.8 acres.
  - d. Parcels 66 and 68 are not part of the BRB2 sampling and will be removed, totaling 0.65 acres.
  - e. Included in the 363.3 acres is the permanent powerline disturbance that was released with SL6, this accounts for 8.2 acres.
- This totals the release request for Phase III to 354.4 acres. It is believed that the remaining 0.6 acres are made up in slight differences in the road way parcels.

In conclusion, SPL is updating the requested acres for SL7 to 354.4 for final Phase III release. No new parcels have been added to the release request and all parcels were inspected during the ground inspection in October of 2019. Maps 1a will be removed from the BR and Map 1B has been updated to reflect these changes. The SL7 text updates have been included in the submittal as attachments.

Please remove the 2017 Phase II Interim Vegetation monitoring report from your SL7 original Bond Release submittal and replace the provided updated text and bond release calculation.

Sincerely

*Miranda Kawcak*

Miranda Kawcak  
Environmental Manager  
Peabody