



File Code: 2810
Date: March 9, 2021

Thomas Pulda
PO Box 193
Red Feather Lakes CO 80545

Dear Mr. Pulda:

This letter is in response to your e-mail query about obtaining a permit to use a mini excavator on your mining claims near Red Feather Lakes Colorado. Review of the Bureau of Land Management mineral database indicates you have two claims under review - both known as the Red Cactus, Serial Numbers CO105223515 and CO105223771. The action remarks for CO105223515 indicate it may be voided due to its location in a recreation site that is withdrawn from mineral entry. If some or all of the claim is voided by the BLM you will not be able to prospect or remove any minerals from the area that is withdrawn. If you have additional claims, please provide the CMC number for those claims.

As the potential owner of unpatented mining claims on National Forest System lands you should be aware of the regulations governing operations and your responsibilities for notifying the District Ranger of your intention to conduct any activity on your claims which may have potential for significant surface disturbance.

Forest Service regulations covering mining activities under the United States mining laws of 1872, as amended (30 U.S.C.22) are located in Part 228, Subpart A, of Title 36 of the Code of Federal Regulations (36 CFR228, Subpart A). These regulations require any person proposing to conduct mining or related activities that may result in significant disturbance to surface resources to submit a Notice of Intent (NOI) to operate to the District Ranger having jurisdiction over the area where activities will occur. Such activities could include, but are not limited to: camping on the claim beyond the allowed length of stay limits; substantial earth or stream work; use of an existing closed road that is gated and locked, or ATV's where such use is not allowed by the general public; potential disturbance or damage to historical resources; tree cutting; or the use of mechanized equipment. If I determine that the activities you intend to conduct will cause, or have the potential to cause, significant disturbance of the surface resources, you will be required to submit a Plan of Operations (Plan) to provide more detail about your planned activities. If you are required to submit a Plan, it must be evaluated and approved by me before you are able to begin activities under that Plan.

Please provide more information about your proposed activities, I have attached a Notice of Intent (NOI) which you can utilize for this purpose. The regulations provide a fifteen-day window for me to evaluate your NOI, so the earlier you can submit it to me, the earlier my staff can review it as part of the evaluation process.



If an approved Plan of Operations is required to authorize your activities, a reclamation bond will be required prior to approval and operations. Additionally, proposed Plan of Operations will require evaluation under the National Environmental Policy Act (NEPA).

Under the U.S. mining laws, mining claims can only be used for prospecting, mining, and milling operations, or uses that are reasonably incident to those operations. Use of storage facilities for equipment must receive prior approval. You cannot exclude the public from the claim area so long as their land use does not materially affect or impede your mining operation.

In addition to Forest Service regulations, you may be subject to additional regulations under applicable State law. Information regarding State of Colorado mining requirements and a permit application can be found on the Colorado Division of Reclamation, Mining and Safety at: <https://www.colorado.gov/drms>.

Sincerely,

KATHLEEN K. DONAHUE
District Ranger

NOI, Plan of Operation