

January 18, 2022

Robert Burger
Sierta, LLC

Elliott Russell
Colorado Division of Reclamation, Mining and Safety
Department of Natural Resources
1313 Sherman Street, Room 215
Denver, CO 80203

Re: Response to Deficiencies#2, MD-02, P-2014-003

Elliott:

Item 2: Please see the attached receipt for payment from the US Bureau of Land Management for mining claims leases for the 2022 assessment year. Also included is a map of the claims with pad locations.

Item 3: Attached as a separate file is the decision memo (DM_Redcone_011122.pdf) signed by Brian Banks, US Forest Service.

Item 10: A total of 10 possible borings with different trajectories have been proposed to be drilled. However, Sierta plans to drill only up to 6 of these holes. Each drill hole will be advance to a maximum depth of 1,000 feet for a total of 6,000 feet. Sierta will start drilling operations on Pad 6. Selection of the remaining proposed locations to be drilled will depend on field observations. A revised Drill Pad Location Map has also been included to state that a maximum of 6,000 feet will be drilled.

IF you have any questions, concerns or need anything else to complete the work at your end, I can be reached at r.burger@verizon.net or 412-818-5659.

Thanks, and all the best,

A handwritten signature in black ink that reads "Robert M. Burger". The signature is written in a cursive, flowing style.

Robert Burger

Managing Member,
Sierta, LLC

United States Department of the Interior

Bureau of Land Management

DIV OF SUPPORT SERVICES

2850 YOUNGFIELD ST

LAKEWOOD, CO 80215 -7076

Phone: (303) 239-3600

Receipt

No:

4940765

Transaction #: 5074127

Date of Transaction: 08/17/2021

CUSTOMER:

SIERTA REDCONE LLC
1885 RED COACH RD
ALLISON PARK, PA 15101-3243 US

LINE #	QTY	DESCRIPTION	REMARKS	UNIT PRICE	TOTAL
1	47.00	MLRS MINING CLAIMS / MINING CLAIMS-EXISTING-MLRS ONLY / MAINTENANCE FEE CASES: CO101550868/\$165.00, CO101550869/\$165.00, CO101550870/\$165.00, CO101550871/\$165.00, CO101550872/\$165.00, CO101550873/\$165.00, CO101550874/\$165.00, CO101550875/\$165.00, CO101550876/\$165.00, CO101550877/\$165.00, CO101551193/\$165.00, CO101551194/\$165.00, CO101574559/\$165.00, CO101574560/\$165.00, CO101574561/\$165.00, CO101574562/\$165.00, CO101574563/\$165.00, CO101574564/\$165.00, CO101574565/\$165.00, CO101574566/\$165.00, CO101574567/\$165.00, CO101575701/\$165.00, CO101575702/\$165.00, CO101575703/\$165.00, CO101575704/\$165.00, CO101744538/\$165.00, CO101744539/\$165.00, CO101744540/\$165.00, CO101744801/\$165.00, CO101744802/\$165.00, CO101744803/\$165.00, CO101744804/\$165.00, CO101744805/\$165.00, CO101744806/\$165.00, CO101744807/\$165.00, CO101744808/\$165.00, CO101744809/\$165.00, CO101825323/\$165.00, CO101825324/\$165.00, CO101825325/\$165.00, CO101825326/\$165.00, CO101825327/\$165.00, CO101825328/\$165.00, CO101870155/\$165.00, CO101870156/\$165.00, CO101870157/\$165.00, CO101870158/\$165.00		- n/a -	7755.00
TOTAL:					\$7,755.00

PAYMENT INFORMATION

NOTE: Items will appear on credit card statement as "BLM MLRS".

1	AMOUNT:	7755.00	POSTMARKED:	N/A
	TYPE:	CREDIT CARD	RECEIVED:	08/17/2021
	NAME:	SIERTA REDCONE LLC 1885 RED COACH RD ALLISON PARK PA 15101-3243 US		
	CARD NO:	XXXXXXXXXXXX4007	AUTH CODE:	229409
	NAME ON CARD:	ROBERT BURGER		
	SIGNATURE:	INTERNET		

REMARKS

RECORDS UPDATED

This receipt was generated by the automated BLM Collections and Billing System and is a paper representation of a portion of the official electronic record contained therein.

THANK YOU FOR YOUR RECENT
MINING CLAIM FILING

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Action Code(s) 782

For 2022 Assessment Year

Rcpt #

Initials JLE

Date 9/1/21

at Burger, Sierta Redcone, LLC

Sierta Mineral Claims

Name of Claim	Serial Number	Legal Description (all locations from 6 th principal meridian)
Red Cone No. 2	MC284531	T6S, R75W, Sec 7, SW ¼ T6S, R75W, Sec 18, NW ¼
Red Cone No. 3	MC284532	T6S, R75W, Sec 18, NW ¼
Red Cone No. 6	MC284535	T6S, R76W, Sec 13, SE ¼ T6S, R75W, Sec 18, SW ¼
Red Cone No. 7	MC284536	T6S, R75W, Sec 18, NW ¼ T6S, R76W, Sec 13, NE ¼
Red Cone No. 8	MC284537	T6S, R75W, Sec 18, NW ¼ T6S, R76W, Sec 13, NE ¼
Red Cone No. 9	MC284538	T6S, R75W, Sec 18, NW ¼
Red Cone No. 10	MC284539	T6S, R75W, Sec 18, NW ¼
Red Cone No. 11	MC284540	T6S, R75W, Sec 18, NW ¼ T6S, R75W, Sec 18, NW ¼
Red Cone No. 21	MC284541	T6S, R75W, Sec 18, NE ¼ & SE ¼ T6S, R75W, Sec 18, SW ¼ & NW ¼
Red Cone No. 16	MC284545	T6S, R76W, Sec 13, NE ¼ T6S, R75W, Sec 18, NW ¼
Red Cone No. 18	MC284547	T6S, R76W, Sec 13, NE ¼ T6S, R75W, Sec 18, NW ¼
Red Cone No. 27	MC284549	T6S, R75W, Sec 18, SW ¼
RC-22	MC290658	T6S, R75W, Sec 18, NE ¼ & SE ¼ T6S, R75W, Sec 18, SW ¼ & NW ¼
RC-23	MC290659	T6S, R75W, Sec 18, SE ¼
RC-24	MC290660	T6S, R75W, Sec 18, SE ¼
RC-25	MC290661	T6S, R75W, Sec 18, SE ¼ T6S, R75W, Sec 19, NE ¼
RC-26	MC290662	T6S, R75W, Sec 18, SE ¼ T6S, R75W, Sec 19, NE ¼
RC-28	MC290663	T6S, R75W, Sec 18, SW ¼
RC-29	MC290664	T6S, R75W,, Sec 18, SW ¼
RC-30	MC290665	T6S, R75W, Sec 18, SW ¼ T6S, R75W, Sec 19, NW ¼

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2021 AUG 17 A 11:50

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Map with claim numbers

Robert Burger <r.burger@verizon.net>
Reply-To: Robert Burger <r.burger@verizon.net>
To: "elliott.russell@state.co.us" <elliott.russell@state.co.us>

Fri, Jan 21, 2022 at 3:01 PM

Elliott,
I pulled this map from the MLRS system. It has the CO numbers on it that match the receipt.
Will it work? (I'll continue to find something better over the weekend.)

Robert M. Burger, P.G.
412-818-5659
r.burger@verizon.net

 **map with MLRS claim numbers.pdf**
2640K

Name of Claim	Serial Number	Legal Description (all locations from 6 th principal meridian)
RC-31	MC290666	T6S, R75W, Sec 18, SW ¼ T6S, R75W, Sec 19, NW ¼
RC-32	MC290667	T6S, R75W, Sec 19, NE ¼ T6S, R75W, Sec 19, NW ¼
RC-33	MC293488	T6S, R76W, Sec 13, SE ¼ T6S, R75W, Sec 18, SW ¼
RC-34	MC293489	T6S, R76W, Sec 13, SE ¼ T6S, R75W, Sec 18, SW ¼
RC-35	MC293490	T6S, R76W, Sec 13, SE ¼ T6S, R75W, Sec 18, SW ¼ T6S, R75W, Sec 19, NW ¼
RC-36	MC293491	T6S, R75W, Sec 18, SW ¼ T6S, R75W, Sec 19, NW ¼
RC-37	MC293492	T6S, R75W, Sec 19, NW ¼
RC-38	MC293493	T6S, R75W, Sec 19, NW ¼
RC-39	MC294868	T6S, R76W, Sec 13, SE ¼
RC-40	MC294869	T6S, R76W, Sec 13, SE ¼ T6S, R75W, Sec 19, NW ¼ T6S, R76W, Sec 24, NE ¼
RC-41	MC294870	T6S, R76W, Sec 24, NE ¼
RC-42	MC294871	T6S, R76W, Sec 24, NE ¼
RC-43	MC294872	T6S, R75W, Sec 19, NW ¼
RC-44	MC294873	T6S, R75W, Sec 19, NW ¼
RC-45	MC294874	T6S, R76W, Sec 24, NE ¼ T6S, R75W, Sec 19, NW ¼
RC-46	MC294875	T6S, R75W, Sec 19, SW ¼
RC-47	MC294876	T6S, R75W, Sec 19, NW ¼
RC-48	MC294877	T6S, R75W, Sec 19, NE ¼
RC-49	MC294878	T6S, R75W, Sec 19, NE ¼
RC-50	MC294879	T6S, R75W, Sec 19, NE ¼ T6S, R75W, Sec 20, NW ¼
RC-51	MC294880	T6S, R75W, Sec 19, NE ¼
RC-52	MC294881	T6S, R75W, Sec 19, NE ¼

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Name of Claim	Serial Number	Legal Description (all locations from 6 th principal meridian)
		T6S, R75W, Sec 19, NW ¼ T6S, R75W, Sec 19, SW ¼
RC-53	MC294882	T6S, R75W, Sec 19, SW ¼
RC-54	MC294883	T6S, R75W, Sec 19, SW ¼
RC-55	MC294884	T6S, R75W, Sec 19, SW ¼ T6S, R75W, Sec 19, SE ¼
RC-56	MC294885	T6S, R75W, Sec 19, NE ¼
RC-57	MC294886	T6S, R75W, Sec 19, NE ¼ T6S, R75W, Sec 20, NW ¼

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2021 AUG 17 A 11:51

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MD2 P2014003 Extension Request

Robert Burger <r.burger@verizon.net>

Thu, Jan 27, 2022 at 12:55 PM

To: "Russell - DNR, Elliott" <elliott.russell@state.co.us>

Elliott,

The only other piece of information I found regarding the receipt for claims payment is attached. It is what I provided to the BLM when I paid them in person, which is the date stamped on the pages.

I hope you have all you need.

Thank you again,

Robert

Robert M. Burger, P.G.

Sierta Redcone, LLC

r.burger@verizon.net

412-818-5659

From: Russell - DNR, Elliott <elliott.russell@state.co.us>

Sent: Monday, December 20, 2021 3:49 PM

To: Robert Burger <r.burger@verizon.net>

Cc: Dana Caccamise <dana@caccamise.com>; Doug Pride <pride.1@osu.edu>; Titterington, Amy J -FS <amy.j.titterington@usda.gov>

Subject: Re: MD2 P2014003 Extension Request

Robert,

[Quoted text hidden]

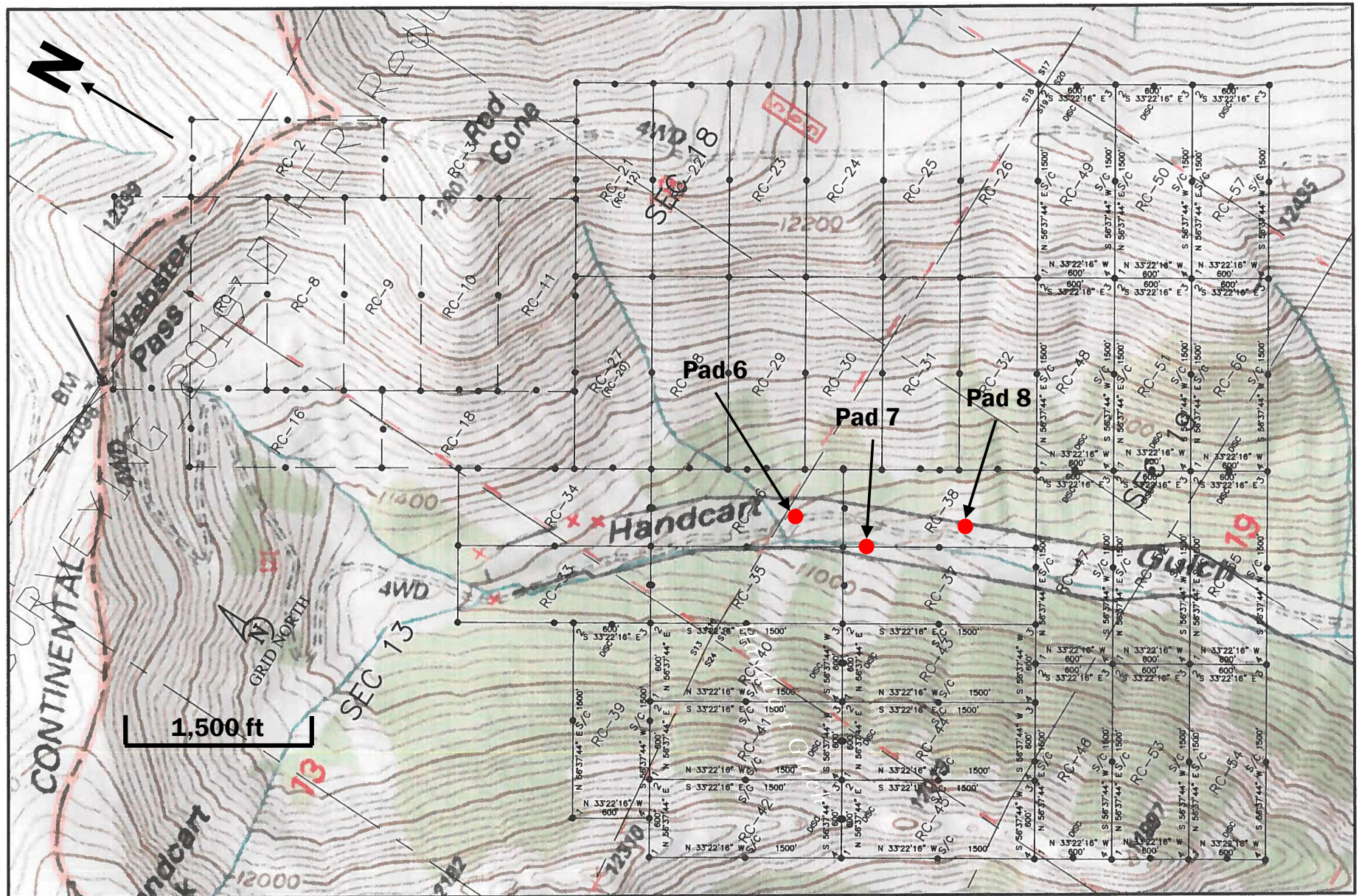
[Quoted text hidden]



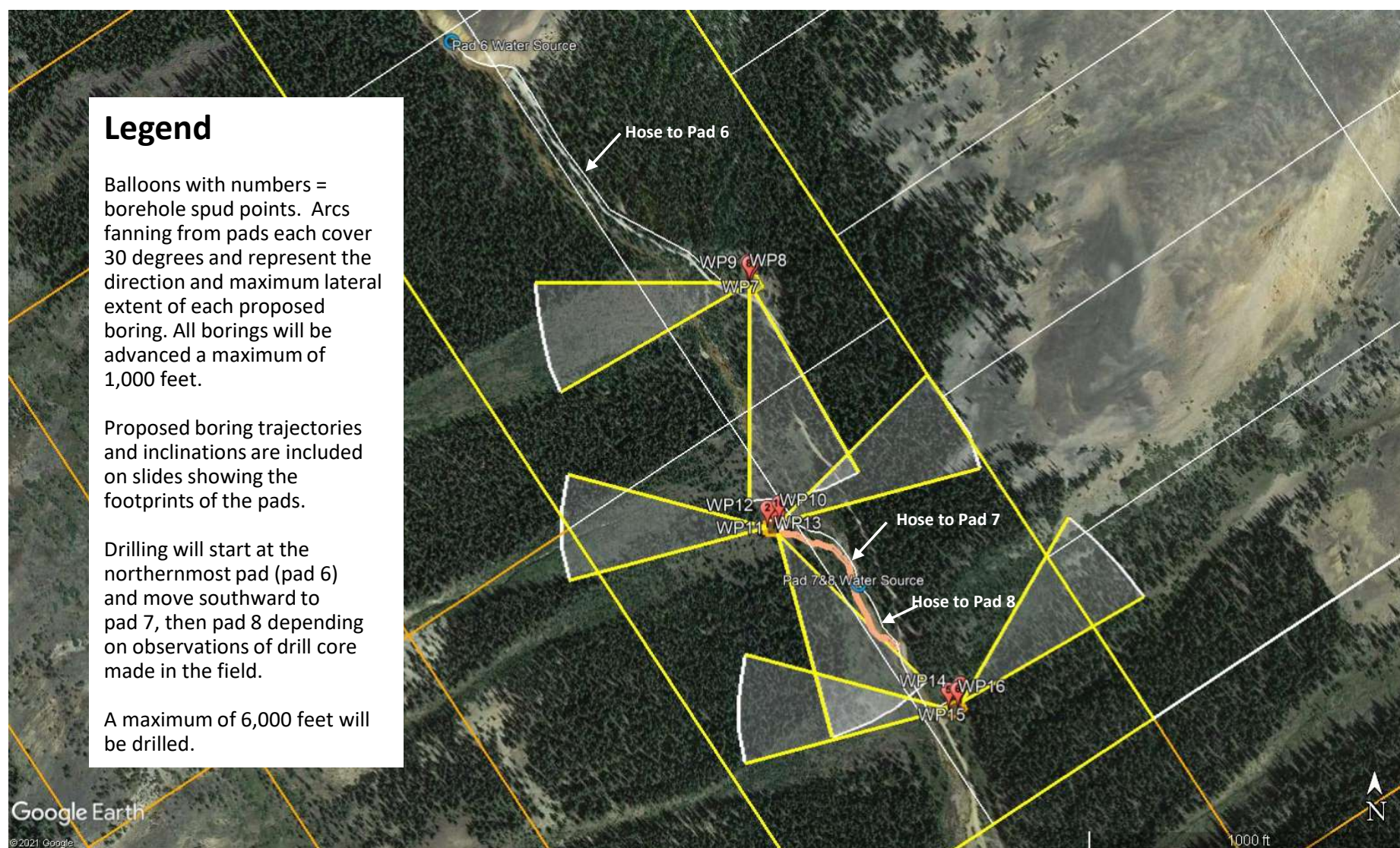
2021-22 claims receipt supplement.pdf

1078K

Sierta Mineral Claims Block with Pad Locations



Drill pad locations with proposed boring trajectories





Date: January 12, 2022

Mr. Robert Burger
Operator/ Agent
1885 Redcoach Road
Allison Park, PA 15101

Dear Mr. Burger,

Enclosed is the final, signed Decision Memorandum (DM) dated January 11, 2022 (attachment 1), and related documents associated with the Redcone Mine Plan of Operations (MPO) (**#2810-021211-MPO-2021-001**). This MPO is for lode exploration and mining-related activities on the South Platte Ranger District of the Pike National Forest.

On February 7, 2014, the President signed into law the Agricultural Act of 2014, Public Law Number 113-79 (i.e. Farm Bill). Section 8006(a) of the 2014 Farm Bill repealed the Appeals Reform Act, Public Law Number 102-381, 106 Stat. 1419 (1992). Section 8006(b) directs that the pre-decisional objection process established in Section 428 of division E of the Consolidated Appropriation Act of 2012, Public Law Number 112-74, shall not be applicable to categorically excluded projects or activities. Therefore, this decision is not appealable.

Prior to final approval of your MPO, there are two additional steps that must be completed:

(1) Accepting the changes and additions listed in the Redcone MPO Design Criteria

Prior to Forest Service (FS) approval of the final MPO, you will need to accept the changes and additions that were identified in the enclosed Design Criteria. These changes and additions are carried forward into Section VI-A of the final MPO (Required changes/modifications/special mitigation for plan of operations). By signing Section 8 (Operating Plan Acceptance) of the MPO, and page 8 of the enclosed Design Criteria, you (Mr. Burger) accept the changes and additions and agree to incorporate them into the operations.

(2) Posting a Reclamation Performance Bond.

The Reclamation Performance Bond is a guarantee of faithful performance with the terms and conditions listed in the MPO and Design Criteria. The Reclamation Performance Bond also extends to and can include any unauthorized activities conducted in connection with this operation. The bond amount may also be adjusted during the term of the MPO in response to changes in the operations or to changes in the economy.

As per the Memorandum of Understanding (MOU) between the Forest Service and the State of Colorado, Division of Reclamation, Mining, and Safety (DRMS), the DRMS is the lead bond authority and will be responsible for reviewing and calculating your reclamation bond. The FS has the ability to hold an additional bond for activities outside of your DRMS permit boundary (i.e. access routes). This bond will need to be submitted to and approved by



DRMS and the Forest Service in accordance with 36 CFR 228.13, prior to the authorization of your MPO.

If you have any questions and/or need clarification regarding the above information, please contact Geologist Amy Titterington at the South Park office, by phone at 719-838-0699, and/or by email at amy.j.titterington@usda.gov.

Sincerely,

**BRIAN
BANKS**
BRIAN BANKS
District Ranger



Digitally signed by BRIAN
BANKS
Date: 2022.01.13
06:33:27 -07'00'

Enclosures:

- 1) Redcone MPO, submitted March 8, 2021
- 2) Decision Memo for Redcone MPO
- 3) Design Criteria for the Redcone MPO

cc: DRMS - Elliott Russell; Park County Planning Department

**DECISION MEMO
U.S.D.A. FOREST SERVICE
RED CONE EXPLORATORY DRILLING PROJECT
PIKE NATIONAL FOREST
SOUTH PLATTE RANGER DISTRICT
PARK COUNTY, COLORADO
T6S, R75W, SECTIONS 18 AND 19,
6TH PRINCIPAL MERIDIAN**

BACKGROUND

Sierta Redcone LLC., (Redcone) proposed an exploratory drilling project northwest of Grant, in Park County, Colorado by submitting a proposed Plan of Operations (Plan) for their Redcone Exploratory Drilling project in Hall Valley/ Handcart Gulch on the RC-35, RC-36, RC-37, and RC-38 unpatented mining claims (Red Cone claim block).

The unpatented mining claims are found in portions of Sections 18 and 19, T6S, R75W, 6th Principal Meridian, approximately 11 miles north of Grant, Colorado, in Park County. The mining operations will be accessed by FSR 121. Total disturbance for all this project will be approximately 0.2 acre.

Redcone proposed the exploration drilling up to six 1,000-foot horizontal drill holes (HQ core – 2.5-inch ID). Drilling will occur from three drill pads; drill pads will be approximately 30 feet by 40 feet. In daily drilling operations, the core samples will be collected, boxed, labeled and taken off-site. Drilling is estimated to be 150 feet per day. Each core hole is expected to take 7 days to complete. Following core hole completion, the hole will be abandoned following Colorado Division of Reclamation, Mining and Safety (DRMS) requirements.

Two sumps will be excavated with a backhoe at each of the pads. Sumps would include ramping to facilitate safety for wildlife. Safety fencing will be installed around the sumps for wildlife protection. Each sump will be approximately 10 feet by 10 feet by 8 feet deep and will be used to contain drilling fluid (bentonite and water). Each sump is designed to contain approximately 6,000 gallons of drilling fluid from the 2,000-foot drill core.

Water for drilling operations will either be pumped from Handcart Gulch via a 1-inch inside-diameter plastic or rubber pipe to the drill pad. Approximately 5,000 to 20,000 gallons per 24-hour period will be pumped. Up to 400,000 gallons of water will be used over the duration of the project. The proponent will be responsible for securing water rights and the appropriate permits through the Colorado Division of Water Resources.

The general workforce will consist of 4 to 5 Persons and a Geologist per crew during the day per season (July 15 to September 30th.)

All trash and sanitation will be removed daily and disposed of off the National Forest. All backfill/ reclamation, re-contouring and seeding and revegetation of the excavations will occur at the end of exploration work.

All access tracks will be fully reclaimed at the end of the project.

PROPOSED ACTION

The Forest Service is required to respond to proposed plans of operations on National Forest System lands per the 1872 Mining Law and in accordance with requirements of 36 Code of Federal Regulations (CFR) Part 228A. There is a need for the Forest Service to comply with the law and regulation in a manner that minimizes adverse environmental effects and provides for reclamation of surface resources.

In accordance with 36 CFR 228.5, the submittal of the proposed Redcone project by Sierta Redcone requires the Forest Service to consider whether to approve the proposed Plan or to require changes or additions deemed necessary to meet the purpose of the regulations for locatable mineral operations at 36 CFR part 228, subpart A. Forest Service cannot categorically prohibit Redcone's operations that are reasonably incident to mining of locatable minerals on National Forest System lands in the area of the proposed action. The purpose of this project is to authorize activities for Redcone to explore for mineral resources in accordance with law, regulation, and policy.

Laws governing activities on National Forest System lands provide the public a statutory right to conduct locatable mineral exploration, provided activities are reasonably incidental to mining and comply with other Federal laws and regulations (i.e. 1872 Mining Law as amended, 1897 Organic Act, 1955 Mining Act, and case law). Forest Service is directed to regulate such activities for the purpose of minimizing adverse environmental effects and to provide for reclamation of surface resources (36 CFR Part 228A).

DESIGN CRITERIA

Mitigation measures/ Design Criteria are measures that are taken to minimize potential impacts that may occur due to implementation of the proposed action. Mitigation measures are also developed to address concerns raised about the proposed action. The following are mitigation measures that will become Terms and Conditions of an approved Plan of Operations and adhered to during project implementation:

ADMINISTRATIVE

1. The operator will establish a reclamation bond or acceptable surety as a guarantee of faithful performance with the terms and conditions identified in the reclamation requirements (36 CFR 228.13). Bond calculations will be based on local and Davis-Bacon wage and equipment rates. Bonds will be updated as necessary throughout the life of the project to reflect the actual cost of reclamation.
2. Upon completion of the project, a partial bond can be refunded withholding funds for re-vegetation, monitoring, and portions of indirect costs for a minimum of three (3) years pending attainment of acceptable ground cover as determined by the Authorized Officer.
3. If the design or location of this project changes in ways that differ from the approved MPO, the project work will stop, and the PSICC Geologist will be notified immediately. The new information will be evaluated prior to the recommencement of work, which may require additional analyses under the National Environmental Policy Act (NEPA).

4. The operator will contact the FS prior to the start of operations, during operations if operating conditions or requirements deviate from those analyzed, and once operations have been completed, to schedule a visit to the site as a final inspection of the operations.
5. All project-related materials and trash, including flagging, fencing, stakes, sample bags, and other items, must be removed from the site after project completion.
6. Operator will post signs/placards on vehicles and equipment to demonstrate to the public that the activities have been authorized.
7. Upon issuance of special use authorizations for new or existing water use, include permit conditions at the point of diversion or storage, if needed, to minimize impacts to water dependent resources and values.
8. This plan has been approved for a period of 1 year, or until November 1, 2023.

FIRE PREVENTION

9. All internal combustion engines including but not limited to generators, mechanized mining equipment and power tools, must be fitted with an approved spark arresting device.
10. Operator has tools, fire extinguisher on site and readily available during fire season.
11. Operator notifies South Platte Ranger District or Pueblo Dispatch (719) 553-1600 promptly, in the event of a fire.
12. Operator will comply with all applicable Federal and State fire laws and regulations and will take all reasonable measures to prevent and suppress fires on area of operations. Operator will require **all** employees, contractors, and subcontractors to do the same. Operation is subject to more specific fire guidance at direction of the District Ranger depending upon local conditions.

CAMPING

13. Overnight stays and leaving vehicles on the Forest are limited to a maximum of 14 consecutive days and no more than 28 days in a 60-day continuous period.
14. Forest Service Motor Vehicle Use Map (MVUM) related regulations require vehicles to park only in areas immediately adjacent to National Forest System roads.
15. All foodstuffs will be properly contained and located to minimize conflicts with wildlife, especially bears. Food items should be stored in a bear proof container away from any tenting or camping sites.
16. All trash and garbage will be removed from National Forest Lands.
17. Human waste shall be removed from National Forest Lands.

DRILLING OPERATIONS AND ACCESS

18. District Ranger and minerals administrator will be informed of which site(s) will be mobilized at least two business days prior to mobilization, and two days before estimated demobilization. Detailed reclamation schedules will be provided as they are developed.
19. Signs will be posted along the access road prior to equipment mobilization. Signs will notify public of heavy equipment traffic.

20. A list of all hazardous materials and their Safety Data Sheets that will be on the Forest must be provided to the minerals administrator, by the operator or any contractor(s) or subcontractor(s) for review prior to commencement of operations.
21. The minerals administrator shall be notified at least 24 hours prior to plugging of drill holes to provide for field inspection and monitoring of the plugging activities by a Forest Service minerals administrator.
22. All drill holes shall be plugged with cement or bentonite grout placed from the bottom of the drill hole to a depth of two feet below ground surface. Plugging of all drill holes shall be consistent with Section 5.4 of the Mineral Rules and Regulations (Colorado Mined Land Reclamation Board 2019). This method will ensure compliance with Colorado Mined Land Reclamation Act 34-32-113(5.5), and the Federal regulations at 36 CFR 228.8(b), (g), and (h), and the ASTM International Standard Guide for Decommissioning of Groundwater Wells, Vadose Zone Monitoring Devices, Boreholes, and Other Devices for Environment Activities (ASTM D5299-99).
23. The operator shall engage a registered professional geologist or engineer to conduct independent third-party construction quality assurance (CQA) oversight during plugging of all drill holes. A report documenting the plugging methods and CQA activities shall be prepared by the third-party geologist or engineer for each drill hole and shall be submitted to the Forest Service **within 60 days** after completion of the plugging activities. A stamped plate indicating the hole number correlating to the Plan of Operations must be included on the abandoned well.
24. When mobilizing a drill rig to the project area and when moving from site to site, spotters will be used in both front and behind vehicle transporting drill rig to ensure safety of Forest users and potential wildlife on roadways.
25. Drill pads shall be flagged at five to ten-foot intervals to ensure disturbance does not exceed permitted area. Any deviation from the pads outlined in the Plan of Operations (i.e. expansion into the 50-foot cleared buffer) will be reported to the District Ranger with a plan map of the deviation.
26. At active drill sites, secondary containment structures will be used to store (hydraulic oil, diesel, gasoline, tubes of grease, or any other miscellaneous small containers. During drilling operations, drill rig will be parked on top of plastic sheeting overlain by adsorbent material. Plastic and absorbent material will also be used under any other gasoline or diesel motors, or other equipment that may leak oil.
27. During drill site occupancy, signs will be placed on access road in each direction, alerting Forest users of activity.
28. Notification of any changes in operator or claimants will be promptly submitted to the Forest Service.
29. Equipment and tools must be in good working order and not leak fluids onto ground.
30. Inoperable or broken equipment/ tools must be immediately removed from Forest Service lands.
31. Operator must have all applicable Federal, local, and State permits in place prior to operating.

ROADS

32. *Roadway Obliteration* - This work consists of the reclamation of roadways by the removal of culverts; construction of waterbars and leadoff ditches and seeding, fertilizing, and mulching of all disturbed areas. This work may include necessary diverting of live streams, pumping, bailing,

draining, sheeting, bracing, and miscellaneous items required for execution of the work. Additionally, survey stakes depicting work locations may need to be re-established using original survey notes and/or plans.

Roadway reclamation methods are designated as follows:

Method 1. Fill ditches and restore the roadway to approximate original ground contour or shape to blend with the terrain. Before placing embankment, loosen the roadbed by ripping or scarifying to the depth of 12 inches. Pull all embankments and apply the material to contour or fill ditches; or haul it to designated areas. Construct waterbars as shown on the plans. Scatter any available slash on obliterated roadway. Keep excavated material within the original roadway limits unless otherwise shown on the plans.

Method 2. Shape the roadway to drain water. Fill ditches, outslope the roadbed and loosen the roadbed by ripping or scarifying to the depth of 12 inches to provide a seedbed and promote establishment of vegetation. Scatter any available slash on obliterated roadway. Construct waterbars as shown on the plans. Effectively close the road by method shown on plans.

Method 3. Loosen the roadbed by scarifying to the depth of 12 inches. Construct waterbars as shown on the plans. Scatter any available slash on obliterated roadway. Eliminate all ruts and low spots that could hold water. Effectively close the road by method shown on plans.

Method 4. Grade the roadbed to eliminate all ruts and low spots that could hold water.

33. *Construction Requirements* - Remove all culverts designated to be removed from National Forest lands and dispose of them in any legal manner. All removed culverts may be salvaged by the Contractor for personal use. Seed, fertilize, and mulch all disturbed ground. Place Erosion Control Blankets and Straw Wattles as shown on the plans.
34. Operator will need to place barriers to block access to the drill pads once operations and reclamation are complete. Operator may use boulders, trees, or other natural objects to limit public off-road use.

RECREATION

35. Lights used to illuminate drill sites will be outfitted with shields, directed toward the drill site and pointed directly toward the ground to minimize light scatter.
36. Lights used for night work and safety at Redcone drill sites, would be directed or shielded away from the road and sky to minimize nightlight effects.
37. Drilling and other equipment on sites will be configured so that motors are oriented away from roads and private residences to minimize noise impacts to the extent practicable.
38. Any off-road travel should be similarly naturalized at the end of operations. The dispersed recreation/OHV use and potential for cascading effects are one of the primary concerns for recreation management as this route is heavily used by OHV's (motorcycle, ATV/UTV, Jeep), and by campers, especially on weekends.

NOXIOUS WEED PREVENTION

39. Ensure all equipment and tools moved onto National Forest System lands are free of soil, seeds, vegetative matter, or other debris that could contain or hold noxious weed seed.
40. The operator will coordinate with FS personnel to ensure that inspections are performed.

VEGETATION

41. Minimal vegetation clearing will occur. When clearing vegetation, straight clearing limits are avoided; a natural appearance is maintained. Natural features such as large boulders, rock outcrops, dead and down trees, and significant vegetation will remain intact, unless otherwise approved by the South Platte District Ranger.
42. Topsoil will be removed and stockpiled on site for use in reclamation.
43. Operator will remove any cut trees to limit potential for insect issues with spruce beetle. Contact the South Platte Ranger District to obtain a fuelwood or free use permit.

HAZARDOUS MATERIALS

44. The operator will ensure that all employees involved in the use, storage, transportation, and disposal of hazardous materials receive proper training to reduce the risk of an incident on NFS lands.
45. The operator will manage the use, storage, discharge, or disposal of pollutants and hazardous or toxic substances generated in compliance with applicable regulations and requirements.
46. Install fiber rolls around vehicle service and refueling areas, chemical storage and use areas, and waste dumps to fully contain spills. Use liners as needed to prevent seepage to ground water. Prepare Spill Prevention Control and Countermeasure Plan per the requirements of 40 CFR 112.
47. Inspect equipment used for transportation, storage or application of chemicals daily during use period for leaks. If leaks or spills occur, report them and install emergency traps to contain them and clean them up.
48. Report spills and take appropriate clean-up action in accordance with applicable state and federal laws, rules and regulations. Contaminated soil and other material shall be removed from NFS lands and disposed of in a manner according to state and federal laws, rules and regulations.

WATER QUALITY

49. Obtain stream flows under appropriate federal and state, legal and regulatory authorities to protect stream processes, aquatic and riparian habitats and communities, and recreation and aesthetic values.
50. Mitigate water imports and water disposal so that the extent of stable banks, channel pattern, profile and dimensions maintain or improve long-term stream health in each receiving stream reach.
51. Keep heavy equipment and ground vehicles out of streams, swales, and wetlands except to cross at the designated point with a temporary stream crossing. The temporary stream crossing should be minimally constructed of either wetland matting or native materials and not cause temporary or long-term disturbance to stream flow pattern, stream banks, or soils. Do not disturb soils at stream crossing point.

52. Keep temporary roads out of wetlands unless there is no other practicable alternative. If temporary roads must enter wetlands, use wetland matting to protect soil and vegetation from erosion.
53. Remove the temporary stream crossing and wetland matting immediately after exploration work and restoration is complete at that drill pad.
54. Do not disrupt water supply or drainage patterns into wetlands.
55. Do not excavate earth material from, or store excavated earth material in, any stream, swale, or wetland.
56. Do not encroach fills or introduce soil into streams, swales, or wetlands.
57. If excessive gullyng or rilling occurs downhill from excavations, erosion control measures such as silt fencing or contour berms may be necessary to protect water quality.
58. Water bars will be cleaned out on an as-needed basis to minimize erosion on roads.
59. Operator will comply with applicable Federal and State water quality standards, including regulations pursuant to the Federal Water Pollution Control Act, as amended (33 USC 1151 et seq.).
60. Operator will comply with National Best Management Practices for Water Quality Management on National Forest System Lands. This includes providing silt fences, waddles, and straw bales as necessary. Fiber rolls need to be certified cheatgrass and weed free. Product tags need to be submitted to the Pike Zone Hydrologist for review prior to use.

http://www.fs.fed.us/biology/resources/pubs/watershed/FS_National_Core_BMPs_April2012.pdf

CULTURAL

61. If a previously unknown archaeological site is discovered by either the operator or the Forest Service, mining operations will stop immediately until the site is evaluated by the Forest Service Archaeologist, and any needed mitigation measures are developed.

WILDLIFE

62. If any new nesting/denning sites for threatened, endangered, or Forest Service sensitive species are observed during implementation, it will be reported immediately to the wildlife biologist and appropriate protection measures will be implemented.
63. Design criteria mentioned above for weed prevention, vegetation and water quality all coincide with protection of wildlife habitat.
64. Avoid all wildlife; do not handle. Check underneath vehicles and equipment before using or moving.
65. Travel at reduced speeds while using forest roads to prevent collisions with wildlife.
66. A wildlife escape ramp will be incorporated into open sump pit design.

RECLAMATION

The operator(s) agree to complete the following reclamation measures:

67. Within the one-year expiration of this authorization, the operator will commence final reclamation.

68. Solids and desiccated drilling muds in the mud pits will be excavated and removed from National Forest System lands prior to demobilization. Dry cuttings will be removed from sumps along with the plastic liner. These materials will be disposed of in accordance with state and local regulations. The sumps will then be returned as soon as practicable to natural grade using material set aside during site construction and sump excavation. The site will be contoured to match existing topography.
69. Stockpile topsoil separately from deeper horizon excavated soils to be used in site restoration. Properly compact backfilled areas and placed topsoil on top of the backfill and other disturbed areas matching the surface level and grade of the surrounding area.
70. Site-prepare, de-compact, and close temporary access and other disturbed sites immediately after exploration work is complete.
71. Size and orient surface roughness (that is. slash and other features that would trap and hold snow on site) of disturbed areas to prevent snow scour and site desiccation.
72. Disconnect disturbed areas from stream networks. Reclaim areas that contribute to excessive runoff and peak flows. Revegetate using certified local native plants as practicable; avoid persistent or invasive exotic plants.
73. Disperse runoff and restore organic ground cover with minimum long-term maintenance needs. Reclamation treatments and changes in management may be required.
74. Use native and weed free species for all reclamation on forest, following testing procedures for seed mixes and send certifications to Minerals Group biologist prior to use on forest:
75. Detailed receipts from landfill to document appropriate method of disposal, and copies will be submitted to the Forest Service within 30 days of receipt.
76. Fence or cattle guards that need to be cut, removed, or are damaged will be repaired or replaced with like kind. The Forest Service minerals staff will be notified prior 1 day prior to cutting or removal of fence and immediately upon damaging fence or cattle guards.
77. Any drilling activities not completed within 11 months from plan authorization shall cease in order to allow a maximum of one month to complete any necessary reclamation activities. Completion of any work outside that time limit would require a new plan of operations, analysis, and environmental analysis.
78. Remove all materials and return the mining area to the original natural contours. This includes all excavation cuts.
79. Silt fences or other erosion control will be utilized to prevent off-site sediment transport.
80. Fiber rolls and other sediment and erosion control devices should be removed by the end of reclamation; no plastic matting, mesh, sheeting or fabric can be left behind.
81. Reclamation will be monitored by the operator, USFS personnel, and State of Colorado (DRMS) inspectors on an as needed basis.
82. The road and site will be seeded with USFS-approved seed mixtures, as needed.
83. The staging area will need to be fully reclaimed.

84. Re-vegetation will not be complete until at least 50% plant re-growth has been established, when compared to adjacent undisturbed areas.
85. Topsoil must be saved and used to cover all disturbed areas.
86. Return large rocks, boulders, and logs to their original position.
87. The U.S. Forest Service may require additional reclamation measures if needed.
88. Earth work- which includes re-contouring and smoothing all disturbed areas. Earth work will not be considered complete if the surface is rough, no rough piles higher than 12 inches may be left.
89. Remove all trash off Forest Service Lands.
90. Remove all structures (fences, signs) from Forest Service Lands except for pre-existing structures.
91. Complete all reclamation within one year of the end of the operating plan.
92. Refund of any reclamation bond is contingent upon the success of reclamation.

MONITORING

93. The Forest Service will monitor and assess the progress of reclamation activities, including re-vegetation and erosion control, for a minimum of three years. Dependent on the success of the second phase of reclamation, additional seeding, weed treatment, or installation of erosion control structures may occur.

The South Platte Ranger District resource specialists in archaeology, wildlife biology, and botany, have determined that no adverse effects would result from the proposed action to sensitive species and no effects to cultural resources or threatened and endangered species. The relevant Biological Assessment, Biological Evaluations, and Specialist Reports are available at the South Platte Ranger District Office, Attn: Geologist/AML Coordinator, 30403 Kings Valley Drive, Suite 2-115, Conifer, CO 80433.

DECISION

I have decided to authorize Sierta Redcone's proposed plan of operations for the Redcone project as described in the background, proposed action, and design criteria. Activities associated with the Redcone project include drilling, road use, road improvement and overland motorized travel for access. All activities associated with this project will be completed within one year of authorization of a Plan of Operations.

This project will minimize surface disturbance while testing subsurface geologic targets. The project area has been surveyed for archeological and biological resources. Recommendations from the reports for these resources will be used for mitigation measures and become part of an approved Plan.

Drilling - Redcone will be authorized to drill three sites. Each drill site is located on previously disturbed areas with relatively little vegetation to minimize further disturbance with this project. Sites may require leveling a small area for equipment, constructing a sump to contain drill cuttings and minimal vegetative clearing.

Road Access and Improvements - Minor road improvements may be authorized on FSR 121, as needed, in order to safely transport drill equipment and crews to proposed drill sites. Road

improvements will only occur in existing roadbeds within the existing road prism and will include blading and filling areas of erosion. Road widening will not occur, and road closures will not be authorized. No changes or restrictions in public access will be authorized as part of this project. Any road improvements will follow FS road standards.

Overland Route - Two overland routes will be authorized to access the drill pads. Access will be obtained by driving vehicles and equipment over the route. Larger vegetation and rocks will be avoided or transplanted out of the roadway.

Timing – The Redcone project will be completed within one year or less. All surface disturbing operations will cease regardless of the number of drill holes completed, with enough time remaining to complete reclamation within one year from the date of commencement. Completion of work outside the one-year timeframe will require submittal of a new plan of operations, evaluation, and environmental analysis.

Reclamation – Reclamation will occur at each drill site as soon as exploration work at that site is completed. Well reclamation will be accomplished by abandoning each drill hole according to Colorado Division of Reclamation Mining and Safety (DRMS) and Division of Water Resources (DWR) standards. The operator will submit copies of well drilling, abandonment, or well project completion forms submitted to state regulatory agencies and to the district ranger for documentation within 60 days of abandonment.

Unless otherwise agreed to in advance, by the district ranger in consultation with Forest water resources staff, and approved by Colorado DRMS in accordance with their procedures, all prospecting drill holes shall be permanently plugged, sealed or capped pursuant to the requirements of Section 5.4 (Rule 5) of the Mineral Rules and Regulations (Colorado Mined Land Reclamation Board 2019) and Rule 16 of the Water Well Construction Rules and Regulations (DWR 2016). This method will ensure compliance with Colorado Mined Land Reclamation Act 34-32-113(5.5), and the Federal regulations at 36 CFR 228.8(b), (g), and (h).

Surface reclamation activities include loosening of compacted soil, scarifying overland routes, distributing organic matter and stockpiled topsoil, and seeding with Forest Service prescribed noxious weed-free seed mix. Sites will also be contoured to conform to natural surroundings.

All sumps at drill sites will be excavated and will be lined with an impermeable plastic liner to prevent infiltration. Adequate measures to prevent runoff into watersheds and drainages, such as wattles, silt fencing, straw bales, and / or other best management practices for storm water runoff will be employed. Any required permits, such as an Administrative Exchange from the Colorado Division of Water Resources (DWR) and/or a Storm Water Pollution Prevention Permit (SWPPP) will be acquired from the appropriate agency(ies) prior to approval by the Forest Service.

The operator will pump all fluid out of the sump into tank(s) for removal and disposal or reclamation off National Forest System lands and in accordance with state and local regulations. Dry cuttings will be removed from sumps along with the plastic liner. Sumps will then be backfilled, and any original topsoil will be contoured to match existing topography.

Bonding – Redcone will post a reclamation bond prior to authorization to proceed with drilling to ensure reclamation funding is available to the Forest Service. Bonds are required to cover the estimated

reclamation costs for prospecting, mining and other mineral operations on National Forest System lands. A bond is necessary to ensure performance of reclamation and mitigation measures are completed. Forest Service will return the bond once reclamation is deemed complete. All reclamation work will be completed within one year of authorization.

CATEGORY OF THE CATEGORICAL EXCLUSION

My assessment is that this decision falls within the categories of actions listed in the Forest Service National Environmental Policy Act Handbook (FSH) that are excluded from documentation in an environmental assessment or environmental impact statement. This category is found in FSH 1909.15, section 32.2 and 36 CFR 220.6(e)(8), “*Short-term (1 year or less) mineral, energy, or geophysical investigations and their incidental support activities that may require cross-country travel by vehicles and equipment, construction of less than 1 mile of low-standard road, or use and minor repair of existing roads.*” This category of action is applicable because it is a short-term mineral investigation and there are no cause-effect relationships between the proposed action and the potential effect on resource conditions that could lead to an extraordinary circumstance (36 CFR 220.6(b)) (FSH 1909.15, Sec 31.2). Forest Service Chief established this categorical exclusion for routine actions that normally do not individually or cumulatively have a significant effect on quality of the human environment.

I have determined that there are no extraordinary circumstances associated with this project that would preclude the use of this category. This determination is based on the absence or the negligible level of adverse effects on the following resource conditions:

1. *Threatened and endangered species or their critical habitat* – No threatened or endangered species or their critical habitat will be adversely affected by issuance of the proposed action. A Biological Evaluation and Biological Assessment was completed in March 2021. Both documents can be found in the project record. The proposed action has a determination of “no effect” for threatened, endangered, or proposed species that may occur in the project area. For Region 2 Forest Service sensitive species, the proposed action has a determination of “may impact individuals but is not likely to cause a trend towards Federal listing or result in loss of viability in the planning area” for the Wolverine, Southern white-tailed ptarmigan, Rocky Mountain bighorn sheep, and Townsend’s big-eared bat and “no effect” for all other Region 2 Forest Service sensitive species that may occur in the project area.
2. *Floodplains, wetlands and municipal watersheds* – Portions of the proposed action are located within a mapped wetland. Given the design criteria and mitigation measures are fully implemented, potential effects on floodplains, wetlands, and municipal watersheds will not result in extraordinary circumstances.
3. *Congressionally designated areas* – The proposed action would not occur within or adjacent to Congressionally designated areas.

The proposed action would occur outside wild or scenic rivers, and National Recreation Areas, and thus would have no effect on these types of areas.
4. *Inventoried roadless areas and Research Natural Areas* – The proposed action does not occur in any Inventoried roadless or Research Natural Areas, and thus would have no effect on these types of areas.
5. *Native American religious or cultural sites, archeological sites or historic properties or areas* –

A Level III Cultural Resource survey for the Redcone sites was completed in June 2021 and concluded that there are no sites eligible for the National Historic register. Preliminary research on the remaining mines indicates that there are no significant cultural resources sites. If, prior to or during excavation work, items of historic or prehistoric value, including sites, buildings, objects, and properties related to American history, architecture, archaeology and culture, such as settler or Indian artifacts protected by American Antiquities Act of 1906, (USC 431-433), National Historic Preservation Act of 1966 (16 USC 470) and Executive Order 11593, are discovered, further work on the closure will cease excavation in the area so affected. The Operator will then immediately notify the Forest Geologist and will not resume excavation until written approval is given by the District Ranger.

There are no conditions associated with the proposed action that would potentially have effects which may significantly affect the environment. Therefore, this action can be categorically excluded from documentation in an environmental assessment or environmental impact statement.

SCOPING/ISSUES

This action was listed as a proposal on the Pike and San Isabel National Forests Cimarron and Comanche National Grasslands Schedule of Proposed Actions (SOPA) in June 2021 and updated periodically during the analysis. A Letter to Interested Parties was sent to Hall Valley HOA members on April 15, 2021. One response was received. Internal scoping among FS resource specialists was initiated on March 12, 2021, and responses are documented in the project record.

FINDINGS REQUIRED BY OTHER LAWS

The *Pike and San Isabel National Forests & Cimarron and Comanche National Grasslands (PSICC) Land and Resource Management Plan, 1984* has been reviewed and a determination made that this decision is consistent with the Forest Plan. The actions in this project comply fully with the goals of the Forest Plan, the Management Area Direction, including that contained under the various management prescriptions and the Forest-wide standards and guidelines (See Chapter II of the *PSICC Land and Resource Management Plan, 1984*).

Floodplain, wetlands, prime lands, threatened and endangered species, minerals, and cultural resource management implications have been considered and these resources will not be adversely affected. For Forest Plan Management Indicator Species (MIS), there would be no measurable effects to any MIS at the Forest level from the proposed action.

IMPLEMENTATION DATE

The decision is effective immediately. Project implementation will begin in July 2022.



ADMINISTRATIVE REVIEW AND APPEAL OPPORTUNITIES

Pursuant to 36 CFR 215.4(a) and 251.12(f), this decision is not subject to administrative review or appeal.

For further information, contact Amy Titterington, Geologist, Abandoned Mine Lands Coordinator, South Park Ranger District, 320 Highway 285, PO Box 219, Fairplay, CO, 80440 or at (719) 836-3871.

BRIAN BANKS Digitally signed by BRIAN BANKS
Date: 2022.01.11 12:19:30 -07'00'

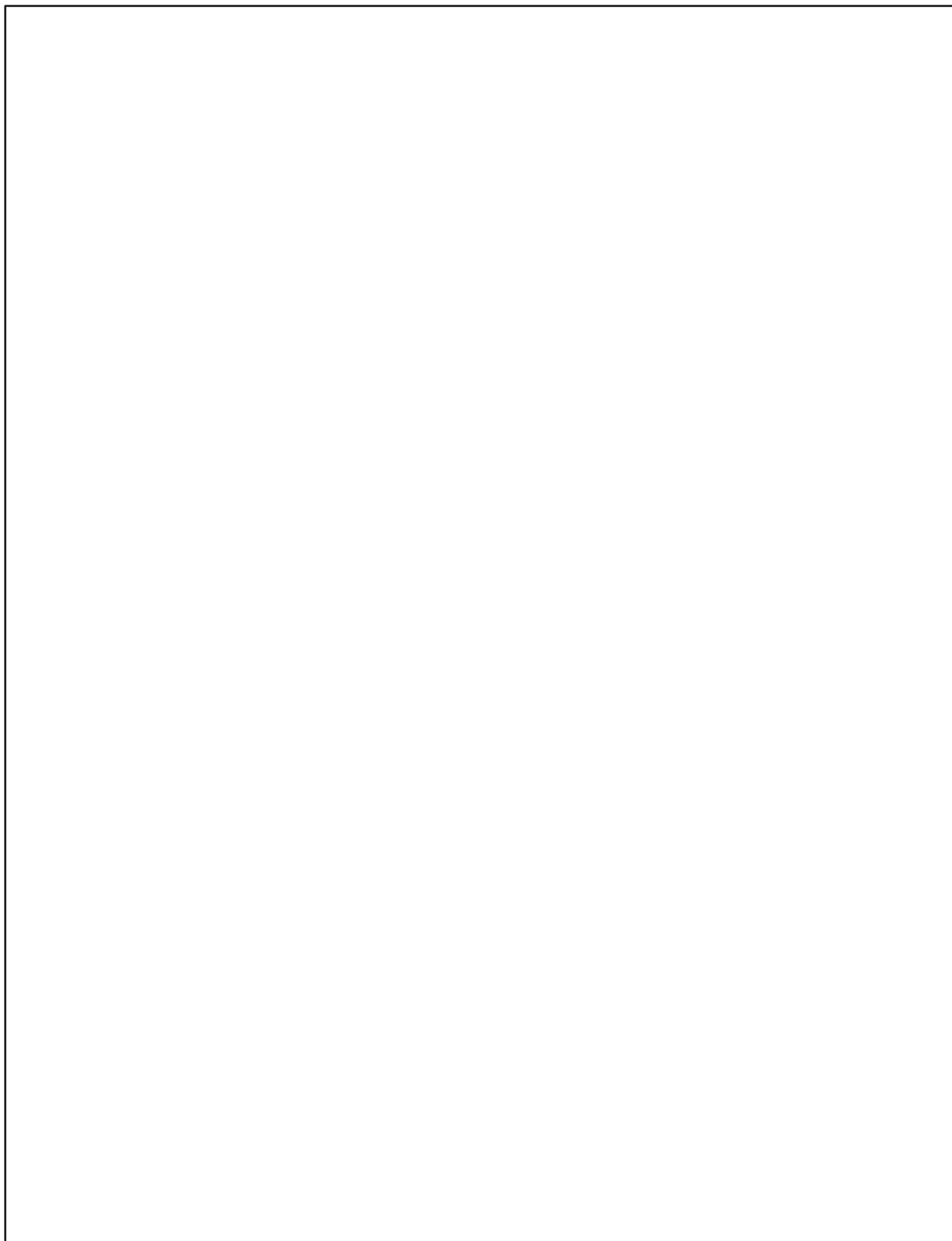
BRIAN BANKS
South Platte District Ranger

Date

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To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, DC 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD).

Vicinity Map –



Design Criteria for Red Cone Mine Plan of Operations

January 2022

DESIGN CRITERIA

Mitigation measures/ Design Criteria are measures that are taken to minimize potential impacts that may occur due to implementation of the proposed action. Mitigation measures are also developed to address concerns raised about the proposed action. The following are mitigation measures that will become Terms and Conditions of an approved Plan of Operations and adhered to during project implementation:

ADMINISTRATIVE

1. The operator will establish a reclamation bond or acceptable surety as a guarantee of faithful performance with the terms and conditions identified in the reclamation requirements (36 CFR 228.13). Bond calculations will be based on local and Davis-Bacon wage and equipment rates. Bonds will be updated as necessary throughout the life of the project to reflect the actual cost of reclamation.
2. Upon completion of the project, a partial bond can be refunded withholding funds for re-vegetation, monitoring, and portions of indirect costs for a minimum of three (3) years pending attainment of acceptable ground cover as determined by the Authorized Officer.
3. If the design or location of this project changes in ways that differ from the approved MPO, the project work will stop, and the PSICC Geologist will be notified immediately. The new information will be evaluated prior to the recommencement of work, which may require additional analyses under the National Environmental Policy Act (NEPA).
4. The operator will contact the FS prior to the start of operations, during operations if operating conditions or requirements deviate from those analyzed, and once operations have been completed, to schedule a visit to the site as a final inspection of the operations.
5. All project-related materials and trash, including flagging, fencing, stakes, sample bags, and other items, must be removed from the site after project completion.
6. Operator will post signs/placards on vehicles and equipment to demonstrate to the public that the activities have been authorized.
7. Upon issuance of special use authorizations for new or existing water use, include permit conditions at the point of diversion or storage, if needed, to minimize impacts to water dependent resources and values.
8. This plan has been approved for a period of 1 year, or until November 1, 2023.

FIRE PREVENTION

9. All internal combustion engines including but not limited to generators, mechanized mining equipment and power tools, must be fitted with an approved spark arresting device.
10. Operator has tools, fire extinguisher on site and readily available during fire season.
11. Operator notifies South Platte Ranger District or Pueblo Dispatch (719) 553-1600 promptly, in the event of a fire.
12. Operator will comply with all applicable Federal and State fire laws and regulations and will take

all reasonable measures to prevent and suppress fires on area of operations. Operator will require **all** employees, contractors, and subcontractors to do the same. Operation is subject to more specific fire guidance at direction of the District Ranger depending upon local conditions.

CAMPING

13. Overnight stays and leaving vehicles on the Forest are limited to a maximum of 14 consecutive days and no more than 28 days in a 60-day continuous period.
14. Forest Service Motor Vehicle Use Map (MVUM) related regulations require vehicles to park only in areas immediately adjacent to National Forest System roads.
15. All foodstuffs will be properly contained and located to minimize conflicts with wildlife, especially bears. Food items should be stored in a bear proof container away from any tenting or camping sites.
16. All trash and garbage will be removed from National Forest Lands.
17. Human waste shall be removed from National Forest Lands.

DRILLING OPERATIONS AND ACCESS

18. District Ranger and minerals administrator will be informed of which site(s) will be mobilized at least two business days prior to mobilization, and two days before estimated demobilization. Detailed reclamation schedules will be provided as they are developed.
19. Signs will be posted along the access road prior to equipment mobilization. Signs will notify public of heavy equipment traffic.
20. A list of all hazardous materials and their Safety Data Sheets that will be on the Forest must be provided to the minerals administrator, by the operator or any contractor(s) or subcontractor(s) for review prior to commencement of operations.
21. The minerals administrator shall be notified at least 24 hours prior to plugging of drill holes to provide for field inspection and monitoring of the plugging activities by a Forest Service minerals administrator.
22. All drill holes shall be plugged with cement or bentonite grout placed from the bottom of the drill hole to a depth of two feet below ground surface. Plugging of all drill holes shall be consistent with Section 5.4 of the Mineral Rules and Regulations (Colorado Mined Land Reclamation Board 2021). This method will ensure compliance with Colorado Mined Land Reclamation Act 34-32-113(5.5), and the Federal regulations at 36 CFR 228.8(b), (g), and (h), and the ASTM International Standard Guide for Decommissioning of Groundwater Wells, Vadose Zone Monitoring Devices, Boreholes, and Other Devices for Environment Activities (ASTM D5299-99).
23. The operator shall engage a registered professional geologist or engineer to conduct independent third-party construction quality assurance (CQA) oversight during plugging of all drill holes. A report documenting the plugging methods and CQA activities shall be prepared by the third-party geologist or engineer for each drill hole and shall be submitted to the Forest Service **within 60 days** after completion of the plugging activities. A stamped plate indicating the hole number correlating to the Plan of Operations must be included on the abandoned well.
24. When mobilizing a drill rig to the project area and when moving from site to site, spotters will be used in both front and behind vehicle transporting drill rig to ensure safety of Forest users and potential wildlife on roadways.

25. Drill pads shall be flagged at five to ten-foot intervals to ensure disturbance does not exceed permitted area. Any deviation from the pads outlined in the Plan of Operations (i.e. expansion into the 50-foot cleared buffer) will be reported to the District Ranger with a plan map of the deviation.
26. At active drill sites, secondary containment structures will be used to store (hydraulic oil, diesel, gasoline, tubes of grease, or any other miscellaneous small containers. During drilling operations, drill rig will be parked on top of plastic sheeting overlain by adsorbent material. Plastic and absorbent material will also be used under any other gasoline or diesel motors, or other equipment that may leak oil.
27. During drill site occupancy, signs will be placed on access road in each direction, alerting Forest users of activity.
28. Notification of any changes in operator or claimants will be promptly submitted to the Forest Service.
29. Equipment and tools must be in good working order and not leak fluids onto ground.
30. Inoperable or broken equipment/ tools must be immediately removed from Forest Service lands.
31. Operator must have all applicable Federal, local, and State permits in place prior to operating.

ROADS

32. *Roadway Obliteration* - This work consists of the reclamation of roadways by the removal of culverts; construction of waterbars and leadoff ditches and seeding, fertilizing, and mulching of all disturbed areas. This work may include necessary diverting of live streams, pumping, bailing, draining, sheeting, bracing, and miscellaneous items required for execution of the work. Additionally, survey stakes depicting work locations may need to be re-established using original survey notes and/or plans.

Roadway reclamation methods are designated as follows:

Method 1. Fill ditches and restore the roadway to approximate original ground contour or shape to blend with the terrain. Before placing embankment, loosen the roadbed by ripping or scarifying to the depth of 12 inches. Pull all embankments and apply the material to contour or fill ditches; or haul it to designated areas. Construct waterbars as shown on the plans. Scatter any available slash on obliterated roadway. Keep excavated material within the original roadway limits unless otherwise shown on the plans.

Method 2. Shape the roadway to drain water. Fill ditches, outslope the roadbed and loosen the roadbed by ripping or scarifying to the depth of 12 inches to provide a seedbed and promote establishment of vegetation. Scatter any available slash on obliterated roadway. Construct waterbars as shown on the plans. Effectively close the road by method shown on plans.

Method 3. Loosen the roadbed by scarifying to the depth of 12 inches. Construct waterbars as shown on the plans. Scatter any available slash on obliterated roadway. Eliminate all ruts and low spots that could hold water. Effectively close the road by method shown on plans.

Method 4. Grade the roadbed to eliminate all ruts and low spots that could hold water.

33. *Construction Requirements* - Remove all culverts designated to be removed from National Forest lands and dispose of them in any legal manner. All removed culverts may be salvaged by the Contractor for personal use. Seed, fertilize, and mulch all disturbed ground. Place Erosion Control Blankets and Straw Wattles as shown on the plans.
34. Operator will need to place barriers to block access to the drill pads once operations and reclamation are complete. Operator may use boulders, trees, or other natural objects to limit public off-road use.

RECREATION

35. Lights used to illuminate drill sites will be outfitted with shields, directed toward the drill site and pointed directly toward the ground to minimize light scatter.
36. Lights used for night work and safety at Redcone drill sites, would be directed or shielded away from the road and sky to minimize nightlight effects.
37. Drilling and other equipment on sites will be configured so that motors are oriented away from roads and private residences to minimize noise impacts to the extent practicable.
38. Any off-road travel should be similarly naturalized at the end of operations. The dispersed recreation/OHV use and potential for cascading effects are one of the primary concerns for recreation management as this route is heavily used by OHV's (motorcycle, ATV/UTV, Jeep), and by campers, especially on weekends.

NOXIOUS WEED PREVENTION

39. Ensure all equipment and tools moved onto National Forest System lands are free of soil, seeds, vegetative matter, or other debris that could contain or hold noxious weed seed.
40. The operator will coordinate with FS personnel to ensure that inspections are performed.

VEGETATION

41. Minimal vegetation clearing will occur. When clearing vegetation, straight clearing limits are avoided; a natural appearance is maintained. Natural features such as large boulders, rock outcrops, and significant vegetation will remain intact, unless otherwise approved by the South Park District Ranger.
42. Topsoil will be removed and stockpiled on site for use in reclamation.
43. Operator will remove any cut trees to limit potential for insect issues with spruce beetle. Contact the South Platte Ranger District to obtain a fuelwood or free use permit.

HAZARDOUS MATERIALS

44. The operator will ensure that all employees involved in the use, storage, transportation, and disposal of hazardous materials receive proper training to reduce the risk of an incident on NFS lands.
45. The operator will manage the use, storage, discharge, or disposal of pollutants and hazardous or toxic substances generated in compliance with applicable regulations and requirements.
46. Install fiber rolls around vehicle service and refueling areas, chemical storage and use areas, and waste dumps to fully contain spills. Use liners as needed to prevent seepage to ground.

water. Prepare Spill Prevention Control and Countermeasure Plan per the requirements of 40 CFR 112.

47. Inspect equipment used for transportation, storage or application of chemicals daily during use period for leaks. If leaks or spills occur, report them and install emergency traps to contain them and clean them up.
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52. Keep temporary roads out of wetlands unless there is no other practicable alternative. If temporary roads must enter wetlands, use wetland matting to protect soil and vegetation from erosion.
53. Remove the temporary stream crossing and wetland matting immediately after exploration work and restoration is complete at that drill pad.
54. Do not disrupt water supply or drainage patterns into wetlands.
55. Do not excavate earth material from, or store excavated earth material in, any stream, swale, or wetland.
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58. Water bars will be cleaned out on an as-needed basis to minimize erosion on roads.
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60. Operator will comply with National Best Management Practices for Water Quality Management on National Forest System Lands. This includes providing silt fences, waddles, and straw bales as necessary.

http://www.fs.fed.us/biology/resources/pubs/watershed/FS_National_Core_BMPs_April2012.pdf

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67. Within the one-year expiration of this authorization, the operator will commence final reclamation.
68. Solids and desiccated drilling muds in the mud pits will be excavated and removed from National Forest System lands prior to demobilization. Dry cuttings will be removed from sumps along with the plastic liner. These materials will be disposed of in accordance with state and local regulations. The sumps will then be returned as soon as practicable to natural grade using material set aside during site construction and sump excavation. The site will be contoured to match existing topography.
69. Stockpile topsoil separately from deeper horizon excavated soils to be used in site restoration. Properly compact backfilled areas and placed topsoil on top of the backfill and other disturbed areas matching the surface level and grade of the surrounding area.
70. Site-prepare, de-compact, and close temporary access and other disturbed sites immediately after exploration work is complete.
71. Size and orient surface roughness (that is, slash and other features that would trap and hold snow on site) of disturbed areas to prevent snow scour and site desiccation.
72. Disconnect disturbed areas from stream networks. Reclaim areas that contribute to excessive runoff and peak flows. Revegetate using certified local native plants as practicable; avoid persistent or invasive exotic plants.
73. Disperse runoff and restore organic ground cover with minimum long-term maintenance needs. Reclamation treatments and changes in management may be required.
74. Use native and weed free species for all reclamation on forest, following testing procedures for seed mixes and send certifications to Minerals Group biologist prior to use on forest:

75. Detailed receipts from landfill to document appropriate method of disposal, and copies will be submitted to the Forest Service within 30 days of receipt.
76. Fence or cattle guards that need to be cut, removed, or are damaged will be repaired or replaced with like kind. The Forest Service minerals staff will be notified prior 1 day prior to cutting or removal of fence and immediately upon damaging fence or cattle guards.
77. Any drilling activities not completed within 11 months from plan authorization shall cease in order to allow a maximum of one month to complete any necessary reclamation activities. Completion of any work outside that time limit would require a new plan of operations, analysis, and environmental analysis.
78. Remove all materials and return the mining area to the original natural contours. This includes all excavation cuts.
79. Silt fences or other erosion control will be utilized to prevent off-site sediment transport.
80. Fiber rolls and other sediment and erosion control devices should be removed by the end of reclamation; no plastic matting, mesh, sheeting or fabric can be left behind.
81. Reclamation will be monitored by the operator, USFS personnel, and State of Colorado (DRMS) inspectors on an as needed basis.
82. The road and site will be seeded with USFS-approved seed mixtures, as needed.
83. The staging area will need to be fully reclaimed.
84. Re-vegetation will not be complete until at least 50% plant re-growth has been established, when compared to adjacent undisturbed areas.
85. Topsoil must be saved and used to cover all disturbed areas.
86. Return large rocks, boulders, and logs to their original position.
87. The U.S. Forest Service may require additional reclamation measures if needed.
88. Earth work- which includes re-contouring and smoothing all disturbed areas. Earth work will not be considered complete if the surface is rough, no rough piles higher than 12 inches may be left.
89. Remove all trash off Forest Service Lands.
90. Remove all structures (fences, signs) from Forest Service Lands except for pre-existing structures.
91. Complete all reclamation within one year of the end of the operating plan.
92. Refund of any reclamation bond is contingent upon the success of reclamation.

MONITORING

93. The Forest Service will monitor and assess the progress of reclamation activities, including re-vegetation and erosion control, for a minimum of three years. Dependent on the success of the second phase of reclamation, additional seeding, weed treatment, or installation of erosion control structures may occur.

THE FOLLOWING STANDARD TERMS AND CONDITIONS ARE TAKEN FROM FOREST SERVICE FORM FS -2800-5 AND ARE REQUIRED FOR THIS PLAN OF OPERATIONS:

- Information provided within this plan that is marked confidential will be treated in accordance with the agency's laws, rules, and regulations.
- Approval of this plan does not relieve me of my responsibility to comply with other applicable state or federal laws, rules, or regulations.
- Approval of this plan does not constitute recognition or certification of ownership to any person named as owner herein.
- Approval of this operating plan does not constitute, now or in the future, recognition or certification of the validity of any mining claim to which it may relate or to the mineral character of the land on which it lies.

I acknowledge and understand these modifications and mitigation measures and agree to adopt them into my mining Plan of Operations.

Operator's Signature

Date

District Ranger

Date



Response to Deficiencies#2, Modification MD-02, Red Cone, File No. P-2014-003

Robert Burger <r.burger@verizon.net>

Tue, Jan 18, 2022 at 8:01 AM

To: "Russell - DNR, Elliott" <elliott.russell@state.co.us>

Cc: Dana Caccamise <dana@caccamise.com>, Doug Pride <pride.1@osu.edu>, "Titterington, Amy J -FS" <amy.j.titterington@usda.gov>

Elliott,

Here is the completed response to deficiencies #2 for the Redcone Prospect.

Please let me know if this meets your needs.

Thanks,

Robert

Robert M. Burger, P.G.

Sieria Redcone, LLC

r.burger@verizon.net

412-818-5659

From: Russell - DNR, Elliott <elliott.russell@state.co.us>

Sent: Monday, December 20, 2021 3:49 PM

To: Robert Burger <r.burger@verizon.net>

Cc: Dana Caccamise <dana@caccamise.com>; Doug Pride <pride.1@osu.edu>; Titterington, Amy J -FS <amy.j.titterington@usda.gov>

Subject: Re: MD2 P2014003 Extension Request

Robert,

Please see the attached approval letter of your extension request. The Deadline to address the items in the Division's 2nd deficiency letter is now set for January 27, 2022.

Hope you have a good holiday!

Elliott Russell

Environmental Protection Specialist

Minerals Regulatory Program



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

I am working remotely and can be reached at 303.903.4456

P 303.866.3567 x8132 | F 303.832.8106 | C 303.903.4456

1313 Sherman Street, Room 215, Denver, CO 80203

Elliott.Russell@state.co.us | <https://drms.colorado.gov>

On Mon, Dec 20, 2021 at 1:05 PM Robert Burger <r.burger@verizon.net> wrote:

Elliott,

Please see the attached letter regarding an extension request for MD2 P-2014-003.

Robert M. Burger, P.G.

Sierta Redcone, LLC

r.burger@verizon.net

412-818-5659

2 attachments



Response to Deficiencies#2 MD-02 P-2014-003.pdf

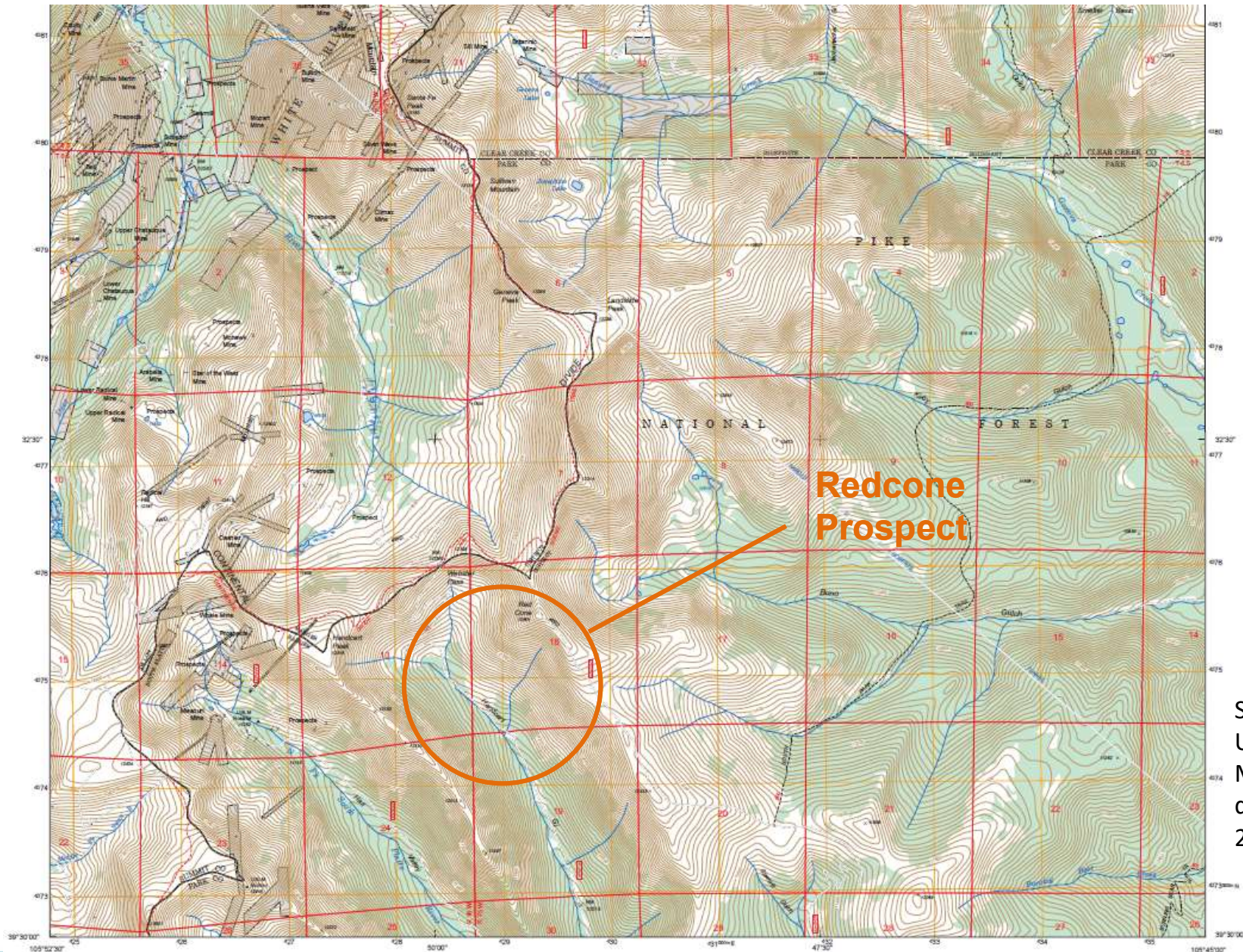
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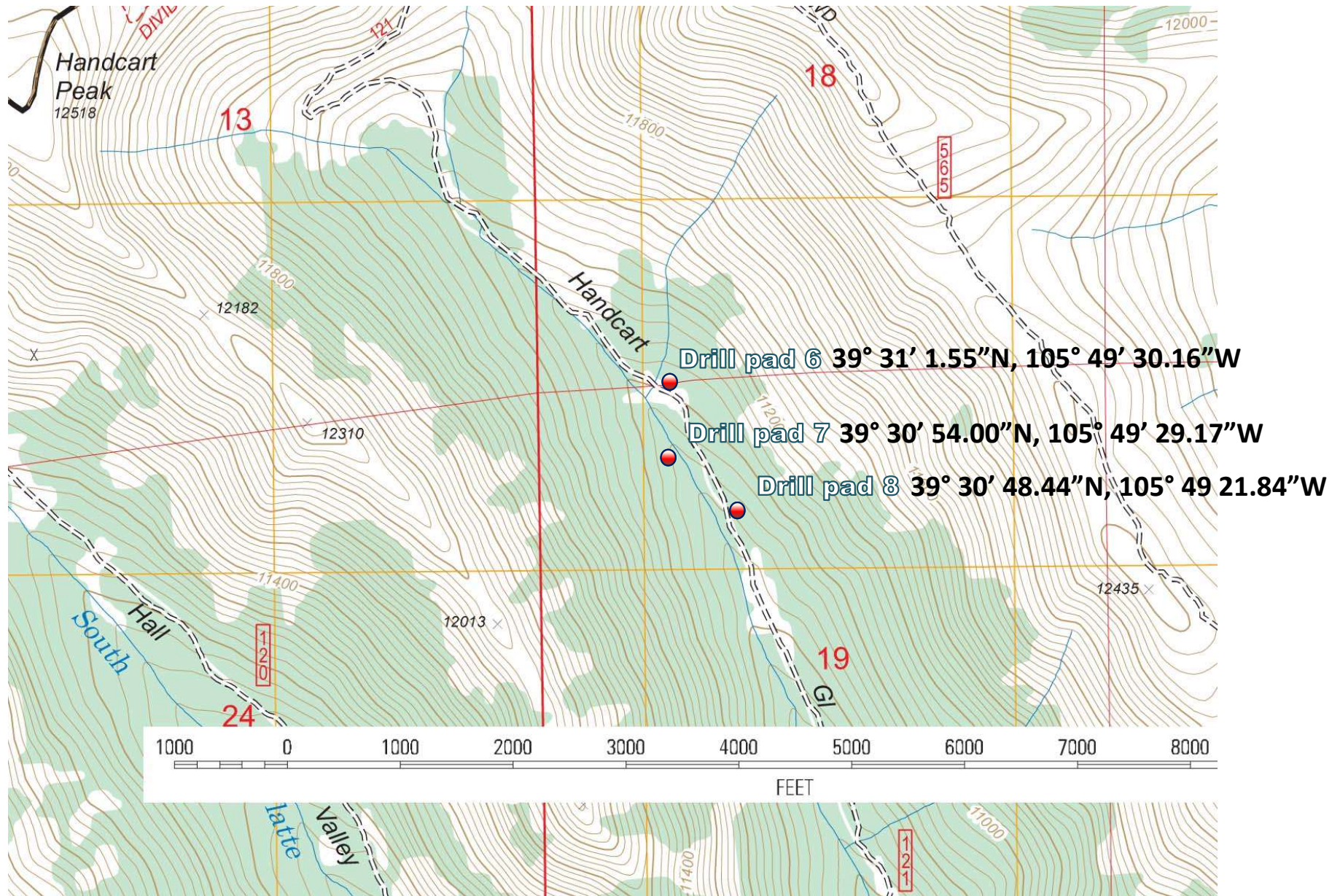
400K

Location of Redcone Prospect



Source map:
USFS
Montezuma
quadrangle,
2014

Proposed drill pad locations, Redcone Prospect



Source: USFS Montezuma quadrangle, 2014

Map with approximated drill-pad locations and MLRS claim numbers

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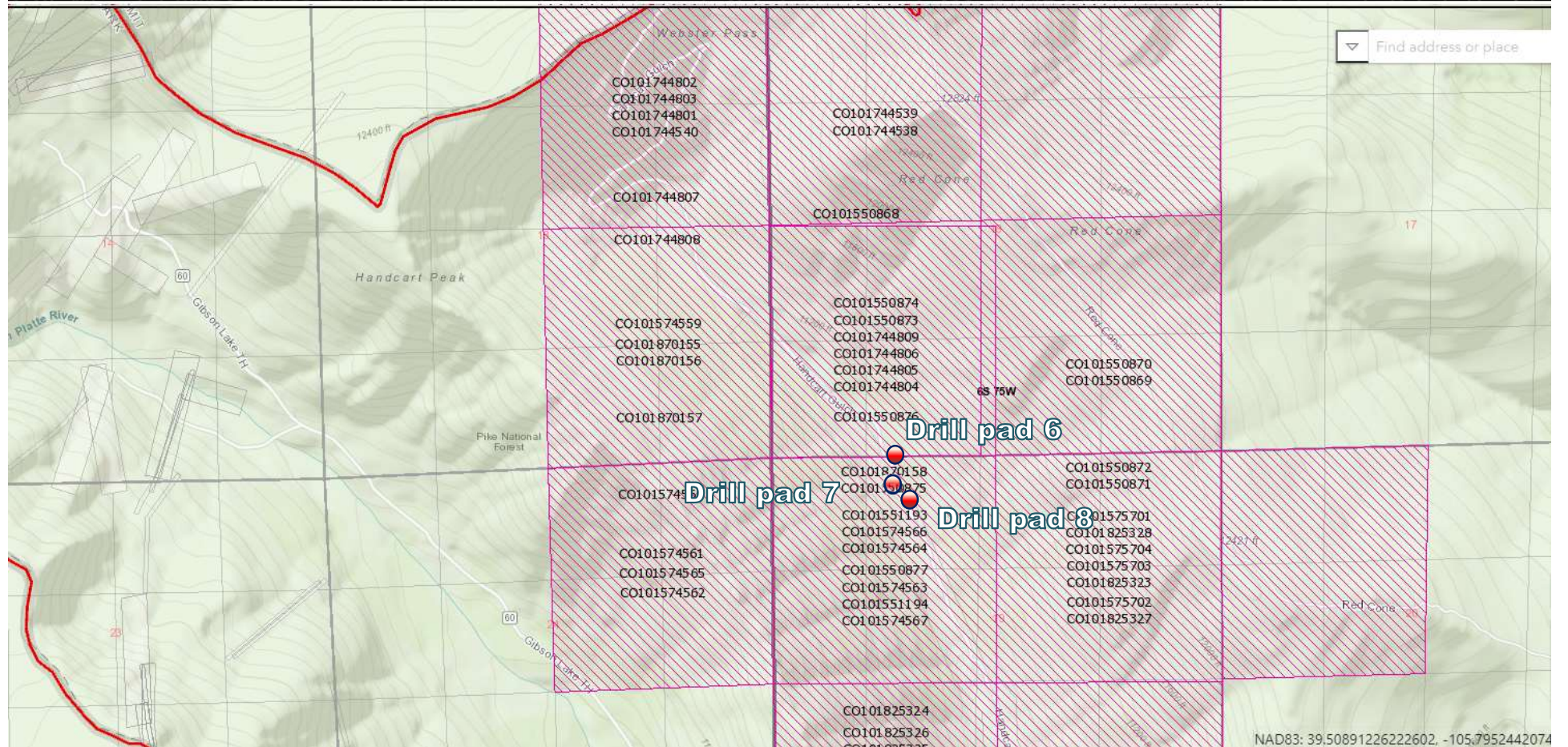
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Drill pad locations with proposed boring trajectories

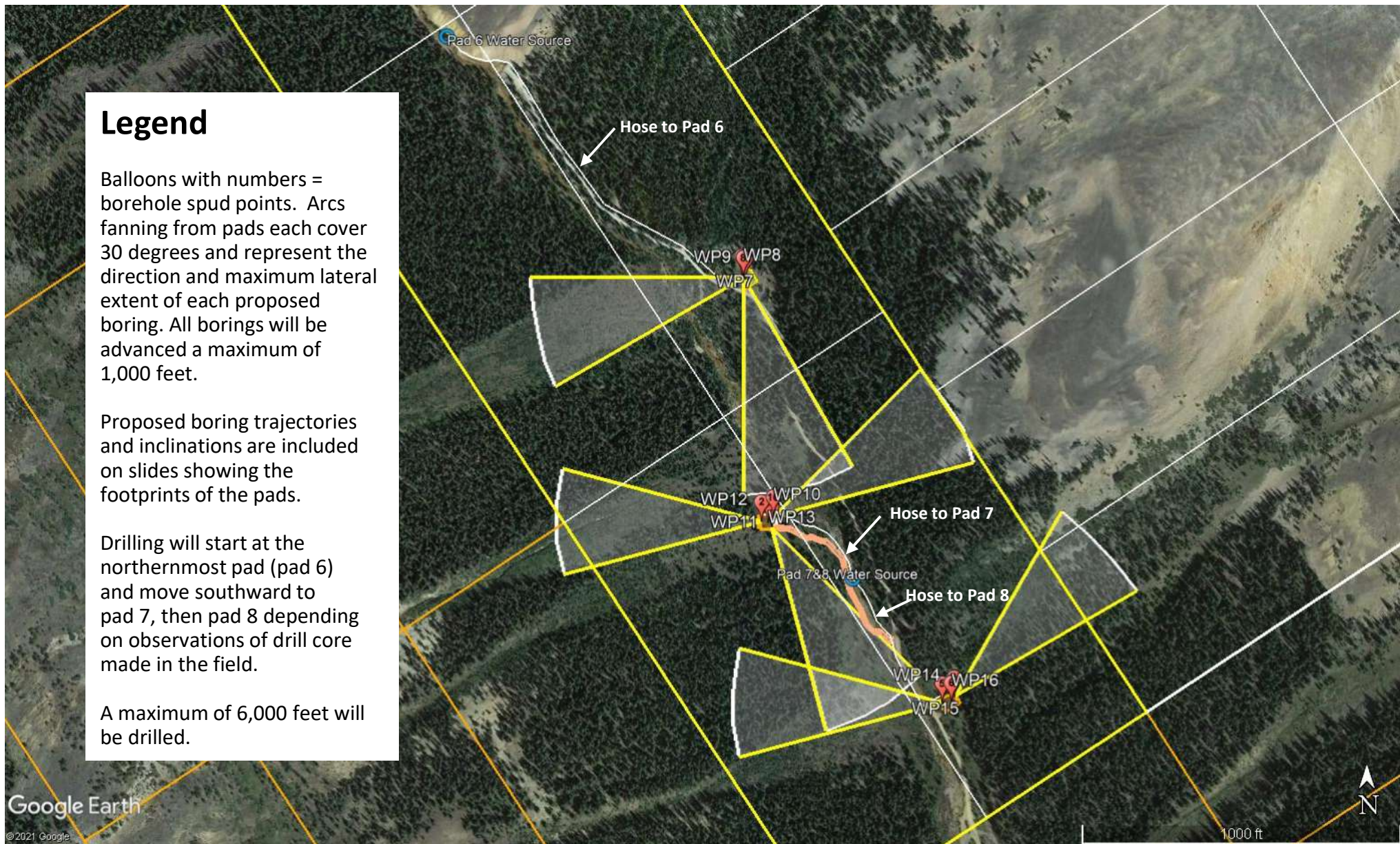
Legend

Balloons with numbers = borehole spud points. Arcs fanning from pads each cover 30 degrees and represent the direction and maximum lateral extent of each proposed boring. All borings will be advanced a maximum of 1,000 feet.

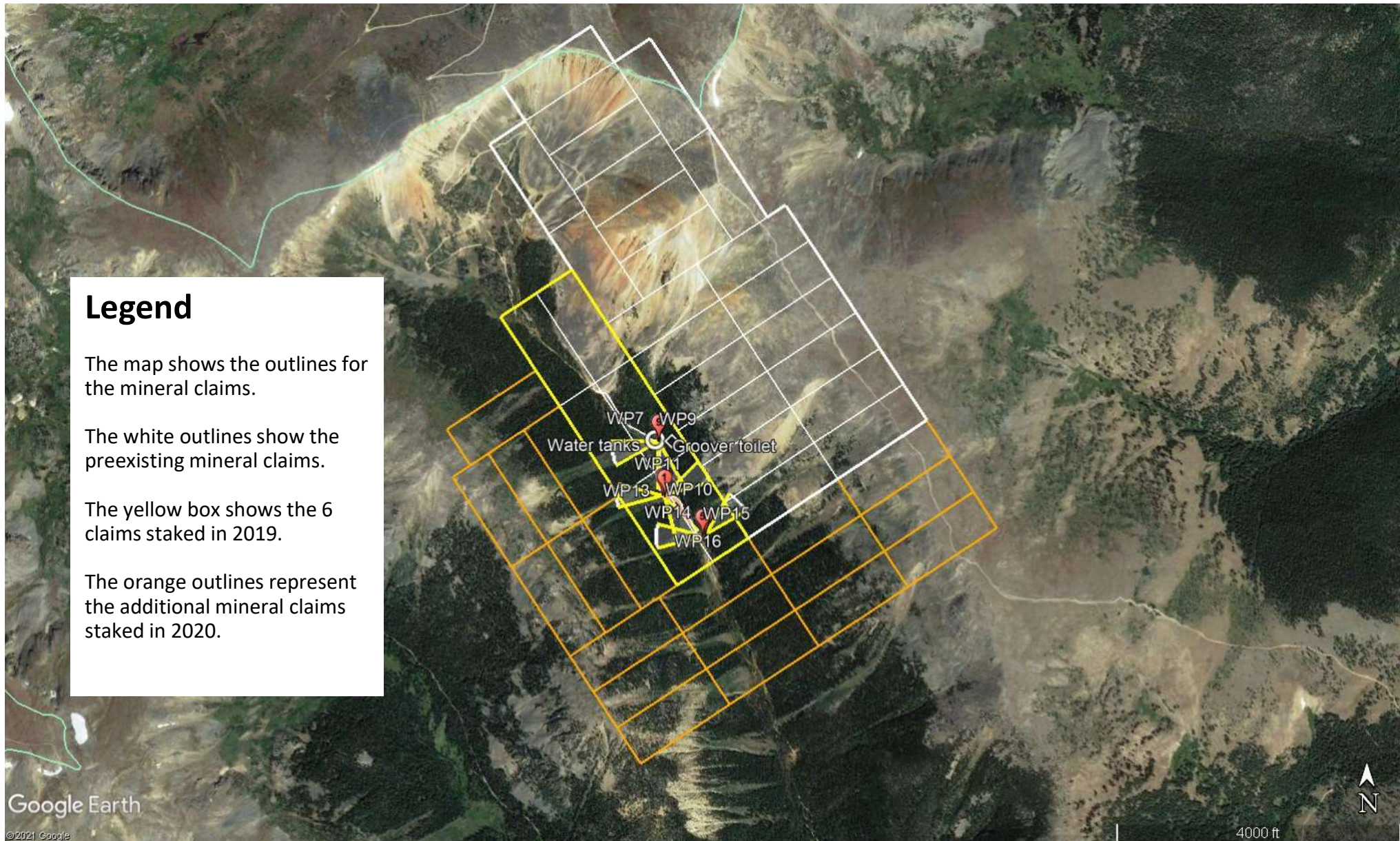
Proposed boring trajectories and inclinations are included on slides showing the footprints of the pads.

Drilling will start at the northernmost pad (pad 6) and move southward to pad 7, then pad 8 depending on observations of drill core made in the field.

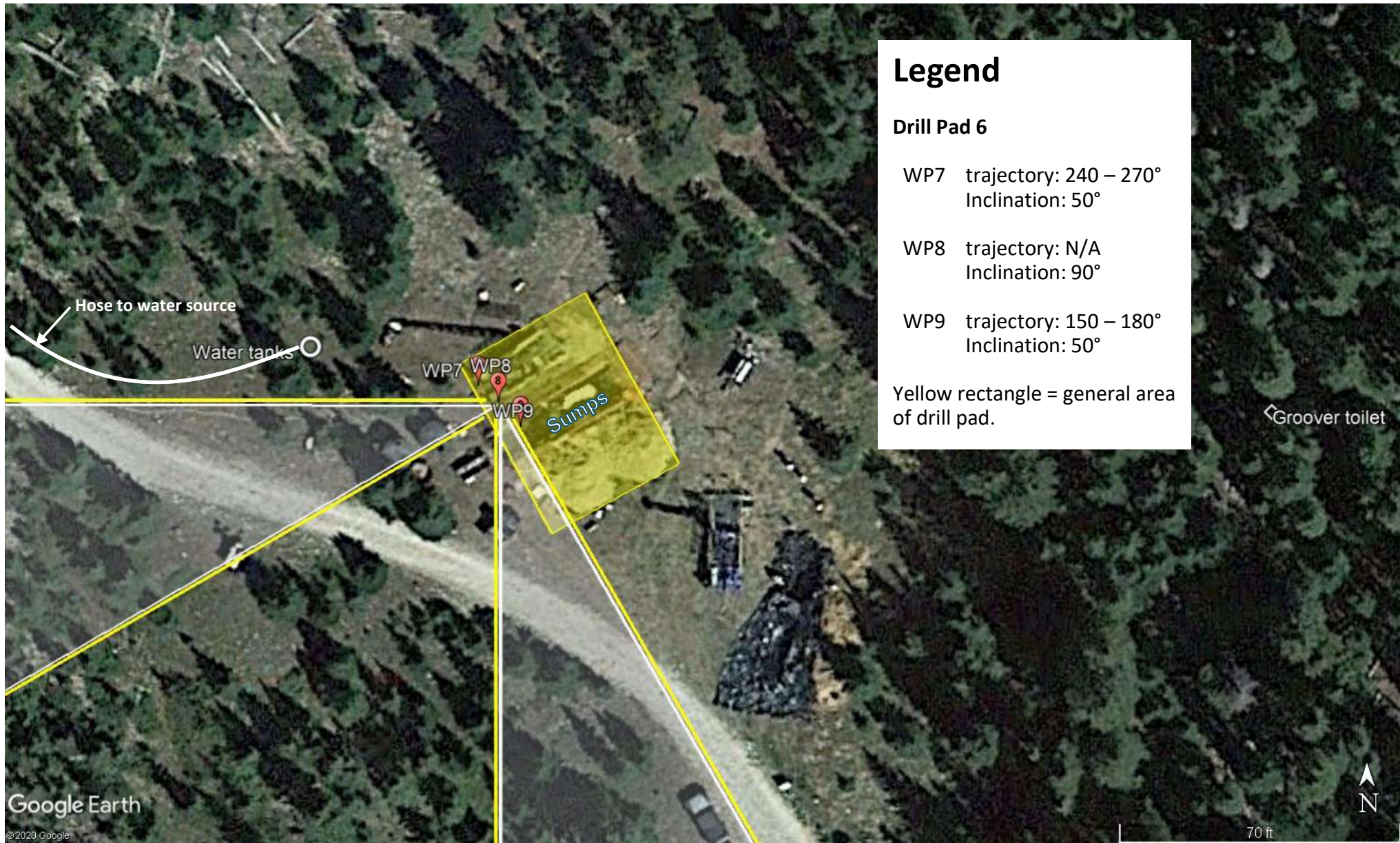
A maximum of 6,000 feet will be drilled.



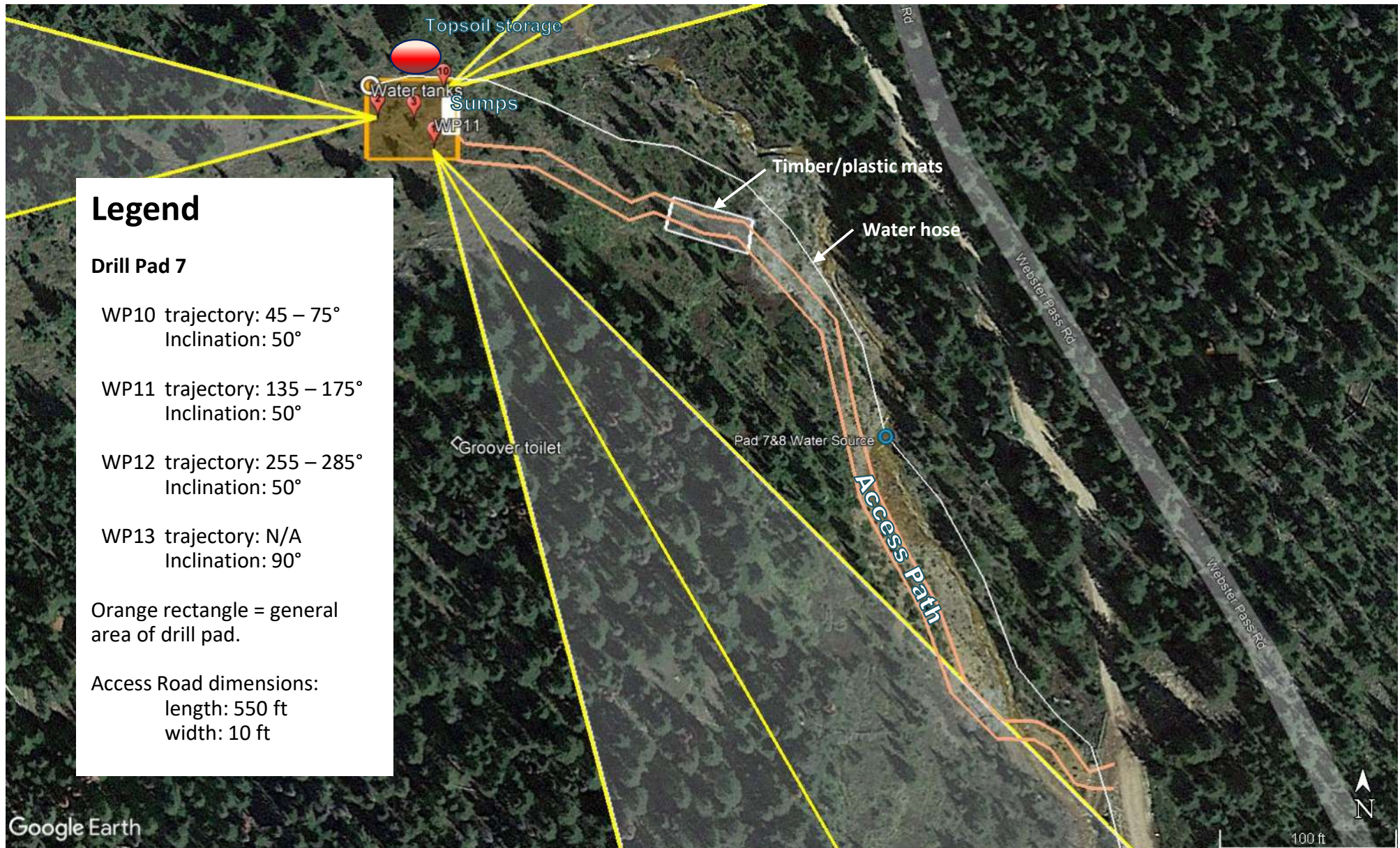
Sierta Mineral Claims Block and Proposed Drill Paths



Footprint of drill pad 6 (existing)



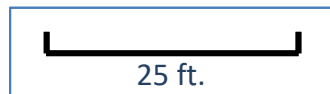
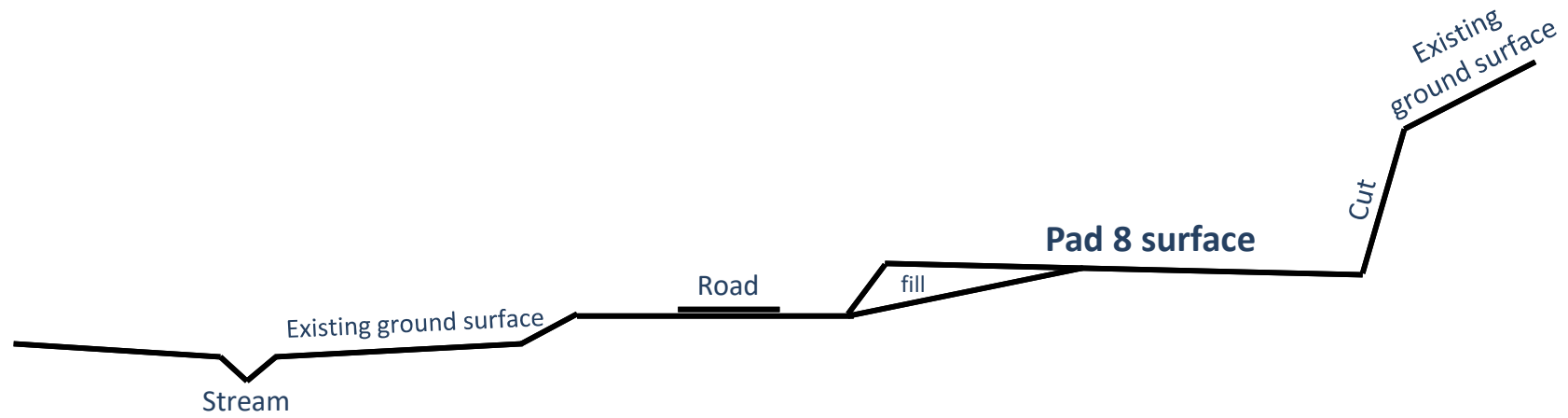
Footprint of drill pad 7 and access road



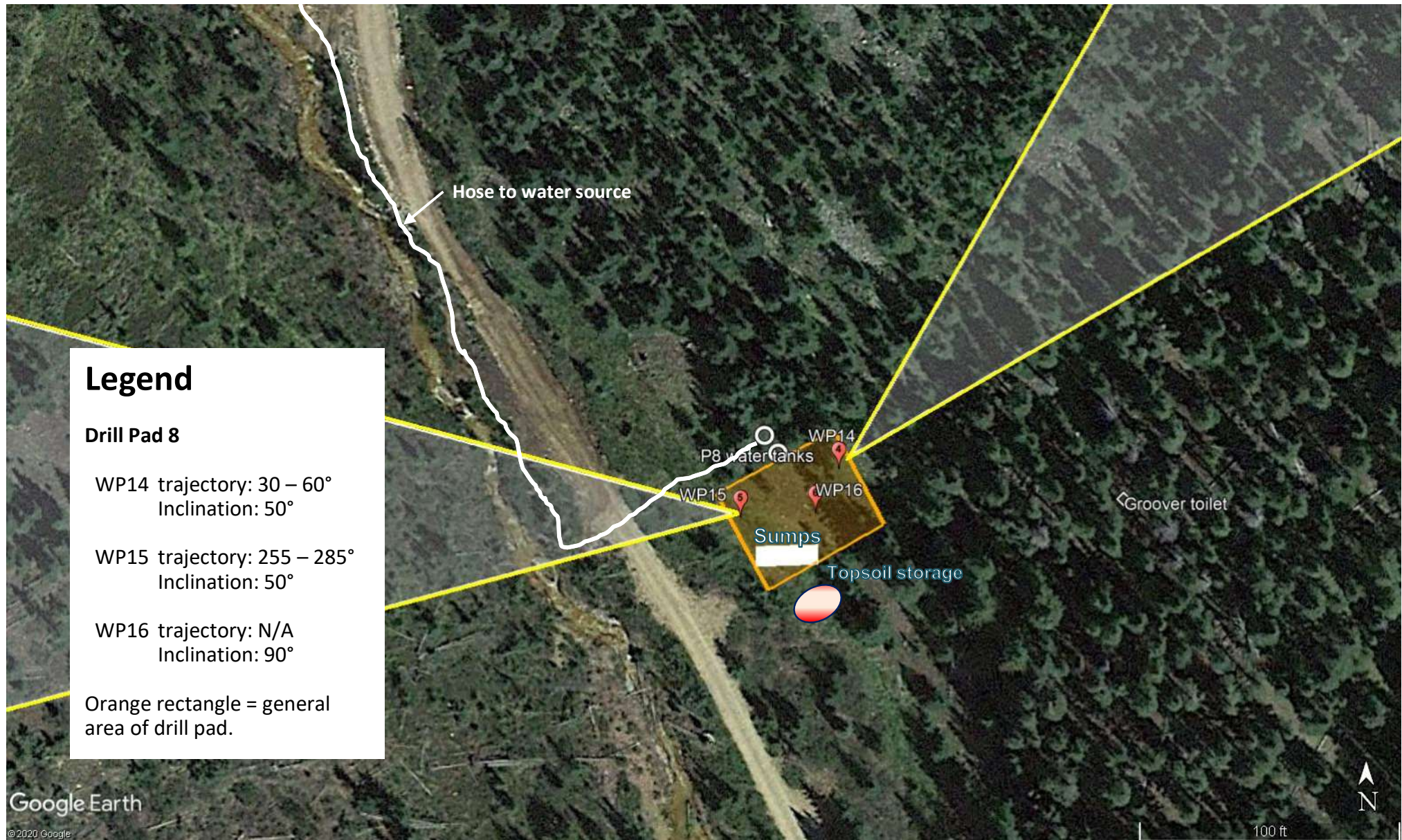
Cross-section of pad 8

West

East



Footprint of drill pad 8



Cross-section of pad 7

West

East

