



COLORADO

Division of Reclamation, Mining and Safety

Department of Natural Resources

1313 Sherman St. Room 215
Denver, CO 80203

November 16, 2022

Mr. Harald Hoegberg
1805 Tunbridge Dr.
Richmond VA 23238

RE: Passiflora; DRMS File P-2022-017; Adequacy Review 2 - Notice of Remaining Deficiencies in NOI application.

Mr. Hoegberg,

On October 12, 2022 the Division of Reclamation, Mining and Safety (Division) received your Notice of Intent to Conduct Prospecting Operations (NOI) application. A letter was issued on October 14, 2022 which stated that during the initial review of the application the Division noted several deficiencies that will need to be resolved before the application can be approved.

DRMS has not yet received responses to the following issues. If all listed and subsequently identified adequacy issues have not been resolved by December 13, 2022 (60 days from the date of the initial notice of deficiencies) the NOI application will be denied.

Site Access:

If an area to be affected by NOI activity is located on private land or patented claim, the access required by Rule 5.1.2(d)(vi) must be granted by the landowner or claimant. If the claim is unpatented, the required access must be granted by the surface owner of the property. If the unpatented claim is located on property managed by the USFS or BLM, then access to conduct the proposed activities must be granted by the USFS or BLM (normally in the form of an approved USFS Plan of Operations or Approved BLM NOI).

The NOI as provided indicates that Land Ownership is BLM, however, no BLM approval of the proposed activity was provided. Please provide documentation that the BLM has approved the proposed activity.

Section I parts 7A and 7B:

- a. Claimant and claim Name/Serial Number information is provided, however, it is not specified if these are patented or unpatented claims, or if each claim is located on private or BLM lands for purposes of verifying that proper access has been obtained.
- b. The maps provided do not include the extents of the claims listed or what drilling locations are located within what claim.
- c. The Legal Description refers to an unspecified attachment that DRMS was not able to identify in the NOI submittal. Please verify the claim information provided and provide this missing information.



Section II parts 1 and 2:

- d. The “accurate topographic base map showing the location of the proposed project” was not provided as required.
- e. The map/photo provided with the NOI submittal shows only the proposed general boring and access road locations. The scale of the map is not appropriate to show the locations of the borings, the configuration of the pads and associated 3 mud pits for each pad that are stated to be included in Section III part 5. Please provide mapping to meet the above requirements.

Section III Project Description – Part 5 as provided states only “One drill pad is planned to be 80x100 feet. The other four will be xxx. All pads will have three mud pits”. Some further description of the proposed activity would be useful.

- f. Please confirm that the remaining four drill pads will be 60’ x 90’ as stated in Section 6A.
- g. Please provide sufficient narrative/map/diagram to answer the following:
 - i. How will these 5 drill pads be constructed and reclaimed?
 - ii. How will the 15 mud pits (3 for each drill pad, and each 6’ feet deep) be excavated, lined/constructed?
 - iii. How will the used mud/fluids be removed and disposed of?
 - iv. Where will the excavated native material be placed during drilling?
 - v. How long until the pits are backfilled?
 - vi. How will the pits be backfilled and reclaimed?

Section III Project Description - Part 6

- h. Section B states that the 5 borings will be 15,000 feet deep (each?). Please confirm the proposed depth(s) of the 5 individual borings.
- i. Section B gives the boring diameter only as “Varied” - this is insufficient. Please provide sufficient information to fully describe what boring diameter(s), and to what depth(s), will be utilized. This information, in addition to abandonment process details, is needed to calculate an accurate reclamation bond for this NOI.
- j. Section K requires the applicant to “describe the anticipated relationship to surface and groundwater (proximity to surface streams, penetration of groundwater aquifers)” It was noted that the closest stream is Grape Creek at a distance of approximately 3km west. However, no discussion of GW was provided. Given the proposed depths of these 5 borings, please discuss the anticipated depth to groundwater, aquifers to be encountered, and what measures will be taken to protect groundwater resources, such as maintaining separation of aquifers, during and after drilling.

Specific information regarding construction and reclamation of features and disturbances including drill pads, boring abandonment/reclamation, mud pits, and access roads is critical to calculating an accurate reclamation bond for the proposed activity.

Section IV Operation and Reclamation Measures

- 1. States that the Board suggests that pre-prospecting photos be collected for areas where activity is proposed. Please provide copies of any pre-prospecting photos with information for each photo including date, location and orientation as a record for the site file.

2. Section 4 requires a description of how the proposed drill holes will be plugged and abandoned – given the proposed depths of these five borings a more detailed abandonment procedure will need to be provided. Please make sure that the proposed abandonment process complies with Rule 5.4.

Based on the scope of work provided at this time, additional bond beyond the \$2000 provided with the application will be required. The final required bond amount will be calculated when the identified adequacy issues have been fully addressed.

As stated previously, if all listed and any subsequently identified adequacy issues have not been sufficiently resolved by December 13, 2022 the NOI application will be denied.

If you have any questions, please contact me at (303) 229-9414.

Sincerely,



Eric Scott
Environmental Protection Specialist

CC: Michael Cunningham, DRMS