



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

1313 Sherman Street, Room 215
Denver, CO 80203

March 29, 2023

Basil Bear
Bowie Resources, LLC
P.O. Box 1488
Paonia, CO 81428

**Re: Bowie No. 1 Mine (Permit No. C-1981-038),
RN-08 Second Adequacy Review**

Dear Mr. Bear:

The Division has completed its second adequacy review for a permit renewal (RN-08) for the Bowie No. 1 Mine in accordance with Rule 2.08.5. The review included the response letter, revised application form, and revised portions of the Permit Application Package submitted by Bowie Resources, LLC (BRL) on March 17, 2023. The Division has identified the following items that require an additional submittal or clarification.

Application Form

1. Please confirm the acreages in the application form, and explain any discrepancies with recent Annual Reclamation Reports (ARRs) or other documents related to this permit. This check should include, but not be limited to, the number of acres that have been bond released. The application contains acreages that are different than the acreages in the 2021 ARR. For example, the RN-08 application value for 100 percent release is 10.38 acres, but in the 2021 ARR this value is 13.38 acres; the value should not have decreased. If revisions to the form are necessary, please mail a hard copy with an original signature to the Division office on Sherman Street (in addition to an electronic submittal of your entire response to this PAR).
 - ***It appears that the 13.38 acres value, stated in the preliminary adequacy letter, was a mistake, and 10.38 acres was correct when the RN-08 application was submitted. At this time, however, the form should reflect the current acreage value of 22.69 acres for Phase III release, accounting for SL-08. There appear to be other discrepancies between the acreage values in the form and values in the Division records. Please provide a list of sources for all values in the application form. After these discrepancies are resolved, please mail a hard copy with an original signature to the Division's mailing address on East 62nd Avenue.***



PAP Text, Appendices and Maps

2. Section 2.03.4 – If there have been any changes to the ownership and control information for BRL since MT-08, this section should be updated.
 - *No additional response required.*
3. Section 2.03.5 – The page should be updated, as necessary, to reflect current conditions. In the footer, the date and revision number should be updated.
 - ***Because of the statement “the three year period preceding the date of this page revision,” the footer on page 2.03-14 should be updated to “RN-08” and the current month.***
4. Section 2.03.6 - In the adequacy response, please indicate if all right of entry and lease agreements are current. If they are not current, please update the PAP accordingly.
 - *No additional response required.*
5. Section 2.04.11 - In the adequacy response, please indicate if the Threatened and Endangered Species discussion in this section is based on current lists issued by the U.S. Fish and Wildlife Service and the Colorado Division of Parks and Wildlife (per Rule 2.04.11(4)). If it is not based on current lists, please check the current lists and update the PAP accordingly.
 - *No additional response required.*
6. Section 2.05.4
 - a. In the recent text in this section (pages 58 to 60d), there is no discussion regarding the remaining reclamation for borehole pads and associated roads. Please add this discussion to these pages or, in this text, reference other pages in Section 2.05.4 where this information can be found.
 - *No additional response required.*
 - b. Pages 60 through 60c describe past reclamation activities for the East Mine. However, it appears that road improvement activities are not included in this description. Please add this text. The Division also requests that the adequacy response (the letter, not the revised PAP) correlate these actions to tasks in the reclamation cost estimate (e.g., Tasks 41, 49, 52, 54, 59, 64, and 65).
 - *No additional response required.*
 - c. There appears to be an additional page 60i in the Division’s copy of Section 2.05.4 (after the letter from the BLM). The footer states that this was created with TR-28 in 1998. Please advise if this page should be deleted or if the page number should be changed.
 - *No additional response required.*

- d. On page 62 in Section 2.05.4, text states that, "There is no topsoil." Will topsoil be hauled in from offsite? If so, please revise the text accordingly.
 - *No additional response required.*
 - e. Confirm that the status of boreholes is current. This includes the table on pages 2.05-79i and 2.05-79ii. Regarding locations of the SG series of holes, please provide information in this table such as a reference to a map. For example, are they shown on Map No. 8A-8? Is the "Stevens Gulch Well Field" the same thing as the "Cyprus Orchard Valley Well Field"? In this table, DH23 is listed as "open" and sealed. What does that mean?
 - ***The BRL response includes a revised page 2.05-79i. However, in the Division's files this part of the table is page 2.05-79ii. Please explain if this appears to be an error in the Division files. (Note: in the Division files, page 2.05-79i is also part of the same table, with different rows pertaining to different holes.) Also, it appears that BRL did not answer the question related to DH23. Please explain the status of that hole (open or sealed) and revise the table, as appropriate.***
 - f. Regarding the tunnel under Black Bridge Road, what will be used to fill that? Describe in the text what the type and source of material will be.
 - ***BRL needs to revise the reclamation plan (Section 2.05-4) with the information provided in the response letter regarding reclamation of the tunnel.***
 - g. Provide an approximate schedule for future reclamation activities at the loadout, including the year of the reclamation.
 - ***Rule 4.13 states that reclamation should occur as contemporaneously as possible with mining operations. If an agreement has been made between the Division and BRL that states that there is an exemption from this rule, please provide details regarding the documentation of that agreement (including format and date).***
 - h. Add a discussion on the plan for the asphalt roads at the loadout.
 - ***BRL needs to revise the reclamation plan (Section 2.05-4) with the information provided in the response letter regarding asphalt roads at the loadout.***
7. Map 8A-19 – The areas depicted with colors on the map should be revised to reflect SL-08.
- *No additional response required.*

An update of the Reclamation Cost Estimate (RCE) for the Bowie No. 1 Mine will be completed after the above adequacy items are addressed.

If you have any questions or comments, please do not hesitate to contact me at Rob.Zuber@state.co.us or 720.601.2276.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert D. Zuber". The signature is fluid and cursive, with the first name "Robert" and last name "Zuber" clearly distinguishable.

Robert D. Zuber, P.E.
Environmental Protection Specialist