

STATE OF
COLORADO

Lennberg - DNR, Patrick <patrick.lennberg@state.co.us>

2025/02/28_Reaching Out to Grand Island Resources LLC on Cross Gold Mine

1 message

Kryszczuk, Lauren - FS, CO <Lauren.Kryszczuk@usda.gov>

Fri, Feb 28, 2025 at 2:38 PM

To: "rmittasch@nedmining.com" <rmittasch@nedmining.com>, "jpbrewer@nedmining.com" <jpbrewer@nedmining.com>

Cc: "McLaughlin, Kevin - FS, CO" <kevin.mclaughlin2@usda.gov>, Patrick Lennberg - DNR <patrick.lennberg@state.co.us>, "Mcfadden, Leslie - FS, CO" <leslie.mcfadden@usda.gov>, "Skillern, Trez - FS, CO" <trez.skillern@usda.gov>

Good afternoon Richard and Je'an-Paul,

Please see the attached letter responding to a February 6, 2025, notification letter from the state regarding the Cross Gold Mine. The Forest Service is reaching out to see if you need assistance with a new Notice of Intent (NOI) or possibly road access. Please also see attached a Word document flowchart form that illustrates the need to submit a new NOI for Forest Service review.

I have also attached a blank Plan of Operation template Word document for your review and use on this or future projects.

If you would like to have an introductory meeting, I can be available in March. We can have a Teams call or you can meet me at the Boulder Ranger District office for an in-person meeting. If you are amenable. I am going to review your proposal documents for this project via the state's public database. My primary concern is figuring out if your proposed mining operations also requires service from our local Forest Service office.

Thank you, Richard and Je'an-Paul. Have a nice weekend!

Lauren D. Kryszczuk
Realty and Lands Specialist, Boulder Ranger District
Arapaho and Roosevelt National Forests and Pawnee National Grassland (ARP)

Forest Service
U.S. DEPARTMENT OF AGRICULTURE

2140 Yarmouth Avenue, Boulder, CO 80301

c: (720) 708-0988

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4 attachments**USFS_CN1 Notice_M1977410.pdf**
1153K**Cross Gold Mine Ltr Grand Island Resources LLC_20250227.pdf**
246K



NOI Diagram with NOI Intstructions.doc

221K



FS 2800-5 Plan of Operations.docx

37K



NOTICE
Consideration of Hard Rock Reclamation Permit
Permit Conversion Application

DATE: February 6, 2025

TO: U.S Forest Service
Boulder Ranger District
2140 Yarmouth Ave
Boulder, CO 80301

FROM: Patrick Lennberg

RE: Cross Gold Mine - File No. M-1977-410, Grand Island Resources LLC
Permit Conversion Application (CN-1)
Conversion application to a designated mining operation

Please be advised that on February 6, 2025, Grand Island Resources LLC, whose address and telephone number are 12567 West Cedar Dr Suite 110, Lakewood, CO 80228; (501) 256-4444, filed an application for a/an Permit Conversion (CN- 1) to M1977410, Cross Gold Mine, which is located approximately 4 miles Northwest of Nederland, Section 9, Township 1S, Range 73W, 06th Principle Meridian, in Boulder County.

Conversion application from a 110(2) permit to a 112d-3 designated mining operation permit. The application includes increasing the permit area from 9.99 acres to 205.7 acres an increase of 195.71 acres.

DecisionSetWritten comments or objections to the application may be submitted to and additional information obtained from Patrick Lennberg at the Division of Reclamation, Mining and Safety, 1313 Sherman St. Room 215
Denver, CO 80203, by telephone at (720) 665-0836.

Grand Island Resources LLC is required to publish a public notice in a newspaper of general circulation in the locality of the mining operation once per week for four consecutive weeks. If you wish to make comments on or objections to the mine plan and/or the reclamation plan, they must be submitted within twenty (20) days of the date of the last newspaper public notice to be considered in the application review process by the Division. You should contact the applicant for the newspaper publication date. If we do not receive your comments or any objection by the end of the public comment period, the Division will assume you have no objection or comment to the proposed activity.



M-GR-03



File Code: 2810
Date: February 27, 2025

Grand Island Resources LLC
12567 West Cedar Drive, Suite 110
Lakewood, CO 80228
(501) 256-4444

To whom it may concern,

The Forest Service recently received a letter from the Colorado Division of Reclamation, Mining and Safety (DMRS) on February 6, 2025. This letter was a notification to the Forest Service regarding the Cross Gold Mine site “located approximately 4 miles Northwest of Nederland, Section 9, Township 1S., Range 73W., 6th Principal Meridian, in Boulder County.”

The Forest Service is contacting Grand Island Resources LLC to provide a reminder that per Section 36 Code of Federal Regulations (CFR) Subpart A – Locatable Minerals 228.4(a) “Except as provided in paragraph (a)(1) of this section, a notice of intent to operate is required from any person proposing to conduct operations which might cause significant disturbance of surface resources. Such notice of intent to operate shall be submitted to the District Ranger having jurisdiction over the area in which the operations will be conducted. Each notice of intent to operate shall provide information sufficient to identify the area involved, the nature of the proposed operations, the route of access to the area of operations, and the method of transport.”

Please review the attached Word document, including a helpful summary of information regarding the need to submit a Notice of Intent. The mining claimant/operator is responsible for determining if a new Notice of Intent needs to be submitted for Forest Service review. If the operator is uncertain as to the significance of the potential disturbance on surface resources a Notice of Intent can still be submitted for Forest Service review. A blank Plan of Operations for Mining Activities on National Forest System Lands is also attached to this letter for your reference and use.

If you have any questions or need clarification regarding any of the above information, please contact the Boulder Ranger District’s Lands and Minerals Specialist, Lauren Kryszczuk, at (720) 708-0988 or at lauren.kryszczuk@usda.gov. If a new Notice of Intent is required for your Cross Gold Mine project, you can send the Notice of Intent to Lauren Kryszczuk via email or to the Boulder Ranger District’s mailing address listed in the header of this letter.



Sincerely,

X

KEVIN MCLAUGHLIN
District Ranger

Enclosures: NOI Diagram with NOI Instructions and FS_2800-5_POO

cc: Leslie McFadden (USFS) and Lauren Kryszczuk (USFS)

**PLAN OF OPERATIONS FOR MINING ACTIVITIES
ON NATIONAL FOREST SYSTEM LANDS**

USE OF THIS FORM IS OPTIONAL! 1st TIME USERS SHOULD DIRECT QUESTIONS REGARDING THIS FORM OR
REGULATIONS (36 CFR 228A) TO THE FOREST SERVICE DISTRICT OFFICE NEAREST YOUR AREA OF INTEREST.

Submitted by: _____

Signature	_____	Title	_____	Date	_____
				(mm/dd/yy)	
Signature	_____	Title	_____	Date	_____
				(mm/dd/yy)	

Plan Received by: _____

Signature	_____	Title	_____	Date	_____
				(mm/dd/yy)	

I. GENERAL INFORMATION

- A. Name of Mine/Project: _____
- B. Type of Operation: _____
(lode, placer, mill, exploration, development, production, other)
- C. Is this a (☐new/☐continuing) operation? (check one).
If continuing a previous operation, this plan (☐replaces/☐modifies/☐supplements) a previous plan of operations. (check one)
- D. Proposed start-up date (mm/dd/yy) of operation: _____
- E. Expected total duration of this operation: _____
- F. If seasonal, expected date (mm/dd/yy) of annual reclamation/stabilization close out: _____
- G. Expected date (mm/dd/yy) for completion of all required reclamation: _____

II. PRINCIPALS

- A. Name, address and phone number of operator: _____
- B. Name, address, and phone number of authorized field representative (if other than the operator).
Attach authorization to act on behalf of operator. _____
- C. Name, address and phone number of owners of the claims (if different than the operator): _____

(If more space is needed to fill out a block of information, use additional sheets and attach form)

- D. Name, address and phone number of any other lessees, assigns, agents, etc., and briefly describe their involvement with the operation, if applicable:
-

III. PROPERTY OR AREA

(Name of claim, if applicable, and the legal land description where the operation will be located.)

MC#	Name	Section	Township	Range

IV. DESCRIPTION OF THE OPERATION

- A. **Access.** Show on a map (USGS quadrangle map or a National Forest map, for example) the claim boundaries, if applicable, and all access needs such as roads and trails, on and off the claim. Specify which Forest Service roads will be used, where maintenance or reconstruction is proposed, and where new construction is necessary. For new construction, include construction specifications such as widths, grades, etc., location and size of culverts, describe maintenance plans, and the type and size of vehicles and equipment that will use the access routes.

-
- B. **Map, Sketch or Drawing.** Show location and layout of the area of operation. Identify any streams, creeks or springs if known. Show the size and kind of all surface disturbances such as trenches, pits, settling ponds, stream channels and run-off diversions, waste dumps, drill pads, timber disposal or clearance, etc. Include sizes, capacities, acreage, amounts, locations, materials involved, etc.
-

(If more space is needed to fill out a block of information, use additional sheets and attach form)

C. Project Description. *Describe all aspects of the operation including mining, milling, and exploration methods, materials, equipment, workforce, construction and operation schedule, power requirements, how clearing will be accomplished, topsoil stockpile, waste rock placement, tailings disposal, proposed number of drillholes and depth, depth of proposed suction dredging, and how gravels will be replaced, etc. Calculate production rates of ore. Include justification and calculations for settling pond capacities, and the size of runoff diversion channels.*

D. Equipment and Vehicles. *Describe that which is proposed for use in your operation (Examples: drill, dozer, wash plant, mill, etc.). Include: sizes, capacity, frequency of use, etc.*

E. Structures. *Include information about fixed or portable structures or facilities planned for the operation. Show locations on the map. Include such things as living quarters, storage sheds, mill buildings, thickener tanks, fuel storage, powder magazines, pipelines, water diversions, trailers, sanitation facilities including sewage disposal, etc. Include engineering design and geotechnical information for project facilities, justification and calculations for sizing of tanks, pipelines and water diversions, etc.*

V. ENVIRONMENTAL PROTECTION MEASURES (SEE 36 CFR 228.8)

A. Air Quality. *Describe measures proposed to minimize impacts on air quality such as obtaining a burning permit for slash disposal or dust abatement on roads.*

(If more space is needed to fill out a block of information, use additional sheets and attach form)

B. Water Quality. *State how applicable state and federal water quality standards will be met. Describe measures or management practices to be used to minimize water quality impacts and meet applicable standards.*

1. *State whether water is to be used in the operation, and describe the quantity, source, methods and design of diversions, storage, use, disposal, and treatment facilities. Include assumptions for sizing water conveyance or storage facilities.*
2. *Describe methods to control erosion and surface water runoff from all disturbed areas, including waste and tailings dumps.*
3. *Describe proposed surface water and groundwater quality monitoring, if required, to demonstrate compliance with federal or state water quality standards.*
4. *Describe the measures to be used to minimize potential water quality impacts during seasonal closures, or for a temporary cessation of operations.*
5. *If land application is proposed for waste water disposal, the location and operation of the land application system must be described. Also describe how vegetation, soil, and surface and groundwater quality will be protected if land application is used.*

C. Solid Wastes. *Describe the quantity and the physical and chemical characteristics of solid waste produced by the operation. Describe how the wastes will be disposed of including location and design of facilities, or treated so as to minimize adverse impacts.*

D. Scenic Values. *Describe protection of scenic values such as screening, slash disposal, or timely reclamation.*

(If more space is needed to fill out a block of information, use additional sheets and attach form)

E. Fish and Wildlife. *Describe measures to maintain and protect fisheries and wildlife, and their habitat (includes threatened, endangered, and sensitive species) affected by the operations.*

F. Cultural Resources. *Describe measures for protecting known historic and archeological values, or new sites in the project area.*

G. Hazardous Substances.

1. *Identify the type and volume of all hazardous materials and toxic substances which will be used or generated in the operations including cyanide, solvents, petroleum products, mill, process and laboratory reagents.*

2. *For each material or substance, describe the methods, volume, and frequency of transport (include type of containers and vehicles), procedures for use of materials or substances, methods, volume, and containers for disposal of materials and substances, security (fencing), identification (signing/labeling), or other special operations requirements necessary to conduct the proposed operations.*

3. *Describe the measures to be taken for release of a reportable quantity of a hazardous material or the release of a toxic substance. This includes plans for spill prevention, containment, notification, and cleanup.*

(If more space is needed to fill out a block of information, use additional sheets and attach form)

- H. Reclamation.** Describe the annual and final reclamation standards based on the anticipated schedule for construction, operations, and project closure. Include such items as the removal of structures and facilities including bridges and culverts, a revegetation plan, permanent containment of mine tailings, waste, or sludges which pose a threat of a release into the environment, closing ponds and eliminating standing water, a final surface shaping plan, and post operations monitoring and maintenance plans.

VI. FOREST SERVICE EVALUATION OF PLAN OF OPERATIONS

- A. Required changes/modifications/special mitigation for plan of operations:**

-
- B. Bond.** Reclamation of all disturbances connected with this plan of operations is covered by Reclamation Performance Bond No. _____, dated (mm/dd/yy) _____, signed by _____ (Principal) and _____ (Surety), for the penal sum of _____. This Reclamation Performance Bond is a guarantee of faithful performance with the terms and conditions listed below, and with the reclamation requirements agreed upon in the plan of operations. This Reclamation Performance Bond also extends to and includes any unauthorized activities conducted in connection with this operation.

The bond amount for this Reclamation Performance Bond was based on a bond calculation worksheet. The bond amount may be adjusted during the term of this proposed plan of operations in response to changes in the operations or to changes in the economy. Both the Reclamation Performance Bond and the bond calculation worksheet are attached to and made part of this plan of operations. Acceptable bond securities (subject to change) include:

1. *Negotiable Treasury bills and notes which are unconditionally guaranteed as to both principle and interest in an amount equal at their par value to the penal sum of the bond; or*
 2. *Certified or cashier's check, bank draft, Post Office money order, cash, assigned certificate of deposit, assigned savings account, blanket bond, or an irrevocable letter of credit equal to the penal sum of the bond.*
-
-

(If more space is needed to fill out a block of information, use additional sheets and attach form)

VII. TERMS AND CONDITIONS

- A. If a bond is required, it must be furnished before approval of the plan of operations.
- B. Information provided with this plan marked confidential will be treated in accordance with the agency's laws, rules, and regulations.
- C. Approval of this plan does not constitute certification of ownership to any person named herein and/or recognition of the validity of any mining claim named herein.
- D. Approval of this plan does not relieve me of my responsibility to comply with other applicable state or federal laws, rules, or regulations.
- E. If previously undiscovered cultural resources (historic or prehistoric objects, artifacts, or sites) are exposed as a result of operations, those operations will not proceed until notification is received from the Authorized Officer that provisions for mitigating unforeseen impacts as required by 36 CFR 228.4(e) and 36 CFR 800 have been complied with.
- F. This plan of operations has been approved for a period of _____ or until (mm/dd/yy) _____. A new or revised plan must be submitted in accordance with 36 CFR part 228, subpart A, if operations are to be continued after that time period.

VIII. OPERATING PLAN ACCEPTANCE

☐I/☐We have reviewed and agreed to comply with all conditions in this plan of operations including the required changes, modifications, special mitigation, and reclamation requirements.

☐I/☐We understand that the bond will not be released until the Authorized Officer in charge gives written approval.

Signature of ☐Operator (or ☐Authorized Representative)

(Date)
(mm/dd/yy)

IX. OPERATING PLAN APPROVAL

(Name)

(Title)

Signature of (Authorized Officer)

(Date)
(mm/dd/yy)

Burden and Non-Discrimination Statement

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0022. The time required to complete this information collection is estimated to average 12 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

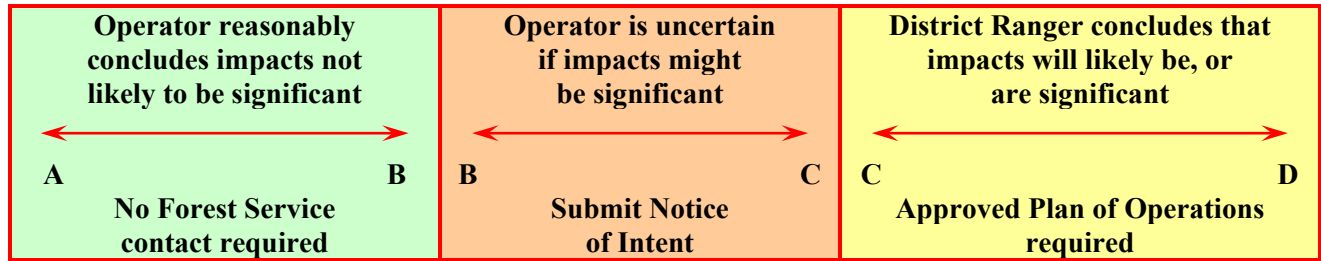
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(If more space is needed to fill out a block of information, use additional sheets and attach form)

U.S. Forest Service Mining Regulations – 36 CFR 228, Subpart A

Summary of regulations at 228.4(a): The District Ranger's authority to regulate mining activities is triggered by the degree of surface disturbance associated with proposed or ongoing mineral activities.



A/B – activities not likely to cause a significant disturbance of surface resource. The following types of activities are excluded from the operator having to submit a Notice of Intent (228.4(a)(1)):

- Operations that are limited to use of vehicles on existing National Forest System (NFS) roads;
- Prospecting and sampling activities such as taking small mineral samples, gold panning, metal detecting (for mineral deposits, not cultural artifacts), non-motorized hand sluicing, battery operated dry washers, and collecting mineral specimens using hand tools;
- Marking and monumenting mining claims;
- Underground operations which will not cause significant disturbance of surface resources;
- Operations, which in their totality, will not cause surface disturbance which is substantially different than that caused by other users of the NFS who are not required to obtain FS authorizations;
- Operations which will not involve the use of mechanized earthmoving equipment, such as bulldozers or backhoes, or the cutting of trees, unless those operations otherwise might cause a significant disturbance of surface resources.

B/C – activities that might cause significant disturbance of surface resources (228.4(a)):

- Except for use of mechanized earthmoving equipment or the cutting of trees, no specific or general types of activities are listed to help trigger Notice of Intent (NOI) submission;
- NOI submission to the District Ranger (DR) is triggered by the operator's reasonable uncertainty as to the significance of the potential disturbance on surface resources;**
- When a NOI is submitted to the DR, the DR will acknowledge receipt and inform the proponent whether or not a Plan of Operations is required;
- NOI acknowledgement is not a regulatory instrument** so it is not a Federal action that triggers the National Environmental Policy Act (NEPA) and other requirements.

C/D – activities that will likely cause or are causing significant disturbance of surface resources requires the submission of a proposed plan of operations (228.4(a)(3) and (4)):

- The regulation does not list activities which would automatically fall into this category;
- Whether or not the operator submits a NOI, the DR has final authority to require a plan of operations if the DR concludes that activities will likely cause or are causing significant resource disturbances;**
- If the DR determines that operations will likely cause or are causing significant disturbance of surface resources, the operator must submit a proposed plan of operations for approval and operations cannot be conducted until a plan of operations is approved by the DR.
- A proposed plan of operations triggers NEPA and other requirements.

The phrase “*will likely cause significant disturbance of surface resources*” means that, based on past experience, direct evidence, or sound scientific projection, the District Ranger reasonably expects that the proposed operations would result in impacts which more probably than not need to be avoided or ameliorated by means such as reclamation, bonding, timing restrictions, and other measures to minimize adverse environmental impacts to NFS resources.**



Notice of Intent Instructions 36 CFR 228.4(a) - Locatable Minerals



If you have a question about the NOI process or mining regulations, contact the Forest Service office that administers the lands involved with your proposed mining operation.

The purpose of submitting a Notice of Intent (NOI) for a proposed mining operation is to provide the Forest Service District Ranger with sufficient information to determine if the level of proposed disturbance will require a Plan of Operations and a detailed environmental analysis. The District Ranger will, within 15 days of receipt of the NOI, evaluate the NOI and notify the operator whether or not a Plan of Operations is required.

A NOI is required from any person proposing to conduct operations which might cause a significant disturbance of surface resources. If you are uncertain whether your operation falls within this category, we recommend you file a NOI. It can be included as part of a letter to the District Ranger and should address the five items listed below.

1. the name, address, and telephone number of the operator. The NOI should be signed and dated by the operator.

2. the area involved. The description should include the township, range, and ¼ section of where your proposal will occur and with enough detail to locate the area on the ground. We recommend you enclose a map of suitable scale (U.S. Geological Survey map scale 1: 24,000) with your NOI and indicate on the map where your operations would be located on the ground.

3. the nature of the proposed operations. Describe what you plan to do. Include when and how you will be operating, the proposed start-up date, and the expected duration of the activities. List other details such as the number of people involved in the operation, equipment you intend to use (sizes, capacity, frequency of use), depth of proposed suction dredging or excavation, how waste material will be handled, what vegetation will be removed, the size of area to be disturbed, quantity of material to be removed, housing or camping facilities to be used, and the method for sewage and waste disposal.

4. the route of access to the area of operations. Describe the route of access or display it on your enclosed map, and identify individual roads and trails you intend to use.

5. the method of transport. Describe the vehicles or other transport used to carry people, equipment, supplies, and living quarters to and from the work site. Describe if transport will be by foot, stock (horses, mules, etc.), trucks, helicopters, motorcycles, cars, etc.

