



cotter
VIA U. S. MAIL

February 20, 2013

Mr. Travis Marshall
Environmental Protection Specialist
Department of Natural Resources
Colorado Division of Reclamation, Mining and Safety
Grand Junction Field Office
101 S. Third St., Suite 301
Grand Junction, CO 81501

RECEIVED

FEB 26 2013

GRAND JUNCTION FIELD OFFICE
DIVISION OF
RECLAMATION MINING & SAFETY

Re: JD-9 Mine, Permit No. M-1977-306, Response to Comments from Colorado Parks & Wildlife

Dear Mr. Marshall:

I am writing in response to your letter dated December 6, 2012, which requests that Cotter Corporation (N.S.L.) ("Cotter") inform the Division of Reclamation, Mining and Safety ("Division") of how it will respond to the jurisdictional issues presented by the Colorado Parks & Wildlife ("CPW") in its letter, dated November 21, 2012, to the Division, regarding Cotter's 112d Amendment Application for the JD-9 Mine.

Cotter does not see any jurisdictional issues in the CPW's comments. If the Division believes that such issues exist, please contact me so that Cotter can evaluate whether it needs to prepare an additional response.

Cotter nonetheless wishes to respond to several non-jurisdictional issues raised by the CPW in its memorandum.

Cotter will minimize re-entry into bat winter roosting sites during hibernation season, and will construct exclusions to prevent the entry and use of the site by bats. Cotter would like to clarify that the portal gate that currently exists at the JD-9 mine was not erected due to BLM and CPW finding bat activity in the mine, but was erected as a safety precaution once development of the decline began in the late 1970's.

Cotter currently has an eight foot tall fence around the 'new' pond area to exclude ungulates. Cotter will contact CPW for information regarding the use of active and passive deterrents for avian species.

Cotter proposes using existing roads for mine and venthole access as much as possible, and minimizing the creation of new roads unless necessary.

Cotter currently checks for and does weed control at the JD-9 property on a frequent basis.

JD-9 Response to CPW comments V2

Cotter Corporation - West Slope Operations
P.O. Box 700, 28151 DD Road, Nucla, CO 81424 USA

Telephone (970) 864-7347
Fax (970) 864-7287

Mr. Travis Marshall
February 20, 2013
Page 2

Cotter will contact CPW to discuss potential operational management issues to provide adequate protection for the fish species mentioned.

If you have questions regarding this submittal, please call me at Cotter's Nucla office, 970-864-7347.

Respectfully,

A handwritten signature in black ink, appearing to read "Glen Williams". The signature is fluid and cursive, with a large initial "G" and a stylized "W".

Glen Williams
Vice President, Mining Operations