

From: Jeremy C. Chou <jcc@givenspursley.com>
Sent: Friday, May 22, 2020 8:46 AM
To: Eric Wilson; Rule Making
Cc: 'colby.cameron@dfm.idaho.gov'
Subject: Additional Comments for Docket No. 20.03.02 [IWOV-GPDMS.FID906305]

Dear Eric,

Please accept the following as Keceph Mountain LLC's additional comments to the Department of Lands Rulemaking Docket No. 20-0302-2001.

In our previous email comment, we asked that you consider including language in the rule to reflect that 068 application fees apply to Reclamation Plans and not to Exploration Operations. We think that clarification would be appropriate because section 20.03.02.003 states, "These rules establish: the notification requirements for exploration and the application, operation, and reclamation requirements for mined lands. In addition, they establish the application and closure requirements for cyanidation facilities. These rules also establish the reclamation and financial assurance requirements for all these activities, and describe the processes used to administer the rules in an orderly and predictable manner." The new language may be misconstrued by others to require an application for exploration when you stated that 20.03.02 is not for exploration, but reclamation.

Additionally, currently, the federal Government requires a reclamation application and the IDAPA 20.03.02 requires a reclamation application. In essence, it constitutes a double permitting process and double fees. We believe that this doubling of reclamation fees hinders the mining industry. As a consequence, we request that the Department remove its reclamation fee. Alternatively, we request that the Department consider lowering the fees for reclamation.

Finally, will you clarify that the reclamation fee is measured only for where the reclamation is occurring and not the entire parcel of land being leased from the Department? The application fees to process a reclamation plan are intended to only include disturbed acreage - roads, drill pads, processing facilities, etc. – including that language in the rule would be good to alleviate confusion moving forward.

Thank you again for all of your work,

Jeremy Chou

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