

RECOMMENDED CONDITIONS
Stuart Goldsmith
Permit 479 Amendment

General

1. The conditional approval of this permit amendment application incorporates by reference those representations made by Stuart Goldsmith, as to plans, specifications, operations, environmental impacts, and reclamation as contained in the amendment submitted March 18, 2014 with supplemental information submitted on May 19 and June 16, 2014. The representations made in the permit amendment are general conditions unless modified by the following conditions, modified by future technical revisions, amendments, or permits, or modified by other conditions imposed by the Board of Minerals and Environment.
2. This permit amendment and all rights under it are expressly conditioned on the truth of representations made by the applicant, Stuart Goldsmith, in the application and supporting documentation relating to the application. Should any material representation prove to be false, this permit amendment and all rights under it may be canceled by the board.
3. This permit amendment is conditioned upon compliance with all applicable laws and regulations.
4. These conditions apply to the entire mining operation and supersede similar conditions in previous mine permits, amendments, and technical revisions. Any conditions in previous mine permits, amendments, and technical revisions that do not conflict with these conditions remain in effect.
5. The operation shall be conducted in compliance with all Pennington County zoning requirements and US Forest Service operating plan conditions.
6. Stuart Goldsmith shall abide by the recommendations, proposed at the time of amendment approval, by the South Dakota Department of Tourism, the South Dakota Department of Agriculture, the South Dakota Department of Game, Fish and Parks (GF&P), and the South Dakota Department of Health, except as modified or restated in these conditions.

Other Permits

1. Stuart Goldsmith shall obtain or modify, as necessary, surface water discharge or storm water permits for the amendment area.

US Forest Service Operating Plan

1. Stuart Goldsmith may not resume mining operations under the mine permit until the US Forest Service issues an updated Plan of Operations for the mine. Mining operations will

be limited to panning and hand-held equipment until the updated Plan of Operations is issued.

2. If US Forest Service approval substantially alters the operation or reclamation plans for the approved project, Stuart Goldsmith shall, depending on the nature and extent of the alterations, submit:
 - a. A technical revision, if the alterations fit the criteria for a technical revision under ARSD 74:29:03:16 and the technical revision categories listed in the mine permit;
 - b. A mine permit amendment, if the alterations are minor modifications pursuant to ARSD 74:29:03:01; or
 - c. A new mine permit, if the alterations are major modifications pursuant to ARSD 74:29:03:02.

Erosion and Sediment Control

1. Erosion and sediment control shall be in place and functional during all phases of clearing, earthwork, mining, and reclamation, and during postclosure period in the amendment area.
2. The process area and sediment pond must be graded to direct all flow and runoff into the mine pit and away from Rapid Creek. If this cannot be accomplished, Stuart Goldsmith shall install temporary diversion ditches, berms, or other water controls, as necessary, to ensure flow from these areas is diverted into the mine pit to prevent discharges into Rapid Creek.