

**NOTICE OF DETERMINATION OF
SPECIAL, EXCEPTIONAL, CRITICAL, OR UNIQUE LANDS
BLAKE HAROLD CHANLEY**

The Department of Environment and Natural Resources has made its determination regarding a Notice of Intent to Operate and Request for Determination of Special, Exceptional, Critical, or Unique Lands from Blake Harold Chanley, 514 Americas Way, Suite #7045, Box Elder, South Dakota 57719-7600. The Notice of Intent to Operate was submitted as required under ARSD 74:29:10 for purposes of requesting the department to determine whether the lands potentially affected by the mining operation are eligible for inclusion on the preliminary list of special, exceptional, critical, or unique lands.

The proposed operation involves mining gold from an existing 100-foot deep mine shaft located approximately 1 mile north of Mystic, South Dakota. Most waste rock will be disposed of in the underground mine. However, any remaining waste rock will be brought to the surface and placed on top of an existing waste rock pile remaining from historic mining. At the surface, Mr. Chanley will use gravity separation equipment to process ore from the mine. No chemicals are to be utilized in this process. No more than 10 acres of the 20-acre project area will be disturbed during the project.

In accordance with ARSD 74:29:10:08 and 74:29:10:09, the department has determined that the lands described in the Notice of Intent to Operate do not constitute special, exceptional, critical, or unique lands. This determination is based on an on-site inspection of the proposed lands to be affected, examination of the established preliminary list, consultation with other agencies, and evaluating information provided with the Notice of Intent to Operate. In addition, no nominating petitions pertaining to the lands described in the Notice of Intent were filed with the department.

The lands described in the Notice of Intent to Operate are considered cleared from special, exceptional, critical, or unique characteristics in accordance with ARSD 74:29:10:15. This clearance will remain in effect for seven years. If a mine permit application is not submitted within the seven-year period, the Board of Minerals and Environment may declare the clearance void and the lands may be reevaluated.

Blake Harold Chanley may appeal the department's determination by filing a petition for a contested case hearing pursuant to SDCL 1:26 within seven days after receipt of the determination. The hearing on the appeal shall be confined to the determination of the lands as special exceptional, critical, or unique and whether an environmental impact statement and socioeconomic study will be required.

Persons desiring further information may contact Roberta Hudson, Minerals and Mining Program, at (605) 773-4201.

Steven M. Pirner
Secretary
Department of Environment and Natural Resources

October 5, 2018