

**EVIDENCE LIST FOR ADMINISTRATIVE CIVIL LIABILITY COMPLAINT R5-2012-0543
AND DRAFT CEASE AND DESIST ORDER R5-2012-XXXX
RICHARD SYKORA
RED INK MAID BIG SEAM MINE
SCHEDULED FOR 4/5 OCTOBER 2012**

Previously submitted on 7 June 2012 per the Hearing Procedures

Exhibit #	Description
A-AC	Exhibits A through AC issued with ACL Complaint R5-2012-0543 and Draft Cease and Desist Order R5-2012-XXXX
AD	Aerial photograph of site dated 13 February 2012
AE	Aerial topography map of site date 13 February 2012
AF	Red Ink Mine Review dated 20 October 2011 conducted by Stephen J. Romero, P.E. Regional Geotechnical and Dams Engineer, US Forest Service

Previously submitted on 7 June 2012 per the Hearing Procedures

Evidence by reference pursuant to the California Code of Regulations, title 23, section 648.3

Location	Description
Case file	Affidavit of Proof of Service
Case file	10 May 2012 letter from Wildcat Mine Enterprises, LLC re: Transfer of Order No. R5-2007-0181
Case file	25 May 2012 letter from Mayumi E. Okamoto to Richard Sykora
Case file	Tracking data for Certified Mail No 7011 2970 0003 8939 2504

Previously submitted on 9 July 2012 per the Hearing Procedures

Evidence by reference pursuant to the California Code of Regulations, title 23, section 648.3

Location	Description
Case file*	28 May 2012 follow up to 10 May 2012 letter from Richard Sykora, Manager Wildcat Mine Enterprises, LLC
Case file*	13 June 2012 letter from Richard Sykora in response to CDO R5-2012-XXXX
Case file*	22 June 2012 letter from Central Valley Water Board staff to Mr. Sykora re: Transfer Request for Order R5-2007-0181
Case file*	7 December 2005 Holdrege & Kull <i>Stability of Waste Rock Sites #1 - #5</i> Report
Case file*	16 December 2005 letter from Central Valley Water Board to Richard Sykora and attachments
Case file*	2006 Notice of Intent for Coverage
Case file*	2006-2007 Annual ISW Permit Report
Case file*	Annual ISW Tracking data via Storm Water Multiple Application & Report Tracking System 2 (SMARTS)
Case file*	Copy of ISW Permit Notice of Termination Form
Case file*	Copies of correspondence from Legislative Aids and Cris Carrigan

*copy also included in agenda package as attachments to Response to Comments

Evidence List for
 Administrative Civil Liability Complaint R5-2012-0543
 Draft Cease and Desist Order R5-2012-XXXX
 Richard Sykora – Red Ink Maid Big Seam Mine

Rebuttal Evidence submitted per the Revised Hearing Procedures

Exhibit #	Description
AG	All correspondence pertaining to transferring WDRs from Richard Sykora to Wildcat Mining Enterprises, LLC <ul style="list-style-type: none"> - 23 March 2012 letter from USFS District Ranger Chris Fischer - 6 April 2012 Notice of Violation and Request for Completed Form 200 from Board staff - 10 May 2012 Letter from Wildcat Mining Enterprises, LLC to Executive Officer Pamela Creedon - 28 May 2012 Letter from Wildcat Mining Enterprises, LLC to Executive Officer Pamela Creedon - 22 June 2012 Letter from Board staff to Mr. Sykora and Wildcat Mining Enterprises, LLC regarding Order Transfer Request - 8 August 2012 Letter from Wildcat Mining Enterprises, LLC to Victor Izzo - 22 August 2012 Letter from Richard Sykora to Chairman Karl Longley
AH	7 December 2006 Placer County Approved Reclamation Plan and Conditions of Approval and transmittal letter dated 30 January 2007
AI	1981 Management Agency Agreement with original signatures
AJ	1 November 2006 Stability Report by Holdrege & Kull
AK	30 November 2011 Letter from Forest Supervisor Tom Quinn to Congressman Tom McClintock
AL	1992 Memorandum of Understanding between the USFS and DOC
AM	6 August 2010 15-Day Notice Letter from DOC to Placer County
AN	27 June 2011 15-Day Notice Letter from DOC to Placer County
AO	28 July 2011 Letter from Placer County to DOC deferring enforcement of SMARA to DOC
AP	8 May 1993 USGS Aerial Photograph of Site
AQ	14 August 1998 USGS Aerial Photograph of Site
AR	29 August 2011 USGS Aerial Photograph of Site
AS	Declaration of Robert Ditto, Industrial Stormwater Unit
AT	Ability to Pay documents – with redacted information

Rebuttal Evidence by Reference per the Revised Hearing Procedures

Evidence by reference pursuant to the California Code of Regulations, title 23, section 648.3

Location	Description
Case file	28 April 2010 USDA Farm Service Agency Aerial Photo
Case file	29 August 2011 site overview
Case file	2012 Terrain Image
Case file	18 May 1990 Letter from USFS to Richard Sykora regarding instability of waste dumps and discharges to perennial stream
Case file	23 May 1990 Letter from Lester Lubetkin to District Ranger regarding field visit to Site
Case file	11 June 1990 USFS memo to file regarding site visits
Case file	26 June 1990 Letter from Robert Watters to Richard Sykora regarding

Evidence List for
Administrative Civil Liability Complaint R5-2012-0543
Draft Cease and Desist Order R5-2012-XXXX
Richard Sykora – Red Ink Maid Big Seam Mine

	stability assessment and appraisal from mine waste dumps
Case file	30 January 1997 Inspection Report by USFS pertaining to 13 January 1997 site visit
Case file	11 May 1999 Letter from USFS District Ranger Richard Johnson to Richard Sykora
Case file	18 April 2002 Letter from USFS District Ranger Richard Johnson to Richard Sykora
Case file	29 May 2003 Letter from USFS District Ranger Richard Johnson to Richard Sykora
Case file	4 September 2003 Inspection Report by USFS pertaining to 27 August 2003 site visit
Case file	23 December 2003 Final Geotechnical Report of Site
Case file	23 February 2004 Field Notes by USFS Rick Weaver pertaining to 23 February 2004 site visit
Case file	3 June 2004 Letter from Alexander Constantino to DOC Assistant Director William Armstrong
Case file	17 October 2006 Letter from DOC Assistant Director Douglas Craig to Placer County Crystal Jacobsen
Case file	28 November 2006 Letter from Board staff to Richard Sykora regarding Wasterock Stability Evaluation and Initial Characterization
Case file	6 December 2006 Letter from DOC to Placer County regarding Review of Slope Stability Evaluation for the Site
Case file	21 December 2006 Letter from USFS District Ranger Jan Cutts to Richard Sykora regarding Reclamation Plan
Case file	9 January 2007 Letter from Holdrege & Kull to Placer County regarding Clarification of Reclamation Measure
Case file	20 March 2007 Letter from DOC to Placer County in response to Holdrege & Kull's Clarification of Reclamation Measure letter dated 9 January 2007
Case file	3 September 2012 OTC Mine Inspection Report prepared by DOC for 31 July 2012 site inspection
Case file	April 1987 Plan of Operation
Case file	October 1987 Plan of Operation
Case file	1991 Plan of Operation
Case file	1993 Plan of Operation
Case file	2002 Plan of Operation
Case file	2004 Plan of Operation
Case file	March 2012 Plan of Operation
Case file	August 2012 Plan of Operation