

**REBUTTAL EVIDENCE LIST  
RICHARD SYKORA  
RED INK MAID BIG SEAM MINE**

**FOR ADMINISTRATIVE CIVIL LIABILITY ORDER  
SCHEDULED TO BE CONSIDERED ON 30/31 MAY 2013**

<b>Description</b>
Aerial photograph of site dated 13 February 2012
Aerial topography map of site date 13 February 2012
Red Ink Mine Review dated 20 October 2011 conducted by Stephen J. Romero, P.E. Regional Geotechnical and Dams Engineer, US Forest Service
Affidavit of Proof of Service
10 May 2012 letter from Wildcat Mine Enterprises, LLC re: Transfer of Order No. R5-2007-0181
25 May 2012 letter from Mayumi E. Okamoto to Richard Sykora
Tracking data for Certified Mail No 7011 2970 0003 8939 2504
28 May 2012 follow up to 10 May 2012 letter from Richard Sykora, Manager Wildcat Mine Enterprises, LLC
13 June 2012 letter from Richard Sykora in response to CDO R5-2012-XXXX
22 June 2012 letter from Central Valley Water Board staff to Mr. Sykora re: Transfer Request for Order R5-2007-0181
7 December 2005 Holdrege & Kull <i>Stability of Waste Rock Sites #1 - #5</i> Report
16 December 2005 letter from Central Valley Water Board to Richard Sykora and attachments
2006 Notice of Intent for Coverage
2006-2007 Annual ISW Permit Report
Annual ISW Tracking data via Storm Water Multiple Application & Report Tracking System 2 (SMARTS)
Copy of ISW Permit Notice of Termination Form
Copies of correspondence from Legislative Aids and Cris Carrigan
28 May 2012 follow up to 10 May 2012 letter from Richard Sykora, Manager Wildcat Mine Enterprises, LLC
13 June 2012 letter from Richard Sykora in response to CDO R5-2012-XXXX
22 June 2012 letter from Central Valley Water Board staff to Mr. Sykora re: Transfer Request for Order R5-2007-0181
7 December 2005 Holdrege & Kull <i>Stability of Waste Rock Sites #1 - #5</i> Report
16 December 2005 letter from Central Valley Water Board to Richard Sykora and attachments
2006 Notice of Intent for Coverage
2006-2007 Annual ISW Permit Report
Annual ISW Tracking data via Storm Water Multiple Application & Report Tracking System 2 (SMARTS)
Copy of ISW Permit Notice of Termination Form
Copies of correspondence from Legislative Aids and Cris Carrigan
All correspondence pertaining to transferring WDRs from Richard Sykora to Wildcat Mining Enterprises, LLC
<ul style="list-style-type: none"> <li>- 23 March 2012 letter from USFS District Ranger Chris Fischer</li> <li>- 6 April 2012 Notice of Violation and Request for Completed Form 200 from Board staff</li> <li>- 10 May 2012 Letter from Wildcat Mining Enterprises, LLC to Executive Officer Pamela Creedon</li> <li>- 28 May 2012 Letter from Wildcat Mining Enterprises, LLC to Executive Officer Pamela Creedon</li> <li>- 22 June 2012 Letter from Board staff to Mr. Sykora and Wildcat Mining Enterprises, LLC regarding Order Transfer Request</li> <li>- 8 August 2012 Letter from Wildcat Mining Enterprises, LLC to Victor Izzo</li> </ul>

- 22 August 2012 Letter from Richard Sykora to Chairman Karl Longley
7 December 2006 Placer County Approved Reclamation Plan and Conditions of Approval and transmittal letter dated 30 January 2007
1981 Management Agency Agreement with original signatures
1 November 2006 Stability Report by Holdrege & Kull
30 November 2011 Letter from Forest Supervisor Tom Quinn to Congressman Tom McClintock
1992 Memorandum of Understanding between the USFS and DOC
6 August 2010 15-Day Notice Letter from DOC to Placer County
27 June 2011 15-Day Notice Letter from DOC to Placer County
28 July 2011 Letter from Placer County to DOC deferring enforcement of SMARA to DOC
8 May 1993 USGS Aerial Photograph of Site
14 August 1998 USGS Aerial Photograph of Site
29 August 2011 USGS Aerial Photograph of Site
Declaration of Robert Ditto, Industrial Stormwater Unit
Ability to Pay documents – with redacted information
28 April 2010 USDA Farm Service Agency Aerial Photo
29 August 2011 site overview
2012 Terrain Image
18 May 1990 Letter from USFS to Richard Sykora regarding instability of waste dumps and discharges to perennial stream
23 May 1990 Letter from Lester Lubetkin to District Ranger regarding field visit to Site
11 June 1990 USFS memo to regarding site visits
26 June 1990 Letter from Robert Watters to Richard Sykora regarding stability assessment and appraisal from mine waste dumps
30 January 1997 Inspection Report by USFS pertaining to 13 January 1997 site visit
11 May 1999 Letter from USFS District Ranger Richard Johnson to Richard Sykora
18 April 2002 Letter from USFS District Ranger Richard Johnson to Richard Sykora
29 May 2003 Letter from USFS District Ranger Richard Johnson to Richard Sykora
4 September 2003 Inspection Report by USFS pertaining to 27 August 2003 site visit
23 December 2003 Final Geotechnical Report of Site
23 February 2004 Field Notes by USFS Rick Weaver pertaining to 23 February 2004 site visit
3 June 2004 Letter from Alexander Constantino to DOC Assistant Director William Armstrong
17 October 2006 Letter from DOC Assistant Director Douglas Craig to Placer County Crystal Jacobsen
28 November 2006 Letter from Board staff to Richard Sykora regarding Wasterock Stability Evaluation and Initial Characterization
6 December 2006 Letter from DOC to Placer County regarding Review of Slope Stability Evaluation for the Site
21 December 2006 Letter from USFS District Ranger Jan Cutts to Richard Sykora regarding Reclamation Plan
9 January 2007 Letter from Holdrege & Kull to Placer County regarding Clarification of Reclamation Measure
20 March 2007 Letter from DOC to Placer County in response to Holdrege & Kull's Clarification of Reclamation Measure letter dated 9 January 2007
3 September 2012 OTC Mine Inspection Report prepared by DOC for 31 July 2012 site inspection
April 1987 Plan of Operation
October 1987 Plan of Operation
1991 Plan of Operation

1993 Plan of Operation
2002 Plan of Operation
2004 Plan of Operation
March 2012 Plan of Operation
August 2012 Plan of Operation
5 April 2013 printout from Fed Ex showing that the ACLC was delivered to Mr. Sykora's house on 29 March 2013
25 April 2013 Proof of Service from Ace Attorney Service (Prosecution Team Witness List and Evidence List). Delivery on 21 April 2013.
4 October 2012 Water Board Prosecution Team presentation "Administrative Civil Liability and Cease and Desist Order in the Matter of Richard Sykora Red Ink Maid and Big Seam Mine Placer County"
Cease and Desist Order No. R5-2012-0094, adopted on 5 October 2012
Administrative Civil Liability Order R5-2012-0093, adopted on 5 October 2012
Prosecution Team Rebuttal Brief, Mayumi E. Okamoto, 5 September 2012

All above evidence is found in the Central Valley Water Board case files.  
Evidence by reference pursuant to the California Code of Regulations, title 23, section 648.3