

1/22/2018

Amy Fortunato/James K. McCumber
4891 Lickskillet Rd.
Jamestown, CO 80455
303-443-1851

Colorado Division of Minerals and Geology
Mined Land Reclamation Division
1313 Sherman Street – Room 215
Denver CO 80203

RECEIVED

JAN 23 2018

**DIVISION OF RECLAMATION
MINING AND SAFETY**

Dear Members of the Board:

I am writing this letter to express our concerns regarding permit #M-1994-117, Revision AM-1. As members of the Gold Hill Town Meeting and owner of the neighboring property from where the Colorado Milling Company, LLC intends to pump fresh water from Left Hand Creek through an above-ground pipeline to the Times Mine, we have the following objections, in no particular order:

1. Prior History of Failing to Comply with MLRB Rules

At the last Special Gold Hill Town Meeting on January 8, 2018, it was brought to my attention that the Colorado Milling Company has, in the past, been in violation of the MLRB Rules and Regulations in regards to trucking off-site tailings to the mine to be milled. This specific example of blatant disregard of the rules, in addition to several other violations that were mentioned at the meeting, indicates a lack of business, legal, and safety responsibility. We are concerned that this behavior pattern will continue, our town and its community members paying the consequences for the company's negligence and disregard. Does this record of repeated infractions not cause concern to the MLRB?

2. Prior History Of Failing to Remove Mining Remains from Area Forests

The remains of a white, PVC pipeline from the Colorado Milling Company's previous attempt to pump water from Left Hand Creek to the Times Mine litter the woods to this day. The pipe can be seen from Lickskillet Road and is considered by locals to be unsafe to humans and wildlife as well as an eyesore. That PVC pipeline has been strewn through the woods since 1987. I understand that this old, PVC pipe is to be removed before the proposed new pipe is installed. However, this indicates to me that the Colorado Milling Company will only address the negative impacts of their mining operations on the community when it affects them. We are concerned that any future negative fallout resulting from the proposed new pump(s) and pipeline will be ignored, as well.

3. Safety of Area Residents Regarding the Pump, Mill, and Above-Ground Pipeline

The 2013 flood event caused both the private bridge just east of the proposed pump site and the culverts just west of it, at the bottom of Lickskillet Road, severe damage. Both have been replaced since the flood. Lower Lickskillet Road, an important, rural access for fire fighters and emergency vehicles to and from Left Hand Canyon, was damaged though passable. The private bridge was completely wiped out. Homeowners that relied on that private bridge to access their homes had to drive along a trail (south side of Left Hand Creek and area of the proposed above-ground pipeline), through our property, to cross Left Hand Creek at Lickskillet Road. This went on for close to four years after the flood when the private bridge was finally replaced. How will the above ground pipeline impact those homeowners and emergency vehicles if either of those bridges become damaged and impassable again in the future? Would those people have the obstacle of a pipeline to drive over? Would it be passable in the case of an emergency? Should that portion of the pipeline be buried? We would like a more detailed statement regarding the plan for this issue. Also, the Mined Land Reclamation Board, in August of 2017, found the Colorado Milling Company to be in violation for offsite damage, related to the collapsed mine adjacent to Sunshine Canyon Drive, just west of the mill site. This was considered offsite damage as the subsidence occurred while the operator was attempting to rehabilitate this historic mine in order to install the water pipeline to the mill. Will this issue and potential future safety issues resulting from this operation be properly monitored, repaired and stabilized?

4. Use of Well-Established Trail

Gold Hill and Left Hand Canyon area community members historically used a well-worn foot trail through the woods that connects Left Hand Canyon and the town site of Gold Hill. The trail crosses public, government, and private owned lands. The lower entrance has recently been blocked with a chain, and "no trespassing" sign, I assume by Colorado Milling Company since this appears to be the access they plan to use to install the new pipeline. Trees have been removed and a new culvert installed at this location in preparation for the operation to proceed, prior to the public objection period. Will locals continue to have access to this well-used recreation trail?

5. Re-Zoning of Flood Plain and Impacts of Water Usage of Left Hand Creek

The 2013 flood event caused widespread damage and changes along waterways throughout the county and other areas of the state. In response, The Boulder County Floodplain Remapping Project has revised Left Hand Creek waterway's flood risks since the initial Gold Hill Mill Limited Impact Mining Permit was issued. How will the pump, footbridge, and pipeline structures affect the newly revised risk zones? What will the impact of this water usage actually have on Left Hand Creek, the Left Hand Water District, wildlife, farmers downstream etc...? How will the Colorado Milling Company get enough water to pump to the Times Mine when the creek is running low, like now? Will they have to engineer a pool in Left Hand Creek to draw from? How will this effect water access for fire fighting in Gold Hill and Left Hand's fire districts? These are questions we have. We are asking the Board and the County to examine these implications with great care.

Overall, we feel the amendment that would allow this to take place is not in the best interest of the citizens of Gold Hill, and we strongly urge you to reconsider your decision.

Sincerely,

Amy Fortunato
James K. McCumber