



**City of Boulder  
Public Works**

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March 5, 2018

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**DIVISION OF RECLAMATION  
MINING AND SAFETY**

Michael A. Cunningham  
Colorado Division of Reclamation and Mining Safety  
Colorado Department of Natural Resources  
1313 Sherman St. Room 215  
Denver, CO 80203

**Subject: Gold Hill Mill, DRMS File No. M-1994-117 Amendment AM01**

The City of Boulder (city) is submitting these comments regarding the application for an amendment to Permit No. M-1994-117-AM01. The city became aware of the amendment application on January 23, 2018 via an email sent from a Gold Hill resident that is a neighbor of the mine site. Under this amendment, the Colorado Milling Company, LLC proposes to construct and install the Left Hand Creek Pump Station, a footbridge across Left Hand Creek, and the Gold Hill Mill Pipeline, which will transport water from Left Hand Creek to the Times Mine adit portal.

The city owns water rights that divert from Left Hand Creek downstream from the proposed pump station. The city has concerns about potential water quality impacts to Left Hand Creek and contamination of the riparian and aquatic corridor that could occur if the proper spill-prevention techniques and other precautions are not taken during construction and operation of the pump station.

The amendment proposes constructing a pump station in the Left Hand Creek floodplain, and building a footbridge across Left Hand Creek. The pump house will store a generator and, presumably, fuel to power the generator. This area along Left Hand Creek was substantially impacted during the September 2013 flood. The city encourages Colorado Milling Company to seek an alternative site outside of the floodplain, and in particular, outside of the floodway. Construction within the floodplain can increase erosion and adversely impact water quality and riparian and aquatic habitat. In a flood or heavy rain event, the pump station, footbridge, and associated generator and fuel could be mobilized in Left Hand Creek, impacting water quality.

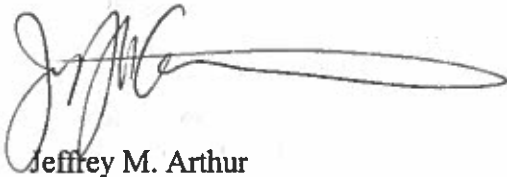
The city also owns municipal water rights that divert from Boulder Creek downstream of Fourmile Creek. Release of water from the mine tailing impoundment would flow to Fourmile Creek. We have concerns about potential water quality impacts to Fourmile and Boulder Creeks if mining and milling operations are not performed in accordance with protective stormwater and

discharge permits. The city has not seen documentation that Colorado Milling Company has a discharge permit, and we have concerns that use of the water pumped from Left Hand Creek to support milling operations could lead to an unacceptable risk of an unpermitted discharge at the site, particularly during rain events. Further, a malfunction of the pump could cause excess diversions from Left Hand Creek (in exceedance of decreed water rights allowances). The city encourages Colorado Milling Company to install an automatic shut off system on the pump, and submit diversion records to the State to show compliance with the terms and conditions of the water right.

In the amendment, Colorado Milling Company should include an inventory of the chemicals and fuels to be used and/or stored at the pump station or on the mining and milling site, including storage volumes. In addition, Colorado Milling Company should describe any secondary containment installed to prevent leaks and spills that could contaminate groundwater or surface water in the area.

To ensure protection of groundwater and surface water, Colorado Milling Company should demonstrate that they have the proper permits in place, including a discharge permit through the Colorado Department of Public Health and Environment, and other applicable Boulder County issued permits such as stormwater, construction, and floodplain development permits.

Sincerely,

A handwritten signature in dark ink, appearing to read 'J. Arthur', with a long horizontal flourish extending to the right.

Jeffrey M. Arthur  
Director of Public Works for Utilities

cc. Kate Dunlap, Source Water Quality Program Coordinator