



STATE OF  
COLORADO

Cazier - DNR, Tim <tim.cazier@state.co.us>

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## Comments on P2013002-Mod04

1 message

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**Jennifer Thurston** <jennifer@informcolorado.org>  
To: "Cazier - Dnr, Tim" <tim.cazier@state.co.us>

Wed, Dec 12, 2018 at 11:59 PM

Howdy Tim,

I have attached comments and an enclosure for your consideration regarding the Zephyr Minerals Notice of Intent, Permit No. P-2013-002.

Thanks for your consideration,

Jennifer Thurston  
Information Network for Responsible Mining  
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### 2 attachments



**INFORM-Comments-Dawson-P2013002-Mod04.pdf**  
110K



**RMW-Map-ZephyrMinerals.pdf**  
1037K

# INFORM

INFORMATION NETWORK FOR  
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Dec. 12, 2018

Timothy A. Cazier  
Environmental Protection Specialist  
Colorado Division of Mining, Reclamation and Safety  
1313 Sherman Street, Room 215  
Denver, CO 80203

Via email to [tim.cazier@state.co.us](mailto:tim.cazier@state.co.us)

Re: Comments on Dawson Project Notice of Intent Mod 04, Notice of Intent P-2013-002

Dear Mr. Cazier,

The Information Network for Responsible Mining (INFORM) is a Colorado-based citizens organization that advocates for responsible hardrock mining practices and protection of affected communities and the environment. INFORM actively participates in local, state and federal permitting and reviews of mining and milling and is concerned about the impacts to human health and nearby communities, ground and surface water, air quality, wildlife and ecosystems, as well as potential socioeconomic and cultural impacts to residents, agriculture and regional conservation-based resource economies. INFORM has the following comments regarding the application submitted by Zephyr Minerals to modify Notice of Intent No. P- 2013-002, the Hansen Project, in Fremont County.

The ongoing exploration work being conducted under this Notice of Intent has raised significant concerns about impacts to a neighboring community, wildlife, adjacent public lands, and recreational opportunities. Although it is only Zephyr's Notice of Intent for exploration that is under consideration here, both the proponent and the Division should understand that the Dawson site is inappropriate for hardrock mining in the long run, and that the greater conservation values of the adjacent Temple Canyon Park, the Grape Creek Stewardship Land Trust parcel, and the BLM Grape Creek Area of Critical Environmental Concern outweigh the interests of a foreign mining corporation. Zephyr's holdings now also overlap proposed wilderness areas that are currently subject to federal designation in legislation sponsored by Rep. Diana DeGette of Colorado. (See enclosed map produced by Rocky Mountain Wild to see the relationship of the proposed exploration area to adjacent public lands.)

It is unclear from the modification application exactly how much land has been affected to date by Zephyr's exploration work since the Notice was originally submitted in 2013. The public file also lacks clearly detailed maps documenting the precise location of previous drill holes and the proposed locations for additional drill holes that are proposed in the modification. It is also unclear the precise length of new drill roads that will ultimately be constructed. The Division should require precise locations to be identified and an accurate map to be produced before allowing any new activities to proceed.

In addition, Zephyr Minerals does not actually have access to its privately held inholdings. Although the prospector does not have to prove access in order to have an authorized Notice of Intent, the Division must make certain that Zephyr ultimately complies with all requirements from other agencies. On Dec. 11, 2018, the Fremont County Commissioners approved an extension of Zephyr's County Use Permit for exploration, but only under the condition that Zephyr provide proof of deeded easements in order to access the property, as the only access road crosses seven other private properties. To date, Zephyr has been unable to obtain a permanent access easement, thereby preventing the company from moving forward with development. This situation is unlikely to change in the future, and prevents a significant obstacle to the company's ability to conduct any future exploration work.

At the same time, it appears that Zephyr has increased its impacts to public lands with this modification application and additional NEPA analysis will be necessary from the BLM before additional activities can be authorized. Under the Division's Memorandum of Understanding with BLM, Zephyr must comply with the requirements of the agency before it can be authorized to proceed with activities under this Notice of Intent. Because of the critical environmental, recreational and community concerns that have arisen from this exploration project, the Division should increase its attention and make certain that the company is in strict compliance with all requirements.

The Division should deny the proposed modification for this Notice of Intent and encourage Zephyr to retreat from this project, as mining is an incompatible use of this property, and to proceed with final reclamation instead. Regardless of the final outcome for this site, the Division should place stipulations upon any approval of a modification that Zephyr comply with all of the requirements of Fremont County, the Bureau of Land Management and all other agencies that require access to be obtained and proven before any exploration activities can continue.

Thank you for the opportunity to provide comments on the modification for this Notice of Intent. Please contact me if you require any additional information. I appreciate your consideration in advance.

Sincerely,

A handwritten signature in black ink, appearing to read "Jennifer Thurston". The signature is fluid and cursive, with the first name "Jennifer" written in a larger, more prominent script than the last name "Thurston".

Jennifer Thurston

# Zephyr Minerals Grape Creek Area

