

INFORM

INFORMATION NETWORK FOR
RESPONSIBLE MINING

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April 27, 2020

Tim Cazier
Senior Environmental Protection Specialist
Division of Reclamation, Mining & Safety
1313 Sherman Street, Room 215
Denver, Colorado 80203
Via email to tim.cazier@state.co.us

Re: Comments on Notice of Intent, P-2020-002, Dawson Gold Project

Dear Mr. Cazier,

Thank you for the opportunity to submit comments on the Notice of Intent P-2020-002 filed by Zephyr Minerals proposing new exploration activity for the Dawson Gold Project in Fremont County. The Information Network for Responsible Mining (INFORM) is a statewide citizens organization that addresses the impacts of hardrock mining across Colorado and whose members regularly use and enjoy the public lands in the vicinity of the Dawson Project and the Grape Creek-Temple Canyon area.

The Notice indicates that Zephyr will drill at three separate location in the larger Dawson Project area using helicopters to access the site, assembling platforms in lieu of drilling pads, and flying in equipment and conducting exploration activities from the platforms in order to reduce surface impacts. The exploration area is in a sensitive location and is included in a BLM Wilderness Study Area and is adjacent to conservation lands, a state stewardship trust parcel, a BLM Area of Critical Environmental Concern, an important fishery and wildlife habitat, and public lands with abundant recreational opportunities.

Rule 5.1.2(d)(iv) requires an estimated acreage of land surface to be disturbed for prospecting activities and the operator has responded in the Notice of Intent that less than one-tenth of an acre will be disturbed. However, this estimate should specifically address all of the affected area that the project will include, as the Notice of Intent seems to suggest that the only actual disturbance to the surface will be the three exploration holes drilled above from a platform. However, elsewhere in the application additional disturbances are indicated but don't appear to

be specifically addressed as “affected land” as defined in Rule 1.1(4), such as the actual landing and staging sites required by the helicopters, the pathways used by personnel to travel from the landing sites to the drilling locations, the surface area located beneath the 20x30 foot drilling platforms and all adjacent tanks and equipment locations, as well as the three ancillary mud pits disclosed in the Notice.

Rule 5.1.2(d)(v) requires a map that includes “sufficient detail to identify and locate known prospecting features and facilities that may be affected and those that are not anticipated to be affected. This includes the location of all drill holes, mud pits, excavations, trenches, adits, shafts, tunnels, rock dumps and prospecting roads.” However, the area map submitted with the Notice does not clearly identify these features, nor outline all of the affected land. Instead, broad ranges of “radius” areas are indicated for the general locations of landing zones and drill site locations.

The Notice indicates that three mud pits will be utilized, one at each drilling site, but does not provide any additional information about their size, capacity, construction or usage. Rule 5.3.1(d) requires the operator to conduct drilling in such a way as to prevent cuttings and fluids from entering any drainage way, and how this will be handled should be included in the Notice.

The operator indicates that all stipulations, including those for wildlife, that were made as part of its State Land Board lease will be extended to the BLM areas included in the Dawson project. Even so, the Division should specifically address the recommended seasonal closures to protect big game and wildlife in the vicinity and dictate these as a condition of the permit. The Notice of Intent materials submitted by the operator also include a letter of recommendations from Colorado Parks & Wildlife submitted during the state land board leasing process that specifically states that any surface or subsurface sampling will have “adverse impacts” on the landscape, commenting that the “possibility for impacts within the proposed site will be high and difficult to remedy.” CPW also requested that it be consulted in the future as site activities progress, but there is no additional information provided by the operator about whether this has occurred.

An additional State Land Board stipulation is that a biological survey for rare plants be conducted in any location in the project area where surface disturbance occurs; however, there is no indication in this Notice that the survey has been conducted. Despite the operator’s claims that no surface disturbance will occur, as mentioned above, some areas will be disturbed, in fact, and should be surveyed. The State Land Board relies on the Division to review permits to guarantee that the land will be protected, and Rule 5.3.6 does require that the operator comply with all other local, state and federal requirements.

The new exploration activities will be conducted within a BLM Wilderness Study Area, where regulations for surface disturbances are more stringent than on non-designated BLM lands. Any activities authorized by the Division as part of Zephyr’s prospecting activities should not create any conflicts with BLM’s standards under 43 CFR 3802, which requires that all mineral rights asserted by prospectors be verified existing rights as well as satisfying BLM’s non-impairment surface standard. Thus far, BLM has not announced a decision related to these exploration activities and their authorization on public lands.

The opportunity to comment and the Division's review of these issues is appreciated. Please deny the Notice of Intent P-2020-002 submitted by Zephyr Minerals as it fails to meet the required standards of the Division's Rules and Regulations.

Respectfully submitted,

A handwritten signature in black ink, reading "Jennifer Thurston". The signature is written in a cursive, flowing style.

Jennifer Thurston
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STATE OF
COLORADO

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

Comments on NOI P-2020-002

1 message

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

Mon, Apr 27, 2020 at 4:54 PM

Howdy Tim,

I have attached comments on the Dawson Project Notice of Intent, P-2020-002.

Thanks in advance for your consideration,

Jennifer Thurston
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