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DIVISION OF RECLAMATION
MINING AND SAFETY

Oct. 2, 2020

Travis Marshall
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Division of Reclamation, Mining & Safety
101 South 3rd Street, Suite 301
Grand Junction, Colorado 81501

Via email to travis.marshall@state.co.us, russ.means@state.co.us

Re: Objection to Notice of Intent P-2020-011, La Plata Project

Dear Mr. Marshall,

These comments are submitted on behalf of Information Network for Responsible Mining (INFORM), a Colorado nonprofit organization that addresses hardrock mining issues in Colorado, and San Juan Citizens Alliance (SJCA), a nonprofit organization that protects clean air, pure water, and healthy lands in the San Juan Basin.

Metallic Minerals submitted to the Division a Notice of Intent for the La Plata Project, P-2020-011, on Aug. 11, 2020. INFORM received a copy of the Notice on Sept. 18, 2020, and the Notice was made available to the public and published on the Division's website on Sept. 21, 2020. As such these comments are timely and relevant to the Division's review under the Mined Land Reclamation Act's public noticing requirements. We request and appreciate your acknowledgment of the timely filing of these comments pursuant to Rule 5.1.3.

Commenters have the following questions and concerns regarding the La Plata Project:

1. The prospector appears to have misidentified the location of the proposed activities. Rule 5.1.2(d) requires the prospector to provide a description and location of the affected lands in sufficient detail so that the public may identify the prospecting site and any impacted surface areas. In the Notice, the prospector has identified the location of the drill site at 37° 25'20.40" N, 108° 05'19.63 W, which is a site near the summit of Spiller Peak in Montezuma County. However, according to the included map Figure 2 in the Notice, the drilling location appears to be located closer to 37.407089°, -108.088708° [attached], east of Gibbs Peak in La Plata County.

2. The Notice does not adequately describe how waste materials from the drilling process will be managed and handled to prevent the release of contaminants into the environment, nor how core samples will be handled. The Notice indicates that mud pits will not be utilized. The Notice does not include enough information to determine whether the requirements of Rule 5.3.1(d) to prevent cuttings and residual fluids from entering drainageways can be met. The operator should provide a complete description of the

methods that will be used to prevent toxic or acid-forming materials from entering the environment, as required by Rule 3.1.5(5).

3. The prospector incorrectly asserts that no new disturbance will be created by the proposed activities and does not provide enough information to determine how much surface area will be utilized during operations, even if uses and impacts are temporary in nature as required by Rule 5.1.2(d)(iv). Weed control is not indicated but should be required regardless of pre-existing disturbances on the site.

4. The prospector indicates that approximately 8,900 feet will be drilled in four holes averaging 2,200 feet in depth and asserts that, "Interception of groundwater is not anticipated." The Division does not have adequate information from the Notice to determine whether the prevailing hydrological balance of the site will be protected and impacts minimized as required under the Act at C.R.S. §34-32-116(7)(g). No hydrological data or analysis has been submitted by the prospector, nor information about existing hydrological conditions in the vicinity of the drilling location and the connected watershed. The Notice entirely lacks any statements or evidence to describe the hydrology of the site in order to make an assertion that groundwater is not likely to be encountered. At such a depth for drilling at this location, it actually seems unlikely that groundwater wouldn't be encountered.

The prospector should be required to provide a thorough and detailed discussion of the hydrological conditions at the site before being allowed to drill 8,900 feet without a plan for how to address the interception of groundwater. If hydrological data cannot be provided to determine in advance that no groundwater disturbances will occur as a result of drilling, then the prospector should be required to conduct new analysis in order to answer these questions. If groundwater is present in the drilling zone, then Rule 3.1.7(7)(a) allows the Division to require a groundwater monitoring program on a case-by-case basis "where an adverse impact on groundwater quality may be reasonably expected." Rule 3.1.7(2)(c)(i-ii) requires that the Division impose conditions to protect existing groundwater quality from the adverse impacts of mining and exploration activities.

The La Plata Project site is historically known as the Allard Tunnel and is included in the Abandoned Mines Water Quality Study released in 2017 by the Division and CDPHE. Sampling data from that study taken from the Allard Tunnel indicate elevated levels of multiple constituents of concern to local waterways (attached).

5. Rule 3.1.6(1)(a) requires the operator to adhere to all Colorado water laws and regulations, but the Notice lacks any information about what water source will supply the drilling operation, where it will be stored, and how it will arrive at the drilling location, and whether the prospector has adequate water rights for water used during prospecting.

For these reasons, we request that the Division deny the Notice of Intent for the La Plata Project, Permit No. P-2020-011. Thank you for the opportunity to comment.

Respectfully submitted,

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Mine Name	SiteID	Mine Categor	Latitude	Longitude	Visit Date	Field Form	Photo	Stream Temp
Allard Tunnel	DRMS-48	Red - Drainin	37.406813	-108.088909	09/19/2016 1	AllardTunnel.	DRMS-48.pdf	9.6 degrees C

Stream Condi	Stream pH	Flow	SampleID	Aluminum (di	Aluminum (tc	Arsenic (dis)	Arsenic (tot)	Cadmium (dis	Cadmium (to
717.2 uS/cm	7.04	11.9 gpm	2017920300(	300 ug/L	330 ug/L	12 ug/L	14 ug/L	<0.12 ug/L	<0.12 ug/L

Calcium (dis)	Calcium (tot)	Chromium (d	Chromium (tc	Copper (dis)	Copper (tot)	Iron (dis)	Iron (tot)	Lead (dis)	Lead (tot)
98 mg/L	98 mg/L	<0.97 ug/L	<0.97 ug/L	<3.7 ug/L	<3.7 ug/L	2200 ug/L	3300 ug/L	<0.11 ug/L	<0.11 ug/L

Magnesium (d	Magnesium (t	Manganese (d	Manganese (t	Molybdenum	Molybdenum	Nickel (dis)	Nickel (tot)	Potassium (di	Potassium (tc
15 mg/L	15 mg/L	810 ug/L	820 ug/L	<1.1 ug/L	<1.1 ug/L	3.8 ug/L	3.7 ug/L	4.7 mg/L	4.8 mg/L

Selenium (dis	Selenium (tot	Silver (dis)	Silver (tot)	Sodium (dis)	Sodium (tot)	Uranium (dis)	Uranium (tot	Zinc (dis)	Zinc (tot)
<0.052 ug/L	<0.052 ug/L	<0.073 ug/L	<0.073 ug/L	9.3 mg/L	9.3 mg/L	2.4 ug/L	2.4 ug/L	130 ug/L	140 ug/L

Alkalinity (tot	Hardness (tot	Mercury (tot)	Sulfate	Comments
110 mg/L	310 mg/L	<0.039 ug/L	220 mg/L	