

**MINED LAND RECLAMATION BOARD
BOARD ORDER FILE NO. M-1977-410, MV-2021-017
QUARTERLY REPORT
FOURTH QUARTER 2023
GRAND ISLAND RESOURCES LLC
CROSS AND CARIBOU MINES
NEDERLAND, COLORADO**

**PREPARED BY:
GRAND ISLAND RESOURCES LLC
CROSS AND CARIBOU MINES
4415 CARIBOU ROAD
NEDERLAND, CO 80466**

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1. CERTIFICATION

Name and Location of Project:

Grand Island Resources, LLC

Cross and Caribou Mines

4415 Caribou Road

Nederland, CO 80466

Operator:

Name: Daniel Takami – President Grand Island Resources

Address: 4415 Caribou Road, Nederland, CO 80466

2. INTRODUCTION

On February 18, 2022 the Colorado Mined Land Reclamation Board (Board) issued to Grand Island Resources LLC (Operator) its Findings of Fact, Conclusions of Law and Order on the matter of Notice of Violation No. MV-2021-017 brought before the Board by the Division of Reclamation, Mining & Safety (DRMS) on December 15, 2021 indicating possible violation by the Operator, Civil Penalties, Cease and Desist Order and Corrective Actions for Failure to Minimize Disturbances to the Prevailing Hydrologic Balance, File No. M-1977-410.

During that session, the Board concluded that the Operator was in violation of section 34-32-116(7)(g), C.R.S. and Rule 3.1.6(1) for its failures to minimize disturbances to the prevailing hydrologic balance of the affected land and of the surrounding areas and to the quality of water in surface systems during the mining operation and during reclamation. The Operator shall Cease and Desist any further activities underground, except for those activities approved by the Division, in writing, as necessary to comply with the conditions of the Order, protect water quality, prevent damage to off-site areas, complete reclamation, or to protect public health and safety, until all the corrective actions have been resolved to the satisfaction of the Division.

The Board imposed against the Operator the following CORRECTIVE ACTIONS:

- 1. File a Technical Revision by February 28, 2022, to modify the water management and treatment program for the site to sufficiently address all water quality issues and provide a surface water and groundwater monitoring program that meets all applicable requirements of Rules 3.1.6, 3.1.7, 6.33, and 6.3.4. The Technical Revision shall be approved by the Division within 60 days of receipt, by April 28, 2022.***
- 2. Submit, within 30 days of the effective date of this Order, an interim financial warranty in the amount of \$ 162,841.00 to operate any necessary water treatment system at the site (based on an estimated cost of \$6,785 per month over a 2-year period).***
- 3. Submit, by the end of every calendar quarter, beginning with the first quarter of 2022, a written report outlining the activities undertaken at the site during the current quarter and any activities planned for the next quarter to ensure compliance with section 34-32-116(7)(g), C.R.S. and Rule 3.1.6(1). The quarterly reports shall also summarize any actions or findings of the Water Quality Control Division of the Colorado Department of Public Health and Environment regarding the site discharge permit, that were taken during the current quarter. The Operator shall submit the quarterly reports until the Division issues a written notice to Operator indicating that the reports are no longer necessary; and***
- 4. Appear at the Board's December 2022 meeting to provide a status update on the corrective actions required by this order.***

3. MLRB ORDER

The Board found the Operator in violation of section 34-32-116(7)(g), C.R.S. and Rule 3.1.6(1).

3.1. CEASE AND DESIST – UNDERGROUND ACTIVITIES

BOARD ORDER: The Operator shall Cease and Desist any further activities underground, except for those activities approved by the Division, in writing, as necessary to comply with the conditions of the Order, protect water quality, prevent damage to off-site areas, complete reclamation, or to protect public health and safety, until all of the corrective actions have been resolved to the satisfaction of the Division.

OPERATORS ACTIONS: The Operator have taken the following remedial actions:

3.1.1. Underground Exploration and Ore Production Activities

The operator stopped all activities on November 30, 2021.

3.1.2. DRMS Approved Activities

On December 21, 2021, the Operator requested, in written form, approval from DRMS to conduct specific underground activities considered by the Operator to be most pressing to comply with the intent of the Cease-and-Desist Order. Table 3.1.2.1 below provides a status of Approval and Physical Progress on requested activities by GIR to DRMS. Not all requested activities were initially approved by the DRMS; the Operator provided additional information and clarifications at the request of DRMS; the approval dates for the activities are reflected on the Table.

TABLE 3.1.2.1 DRMS Approved Activities and Progress Report

Priority	Location	Activity	Final Approval by DRMS	Progress (% complete)
Priority 1	Cross Mine	1.1.1. Cross Discharge lines installations. The scheduled installation of replacement water discharge lines must continue in the Cross Mine to connect underground drainage system to prevent the mine from flooding. Should flooding occur, ground water would report to the surface through the Cross Mine Adit in an uncontrolled fashion directly to the environment.	22-Dec-21	100.0%
		1.1.2. Refuge Chamber Construction. Construction of an MSHA compliant safety refuge toward the back of the Cross tunnel. This is a critical activity and essential for operations associated with water management (pumps, pipelines, utilities).	22-Dec-21	35.0%
		1.1.3. Utilities Installation for Safety and Operations. (Discharge, Compressed Air, Ventilation, Power and Water supply). Replacement of dated infrastructure (compressed air, water, and electrical lines) which must be installed such that mine dewatering pumps and ventilation systems are operational.	29-Dec-21	100.0%
		1.1.4. Auxiliary Fan installations. The ventilation system is a critical safety requirement for personnel attending and maintaining the pumping systems; these systems must be operational prior to the construction of water management sumps and for any associated activities.	29-Dec-21	100.0%
		1.1.5. Ground support installation. All areas leading to the mine pumping sites must be secured, bolted, and must comply with MSHA guidelines for safe personnel access.	29-Dec-21	100.0%
		1.1.6. Freeze Prevention Program. The groundwater conveyance systems must be insulated to prevent freezing of pipes and equipment and appurtenant facilities such that the water	22-Dec-21	100.0%

Priority	Location	Activity	Final Approval by DRMS	Progress (% complete)
		conveyance systems remain operational during the winter months.		
		1.1.7. Pond 1 Diversion Pipeline. A pipeline is to be installed and connect to the pipeline between pond 3c and pond 1. This pipeline can direct water flows from the caribou mine into the cross mine for increased attenuation during peak run-off and prevent overtopping of pond 1.	14-Apr-22	100.0%
		1.1.8. Cross Snowshed Rehabilitation. The 50-year old Cross Snowshed is in disrepair and must be rehabilitated for safety reasons.	Incidental to Cross Portal Rehabilitation	70.0%
	Caribou Mine/Idaho Tunnel	1.2.1. Construction of Sediment Control Structures. Solids removal from groundwater within the mine workings prior to discharge to the sediment control ponds is critical for optimizing the performance of the settling ponds. The construction of a Cofferdam and Check dams in the Idaho tunnel is critical for water quality compliance. These activities include the extension of piping systems into the pumping areas.	22-Dec-21	100.0%
		1.2.2. "A.75" Sediment Control Sump Rehabilitation. Removal of sediment accumulated in the clarifying sump is a required O&M part of the system; GIR is planning to relocate the existing pump further into the sump to optimize sump storage capacity, an access walkway must be constructed to ensure the safety of maintenance personnel.	22-Dec-21	65.0%
		1.2.3. Freeze Prevention Program. The groundwater conveyance systems must be insulated to prevent freezing of pipes and equipment and appurtenant facilities such that the water conveyance systems remain operational during the winter months.	22-Dec-21	100.0%

Priority	Location	Activity	Final Approval by DRMS	Progress (% complete)
Priority 2	Cross Mine	2.1.1. Cross Shaft and Old Access Road Surface Reclamation. Backfill, compact and recontour the terrain to reduce surface water inflow into the underground workings.	23-Jun-22	100.0%
		2.1.2. Apache/Potosi Sump Development at 'G' Station. Construction of a water sedimentation and clarification system at a midpoint within the tunnel. Construction of underground sumps is required such that water flows are collected and controlled. The sumps would serve as sediments settling structures such that heavily sediment laden water is not delivered to the treatment plant.	22-Dec-21	55.0%
	Caribou Mine/Idaho Tunnel	2.2.1. Personnel Siding Development along Railway and Equipment Corridors. Safety step-aways from moving equipment.	22-Dec-21	100.0%
Priority 3	Cross Mine	3.1.1. Water and sediment controls at fractured zones through the implementation of catchment areas in the tunnel ribs and shotcrete applications.	29-Dec-21	0.0%
		3.1.2. Winze Hoist and Winze Sump Rehabilitation. Essential activity required for access of lower mine levels for rehabilitation and water management.	18-Feb-22	20%
		3.1.3. Sublevel Sediment Sumps Rehabilitation and Development. Rehabilitation of currently flooded workings after groundwater table drawdown and release of groundwater via the water treatment system.	18-Feb-22	5%
	Caribou Mine/Idaho Tunnel	3.2.1. Sediment Control Pond Upgrades. Minor modifications to reduce the impact of freezing pipes and ice build-up.	29-Dec-21	20.0%

Priority	Location	Activity	Final Approval by DRMS	Progress (% complete)
	Site Wide	4. HYDROGEOLOGIC STUDY GIR intends to conduct a comprehensive Hydrogeologic Study of the Mining Complex. The Study is considered critical and essential for near future and long-term operations and water quantity and quality management. GIR anticipates that the Study will require access to the mining areas and activities that are not anticipated to result in high level of disturbance. GIR will provide, upon request, the Scope of Work for the Study. Approval of the Study is hereby requested.	Activity not Approved by DRMS	0.0%

3.2. CORRECTIVE ACTIONS

3.2.1. Water Treatment Modifications Technical Revision

On February 28, 2022, the Operator filed with DRMS a Request for Technical Revision (namely TR-10) in response to a Service of Notice of Violation/Cease and Desist Order (Number IO-211130-1) from Colorado Department of Public Health and Environment (CDPHE) dated November 30, 2021, in conjunction with Permit No. M-1977-410. On November 14, 2023, CDPHE issued a Compliance Order on Consent between the Division and Grand Island Resources LLC. The agreement resolves Grand Island Resources' alleged violations of the Colorado Water Quality Control Act ("Act") and a discharge permit.

TR-10 includes a detailed plan of action and current activities addressing surface water quality noted in the letter. The Technical Revision request describes measures that have been undertaken and are further proposed at the site to address water quality issues, including underground installations, a description of the new water treatment pilot system, results of the current system and a Ground Water Monitoring Plan (GWMP) as required by the NOV/C&D Order. TR-10 was approved by DRMS on April 28, 2022.

GIR initiated water sampling campaigns for groundwater, surface water and mine effluent (pre-treatment) in compliance with TR-10 mandates in May of 2022. At the time of issuance of this Quarterly Report, the Operator has collected and has laboratory analyzed 20 contiguous months (6 quarters and 2 months) of site waters, from May 2022 through December of 2023. GIR has filed test results to DRMS via quarterly reports in accordance with TR-10 mandates and granted extensions thereof.

3.2.2. Financial Warranty to Operate the Water Treatment System

On March 16, 2022, the Operator filed with DRMS a FINANCIAL WARRANTY, CHECK FOR DEPOSIT IN THE STATE TREASURY Form, Check No. 125 for \$162,841.00 (One Hundred and Sixty-Two Thousand Eight Hundred and Forty-One Dollars); the check was deposited by the Operator on March 21, 2022.

On March 21, 2022, the Operator issued to DRMS a check for \$5,000.00 as payment to the Board Ordered Financial Fine for the violations.

On June 13, 2022, GIR submitted to the Division of Reclamation, Mining and Safety (Division) check #42 for the amount \$ 18,098.00 to cover the increase of the Financial Warranty for the permit to \$546,751.00, in accordance

with Rule 4.2.1 and C.R.S. 34-32-117. GIR are considered fully bonded for this site at \$546,751.00.

3.2.3. Written Quarterly Report

GIR submitted to the Board the Third Quarter 2023 Report on October 10, 2023. On the same day, Mr. Patrick Lennberg – DRMS Environmental Specialist indicated via email to GIR that the letter had been uploaded to the permit file.

The Second Quarter 2022 Report was issued to the Board by GIR on July 12, 2022.

The Third Quarter 2022 Report was issued to the Board on October 12, 2022.

The Fourth Quarter 2022 Report was issued to the Board on January 16, 2023.

The First Quarter 2023 Report was submitted to the Board on April 7, 2023.

The Second Quarter 2023 Report was submitted to the Board on June 28, 2023.

The Third Quarter 2023 Report was submitted to the Board on October 10, 2023

This document constitutes the Fourth Quarter 2023 Board Report.

The Quarterly Reports are to be submitted to the Board no later than the 30th day of the last month of the quarter; to comply with the requirement, GIR submits this report with the Laboratory Data available at this time; and, therefore, the results for the second sample from the Water Treatment Plant Effluent (Outfall 001) corresponding to the month of December 2023 are not included. GIR will include the missing data in the next Quarterly Report.

3.2.4. Appear Before the MLRB – December 2022

GIR appeared before the MLR Board on January 18, 2023. GIR presented testimony to the Board and requested to lift the Cease-and-Desist Order put into place during the February 2022 Board hearing for violation M2021-017. On March 13, 2023, the signed Board Order was issued which lifted the Cease-and-Desist Order on the site.

In January 2023 GIR withdrew the appeal of the Division's determination that the Cross Gold Mine was a designated mining operation (DMO). During the January Board Hearing the due date for submitting the DMO conversion application was July 17, 2023, 180 days from the hearing date. The request for a one-year extension is the maximum allowed by Rule 7.2.3(2)(c). The extension request was approved by DRMS on March 1, 2023, which included several stipulations including Stipulation #6 states the Operator will continue to provide quarterly reports by the end of every calendar quarter, a written report outlining the activities undertaken at the site during the current quarter and any activities planned for the next quarter to ensure compliance with section 34-32-116(7)(g), C.R.S. and Rule 3.1.6(1). Per the DMO stipulation, GIR submitted to DRMS a DMO Progress Report on August 28, 2023.

4. CDPHE WATER QUALITY CONTROL DIVISION

Pursuant to Paragraph 24 of CDPHE-WQCD Notice of Violation/Cease and Desist Order Number IO-211130-1 dated November 30, 2021 (“Order”), as modified by correspondence with the Division. Grand Island Resources (“GIR”) has provided Progress Reports accordingly. Salient points are provided below.

4.1. NO WATER QUALITY DISCHARGE VIOLATION DURING THE QUARTER

Since late December of 2021, Mr. Patrick Delaney, Environmental Manager of the third-party company Black Fox Mining has been in charge of the operation, calibration, and optimization of the water treatment system at GIR facilities.

Mr. Delaney has also been responsible for collecting and/or supervising the collection of water quality compliance samples and has filed on behalf of GIR, with the Permits and Enforcement Section Water Quality Control Division CDPHE, Monthly Discharge Monitoring Reports - Cross Gold Mine CO0032751.

Filings with CDPHE indicate that all compliance samples tested during the first two months of the Fourth Quarter 2023 meet permit discharge standards. Laboratory test results for the second sample of the month of December 2023 are not available at the time of preparation and submittal of this report; GIR will include the month of December results in the First Quarter 2024 Report to the Board.

Copies of the Monthly Report Cover letters (DMRs) submitted by Mr. Delaney to CDPHE for the months of September, October and November 2023 are attached as Appendix A. Please note that the December 2023 DMR will be filed with CDPHE on or before January 28, 2024, and, therefore, the cover letter is not available at this time.

4.2. ACTIVITIES COMPLETED AS OF DECEMBER 30TH, 2023.

- 4.2.1. GIR has submitted DMRs for the months of March through December of 2022; and January through November of 2023; the DMR for the Month of December 2023 will be filed on or before January 28, 2024. No water quality compliance parameters exceedances have been detected in samples collected twice per month from the Water Treatment Discharge. (Compliance Outfall 001).
- 4.2.2. As indicated on Table 3.2.2.1. several of the DRMS approved activities have been completed. GIR continues with implementation of the approved measures in accordance with the Board Order and DRMS approvals.
- 4.2.3. Automated water levels data have been and continue to be recorded in groundwater wells and the Cross Winze. Discharge Water Flows at Outfall-001 are also being recorded on a continued basis.
- 4.2.4. During the winter of 2022-2023, Pond 2 was utilized to contain the back flush water and sediment from the water treatment plant. The Pond was used because the holding tank previously used was freezing and did not have capacity to make it through the winter. Pond 2 will be cleaned out again in the future. The Division reiterated, from previous inspections, that when the Operator determines a proper disposable facility for the sediment that they provide the Division with the letter of acceptance from the facility along with the analytical results. It was also stated these similar documents were also needed for disposal of the water treatment sludge.
- 4.2.5. Fourth Quarter 2023 water samples were collected on October 31, November 30, and December 21, all in accordance with TR-10 SOPs.

- 4.2.6. Sediment management at all locations underground on an on-going basis, and completion of A75 sump.
- 4.2.7. Technical Revision (TR-12) Install New Snowshed and Relocate Water Treatment System, submitted to DRMS by GIR was approved by the Division on June 15, 2023.
- 4.2.8. Technical Revision (TR-13) Update Field Blank Sample Collection Frequency, submitted by GIR to DRMS by GIR was approved by the Division on June 15, 2023.
- 4.2.9. The Cross Gold Mine was inspected by Mr. Patrick Lennberg with the Division of Reclamation, Mining and Safety (Division/DRMS). The inspection was completed on November 16, 2023, as part of the Division's increased inspection frequency, the permit is to be inspected on a quarterly basis.

4.3. FIRST QUARTER OF 2024 PLANNED ACTIVITIES

Activities planned for Fourth Quarter of 2023, were not performed by GIR due to staffing and financial constraints; the planned activities for the Fourth Quarter of 2023 remain unchanged from the Third Quarter, as follows:

- 4.3.1. Continuing with Refuge Chamber construction.
- 4.3.2. Continuing with Snowshed rehabilitation.
- 4.3.3. Continuing with sediment management at all locations underground.
- 4.3.4. Continuing with Apache/Potosi sump development at "G" Station.
- 4.3.5. Continuing with Winze rehabilitation.
- 4.3.6. Continuing with sublevel sump rehabilitation.

5. CLOSING

Grand Island Resources LLC, Directors, Management and Technical Personnel appreciate the opportunity to submit this Quarterly Report to the Mined Land Reclamation Board in compliance with the Board's February 18, 2022, and post- Cease and Desist removal and March 1, 2023, DMO extension stipulations. Specifically, to the Order: ***Submit, by the end of every calendar quarter, beginning with the first quarter of 2022, a written report outlining the activities undertaken at the site during the current quarter and any activities planned for the next quarter to ensure compliance with section 34-32-116(7)(g), C.R.S. and Rule 3.1.6(1).***

Grand Island Resources LLC staff continue to work diligently and tirelessly to address the ongoing challenges faced by the operation. The Corporation continues to invest the necessary financial and personnel resources required to implement measures to ensure that the violations cited by the Board are remedied and that they do not occur in the future.

Respectfully Submitted,



Daniel J. Takami
President, Grand Island Resources LLC,

APPENDIX A
Monthly Report Cover letters (DMRs)



1508 Ridge Road
Nederland, CO 80466
Phone (315) 414-6986
www.blackfoxmining.com

November 1, 2023

Permits and Enforcement Section
Water Quality Control Division
CPDHE
4300 Cherry Creek Dr. South
Denver, CO 80246-1530

**Subject: Discharge Monitoring Report for September 2023
Cross Gold Mine C00032751**

To whom it may concern,

During the month of September 2023 there were no exceedances at Outfall 001. Both potentially dissolved silver and potentially dissolved cadmium were reported as below detection limit as the permit limit is lower than the RL from the laboratory but that equals the PQL in the permit. The MDL from the laboratory goes below the permit limit and both show results lower than the permit limits.

A WET test was conducted on 9/18-20. This resulted in a pass.

Please contact me with any questions.

Sincerely,

Patrick M. Delaney
Environmental Manager
Black Fox Mining LLC
1508 Ridge Road, Nederland, CO 80466
Phone 315-414-6986
www.blackfoxmining.com | pdelaney@blackfoxmining.com



1508 Ridge Road
Nederland, CO 80466
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November 28, 2023

Permits and Enforcement Section
Water Quality Control Division
CPDHE
4300 Cherry Creek Dr. South
Denver, CO 80246-1530

**Subject: Discharge Monitoring Report for October 2023
Cross Gold Mine C00032751**

To whom it may concern,

During the month of October 2023 there were no exceedances at Outfall 001. Both potentially dissolved silver and potentially dissolved cadmium were reported as below detection limit as the permit limit is lower than the RL from the laboratory but that equals the PQL in the permit. The MDL from the laboratory goes below the permit limit and both show results lower than the permit limits.

Please contact me with any questions.

Sincerely,

Patrick M. Delaney
Environmental Manager
Black Fox Mining LLC
1508 Ridge Road, Nederland, CO 80466
Phone 315-414-6986
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1508 Ridge Road
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December 28, 2023

Permits and Enforcement Section
Water Quality Control Division
CPDHE
4300 Cherry Creek Dr. South
Denver, CO 80246-1530

**Subject: Discharge Monitoring Report for November 2023
Cross Gold Mine C00032751**

To whom it may concern,

During the month of November 2023 there were no exceedances at Outfall 001. Both potentially dissolved silver and potentially dissolved cadmium were reported as below detection limit as the permit limit is lower than the RL from the laboratory but that equals the PQL in the permit. The MDL from the laboratory goes below the permit limit and both show results lower than the permit limits.

Please contact me with any questions.

Sincerely,

Patrick M. Delaney
Environmental Manager
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