

Cazier, Tim

From: Western Mining Action Project [wmap@igc.org]
Sent: Tuesday, May 01, 2012 4:19 PM
To: Cazier, Tim; Waldron, Tony; Pineda, Loretta
Cc: cfv
Subject: RE: Comment M-1980-244
Attachments: Comments on Amendment 10 _CFV!.pdf

Sorry – resend with a proper suffix to Tim’s email address...

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From: Western Mining Action Project [<mailto:wmap@igc.org>]
Sent: Tuesday, May 01, 2012 4:12 PM
To: 'tim.cazier@co.state.us'; Waldron, Tony; Pineda, Loretta
Cc: cfv
Subject: Comment M-1980-244

Mr. Cazier, please accept the attached comments regarding M-1980-244 on behalf of Citizens for Victor.

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30 April 2012

Colorado Department of Natural Resources
Division of Reclamation, Mining and Safety
1313 Sherman St., Rm 215
Denver, CO 80203

RE: Cresson Project, Permit M-1980-244
Mine Life Extension 2 Application

Dear Sir,

Following are our comments on the proposed amendment to the existing mining operation referred to as the Mine Life Extension 2 for DRMS permit M-1980-244.

1. Referencing VOL. 2, Appendix 1: Table of Contents & Introduction:

At the very end of Section 2.3 there is a statement that “Most surface water infiltrates to the basin soil and bedrock before forming streams, and none re-emerges from the ground as springs within the footprint of the Diatreme.” We take issue with this, as the springs within Grassy Valley (forming Beaver Creek flowing to the east) and Arequa Gulch (forming the Arequa Gulch flow heading south and west into Cripple Creek) appear to be within the footprint of the Diatreme. This said, *wherever* the springs actually occur, surface water infiltrates the basin soil and bedrock before forming these 2 flows, and does re-emerge from the general area with “spring water” constituted from water that infiltrated into, and then from, the Diatreme. The bottom line is that the “spring water” in these 2 flows is highly influenced by the Diatreme and is mineralized by the constituents of the Diatreme. Mining activity in the Diatreme – exposing much, much more of a surface area, will therefore have a great impact on the mineralization of all springs in that general area.

2. Referencing VOL. 2, Appendix 1: Table of Contents & Introduction

Within Section 2.4.1, under 3. Carlton Tunnel, item “3. Sequestration in overburden produced by prior surface mining,” it’s stated, with respect to water sequestration, that “What is occurring is likely more complex: sequestration is occurring in newer overburden, but the effect on Carlton Tunnel flow is being compensated for by exfiltration from overburden and mine backfill areas where field capacity has been reached, and flow of infiltrating water has resumed.” Clearly, the mechanisms behind “more complex: sequestration” are NOT very well understood, and this is statement is INDEED a supposition where use of the adverb “likely” should be read as a crucial clarification within that sentence. The subsequent statement “The result is that net sequestration has reached approximate steady state, and is not expected to change with future mine extension, including MLE2,” taken together with the following concluding statement, “Taken together, the reduction in

Carlton Tunnel flow reduction [sic] since 2002 is 10% is [sic] due to the recent reduction in precipitation, 25% due to covering of diatremal catchment by the AGVLF, and the remaining 65% is due to the net effects of sequestration.” These are important conclusions, with seemingly accurate percentages, but they actually emanate from the prior supposition, and are only as good as that supposition! We would like to see a more rigorous evaluation of sequestration, and infiltration/exfiltration, in order to be able to more definitively assert “sequestration ... is not expected to change with future mine extension” and that “65% [of the reduction in Carlton Tunnel flow] is due to the net effects of sequestration.” Otherwise stated, CC&V has a primary charge of managing many millions of gallons of effluent from the Carlton Tunnel (and including the Roosevelt Tunnel, too), and we would request a better assessment of the anticipated flows from the Diatreme (with the resultant mineralization of waters within Four Mile Creek).

3. Referencing VOL. 6, Part 4: Storm Water Management Plan

We feel the Storm Water Management Plan, as stated, does not sufficiently address storm water concerns, especially considering the Plan for Upper Grassy Valley.

4. Referencing VOL 7, Part 5, Wildlife Protection Plan

The Wildlife Protection Plan is inadequate. Another thing that stands out with this plan is that it doesn't address the needs of much smaller species, including smaller aquatic species. Under “IV) Legacy Considerations” under “A) Reclamation,” states “Habitat management and creation, if part of the Reclamation Plan, should be directed toward encouraging the diversity of both game and non-game species, and shall provide protection, rehabilitation or improvement of wildlife habitat,” we question the words “if part of the Reclamation Plan” – what does this mean? If, indeed, the Reclamation Plan does include “Habitat management and creation,” we recognize that “non-game species” can include smaller species, including smaller aquatic species. We would request that CC&V specifically address these smaller species.

Yours,

/s/ Bill Clymer

Bill Clymer, President
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