

March 13, 2013

Mr. Bob Oswald
Environmental Protection Specialist
Division of Reclamation, Mining and Safety
Durango Field Office
691 CR 233, Room A2
Durango, Colorado 81301



Via electronic mail to: Bob.Oswald@state.co.us

OUTSIDE COMMENTS
SUBMITTED TO DIVISION ✓

Re: Nest Egg Ventures - Gold Eagle Mine Notice of Intent, Permit No. P-2013-001

Dear Mr Oswald:

Please accept these comments on behalf of Information Network for Responsible Mining (INFORM) and High Country Citizens' Alliance (HCCA) regarding the Notice of Intent to conduct gold and silver prospecting operations at the Gold Eagle Mine in Gunnison County. This proposed activity is in close proximity to the Gunnison National Forest. We are concerned that the Notice of Intent does not adequately describe the proposed activities and full consideration of the proposed activity's possible impacts and adequacy of mitigation measures should be considered. We therefore offer the following comments and questions.

Our first concerns regard water quality. The Notice of Intent does not indicate whether ground water is present or whether any flows from the mine's adits are currently occurring. Once the portal is reopened, does the operator anticipate that water from the mine will be discharged? What measures will be taken to guarantee that impacts from any dewatering of the mine's adits will be controlled? If such circumstances present themselves, does the prospector intend to store or treat and discharge the water? What would be the final destination of such water? Will the prospector ensure compliance with Clean Water Act Section 402 discharge requirements? We encourage the Division to inquire into these concerns and ensure the prospector would mitigate and minimize water quality impacts while also using the best technology available.

Opening the collapsed portal would require removing rocks and other debris. However, the Notice of Intent does not provide any information regarding the relocation, placement, storage, and management of such material. Because the prospecting period is proposed to run from June 2013 to November 2014, it suggests that excavated material from the portal will be stored at the mine site for a lengthy period, yet does not specify how, nor does the Notice indicate the chemical content of this waste rock. In addition, once prospecting activities are concluded, the Notice does not specify whether a waste rock pile will be permanently left on site. We are concerned that these materials would affect downstream water quality if not properly managed with storm water controls. If, after work is concluded, the prospector decides to

leave the portal open for future mining activity, then the permanent management of the waste rock pile should be described in the permit, along with adit closure/safety measures.

Our next concern regards wildlife impacts. INFORM and HCCA are aware that there is lynx habitat near this area, a federally listed threatened species and species of special management concern for the State. This area is also important summer range for elk, mule deer, and bighorn sheep as well as being in close proximity, if not within, a bighorn sheep migration corridor. Accordingly, we encourage the Division to inquire about the possible impacts the Notice may have on these species and, if necessary, ensure proper mitigation measures are adopted. We request that Colorado Parks & Wildlife be consulted on this proposed exploration.

The Notice also does not adequately describe the proposed activities; in fact, the operator states that "activity will be confined to opening a caved portal." Does this mean that prospecting activities underground will be limited to visual inspections only, or is more substantial excavation work anticipated?

Thank you for the opportunity to provide input on this project. We look forward to your response.

Sincerely,

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