------ Forwarded message ------From: **Kaldenbach - DNR, Tom** <<u>tom.kaldenbach@state.co.us</u>> Date: Thu, Jun 13, 2013 at 12:01 PM Subject: Combination Placer (M-2013-028), Forwarding comments and objection To: <u>Vogt11@comcast.net</u>

Jeff,

Attached are copies of comments and an objection received by DRMS from:

Kochman, Kunst, the State Historic Preservation Officer, and the U.S. Forest Service. **4 attachments** — Download all attachments





Combination Place reclamation (mining) permit application, Park County, M2013028

message

Eddiekochman@aol.com <Eddiekochman@aol.com> To: tom.kaldenbach@state.co.us Cc: teisenman@parkco.us, Reid.DeWalt@state.co.us, mark.lamb@state.co.us, dougandkim@opintel.com Tue, Jun 11, 2013 at 1:49 PM

As a property owner in Park County I have the following comments regarding the placer mining application:

Is there adequate volume of water available to operate the placer and are such rights recognized by the Colorado Division of Water Resources? It is stated there will be no water discharge from the placer operation which if followed will avoid potential contamination of lower elevation wetlands. However, if water is accidentally released, or enters the shallow aquifer at the placer site, there will likely be contamination of wetlands. Holding areas for contaminated water should be lined with an impervious barrier. Upon completion of the operation contaminated material should be removed to prevent natural runoff from carrying the material to lower wetlands. Re-vegetation with natural vegetation should be a requirement.

Park County road access to the placer operation is limited and these roads are used by numerous home owners on a daily basis. Such roads do have sharp curves and steep gradients. Truck traffic associated with the operation should be required to take special precautions.

The area is within a high elevation ecosystem that may have sensitive vegetative and wildlife species, including the boreal toad. If they have not yet done so, Colorado Parks and Wildlife should make official comment on the application.

Thanks for the opportunity to comment.

NO.020 P.1

"OBJECTION

THE BUSINESS CONNECTION LINK WE UNLOCK YOUR BUSINESS POTENTIAL RECEIVED * 1910 * 1150 Castello Ave. * Fairplay, CO 80449 719-836-1919 Fax 719-836-1756 JUN 10 2013 thebizconnection@yahoo.com DIVISION OF RECLAMATION MINING AND SAFETY Fax Cover Sheet Division of Rechamation, Utiling & Safely Thomas KaldenbashFax# 303.832.8106 Хo: Attention: Thomas Kaldenbac From: John Kunst Pages Including Cover <u>5</u> Regarding Notes:

Division of Reclamation, Mining and Safety Department of Natural Resources 1313 Sherman St., Rm. 215 Denver, CO 80203 June 7, 2013

RE: Application No. M2013028

OBJECTION

As set forth below, I object to the issuance of any mining permit until the applicant provides greater clarity with respect to the manner, methods and assurances that mining operations and reclamation efforts will not permit the release of environmentally harmful materials to the residential neighborhood (Valley of the Sun) immediately below the mining site.

Mine Site Location: The mine is located at 1. 12,300' up the eastern face of Pennsylvania Mountain, a Thirteener located in Park County due west of Highway 9 between Alma and Fairplay, CO. Immediately below the mine site is a large, expansive conifer forest where the Valley of the Sun (VOS) residential community is located. Pennsylvania Mountain slopes west to east above VOS with numerous natural drainage creeks, streams and rivulets coursing off the face of the mountain through VOS and feeding the hundreds of small and large ponds between the summit of Pennsylvania and Highway 9. A considerable portion of this natural drainage flows into the Middle Fork of the South Platte River which, in the area under consideration, flows north to south along the western edge of Highway 9.

2. The mine site has not been surveyed (App. p. 12) Consequently, there is no way to know where water used in this mining operation will flow and what precautions must be taken to insure that harmful affluent does not reach natural drainage sources. However, due to the mine site's location on the mountain, it is known that drainage will be down slope and into VOS drainage.

3. Snow Pack Ponds on site. The application identifies two earth bound depressions that contain snow melt on the site. Presumably, the water in these ponds will be used to wash gold from crushed rock at the rate of 350 gallons per minute during mining operations and then recycled. (App. p. 17(h)). However, the application is not clear as to whether these two ponds are merely the sole source of water for mining operations or will also be used as tailings ponds. ("There are two tailings ponds on site that will be used to process ore. Water will be stored from snowmelt, which will allow the mine to operate for a few weeks each summer. The ponds will be enlarged over the course of a 2-3 seasons (sic) to hopefully store more water." App. P. 14(c)). This paragraph is confusing as to whether the existing depressions are to be used for storing tailings or snowmelt and is silent as to how tailings will be prevented from draining off site from these ponds. Clarification is required because water usage on the site will take place during the summer months over the next ten years. (App. p. 16, (a)).

4. The "tailings area" will be located on the eastern, down slope boundary of the site and below the face of mining excavation pit (App. p. 16(f). Water, whether rain or snowmelt, naturally drains down slope. With the "tailings area" located below the mining pit, water will flow across the open pit and down slope into the tailings area. The application is not clear as to whether the "tailings area" is the same as the "tailings ponds" and more importantly whether these tailings areas, ponds or both will be secured against seepage into the natural drainage off the site.¹ There are no references in the application to either dykes, retaining walls, or other structures to secure against affluent seepage off the site.

As one tries to interpret the The French Drain. 5. application, it appears that ore will be hauled from the mine pit to a wash plant that is located probably below the natural, snowmelt ponds. After washing, the water will course through a French Drain of unspecified length into a "slimes pond" for dewatering and recycling. (App. p. 17(i). "The sluice will de-water on the ground in a shallow pond with a French drain." (App. p. 17 (m) (emphasis added). Is the 'slimes pond" the same as the tailings ponds or something different? How long is the French drain that the affluent will flow through from the wash plant to the slimes pond? Is the drain protected by dykes or retaining walls to prevent run off? Is the slimes pond diked or retained to prevent run off after drying? The application is silent on these critical points.

6. Decorative Rock - secondary commodity. While not necessarily a concern of the Department of Natural Resources, the application states that the mining operation will not remove more than 70,000 tons of overburden in any year of operation. (App. p. 9, Item 2). 700,000 tons of decorative rock traveling over dirt roads through a residential neighborhood over the next ten years will unduly stress roads that the County has difficulty maintaining for safe passage without the

¹¹ i note App. p. 17(I). The remark about detention structures having "two feet of freeboard" is not clear. Does this refer to the tailings ponds on the down slope eastern boundary of the site? Does the applicant consider "freeboard" to be a form of retention?

added burden of the applicant's secondary commodity hauling.

Respectfully, John m. Burss, Jr

John M. Kunst, Jr.

304 Pond Dr. P.O. Box 664 Fairplay, CO 80440

719-836-3553

I certify that I posted this objection via Fed Ex, next day delivery to the Bureau of Natural Resources, and by regular mail to the applicant, Randy Burks, on this 10th day of June, 2013.

prefum t.

John M. Kunst, Jr.



May 29, 2013

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Tom Kaldenbach Environmental Projection Specialist Division of Reclamation, Mining and Safety 1313 Sherman Street, Room 215 Denver, Colorado 80203

Re: Notice of 110 (2) Hard Rock/Metal Mining Reclamation Permit Application Consideration Western States Minerals LLC, Combination Placer, File No. M-2013-028 (HC #64109)

Dear Mr. Kaldenbach:

Thank you for your correspondence dated May 20, 2013 (received by our office on May 22, 2013) regarding the subject project.

A search of our files indicates that 20 sites have been identified and evaluated in the past. The site numbers and eligibility determinations are as follows:

5PA.322	Officially eligible	1992
5PA.398	No determination made	1974
5PA.4166.1	Officially eligible	2010
5PA.4274	Field not eligible	2006
5PA.4276	Officially not eligible	2009
5PA.4277	Officially not eligible	2009
5PA.4278	Field not eligible	2006
5PA.4279	Officially not eligible	2009
5PA.4280	Officially not eligible	2009
5PA.4281	Field not eligible	2006
5PA.4282	Officially not eligible	2009
5PA4283	Field not eligible	2006
5PA.4284	Field not eligible	2006
5PA.4285	Officially not eligible	2009
5PA.4286	Field not eligible	2006
5PA.4287	Officially not eligible	2009
5PA.4288	Field not eligible	2006
5PA.4289	Field not eligible	2006
5PA.4290	Officially not eligible	2009
5PA.4291	Officially not eligible	2009

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In addition one survey with report number MC.CS.B (1981) covered part of the area.

Division Creclamation,

History Colorado, 1200 Broadway, Denver, CO 80203

Tom Kaldenbach May 29, 2013 Page 2

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We recommend that previously inventoried officially eligible, field not eligible, and no determination made sites are avoided.

Our files contain incomplete information for this area, as most of Colorado has not yet been inventoried for cultural resources. As a result, there is the possibility that as yet unidentified cultural resources exist within the proposed permit area.

Should human remains be discovered during mining activities, the requirements under State law CRS 24-80 part 13 apply and must be followed.

Thank you for the opportunity to comment. If we may be of further assistance, please contact Dan Corson, Intergovernmental Services Director, at (303) 866-2673 or dan.corson@state.co.us.

Sincerely,

a Cac W Enom, An

Edward C. Nichols State Historic Preservation Officer



Re: Western States Minerals, LLC notice of application

Rose-Ritchie, Marcia -FS <mrosentchie@fs.fed.us> To: "tom.kaldenbach@state.co.us" <tom.kaldenbach@state.co.us> Cc: "Sexton, Kristen -FS" <ksexton@fs.fed.us>, "Hyatt, Jeff -FS" <jhyatt@fs.fed.us> Fri, Jun 7, 2013 at 10:25 AM

Tom, Kris Sexton, the South Park District Ranger, and I have reviewed the Western States Minerals, LLC application and maps, and have determined that the National Forest System Road 698, which they are using to access their property, partially crosses National Forest System lands. As such, Western States Minerals, LLC will need to pursue a road use permit with our office before proceeding with their mining activities.

They may contact Jeff Hyatt, the Recreation and Lands Program Manager on the district, for an application. I would suggest they do so as soon as possible so that the district has ample time to process their request.

Thank you for the opportunity to review and comment on this project.

Marcia Rose-Ritchie

Marcia Rose-Ritchie

Free Agent

Medicine Bow-Routt National Forests

Thunder Basin National Grassland

2840 Kachina Drive

Pueblo CO 81008

Phone: 719-553-1477

Email: mroseritchie@fs.fed.us

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Kaldenbach - DNR, Tom <tom.kaldenbach@state.co.us> Draft Mon, Jun 10, 2013 at 7:14 AM

[Quoted text hidden]

Tom Kaldenbach

Senior Environmental Protection Specialist Colorado Division of Reclamation, Mining and Safety 1313 Sherman St., Room 215 Denver, CO 80203 (303) 866-3567, ext. 8128