

# STATE OF COLORADO

## DIVISION OF RECLAMATION, MINING AND SAFETY

Department of Natural Resources

1313 Sherman St., Room 215

Denver, Colorado 80203

Phone: (303) 866-3567

FAX: (303) 832-8106



July 8, 2013

John M. Clement  
Executive VP & General Council  
Ouray 79 Mining, LLC  
P.O. Box 1917  
Forney, TX 75126

John W. Hickenlooper  
Governor

Mike King  
Executive Director

Loretta E. Piñeda  
Director

**RE: Comments Received, Wanakah Mine, NOI File No. P-2013-010**

Dear Mr. Clement:

On July 3, 2013, the public comment period closed for the above referenced NOI. During the comment period the Division received timely comments from Information Network for Responsible Mining (INFORM), and from the US Forest Service (USFS). Copy of these correspondences is enclosed for your records. Please inform the Division how the Prospector will address the jurisdictional issues raised by INFORM and USFS.

Please note the Division has not yet accepted or approved the Wanakah Mine NOI. At this time you are not authorized to commence the proposed prospecting activities, pursuant to Rule 5.1.3(a).

Please contact me at the Division's office in Durango at 691 County Road 233, Suite A-2, Durango, Colorado 81301, phone (970) 247-5469, if you have any questions.

Sincerely,

Wallace H. Erickson  
Environmental Protection Specialist

Enclosure: Correspondence from INFORM, dated July 3, 2013, received July 3, 2013  
Correspondence from USFS, dated July 2, 2013, received July 1, 2013

Ec w/enclosure: John Clement, Ouray 79 Mining, LLC  
Russ Means, DRMS GJFO

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Durango Field Office  
Division of Reclamation,  
Mining and Safety

July 3, 2013

Mr. Wally Erickson  
Environmental Protection Specialist  
Division of Reclamation, Mining and Safety  
Durango Field Office  
691 CR 233, Room A2  
Durango, CO 81301

Via e-mail to [wally.erickson@state.co.us](mailto:wally.erickson@state.co.us)

Re: Wanakah Mine Notice of Intent, Permit No. P-2013-009

Dear Mr. Erickson,

Thank you for the opportunity to submit comments on the proposed Notice of Intent for the Wanakah Mine in Ouray County, Permit No. P-2013-010, a revision of an earlier NOI that was withdrawn. The Information Network for Responsible Mining (INFORM) is a Colorado-based citizens organization that advocates for responsible hardrock mining practices and protection of affected communities and the environment.

The Notice of Intent proposes the reopening of three portals but does not adequately discuss the potential for acid mine drainage or provide a detailed plan for how water quality will be monitored if it is produced during prospecting activities. An adequate plan should be in place. The current Notice of Intent is a scaled-back version of a previous exploration plan, which the Division determined was a Designated Mining Operation. Clearly the prospector's intent is to advance toward fully reopening the mine and will be required to submit an Environmental Protection Plan in the future, which would require this detailed planning.

As mining development activities progress, the operator should be required to address the existing waste piles and their potential for generating acid mine drainage. The Division should require geochemical analysis of the waste rock piles to determine the potential for generating acid from surface water at the site. According to the recent inspection report, the site has an "abundance of waste rock materials from the historic operation" and the prospector describes the

INFORM

INFORMATION NETWORK FOR  
RESPONSIBLE MINING

PO Box 27  
NORWOOD, CO 81423

(970) 497-4482  
[JENNIFER@INFORMCOLORADO.ORG](mailto:JENNIFER@INFORMCOLORADO.ORG)  
[WWW.INFORMCOLORADO.ORG](http://WWW.INFORMCOLORADO.ORG)



site as having "very limited surface access and extreme topography" in correspondence. As such, it is unlikely that disturbance to the historic waste piles can be entirely uncoupled from prospecting. There would be nothing wrong with addressing these issues and the overall site conditions early.

Thank you again for the opportunity to comment.

Sincerely,

A handwritten signature in cursive script, reading "Jennifer Thurston". The signature is written in black ink and is positioned below the word "Sincerely,".

Jennifer Thurston  
Director  
INFORM



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## Comments on P-2013-010

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Jennifer Thurston <jennifer@informcolorado.org>

Wed, Jul 3, 2013 at 4:06 PM

To: Wally Erickson <wally.erickson@state.co.us>

Dear Mr Erickson,

I have attached some comments on the Wanakah Notice of Intent, P-2013-010.

Thanks in advance,

Jennifer Thurston

Information Network for Responsible Mining

Cell: 212-473-7717

Email: jennifer@informcolorado.org

Web: www.informcolorado.org

Twitter: <https://twitter.com/INFORMining>



**INFORM-P2013010-Wanakah-NOI-Comments.pdf**

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United States  
Department of  
Agriculture

Forest  
Service

Ouray  
Ranger  
District

2505 South Townsend  
Montrose, CO 81401  
Voice: 970-240-5300  
TDD: 970-240-5366

File Code: 2810

Date: July 2, 2013

WALLACE ERICKSON  
DIV. OF RECLAMATION MINING AND SAFETY  
691 COUNTY ROAD 233 STE A-2  
DURANGO, CO 81301

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Durango Field Office  
Division of Reclamation,  
Mining and Safety

Dear Mr. Erickson,

The Ouray Ranger District of the Grand Mesa Uncompahgre Gunnison National Forest has reviewed the Notice of Intent to Conduct Prospecting Operations for Hard Rock/Metal Mines, number P-2013-010 submitted by Ouray 79 Mining LLC.

Our comments are as follows:

- a. The map provides insufficient detail to show whether any mining operations, including haul routes, core holes, staging areas, etc. would be located on National Forest System (NFS) lands. Map 1A attached to the NOI is a general location map and does not display ownership, location of the three portals, access roads, or land ownership. We ask that a more detailed map and description be provided to indicate what, if any activities, are proposed on NFS land.
- b. We believe that the Blowout Road NFSR 871.2B would be used for the haul route. Accordingly, we will need additional information on numbers of trips per day, critical vehicle widths, lengths, and weights. A commercial Road Use Permit will be required, and perhaps commensurate use for maintenance of the road to offset impacts to the road due to their commercial use where the road crosses NFS land. I have attached a form to help us understand the types of vehicles and numbers of trips.

If you have any questions, please contact Liz Mauch, Lands and Minerals Staff at [lmauch@fs.fed.us](mailto:lmauch@fs.fed.us) or 970-240-5405.

Sincerely,

TAMERA RANDALL-PARKER  
District Ranger

Enclosure

Cc: Mark Castrodale, Ouray County Planning Dept.  
Ouray 79 Mining LLC



Caring for the Land and Serving People

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Breakdown of traffic on Forest Service Roads  
for Smith road construction project

\*\*\*THIS IS AN EXAMPLE SHOWING HOW TO COMPLETE THE FORM\*\*\*

Phase 1: Traffic on NFSRs from road improvements and construction operations.

What is the operating season for Phase 1? June 15-July 20, 2010

Is snowplowing requested? No

Type of vehicle (use one row per type of vehicle)	Number of trips per day or week, describe National Forest System Roads used and one- way mileage	Total number of days	Maximum weight, pounds
Light duty pickup carrying crew	3 trucks making two roundtrips per day from Collbran to project area on NFSR 111. 25 miles.	25	Xxxx
Heavy duty pickup with water tank	1 truck making two roundtrips per day from Dry Creek Reservoir to project area on NFSR 111 and NFSR 115. 3 miles on NFSR 115; 7 miles on NFSR 111.	25	Xxxx
Tractor trailer/ lowboy carrying D-6 dozer	1 roundtrip per week from Collbran to project area on NFSR 111 loaded/unloaded. 25 miles	5	120,000

[illegible]



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## Wanakah NOI comments from USFS-important

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**Mauch, Liz -FS** <lmauch@fs.fed.us>

Mon, Jul 1, 2013 at 4:34 PM

To: "wally.erickson@state.co.us" <wally.erickson@state.co.us>

Hello Wally, since the July 3 deadline for comments is fast approaching, I thought I had better send the FS comments electronically to you. Please let me know that you received this, and also, let me know if the comments need to go to a different office to be considered timely. Thank you, Liz

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