AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Ratification of BOCC Signature; Hard Rock Mining

Action Requested: Other Ratification of BOCC Signature; Hard Rock Mining Letter

Parties to the Agreement:

Term Begins: **Term Ends:** **Grant Contract #:**

Summary:

Ratification of BOCC Signature; Letter Re: proposed legislation to protect water quality in the context of hard rock mining

Fiscal Impact:

Submitted by: Liz Mense **Submitter's Email Address:** EMense@gunnisoncounty.org

Finance Review: ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date:

County Attorney Review: ◉ Required ○ Not Required

Comments:
ok db 1/30/19

Reveiwed by: GUNCOUNTY1\dBaumgarten Discharge Date: 1/30/2019 Certificate of Insurance Required

Yes ○ No ◉

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 1/31/2019

◉ Consent Agenda ○ Regular Agenda ○ Worksession Time Allotted: 0

Agenda Date: 2/5/2019

Revised April 2015

Gunnison County
COLORADO

Gunnison County Board of County Commissioners
Phone: (970) 641–0248 • Fax: (970) 641–3061
Email: bocc@gunnisoncounty.org • www.GunnisonCounty.org

January 28, 2019

Re: Proposed Legislation to Protect Water Quality in the Context of Hard Rock Mining

Honorable Senators and Representatives:

Please consider this correspondence on behalf of the Board of County Commissioners of Gunnison County supporting potential legislation regarding protection of water quality in the context of hard rock mining.

In 2005, the Board of County Commissioners adopted a formal position statement regarding "protection and development of water resources." That position statement-which remains in effect-has as its introduction the following:

> "The essence of Gunnison County's ability to survive and prosper historically has been, and will continue to be, its ability to have consistent, plentiful and clean water. Like many western communities, the county has experienced a series of economic cycles. As the need arises, the community assesses itself and its future. What has consistently emerged from these exercises has been the clear recognition that the area's natural environment is its most important asset.
>
> The future of the County is directly dependent upon the community's ability to preserve and carefully build upon its natural resource assets. Its unique and fragile setting provides and environment that attracts recreationists and tourists, supports an excellent college and an historical l and valuable agricultural industry.
>
> The natural environment is the heart of the economic and social well-being of Gunnison County, both now and in its future and water is its lifeblood."

May we request that-as the legislature considers adoption of legislation protecting water quality in the context of hard rock mining-that such legislation ensure that protection of water quality is a priority when the State issues new hard rock mining reclamation permits. Essential components of such protection would be explicit requirements that:

1. Plans for water quality treatment include a finite end date by which date water quality treatment will no longer be necessary. That is, the plans would no longer allow "legacy" water quality issues.

2. Water quality protection costs are included in the calculation for the amount of required bonds for hard rock mines.

3. "Self-bonding" will be prohibited as a mechanism to fund the mandatory water quality protection and treatment.

We note that:

- Colorado already has over two dozen mines that require long term, costly water treatment operations. At the Summitville mine, the Colorado Department of Public Health and Environment (CDPHE) will assume the annual $2.2 million operating costs beginning in 2022. [Currently, EPA is covering the majority of costs and stimulus grants were used in 2012 to construct a new $25 million water treatment plant.]
- Colorado is just one of seven remaining states that allows "self-bonding" (when mines are not backed by recoverable assets), which leaves taxpayers vulnerable.
- Currently, the proposed legislation does not contemplate change to the water quality or stream standards set by the CDPHE, and would pertain only to future permits issued by the Division of Reclamation, Mining and Safety.
- Currently, the proposed legislation would affect new or amended permits ONLY.

Gunnison County appreciates your consideration to this matter.

Jonathan Houck, Chairperson

John Messner, Vice-Chairperson

Roland Mason, Commissioner