

WILLOW CREEK RECLAMATION COMMITTEE MINUTES

Wednesday, March 5, 2008

1:00 PM, Creede Town Hall

Present: Zeke Ward, WCRC Chairman and Mineral County Commissioner; Mark Walker, CDPHE (Colorado Dept. of Public Health and Environment); Don Dustin, Creede; JB Alexander, Creede; Rex Shepperd, Creede; Kelley Thompson, WCRC; Joe McCann, Division of Water Resources; Diane Gese, U.S. Forest Service; and Carishma Gokhale-Welch, WCRC Director.

Approval of minutes: No corrections to the January meeting were proposed. JB moves to approve the minutes from January 9, 2008, Don seconds. Motion carries.

Additions/corrections to agenda: "Bank account" was added under "Old business", "Clean Water Act" was added under "Chairman's report", "Sample points" and "Picnic" was added under "New business".

Reports:

Director's Report

Carishma reported on the January and February financials, and informed the Committee that the application to Rio Grande Water Conservation District for \$20,000 had been granted. She also submitted a grant application to The Hitchcock Foundation for the production of a prospectus in January.

Carishma shared a letter from Amanda Basler, Keen Ideas & Designs saying that they were moving to Dallas, but could continue to assist us with the production of our prospectus.

The information for the interpretive signs for the 5 Mines project is almost finalized. Merl moves to install interpretive signs at the Park Regent Mine site, the Midwest Mine site, and the Phoenix Mine Mill site, JB seconds. Motion carries.

Carishma reported that WCRC received a 1099-misc from Mine Safety Appliances. It is for the amount of refund/rebate received by WCRC for faulty Self-Contained Self-Rescuers and not for any specific income earned. The Committee suggested sending it to SLV RC&D with an explanatory note.

Chairman's Report

Zeke reported on the Hecla press release, and mentioned that the resources a responsible mining company could bring to Creede are tremendous. He also mentioned that Hecla was the first industry partner that supported the WCRC's efforts. Zeke reported that Hecla is still interested in donating the three parcels of land to the City of Creede, where stream restoration is planned. Hecla will likely have a project manager stationed in Creede in three weeks.

Zeke reported that a one-page order came out by the magistrate in the Wason Ranch case, who has agreed to hear the motion to dismiss. There is an annual stockholders meeting on March 10, and continued funding of the lawsuit is on the agenda. There has been a request to WCRC to provide the Board with a list of projects that we have completed and an indication of the activities that are proposed in the future. Zeke presented to the Wason Board that WCRC is diverting interest from the NT/Commodore area to other areas, including restoration below town, and that it is the WCRC's intention to work up to the Rio Grande, with hopes for cooperation and partnership with the Wason Ranch.

JB shared information about the Clean Water Act (CWA) and the Supreme Court rulings that have rolled back CWA protections. A portion of the Navajo Reservoir and the Colorado River below Grand Junction are the only navigable waters currently identified by the Army Corps of Engineers in CO. JB was wondering if CERCLA liability does not apply if work is undertaken by the WCRC in the absence

of Good Samaritan legislation. Mark said that the state would still require all the same permits regardless of the CWA protections. He also suggested that the Committee members contact Animus River Stakeholder group in Silverton to exchange information.

Old Business:

Internship

Carishma reported that CDRMS has agreed to sponsor a summer intern for WCRC. She attended Erika's presentation about her summer internship, and met with a few professors who have agreed to spread the word about the internship program. JB, Don and Merl agreed to be on the interviewing panel, along with Carishma, for selecting an intern. The Committee discussed projects that could be taken on by the intern including updating our water quality data records (on STORET and our records), working on the WCRC video and prospectus, and participating in water sampling events, among other activities. Mark suggested that the Committee approve a certain percentage of the intern's work.

Carishma reported that Prof. Rob Benson of ASC would like to use some of our water quality data for assignments for his students, and was wondering if we had any specific needs that they could look into. The Committee had some suggestions, including an analysis of sediments currently residing in the Creek, analysis of previously published reports, and water quality data.

EPA – NT/Commodore pile comments

Kelley inquired about spring plans for the NT/Commodore pile site. Mark suggested some possibilities, including a temporary sacrificial levee, and inquired if the EPA could help with that. Zeke is in contact with Hays Griswold, and will follow up.

Stream Restoration

Will be discussed at the next TAC meeting. Spring clean up was also added as an agenda item for the next TAC meeting.

Bank Stuff:

Merle makes motion to authorize Don and Carishma to be signatories to the new bank account for WCRC at Miners & Merchants Bank in Creede, Mark seconds. Motion carries.

New Business:

Technical Advisory Group for NT/Commodore pile

Zeke explained that WCRC has the interest and the experience to be a TAG for the NT/Commodore pile project, and that it would not be a violation of policy, but that the TAG has to be a registered non-profit. Mark is concerned that it might overwhelm the WCRC. Joe informed the Committee of the TAG that was involved with Summitville. No action was taken; the Committee decided to make a decision when more information is available at a future date.

Sample Points

The WCRC discussed whether more sample points need to be identified, and more data collected to establish existing conditions before any mine exploration activities begin. It was decided to discuss it at the next TAC meeting. Merl moves to task the TAC to identify potential sample points, including along Rat Creek, Rex seconds. Motion carries. The policy and expenses related to this could be discussed at the next TAC meeting.

The Committee also discussed the need to have established data in the event disputes/protests occur because of mining returning to Creede.

Picnic

Mark mentioned that the WCRC has a lot to celebrate and a lot to advertise. He suggested inviting the governmental agencies and non-governmental organizations/persons involved with the WCRC to a picnic/party/tour. It was tentatively scheduled for the second week in September.

Adjourn:

The next meeting will be April 2, 2008 at 1:00 PM, with a TAC meeting preceding it at 10:00 AM.

Respectfully submitted,

Carishma Gokhale-Welch