

Minutes August 4, 1999

WCRC Meeting

Meeting held in the Creede Town Hall
Called to order by Chairman Zeke Ward at 1:12 PM

Those Attending:

Name	Affiliation	E-Mail
Perry Alspaugh	Div. of Water	perry.alspaugh@state.co.us
Marvin Reynolds	Resources CSU-CE EPA	conejos@coop.ext.colostate.edu
Dianna Hammer	Region 8 CSU- CE MFG Forest	hammer.diana@epa.gov
Pam Bullock	Service USDA Gen.	none
Frank Sanders	Counsel Forest	fsanders@mfgenv.com
Les Dobson	Service Forest Service	ldobson/r2_sjrg@fs.fed.us
Kirk Minckler	Regional	kirk.minckler@usda.gov
Vince Spero	Office Resident NRCS Resid	vspero/r2_sjrg@fs.fed.us
Daryl Gusey	ent Resident Resident EPA R	dgusey/r2@fs.fed.us
J.B. Alexander	esident Resident CDPHE US	none
Steve Russell	Fish and	russell@amigo.net
Richard Hague	Wildlife Resident MFG	none
John Howard		jhoward375@aol.com
Glen Miller		miller@amigo.net
Karen Hamilton		hamilton.karen@epa.gov
Stephen Wardell		wardell@amigo.net
Zeke Ward		redmtn@fone.net
Kathleen Reilly		kathleen.reilly@state.co.us
Laura Higgins		laura_higgins@fws.gov
Sandra Wright		none
Pam Anderson		panderson@mfgenv.com

I) Commodore update by Stephen Wardell

- 1) Fema may have money available for flood control measures on the Commodore.
- 2) The county has gabion baskets and is in the process of installing measures to protect the road from being washed out. The CDMG engineering report gave a good idea as to what needs done but not how access to these areas should be accomplished, so we (the county) are taking it upon ourselves to push roads into these areas so work can be done.
- 3) The county is in the process of pushing an access avenue into the lower side of the tailings pile just above the pipe and also below the pipe so that work can be done there. Rock is being located and piled for use as rip-rap. Stephen pointed out that all work done by the county on this project will be used as an *in kind* donation to the Committee. Danny is keeping a record of this work. JB pointed out the importance of organizing a general cleanup of old scrap metal etc. This will be possible when we have an access road built. II) Coordinator's Report - Glen passed around the year 2000 grant proposal which

was submitted to CDPHE. This grant proposal involves \$167,200 of 319 funds, \$50,000 from the Forest Service, \$31,000 from other grant sources (i.e. Hewlett packard & the State Historical Society), \$56,000 *non cash* Federal contribution, and \$158,000 of volunteer and non-federal *in kind* donation, totaling \$462,200 for the year 2000. New parts that are not a part of the 1999 proposal are...

1) Six or more wells to be put in the year 2000 to test for groundwater contamination
2) Tracer study focusing on Lower West Willow to determine origins of contamination, direction of flow, volume, and velocity.

This study is focusing on Lower West Willow. Glen stated that a possible nightmare would be to spend a lot of CDMG, FEMA, and County money in the near future and then find that because our characterization was incomplete and there were contamination sources in certain spots that we didn't know about, that much of our work could be wasted and have to be redone.

Surface-water, Ground-water and Tracer studies of this area as soon as possible would insure that everything we do counts within the big picture and nothing is wasted.

3) Surface soil testing and stratification of homogenous units on maps would allow us to re-vegetate all of the relevant areas of the watershed with the best species possible according to our re-veg trials that are now underway.

4) Sediment and pile testing. Glen learned that some of our large tailings piles are not the same everywhere within the same pile. Maybe only small portions are causing most of the pollution. Dealing with only a small chunk might be a lot easier. This could be determined by testing these piles. Zeke Ward and Kathleen Reilly pointed out that although Federal non-cash donations don't count as *in kind* they are still very important for us to keep track of in order to show participation. Also, these non-cash donations might count as part of non-governmental grant applications. Everyone is encouraged to send the calendars (posted on the web) with their hours etc. to Glen on a regular basis. III) Les Dobson reported that he will get the necessary signatures for the Forest Service Funding and have that available for the next meeting. Les pointed out that himself, Kirk Minckler, Daryl Gusey, and others of the Forest Service are going to continue to be working with the WCRC. In answer to a question from Frank Sanders, Kirk and Daryl spoke of their roles in this project as to showing this area to be a regional priority for funding. They also spoke of the abandoned mines program of the forest service and how this relates to that program. IV) Kathleen Reilly spoke of the mechanics of getting the 319 grant proposal approved and of the mid September meeting where Zeke will be given an opportunity to lobby in person before the 319 committee. V) Karen Hamilton spoke of a meeting at EPA headquarters where they began the process of drafting up a letter that shows the EPA's overall intentions in relation to the Willow Creek Reclamation Project. The purpose of the statement is to put together the goals of the various departments of the EPA into a common position in regards to our project. Karen pointed out that the EPA has many different goals and methods of operating within the agency. Superfund is only one of those. This statement lists the goals of the EPA and each person that is working with the WCRC and will be drafted into a work plan. This draft should be approved by management and available to us by the next meeting. A few things that are now known are... 1) The official EPA representatives to the Committee are going to be Dianna and Karen with Tina Laidlaw and Mike Wireman on the TAC. 2) Superfund's role will be limited to any PRP that wishes to negotiate out any possible

liability with the EPA. This will be superfund's niche role. Ken Wangerud and Nancy Mangone are in charge of this activity. In order for a PRP to independently deal with the EPA there must be an agreement of the site's contamination level and what it would take to clean it up and what the PRP's responsibility is in this clean up activity. If there are any sampling activities on a site that would be needed to determine contamination levels, then superfund would want to work in conjunction with the WCRC. We could use any information that would be obtained. Susan Griffin is an EPA toxicologist (non-superfund) that has been drawn into this activity. Karen advised that Susan Griffin act as a liaison between superfund dealings with PRPs and the Willow Creek Committee. JB Alexander asked Karen where the money that the EPA might get from when a PRP settles out their liability goes. Does it become available to the WCRC for the overall reclamation project or does the EPA use that money to perform their own reclamation project independent of the WCRC or what? Karen said that the purpose of the EPA statement spoken about earlier is to insure that everything done in the Willow Creek area is part of the overall WCRC plan. Glen expressed concern that any dealings by Superfund could appear as a *split-divide-and conquer strategy* by getting PRPs to work separately and possibly against each other and the WCRC in this reclamation project. Karen stated that certain PRPs have come to the EPA of their own accord to possibly settle out their liability and it is superfund's role to do that and there is no ulterior motive. Sandra Wright expressed concern that the above stated Superfund involvement might open the door wider to this area being taken over as a Superfund site. Karen stated that their efforts this summer have narrowed the door considerably. Glen said that it is possible that most of us never knew how wide the door was to begin with or there would have been even more concern. Karen stated that Creede is not on any priority list to become a superfund site. She told of people at Battle Mountain actually seeking to become a superfund site and possibly suing EPA for not taking control of their situation. General committee members express incredulance at the level of ignorance that must exist among people that would actually seek Superfund involvement.

Committee members are nervous of the EPA conducting independent characterization or reclamation efforts in our watershed and hope that the EPA document will alleviate our nervous concerns. It is clear that WCRC intends to carry out all characterization and reclamation activities in our watershed and do it according to the highest principles of scientific endeavor and work with the EPA but not under their control. The WCRC is committed to cost effective reclamation and to "*just and correct*" PRP involvement. PRPs being stuck with a huge and unjust EPA bill like happened in Leadville is anathema to WCRC philosophy. Any hint of possible *bootleg* or independent actions by superfund undermine the efforts of other contributing agencies and create an atmosphere of dissension among local citizens and volunteers. At present, many committee members feel that superfund is still circling overhead like a vulture ready to swoop down and make a kill. This nervousness is very detrimental to our efforts and must be alleviated. Any superfund activity in our watershed will be met by a bad feeling from the citizens, other agency people that have contributed so much, and will create a rift between the Committee, the EPA, and possibly the PRP. Our relationship with the EPA cannot continue under an atmosphere of distrust and we are thankful to Karen, Dianna, Mike, and Tina for seeking to create a trustful working relationship between the WCRC and the EPA. Karen spoke of a clean water act training course here in Creede that She, Dianna,

and Kathleen could teach. Glen is going to put this information on the Web Site so everyone knows what is happening. VI) Water Sampling - Frank Sanders spoke of activities of the last few days where 54 surface water sample sites have been selected. Bence Close, Pam Anderson, Frank Sanders, Sean Covington, Les Dobson, JB Alexander, Bob Kirkham, & Laura Higgins were involved in this. Frank said that next week Bruce Stover and Mike Wireman are going to tour the area and possibly add a few more. Sampling of the low flow event is to begin on Saturday September 18th. VII) Biological Assessments - Laura Higgins spoke of the sampling of fish and macro-invertebrates for archival purposes. She spoke of taking blood samples from birds called American Dippers because they dive under the water and share the same feeding niche as a trout and would give a biological indication of water quality. VIII) Cultural Resource Inventory - John Howard spoke of the contract with Eric Twitty. Field work is to be completed by the end of October and the reports a month or two later. Vince Spero said that the value of buildings on Forest Service Land will be better determined after Eric's overall site characterization is able to put individual buildings into context. Les Dobson spoke of the thought that certain buildings may not have actual historic significance but might have interest to tourists. Zeke spoke of the fact that decisions concerning historical significance be deferred to the local Creede Historical Society and that the WCRC work through this group. IX) Re-Veg Field Trials - Steve Russell spoke of the fact that this rain is no doubt helping the plants in our field trials grow. However, as of about a week ago they had barely germinated. Steve spoke of the Northern New Mexico conference he attended and of various ideas regarding plants etc. Unfortunately much of this would involve a high dollar approach. Meeting adjourned at 4:01 PM Minutes submitted by:

Approved and accepted: _____

Glen Miller
Project Watershed

Zeke Ward
Coordinator Chairman