

River Protection Workgroup for the Animas River
Meeting #4 Thursday, September 22, 2011 5:30 to 8:30 p.m.
Silverton Town Hall

MEETING SUMMARY

What happened in this meeting?

- *New handouts available including Values Statement Summary, Public Processes Within the Area of Focus and Revised Info Sheet
- *Review of field trip and review of previous meeting
- *Presentation of Animas River Stakeholders Group: History, Accomplishments and Future by Peter Butler, and Steve Fearn, both on the ARSG Coordinating Committee
- *Schedule was approved and meeting place changed to Silverton Town Hall for next three meetings

The River Protection Workgroup for the Animas River conducted their fourth meeting on Thursday, September 22nd. Approximately 25 people were in attendance. Marsha Porter-Norton facilitated the meeting.

The meeting began with introductions of the attendees. The agenda was explained and agreed upon by those present. The agenda was followed by ground rules as previously determined by the group. These ground rules include:

- Only one person talks at a time
- No side conversations
- Turn off cell phones
- This group is issue focused, not people focused
- If you need to “catch up” from a missed meeting or missed portion of a meeting, please be responsible to “catch yourself up.” You are welcome to call, email, look on the RPW website, or arrive 10 minutes early to the next meeting to meet with Marsha, but please do not take time out of the meeting to “catch up.”

Marsha Porter-Norton encouraged the participants to pick up all handouts on the table and noted that the new handout, The Value Statement Summary, and the Revised Information Sheet were important to read and review. She also reminded the group that she welcomes changes to minutes from past meetings, but please remember that meeting minutes are only a summary and they do not include every single detail from each meeting. Please submit any corrections or suggestions you have for these minutes to Marsha via phone or email.

Marsha gave an overview of the field trip that took place earlier in the day. A group took a tour of black swift nesting habitats, iron fens and mine site reclamation/remediation.

Marsha again gave a brief summary of the River Protection Workgroup for the Animas River, as there were a few new attendees. She encouraged everyone to read more about this regional project and the process being used. She also reiterated that the Info Sheet was again updated, by Ann Oliver, and stated that reading this document is important. The group was reminded again to contact Marsha if you have corrections. The group thanked Ann Oliver, who was not present, for all her hard work.

Marsha then stated that the primary meeting agenda item for tonight was water quality. She introduced Peter Butler and Steve Fearn, both members of the Animas River Stakeholders Group Coordinating Committee .

Peter Butler and Steve Fearn gave a Power Point presentation on the History, Accomplishments, and Future of the Animas River Stakeholders Group. Please see slides of the presentation on the RPW website for more details. Interested participants can also go to the following websites for more information about ARSG and the Good Samaritan legislation:

www.animasriverstakeholders.org
www.goodsamaritaninfo.org

After the first part of the presentation, Peter opened the floor for questions and concerns:

Q. Regarding the potential Good Samaritan amendment to the Clean Water Act, would any measures passed have an affect on the water quality?

A. The passing of the Good Samaritan legislation would limit the liability of third parties doing remediation work on draining mines. Without the limited liability, third parties, or Good Samaritans, are unwilling to work on draining mines.

Q. What are the sources of funding for ARSG?

A. Funding sources include 319 grants (non point source pollution grants that have a 60/40 match and that utilizes a tremendous amount of volunteer hours to make the match); severance tax revenues administered by the Department of Reclamation Mining and Safety; and discretionary funds from BLM; EPA; various state agencies; SWCD and some corporation/private funds.

Q. What is material injury?

A. Bruce Whitehead responded that material injury is injury to a water right. Peter further explained that it is 1) something that really affects someone's water right, 2) you can prove it, and 3) a water quality standard prohibits someone from fully utilizing their water right.

Q. In past years we have seen dramatic price increases in metals. Is there any chance we can mine this to raise funds for cleanup?

A. That has been investigated and some mine waste was moved to the mill in Howardville to try to recover valuable metals.

Q. Regarding the soil, ph and vegetation, can specific plants that thrive in these conditions be used for these sites?

A. There are specific plants that can thrive in these conditions. We always use native vegetation. We have a biologist that is part of the group and recognizes that these areas are very pristine and we do not want to bring in invasive species. Mark Stiles added that we have tried biologic cells and we have worked with MSI/BLM to use new growth mediums for various sites including Bio Char.

Q. How do you see the links between ARSG and RPWG?

A. The RPWG is looking what people value including the water quality value. ARSG is very focused on improving water quality. Peter also mentioned that many other watershed groups in the San Juan are not as narrowly focused and are looking at broader water issues.

Q. What is natural metal material in the water and what is mining related – any idea of percentages?

A. This depends on the material and the site. Aluminum might be 90% naturally occurring while zinc, copper and cadmium might be 90% mining. Steve added that what we tried to do was determine up front what is mining related and what was not. It does vary by stream segment and metal. We don't know exactly the proportions of metals in the water that stem from natural or mining-related source, but we have a pretty good idea.

Q. Is collaborative funding from several groups (like Sunnyside Gold Corporation, federal, state and private entities, etc.) being considered in order to complete remediation?

A. Yes, that's a possibility. It just takes time to coordinate funding from these various groups.

Group break began at 7:15 p.m.

Group resumed meeting at 7:40 p.m.

Peter Butler began the second half of the meeting with "Before and After Remediation" slides. View many of the slides presented at www.animasriverstakeholders.org

The group then discussed issues surrounding the settling ponds, reclaiming metals, feasibility, values, legal and technical issues. John Taylor made the suggestion that we give each person who rides the train a bucket of sludge to take home with them as a solution to the mine pollution waste.

Marsha asked Peter what the EPA said when they came to Silverton. Peter said that the EPA preliminarily determined the area around upper Cement Creek could be listed as a Superfund site. However, the EPA cannot just declare it a Superfund site. The Colorado State Governor has to ask the EPA to declare it as such, and the Governor is not going to recommend a Superfund site to the EPA without community support.

The group then had lengthy discussion around metal recovery, mine treatment and options.

After the discussion, Marsha made the following announcements:

- Another new handout is available as per the groups request at the last meeting. It is a one-page spreadsheet that details the 4 major processes going on now: RPWG, Travel Mgmt Planning, USFS/BLM and includes websites for each.
- Please review the Vision Statement, and the group will weigh in at a future meeting.
- Bruce Whitehead will present Water 101 at the next meeting on October 27th.
- There will be a panel discussion on water/stream protection tools at the November 17th meeting (please note that this meeting is one week earlier due to Thanksgiving).

Marsha asked the group which meeting space is preferred – the Kendall Mountain Recreation Center or the Silverton Town Hall. The group agreed that they prefer the Silverton Town Hall. Marsha noted that arrangements would be made to move the meeting to the Silverton Town Hall for the next three meetings. She thanked the group for all their insight and participation.

Meeting adjourned at 8:15 p.m.