

## Animas River Community Forum (new group name)

November 19, 2015

### Meeting Notes

#### Present:

Aaron Kimple	Mountain Studies Institute
Amy Concilio	FLC
Ann Oliver	Animas Watershed Partnership
Anthony Edwards	Gold King Mine Incident for Silverton/SJC
Barb Horn	Colorado Parks & Wildlife
Ben Martinez	USDA - San Juan National Forest
Buck Skillen	Trout Unlimited -- Five Rivers Chapter
Cathy Metz	City of Durango -- Parks and Recreation Department
Chara Ragland	Self
Chuck Wanner	Trout Unlimited -- Five Rivers Chapter
Ellen Roberts	Colorado State Senator -- State Senator
Jimbo Buickerood	San Juan Citizens Alliance
Ken Charles	Colorado Department of Local Affairs
Kirstin Brown	Colorado Division of Reclamation Mine Safety
Larry Perino	Sunnyside Gold Corporation
Laura Lewis Marchino	Region 9 Economic Development District
Marcie Bidwell	Mountain Studies Institute
Marc Miller	USBR
Marsha Porter-Norton	Facilitator
Matt Thorpe	Colorado Parks and Wildlife
Peter Butler	Animas River Stakeholders Group
Peter Foster	Wright Water Engineers
Rachael Hoffman	VISTA Volunteer, Animas Watershed Partnership
Sacha Smith	Southern Ute Indian Tribe
Steve Fearn	Animas River Stakeholders Group
Tomas German-Palacios	SW Colo. Comm. College -- Economic and Workforce
Tom Schillci	Videographer
Tom McNamara	La Plata County Office of Emergency Mgmt.

#### Opening:

The group started out by reviewing and approving the agenda (attached). The ground rules were agreed to and no agenda items were added. Marsha Porter-Norton, the facilitator, stated that in October, Tom Schillci, a videographer, had expressed an interest in videotaping the meetings. The group decided it was OK at that time but this was after some people had left. Some expressed concerns over email. A compromise was proposed to Tom and he agreed, and that is to tape portion of this meeting (the part on monitoring) and then if anyone wants to be interviewed, to let Tom know. Tom said he is working on an "opinion-mentary" called "Acid Mine Nation." He started on it long before the Gold King Mine incident. His piece will lay out what is being done, ideas for the future as well his opinions. He said he appreciated the nature of this group, that it is looking to the future. Everyone agreed with this approach.

**Purpose Statement:**

The group approved a purpose statement as follows:

**Purpose Statement (11/15)**

*In response to the Gold King Mine spill incident, the Animas River Community Forum came together.*

*Its purpose is to:*

- \* promote communication, coordination and collaborative action;*
- \* foster public confidence;*
- \* support resiliency in our communities; and*
- \* enhance planning, improved public safety and health for the future  
all while  
honoring the institutional authorities and decision making of  
governmental and community organizations.*

*We will do this through:*

- Providing a bi-monthly forum for the communities of the Colorado Animas River to discuss issues,  
learn, and build relationships.*
  - Organizing educational events and activities.*
- Working together to develop and maintain a Web site and other tools to share information.*
  - Sharing with other parts of Colorado and the Rocky Mountain West.*
  - Measuring and documenting success.*

*The forum works on issues that have agreement among forum members and looks to the future.*

Marsha noted that a subgroup consisting of Senator Roberts, Matt Thorpe, CPW; Liane Jollan, SJBHD; Ann Oliver, Animas Watershed Partnership; Aaron Kimple and Marci Bidwell, Mountain Studies Institute; and Anthony Edwards, PIO for the incident for Silverton/San Juan County had met and redrafted the proposed statement after the last meeting. They were thanked.

Senator Roberts noted that the small group felt the group could meet bi-monthly for a year and assess if they had a role/purpose after that. It was noted that the name was changed to reflect a more future-looking orientation.

**Projects**

The group went into various project ideas and a dot vote was taken. Each project was discussed at previous meetings with one being emailed in. A discussion was held on each action step idea to ensure everyone understood what they were voting on. Here is the list with discussion points in italics.

- 1) Produce an all hazards watershed plan (could include a “lessons learned” piece)
  - ✓ This was changed to be: “Keep pressure on and information flowing around the concept of creating an all-hazards watershed plan.”
  - ✓ Comment: One thought is that this is already underway through other means so the group needs to track on it, maybe not necessary lead it.
- 2) Continue to serve as a forum for sharing information, issues, ideas, etc.
  - ✓ This was taken out of the voting list because the group already agreed to be a forum.
- 3) Host some type of event prior to the spring runoff, 2016
  - ✓ It was also noted that Animas River Days is occurring and also, MSI is doing an “Animas River Summit” in January. This was still voted on but helpful to understand what else is going on.
- 4) Study other models
- 5) Host a one-year anniversary conference in August 2016 targeted to learning and sharing information. Invitees: Stakeholders across Colorado and the West.
  - ✓ It was noted by Marcie Bidwell from MSI that a conference will be here in May anyway: San Juan Mining and Water Quality Conference. MSI is part of that.
- 6) Help the public better understand the river and its status
  - ✓ Everyone was reminded that many in the room are doing many types of communication post-Gold King Mine incident. The SJBHD gave a report last time on their communications plan/effort.
- 7) Develop a better public warning system.
- 8) A new idea is to conduct a monitoring gap analyses of water quality, instream habitat, biological indicators (vegetation, bugs, fish, bacteria) and perhaps plant/agriculture--this could be a byproduct of a few of the existing ideas and could cover the realm of baseline, vs impact from spill, vs a monitoring plan/per disaster type to serve as a starting point.

- ✓ Barb Horn with CPW clarified that this was her idea and is a project that would look at the watershed in a holistic way and look at what monitoring/data collection is occurring and assess gaps.

9) Working with Elected Officials to support a long-term solution to address the protection of the Animas River watershed by appropriately treating the mine waste.

- ✓ Cathy Metz from the City of Durango said this is something the City is interested in. They would like meaningful clean up of the watershed. The idea is to give elected officials the support they need.
- ✓ It was noted that elected officials from the two counties (LPC and SJC) recently went on a tour with other stakeholders to other Super Fund sites. The group is interested in finding out what they learned.
- ✓ It was clarified that this action step is in no way an attempt to pressure elected officials. It is meant to be supportive, information sharing, etc.
- ✓ Senator Roberts clarified that the tour was for local elected officials.

The group took a dot vote. Everyone got three votes and the results were (in order of votes):

**20 votes:** Help the public better understand the river and its status (Note: to this end, a website has been established and a booklet of who is doing what plus the 11/1 “River Day” event was held. Also, SJBHD is doing a communications document/plan and several groups are doing communications projects around the spill as well. So, the question would be: What else needs to be done?)

**19 votes:** A new idea is to conduct a monitoring gap analyses of water quality, instream habitat, biological indicators (vegetation, bugs, fish, bacteria) and perhaps plant/agriculture--this could be a byproduct of a few of the existing ideas and could cover the realm of baseline, vs impact from spill, vs a monitoring plan/per disaster type to serve as a starting point.

**18 votes:** Working with elected officials to support a long-term solution to address the protection of the Animas River watershed by appropriately treating the mine waste.

**11 votes:** Host a one-year anniversary conference in August 2016 targeted to learning and sharing information. Invitees: Stakeholders across Colorado and the West.

**5 votes:** Host some type of event prior to the spring runoff, 2016.

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**5 votes:** Keep pressure on and information flowing around the concept of creating an all-hazards watershed plan.

These did not receive votes: *(This does not mean these cannot be done or are not important. It only means that these ideas did not get votes in this meeting.)*

- Study other models
- Develop a better public warning system

People signed up to work on several of the areas. The teams will meet between now and the next meeting and report back. It was acknowledged that much detail work needs to be done on each project idea (e.g. goal, funding, perhaps feasibility, scope, etc.)

Tom from La Plata County OEM and Anthony Edwards from Silverton/San Juan County said that their jurisdictions are working out operating agreements with the EPA. It was noted that this group should not take on anything already being covered via an operating agreement as that would be duplicative.

### **Monitoring**

There is a lot of monitoring going on. A document was done for the group to communicate who is doing what (\*emailed out \*). It was clarified that the document wasn't clear...is this monitoring for the Gold King incident or in general? The answer by Marsha: the thought was to record who is doing what monitoring for the Animas River. Buck Skillen said TU was left off. Marsha said it's a living document. The idea is just to provide a "snap shot." Peter Foster, present representing La Plata County, summed up and said these types of monitoring are occurring:

- 1) monitoring that occurred after the spill;
- 2) remedial program--ongoing monitoring upper Animas (related to superfund remedial program);
- 3) proposed watershed plan currently undergoing comment;
- 4) emergency notification plan; and
- 5) possibly a groundwater monitoring plan if not covered under watershed plan.

There was much discussion on monitoring. A desire to have someone from the EPA discuss what they are doing was expressed. It was noted the EPA recently put out a monitoring plan for comment. Some comments around this included that determining who from the EPA could talk to the group might be challenging as they tend to operate in program areas. A suggestion was made to call Cynthia Peterson from Region 9. Cynthia has been in touch around River Day and so might be a good place to start. Marcie Bidwell said that MSI is doing an "Animas River Summit" in January and the conversation today, she said, will inform part of the agenda for that meeting.

### **EPA Workforce Grant**

Tomas German-Palacios, the Operations Coordinator for the Economic & Workforce Development at the Southwest Colorado Community College, said he is applying for a grant that offers assistance with workforce issues and curriculum development related to mine spill clean-up and Super Fund sites. He said to contact him if you are interested in partnering. He said he is looking for a community entity to

partner with who would be named in the grant. The group decided to review the grant via a link he will send and anyone interested should contact him at:

Tomas German-Palacios , EWDD Operations Coordinator, Southwest Colorado Community College,  
701 Camino del Rio, Durango CO 81301 or 970.247.2929 x7238 (tel) 970.560.4118 (cell)

### **11/1 River Day**

It was widely reported to be a good event. Brian Devine with SJBHD said 50 people attended and the conversations were in-depth. There were about 10 booths with various entities providing information. Matt said he was glad that the group and our community did something tangible.

### **Publication of Groups and Web site**

Rachael Hoffman, an AmeriCorps with the Animas Watershed Partnership assembled a booklet for River Day of all the groups involved in the Gold King Incident and what they do, contacts, etc. She also did the Web site: [www.animasrivercommunity.org](http://www.animasrivercommunity.org) If you would like your organization to be listed on the Web site, contact her at: [healthyanimas.awp@gmail.com](mailto:healthyanimas.awp@gmail.com). She was thanked for all her work.

### **River Gage**

The group agreed to send a letter to the Bureau of Reclamation supporting the river gage at the Power House Science Center. It has funding for one year. Marsha will write and send on behalf of the group. The gage is very important for many reasons and is a key part of river management, and, to lose it would be a significant step backwards.

### **Good Sam**

Peter Butler and Steve Fearn with the Animas River Stakeholders Group (ARSG) said they had been on a call that day related to Good Sam Legislation. Peter said he didn't feel extremely optimistic that a bill will pass due to various versions being drafted in Congress. He said if it were up to only our State, it would be much easier but national groups get involved in the lobbying. Anthony asked about a pilot program and Peter said a national bill is needed to do that. They will keep everyone updated.

### **Power Point on Super Fund**

Chuck Wanner with TU said he had been at a recent meeting with the ARSG. Two retired professionals who were involved in Super Fund gave a presentation. He said it was very helpful. The presentation is attached to these minutes.

### **Notification in case of Mining Permit**

Steve Fearn said that he wanted everyone to know that when a permit is sought to open or expand a mine, there is a requirement that the operator put a safety and notification plan in place in case of an accident or spill. He noted that federal agencies are not required to do this level of due diligence and noted that the public can give input on the plan. He said that notices are in the legal/public briefs. A suggestion was made that if a permit is sought in the upper Animas basin that informally, it would be good to let people know to as not everyone reads the legal/public briefs. Steve said this is a way to give

public input. The comment was made that the geography of who has to be notified is not always as large as the entities/communities that may be impacted by a spill event.

**Region 9**

Laura Lewis Marchino said that Region 9 will be seeking an EDA grant (Economic Development Administration) for helping San Juan County in the post-spill recovery. Housing will be a focus. There will be a coordinator hired and one of his/her main jobs will be communications and helping people connect to resources. Anthony Edwards noted that at the height of the spill, 63 people were living in Silverton which really strained the workforce housing situation.

**UPDATES**

**Mountain Studies Institute**

Marcie Bidwell reported that they are doing an “Animas River Summit” in January and there will be a San Juan Mining and Water Quality Conference in May, with Durango as the location. She asked for any input for either event. Marcie also said that on December 4<sup>th</sup> as part of Pub Science at the Powerhouse Museum there will be a presentation with MSI, Animas High School and other partners who will present their learning during as a result of this event. It will start at 5:30 p.m. and includes a poster session.

**Animas Watershed Partnership**

Ann Oliver with the Animas Watershed Partnership said that on 12/3 from 6-8 p.m. there will be a forum that is a follow up to a forum they did earlier on “Who Pooped in the River” – it covers the septic issues and potential sources of E.coli containments. It is at the Durango Library and is part of the AWP’s regular community forums.

**Senator Roberts’ Schedule**

Ellen thanked everyone for participating and said starting in January, she cannot attend meetings as the legislative session will start. She will track what is going on.

**Marsha’s Role**

Marsha said that funding for her role has come to an end. Next steps for coordination (and/or facilitation) will need to be figured out. The Colorado Water Conservation Board funded her time for the last four meetings.

**Minutes**

The group decided they did not need to approve past minutes.

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The meeting adjourned at 4:15 p.m.

Submitted by Marsha Porter-Norton

**Gold King Mine Incident and Community Response Group Meeting**  
**Thursday, November 19, 2015 -- 2:00 p.m. to 4:30 p.m.**  
**San Juan Public Lands Center, 15 Burnett Court, Durango**

Purposes of the meeting

- a) Sharing of information, ideas and opportunities
- b) Firming up group purpose and structure, and ideas for projects

Ground rules

- ◆ All opinions count even if you do not agree with them
- ◆ One person talks at a time
- ◆ Keep focused on the future, on collaborative efforts, on what we can do *together*

Agenda

- I. Introductions (5 minutes)
- II. Purpose of this meeting and background, Marsha Porter-Norton, Facilitator (5)
- III. Review of small group's work around purpose statement (see draft 2 below on pp. 2) and ideas for projects including: 1 year anniversary conference; idea of doing a community lessons learned document; and concept of doing some education/event prior to spring runoff in '16. Other ideas? Thoughts on group coordination and ongoing funding? Web site: suggestions? (60)
- IV. Updates on River Monitoring (30): Who is doing what? Many entities are doing river monitoring. Brief and highlighted updates. Handouts and links are helpful and...please refer to the handout being provided with this email.
- V. Debrief of 11/1 event, November 1st, All (10)
- VII. Any follow up questions from presentation last month on "Good Samaritan" Legislation (*Note: The item was cut short last time due to time. The purpose of this agenda item is to see if there are any more questions for the panelists.*) (10)
- VIII. Writing a letter of support to keep the Durango gage (located by the Powerhouse Science Center) (10)
- IX. Other Updates (15)
- IX. A check in re: minutes from the meetings, approval, etc. (5)
- X. Summary and Next Meeting Date, Marsha Porter-Norton (5)