

Meeting Notes

Bonita Peak Community Advisory Group

July 25, 2019

CAG members in attendance: Peter Butler, Marcel Gaztambide, Paul Montoia, Anthony Edwards, Brian Devine, Melissa May, Charlie Smith, Parker Newby, Jenna Emerick, John Ott, Chara Ragland. Not in attendance: Terry Morris, Ty Churchwell, Larry Perino, Levi Lloyd.

There were numerous other people at the meeting, including the new EPA Region 8 Administrator, Greg Sopkin, and new CDPHE Environmental Programs Director, John Putnam. Overall, about fifty people attended.

Minutes not approved for June or May.

Potential Sampling at Confluence of Animas with Cascade Creek

Peter pointed out that one of the main goals of the BPMD is to improve water quality in the Animas Canyon below Silverton, but there is little water quality data between A72, just below Silverton and Bakers Bridge because of the difficulty of access. He suggested that we should facilitate collecting data in the canyon, especially at the bridge just below the confluence of Cascade Creek and the Animas River. The big advantage of that location is that there is winter access by train. Also, the bridge makes it easier to collect winter samples, and there is a gage (Tall Timbers) at the bridge so that metal loading can be calculated. It would be helpful to get monthly data that roughly corresponds with the monthly data collected at A72 and Bakers Bridge by River Watch. Mark Rudolph reported CDPHE and EPA have discussed collecting samples there, but don't have a plan at this point. Send Peter an email if you are interested in hiking in to collect samples.

Colo. Water Quality Control Div. on Water Quality Standards

Blake Beyea and Josie Nusz from the Colorado Water Quality Control Division (WQCD) did a water quality standards presentation. Blake is head of the Standards Unit which makes recommendations to the Colorado Water Quality Control Commission (WQCC). The Water Quality Control Commission is made up of 9 people across state and with different interests appointed for 3 year terms.

Under the Clean Water Act, the Commission designates classified uses for different stream segments and then adopts standards to protect those uses. Uses include water supply, agriculture, warm water and cold water aquatic life (class 1 and 2 for each temperature), recreation, and wetlands. The standards used to protect aquatic life are generally the strictest standards and thus get the most attention. Water quality is protected in the state through regulations and policies, water quality assessments, NPS control, TMDLs, permits, and remediation such as superfund.

The Commission has adopted Table Value Standards (TVS) based upon toxicological and epidemiologic studies, many of which come from EPA. Aquatic life TVS are designed to protect 95% of all species that would be expected to live in a certain segment. The Commission can also adopt site specific standards other than TVS given good evidence that TVS unattainable. Generally, there is a full-scale review of standards in each part of the state every five years. Anyone from the public can participate in the uses and standards setting process.

There are routine stakeholder meetings leading up to the Rulemaking process. The actual Rulemaking process is generally 5 months long. Anyone can file for party status, but there are some obligations. Anyone can also simply provide public comments to the hearings. Regulation 34 is where all regulations for Animas are.

Many of the aquatic metal standards apply to the dissolved versus total concentrations. Dissolved metals tend to have a much greater impact on aquatic life. Iron and aluminum standards use the total concentration because they can smother the substrate. Hardness, DOC (dissolved organic carbon) and pH can affect toxicity of metals for aquatic life.

Contact either of the speakers if you have questions:

Josie Nusz josie.nusz@state.co.us 303.692.3636

Blake Beyea blake.beyea@state.co.us 303.692.3656

EPA on Adaptive Management at Bonita Peak

Greg Sopkin introduced himself and other EPA staff. BPMD remains on the elevated priority list along with only two other sites in the Rocky Mtn. region.

Katy Garufi from EPA Headquarters and her two contractors, Matt and Matt conducted a presentation on an adaptive management program at BPMD and stakeholder input in that process. Bonita Peak is one of only six sites where this adaptive management strategy is to be implemented and only one of two in the western U.S.

This is a new process for Superfund sites, and EPA wants stakeholder input. The definition for Adaptive Management is: "Formal and systematic site or project management approach centered on rigorous site planning and a firm understanding of site conditions and uncertainties."

The BPMD was chosen for this pilot process because it is a new project that is geographically defined but very complex. That gives an opportunity for a lot of consensus building in the beginning.

The idea is to provide a formal process to achieve site goals and maintain forward progress – a framework. It will be a public document to increase transparency. EPA has a set of goals, now they need to prioritize those and work with "Stakeholder engagement on principles, strategy and priorities". EPA will lead planning actions. They will re-prioritize after each action. Also, by providing a written framework, as EPA personnel come and go, there will be documentation as to what the current stage of thinking is. There will be meetings this fall involving stakeholders including the CAG to gather input on the adaptive management plan.

Administrative Items

Peter will respond to North Texas University student interested in talking to individuals in the CAG.

Since we met twice in a row in Silverton, the CAG will meet again in Durango in August. We will ask agencies other than EPA to update us on activities. EPA is not planning on coming down.

September is same day as Innovation Expo so the CAG meeting will have more of a discussion than presentations. The October is planned in New Mexico. We will shift towards later afternoon meetings rather than evening meetings for the winter season.

Marcel requests time for a longer discussion about AMP and what we have heard - Peter says maybe in August.

Melissa says SJWG is hiring a coordinator as their current coordinator is leaving.

No Public Comment

Exec. Session discussion

The group discussed applicants to fill the two vacant CAG seats. The previously designated subcommittee of Ty, Peter, and Chara came to consensus on two people: Russ Anderson and Trevor Downing. Russ has civil engineering/watershed/superfund experience and has been attending CAG meetings. Trevor Downing, who was not here tonight, is a professional geologist for Wright Water Engineering in Durango.

We had eleven CAG members present plus a proxy for Ty. John moves that we accept Russ and Trevor as per the subcommittee recommendation. Melissa seconds. All were in favor of the motion.

8:50 PM: Adjourn