

# Bonita Peak CAG

Ms. Christina Prograss  
Superfund Project Manager, EPA, Region 8  
1595 Wynkoop Street  
Denver, CO 80202-1129

June 22, 2020

RE: Draft Chapters 2 & 4 of the BPMD Site Management Strategy

Dear Ms. Prograss:

The Bonita Peak Community Advisory Group (CAG) appreciates the opportunity to review and comment on Chapters 2 and 4 of the Site Strategy Management Plan. In general, we are supportive of EPA's efforts to move forward expeditiously with smaller projects for improving water quality and protecting human health, and to adaptively change management strategies based upon lessons learned through project implementation.

For these two particular chapters, we have several comments and concerns. First, this detailed Site Management Strategy lays out a process-heavy plan for moving forward in five-year increments. It appears to us that EPA is settling in for a twenty-five to thirty-year timeframe for completing and potentially delisting the Bonita Peak Mining District (BPMD). Extensive study and mine remediation have been on-going for the past twenty-five years in the BPMD. Given all the work that has already been accomplished, we feel that we should be moving more quickly to set specific goals and objectives and to address individual mine sites.

Another reason for moving more quickly is related to the lack of designated boundaries for the 48 listed mine sites in the BPMD. Multiple mine claims with multiple property owners surround many of these mines. The owners have been left in limbo, not knowing if their properties are considered part of the listed site and whether or not they have remediation responsibilities. Setting specific goals and objectives are the first steps towards giving these owners clarity as to their potential obligations.

We also realize that the BPMD is currently a high priority site for EPA and is garnering quite a bit of resources. That may not always be the case. We want to be sure that significant progress is made while we remain a high priority.

With regard to setting more specific goals and objectives, our biggest concern with these chapters lies with the structure laid out in Chapter 4 for the roles of the CAG and the BPMD Silverton Planning Group (SPG). First, Section 4.1 states that the initial Site Principles (site goals and objectives) were developed collaboratively by EPA and Site stakeholders. In fact, community stakeholders were not part of that process. Several government agencies developed those Site Principles and presented them to the local community. While these initial Site Principles are reasonable, we are concerned that as they are revisited and potentially become more specific, they will again be developed with little input from

community stakeholders. Local stakeholders are directly impacted by the goals and objectives selected at this site. We want our perspectives included in the initial “input” stage in the Site Principles development. Similarly, we are keenly interested in reviewing the Five-Year Strategic Plans, particularly because part of the Five-Year Plan development is a discussion as to whether or not the Site Principles need to be reviewed and revised.

Some members of the CAG and SPG have twenty-five years of experience with water quality and mine remediation in the Animas Basin. As far as we can tell, currently only one EPA person who is heavily involved with the site has more than four years of direct experience in the Animas Basin. EPA should welcome the use of long-term, local experience.

Several more specific comments:

- In Chapter 4, the first figure shows the circular flow path for Adaptive Management. The other four figures in the chapter show one-way, linear process flows. While the four linear diagrams pertain to the first step in the Adaptive Management figure, it is somewhat confusing to show a number of linear processes as part of what is supposed to be a circular, iterative process. It might be useful to both show in the figures and discuss in the text how the Knowledge Integration is to be incorporated into the three distinct decision-making levels outlined in section 4.1.

- In Section 4.4, second paragraph, describes how EPA will review feedback from the CAG and SPG “to determine if the format of the Annual BPMD Task List requires updates.” But nowhere in the diagrams or descriptions in Chapter 4 is there any discussion of when and how that feedback will be solicited or provided.

- We have attached the Word documents of the two chapters with some minor “track changes” suggestions and clarifications.

- Finally, we are unclear as to how the public at large will be able to weigh-in on the Site Strategy Management Plan, future changes in the Site Principals, development of the Five-Year plans and Annual Task Lists. Will there be any formal public notice or official comment periods for any of these documents?

When the San Juan County Commissioners first asked Governor Hickenlooper to formally request the listing of the BPMD on the National Priority List, one of their stated conditions was for local interests to have a “seat at the table.” The CAG and SPG represent many of those interests, and remain continually vigilant that the chair isn’t pushed back into the second row. This is our main concern with these chapters.

We look forward to EPA’s response to our concerns.

On behalf of the Bonita Peak CAG,



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