

WCRC Minutes

November 3, 2004

Intro of members: Leigh Ann Vradenburg, Watershed Coordinator; Don Dustin, Creede; Jim Mietz, SLV RC&D; Zeke Ward, Creede; Kathleen Reilly, CDPHE; Jeff Graves, CDMG; Jim Matush, Creede; Mike Wireman, USEPA; Chuck Barnes, Creede; Steve Yochum, NRCS; Rosanna Brown, NRCS

Approval of minutes: There was a suggested change to the October minutes regarding the spelling of Senator Allard. Motion to approve the October minutes as modified made by Don Dustin; second made by Kathleen Reilly. Motion carried.

Additions/corrections to the agenda: No additions or corrections to the agenda were suggested.

In-Kind: Forms were provided in hard copy for volunteers to track time and other expenses. Leigh Ann encouraged monthly submission of these forms so that records could be kept current.

Coordinator's Report: Leigh Ann said that she would be busy for the next month and a half preparing grant applications. She will submit two proposals to CDPHE for 319 grants by November 15. She will also submit a progress report and a new grant request to the Virginia Christensen Trust by the same date. She will work with Clyde Dooley, City Manager, to submit a DOLA grant for the Windy Gulch flood control project by December 1.

Leigh Ann said that she was continuing to work with John Parker during his clean up. She said that he was getting close to finishing, and that it would be a close call with the winter weather setting in. She said that so far all of his cleaned up areas had been confirmed to meet the lead standards for the designated land use plans.

Leigh Ann said that she had been trying to reach Oil Trap, but had not gotten a call back. She said that she would keep trying.

Zeke said that he had attended a workshop on abandoned mine reclamation at the Center for the American West, which is part of CU Boulder. The conference was three days and Zeke gave a presentation. He said that the primary focus was the Good Samaritan amendment to the Clean Water Act. Congressman Udall spoke on progress on his bill, which Zeke described as being specific to the Clean Water Act and abandoned or inactive mining. Zeke said that he had seen interesting information regarding Acid Mine Drainage and Art, which developed cleaned up areas into park space with landscaping. He said that someone had suggested that we keep good records of the work of the WCRC so that it can act as a reference to other groups and anyone else interested in our project. He said that he would talk to the Creede Historical Society about it.

Leigh Ann said that with the recent election of Zeke as County Commissioner, we needed to discuss in what ways, if any, it would affect his position as chairman of the WCRC. She said that this would be a good time for Zeke to confirm his desire to remain as chairman and for the Committee to express any concerns. Mike asked if there would be any conflicts of interest. Zeke said no, that conflicts of interest pertain only when someone stands to gain personally and financially. He said that he thought it would be beneficial because he could attend WCRC meetings as a commissioner representative, a connection which we had not had for awhile. Zeke thought that he would be able to commit at least the same amount of time to the WCRC, if not more. Mike asked who would make presentations to the Commissioners. Zeke said that Leigh Ann would continue to make the presentations. Kathleen said that Zeke could recuse himself from voting if there were a potential conflict of interest. Zeke said that would only be necessary if he gained personally or financially, which would not be the case. Mike suggested that Zeke talk to the County attorney to find out under what circumstances Zeke should recuse himself. Leigh Ann said that it would be a good idea to explain the relationship to the community so that there would not be any misunderstandings regarding his dual role. Zeke said that he would talk to the attorney, and he confirmed that the WCRC has been and will continue to be a priority for him.

Old Business:

Stream channel restoration: Steve Yochum introduced himself and Rosanna Brown as being from the Natural Resources Conservation Service. Steve is with the Rocky Mountain Engineering Team. He said that they would be assuming the stream channel project below town as Steve Russell had mentioned at the October meeting. The new design team would come from nationwide and would involve a multi-disciplinary approach. Rosanna is a landscape architect from the Fort Worth office. Steve said with this approach, it would minimize the risk for failure. Jim Mietz asked if they would be incorporating wetlands into the design. Steve said that they did not know yet because they needed to do more research. He said that they would be meeting with the local NRCS crew, Zeke and Leigh Ann on Thursday. He said that he would discuss the desires of the community with Zeke and Leigh Ann then. Jim Mietz asked if the engineering would still be done locally. Steve said that it was a possibility. Mike asked how they were going to deal with the issues of contamination. He said that the EPA had old pictures of the floodplain and that it was covered with willows. Physical perturbations had been a problem. Mike wanted to make sure that they maintained the hydrology of a mountain stream, meaning that there was little groundwater to surface water interaction. Kathleen asked what the time period would be, and she said that she strongly supported local input. Steve said that he would come to some of the WCRC meetings to discuss their progress. He said that it would probably take a year of analysis. Mike said that the WCRC had lots of data regarding water quality, groundwater, loading, etc. Kathleen suggested that the NRCS talk to the USFWS and CDOW regarding fish/wildlife considerations.

Report from the finance committee: Jim Mietz said that he had met with Kathleen and Leigh Ann on October 7th to discuss the finances of the committee and to provide a structure of financial longevity. He said that they had discussed three main topics: 1) Leigh Ann's salary and what is competitive, 2) the services of the RC&D, and 3) funding of the coordinator in the short term and long term. He suggested the following pay scale for the coordinator position: 2005-\$34,000; 2006- \$36,000; 2007- \$37,000; 2008- \$38,000. He said that he had seen an advertised position with the Big Thompson Watershed Forum in which they were hiring a Monitoring Program Manager at a starting pay of \$36,000. He suggested that the WCRC should at least aim for the recommended pay levels. Kathleen said that we need a long term plan to cover at least 10 years

in a conservative time frame. She said that to meet the immediate needs they had identified the 319 watershed plan grant and the Rio Grande Water Conservation Board. She had spoken with Ralph Curtis and he had said that he saw the money they donated to the WCRC as something that the District owes Mineral County. She spoke with Dale Pizel, the Mineral County representative to the RGWCB, as he was very supportive of the WCRC request for funds. She did not ask about the WCRC requesting more than they did in 2004, which was \$16,000. Zeke said that he had been thinking about asking for more. He said that Mineral County had given \$46,918 that year to the RGWCB, but that money was also used for the many other activities of the District. He felt that a request for \$16,000 again would be well received. Leigh Ann said that because the \$16,000 had been based on half of the salary, then the request for 2005 should be \$17,000. Motion to request \$17,000 from the Rio Grande Water Conservation Board in January 2005 made by Kathleen; second made by Mike Wireman. Motion carried. Leigh Ann said that she had received \$1,000 from Mineral County as part of their 2004 budget. She requested that the money be used to supplement her salary in the short term if necessary. Motion to use the \$1,000 from Mineral County for coordinator salary if necessary made by Chuck Barnes; second made by Kathleen. Motion carried. Mike suggested that the coordinator's title might be changed to provide more of an indication of the responsibilities of the position. Zeke suggested Project Manager. Leigh Ann suggested Executive Director. Jim Mietz said that the title Executive Director puts you in a responsible position in the financial world, which is why he does not sign as the ED of the RC&D. Mike thought that a title should indicate more of an association with the committee. Motion that the Watershed Coordinator position title be changed to Director made by Kathleen; second made by Chuck. Motion carried.

Fairgrounds update and soil data: Leigh Ann said that she had collected and analyzed all of the data for the middle bench and floodplain areas of the fairgrounds property. The lead data were above commercial standards. The Synthetic Precipitation Leaching Procedure (SPLP) data for cadmium, lead, and zinc indicated that irrigation of the property could leach metals to the groundwater at high levels. She said that she would be working on a Request for Proposals in November to hire a consultant to work on the implementation of the VCUP for the Brownfields clean up. She said that some architecture graduate students from Denver University had a class project to design the fairgrounds. On December 4th and 5th, they would be in Creede to present their work. Zeke said that the Fairgrounds Association had hosted a play day at the outdoor arena on the property. It was very well attended, and there is an article on the Association in the Creede Magazine.

Silver Moon update: Leigh Ann said that the contractors had prepared a draft of the data report for the soil samples collected at the Silver Moon Trailer Park. The EPA, Keith Siddel, and Leigh Ann reviewed the report so that a final draft could be produced in time for a meeting with the park residents at the beginning of December. Mike said that there would be no cost recovery for the efforts of Sabrina Forrest or the contractors that did the sampling.

New Business:

319 proposal for completion of the dewatering project; addressing entry points of water: Leigh Ann said that the TAC committee had discussed submitting a second 319 grant to complete the pilot dewatering project. Jeff said that the grant would cover the remaining installation of pipe and the purchasing/renting of the equipment to do the dewatering and treatment. The objectives of the pilot would be to determine if the treatment was sufficient and to determine how much water would be necessary to pump to fully dewater the Nelson. He estimated the project around

\$40,000. CDMG would cover 40% of construction. Motion to use a second 319 grant application to complete the pilot dewatering test made by Kathleen; second made by Don Dustin. Chuck asked if the test would change the volume of water coming out because the City has a water right on the Nelson Tunnel drainage. Jeff said that the flow should remain the same, and if any changes happened, it would be for less than one day. Mike said that it would not affect water rights because it would be such a short term change. Chuck suggested that we talk to the City Council because they need to understand what is going on and how it relates to the water right. Zeke said that he or Leigh Ann would get on the agenda. Motion carried.

Windy Gulch flood control project consultants: Leigh Ann said that she had asked Brian Hyde with the Colorado Water Conservation Board if there were any requirements with the Colorado Watershed Protection Fund or severance tax funds regarding the bidding process and hiring of contractors. Brian had said that they contracted with the WCRC and that the bidding requirements were up to the Committee. Leigh Ann said that since we were also applying through the City for DOLA funds, she would have to check on the bidding requirements for those grants, but she wanted to know if the Committee had any suggestions regarding an engineer for the project. She said that she felt Agro Engineering deserved the project because they had done the initial survey and Flood Control Report, and Kelley had helped her with the grant applications. Motion to hire Agro Engineering to do the engineering on the Windy Gulch project, unless bidding was required by DOLA, made by Mike Wireman; second made by Chuck. Motion carried.

Virginia Christensen Trust grant Fall 2004: Leigh Ann said that the deadline for the next round of Virginia Christensen funding was November 15. She said that the \$1,500 awarded to the WCRC in the spring had been valuable to the WCRC because it had helped in the outreach efforts by paying for conferences, travel, outreach material development, and internet and phone bills. She suggested that the WCRC apply again for funding, possibly for \$2,000. Motion to apply to the Virginia Christensen Trust for \$2,000 made by Kathleen; second made by Don Dustin. Chuck recused. Motion carried.

Other:

Leigh Ann will invite Ron McLaughlin to the December meeting to discuss the Nelson Tunnel Treatment Feasibility Study.

Zeke suggested that Leigh Ann arrange underground refresher MSHA training for January.

The next meeting will be December 1, 2004.

Meeting Adjourned 3:38 PM

Respectfully Submitted,

Leigh Ann Vradenburg