

# Minutes December 1, 1999

## WCRC Meeting

Meeting held in the Creede Town Hall  
Called to order by Chairman Zeke Ward at 1:10 PM

Those Attending:

Name	Affiliation	E-Mail
Perry Alspaugh	Div. of Water	<a href="mailto:perry.alspaugh@state.co.us">perry.alspaugh@state.co.us</a>
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Dianna Hammer	8 EPA Region	<a href="mailto:hammer.diana@epa.gov">hammer.diana@epa.gov</a>
Philip Bethve	8 Resident MFG Forest	<a href="mailto:pbethve@usgs.gov">pbethve@usgs.gov</a>
Bence Close	Service CDMG Forest	<a href="mailto:bclose@mfgenv.com">bclose@mfgenv.com</a>
Les Dobson	Service SLV Trout	<a href="mailto:ldobson/r2_sjrg@fs.fed.us">ldobson/r2_sjrg@fs.fed.us</a>
Bruce Stover	Unlimited Resident NRCS E	<a href="mailto:bruce.stover@state.co.us">bruce.stover@state.co.us</a>
Vince Spero	PA Resident Resident EPA R	<a href="mailto:vspero/r2_sjrg@fs.fed.us">vspero/r2_sjrg@fs.fed.us</a>
Larry Bussey	resident Resident CDPHE US	Box 503 Alamosa, CO 81101
J.B. Alexander	Fish and Wildlife DOW	Box 428 Creede, CO 81130
Steve Russell	Riverwatch Resident SLV	<a href="mailto:srussell@co.nrcs.usda.gov">srussell@co.nrcs.usda.gov</a>
Mike Wireman	RC&D Homestake	<a href="mailto:wireman.mike@epa.gov">wireman.mike@epa.gov</a>
John Howard		<a href="mailto:jhoward375@aol.com">jhoward375@aol.com</a>
Glen Miller		<a href="mailto:miller@amigo.net">miller@amigo.net</a>
Karen Hamilton		<a href="mailto:hamilton.karen@epa.gov">hamilton.karen@epa.gov</a>
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Zeke Ward		<a href="mailto:redmtn@fone.net">redmtn@fone.net</a>
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Mark Stromberg		<a href="mailto:mwsberg@kcnet.com">mwsberg@kcnet.com</a>

### Chairman's Report (Zeke Ward)

Zeke spoke of the **questionnaire** that was circulated at the pot-luck dinner on Nov. 6<sup>th</sup>. It was a good sample. Fifteen people responded from the community. Zeke asked Glen to include the results of the survey with the minutes so they are attached to this copy. There is a slight change from the survey that was taken a year or so earlier. On the first questionnaire the highest priority was protection for the Rio Grande and farther down on the list was historic preservation. On this new questionnaire, historic preservation is first and protecting the Rio Grande is farther down. This is because although there is only a small theoretical possibility for fish to be killed at present, the specific things that killed fish in the past are not here anymore.

Zeke brought it up to the committee as to whether a larger sample should be taken in the

community. JB Alexander pointed out that we are going to get a biased answer because of the way the survey would be conducted (only those with an axe to grind would bother to answer). Diana Hammer spoke that the college may have a department that would help conduct an unbiased survey. Glen said he would check out that possibility. Jim spoke of the High School being a possibility. JB spoke that a telephone survey works good because you get to randomly pick the sample, they don't pick you. This survey should be done for our Spring newsletter. The Army Corp came on Tuesday the fifth of November to check out the **flume through town**.

It was a multi-disciplined group. This was step one of their feasibility study to conclude what would be the most cost-effective and best way to proceed i.e., complete reconstruction, structural overlay, or a minimal patching job. Their hydrologic expert did the calculation and made the determination that although we do not meet the 10 year event requirement, we meet their 100 year potential flood event requirement, so they can be authorized to move ahead on this project. Zeke spoke of the **Prospective Purchase Agreement** that Diana made available for us to look at. The latest version is 1995, and in this the EPA is given specific guidelines that require it to take into consideration the benefits to the local community even if it means a reduced benefit to the EPA. Another important part of this document is "work performed in lieu of payment." This is very important and could solve a lot of problems because as is presently understood, the money involved in a liability buyout to the EPA by Creede Resources (Hecla) could only be used to cleanup the site under a superfund re-mediation program. This would make it so the money would not be available for us to work with. Work performed instead of payment would work to clean up the site outside of the superfund designation. So this is very important. Diana thinks it might be possible for the money to go to the site without it being superfund and she will research this with the EPA lawyers to find out by the next meeting. Many things might could be changed under the negotiation. The question was brought up by Glen whether the Hecla land in question would include just the part below Creede that is to be donated to the town, or if the Hecla land on upper Willow Creeks is to be included in this liability buyout negotiation. Karen Hamilton says the EPA can probably negotiate on a site specific basis if Hecla is willing. Chuck Barnes said that to his understanding, the buyout negotiation has never had anything to do with any other land except the Hecla land below town. The sense of urgency that the town feels regards the Senior Citizens Center. Our deadline on that was several years ago. Every-time an elderly person is loaded into an ambulance and taken to the valley, this creates problems among Creede families who are trying to look after their loved ones from a distant of 30 or 40 miles. This is creating a grave hardship on Creede families and is getting worse all the time. The group that is trying to put together the Senior Citizens Center needs to raised funds and the endowment that goes with it, but needs the 5 or 6 acres on the hillside to get started. Long waits for title to the land are becoming unbearable. Zeke stated that we don't have to look very hard to find great benefit to the community for the donation of this land. The present understanding of the WCRC is that Creede Resources has given the EPA all their data and that the EPA is still unhappy and wants more. Zeke has suggested to Tom Root (Hecla lawyer) that the Willow Creek Committee and the town of Creede put together its own proposal for this negotiation. Our own proposal would include a cleanup re-mediation plan of our own that involve a partnership between Creede Resources and the Willow Creek Committee. We would plan a sinuous channel

with willows and other vegetation growing, a head-gate for water diversion, and any water purification process that might be needed to meet State of Colorado Water Quality Standards. We in conjunction with Creede Resources would lay out a clear plan that would state exactly to the EPA what we would do and in return, they would sign off on the "promise not sue agreement." This plan would be a condition of the contract, the work performed in lieu of payment. Zeke asks for comments and gets none, then asks again if there is a down side to putting forth a plan to the EPA?

Mike Wireman advises that we come to a very good understanding of the CIRCLA issues involved and a thorough understanding of the nature of the proposed agreement before we invest a lot of time and energy in a plan of our own. Zeke asks Diana if we are getting closer to knowing how much the superfund program of EPA has spent already on our project that might be cost recoverable? Diana is still working on this task. She brought up something called the "Spores Report" and said she is not yet certain of what information can be released.

Mike advised that we proceed cautiously on this matter and that the superfund program is running out of money and that we (the WCRC) would certainly never get any of that money. Zeke advised that we should work to at least get Creede Resources a reasonable release of liability so that we can get the thing cleaned up and get some type of deed so the Senior Citizens Center can be built. Zeke says he sees no downside to Creede Resources and the WCRC working together on this project. Various people voiced that the Creede Resources - EPA negotiation is a closed door affair but sooner or later the public will have to know what's going on. Mark Stromberg advised that we might be able to get some type of insurance to cover us in regards to cost over-runs involved in the cleanup effort. Coordinator's Report (Glen Miller)

Glen asks for a ideas as to what kind of donation do we need to give the **Underground Community center** for our pot-luck dinner. It was decided that \$100.00 would be good. It was voted on and all were in favor. Glen spoke of the plan for the **web site**. It is to have a detailed list of everyone's in kind donations and a description of each agencies contribution to the WCRC and a little bit about the agency as a whole and include any links to that agency. Glen plans on getting on the phone to everybody before Christmas about their **in-kind donation** so this can be available to Kathleen Reilly (CDPHE) as soon as possible. Glen tells of his experience in monitoring the water flowing out of the **Nelson adit**. The measurement on the gage has remained constant at 8.5 tenths of a foot since he began monitoring last August. About the 16<sup>th</sup> of November it suddenly jumped to an unmeasurable flow over and around both sides of the weir. This high flow remained until about the first of December where it dropped to about 9 tenths of a foot and with a smaller bit spilling around both sides. Perry Alspaugh spoke that the heavy rains of last summer may only now be reaching the deep underground flow that drains at the Nelson. Also, he thinks it might be possible that the adit plug at the 9360 level on Windy Gulch and the cessation of pumping from that point, might be throwing some underground water over toward the Nelson. Perry says that since he started watching the Nelson adit (about 8 or 9 years ago), that every year the flow has continued to increase. It is clear that a new measuring gage needs to be installed to measure this increased flow. Perry says he has the record. Eight years ago it ran about 10 gallons/minute overall. Now it is running about 8/10 of a foot through the weir or about 250 gallons/minute. Perry indicated that this increase of flow has been gradual and not just all at once. People joked that the

Nelson now consists of nearly half the flow in West Willow. JB noted that a possible benefit of this is that the warm water, (64 degrees Fahrenheit) flowing into the creek benefits fish by warming up the water. Now if only we could get the zinc out of it. JB said, that the down side to the Nelson flow increasing is that it didn't dilute the metals concentration according to the chemistry he ran a few days ago. Gaging Station Report (Perry Alspaugh)

Perry over the weekend, has taken the ink-marks from our gaging station and completed the record on a daily basis. He says at best, it is a poor record. The margin of error is high because there were only two measurements in the creek to correlate the accuracy of the station and allow you to re-calibrate it and bring the margin of error within acceptable limits. Perry says that we need to measure that place once a month at least, and get a real shift. If we get the Marsh-McBirney 2000 flow-meter (which we are) then we can do the shift measurements ourselves. Perry stated that once we get the flow-meter and get proficient in its use and set up a schedule and stick to it, we can get very accurate measurements from the gaging station. Zeke pointed out that this gaging station is becoming increasingly more important for numerous reasons.

The committee is grateful for Perry's extra weekend efforts in regards to this project. Steve Russell offered to cost out the possibility of a flume in the main channel. Phil Bethve offered to look into what the USGS could do to help in this regard. Mark Stromberg stated that Homestake is really interested in the accuracy of that data and would be interested in paying the \$8,000.00 bill to get the electronic machinery in place that works the record automatically and beams the information up to a satellite. Perry says that would really be good but we would still need to take the re-calibration shift measurements to keep the percent error down. It is agreed to work with Homestake on the electronic machinery and that Perry, Glen, and JB work on a schedule for taking shift measurements. All this must wait until Spring ice breakup. Tracer Reconnaissance Summary and Slide Show (Mike Wireman)

Mike put on a slide show that detailed the potential value and data that tracer studies can provide. The slide show was of recent activities at the Mary Murphy Mine. Mike also pointed out that from the reconnaissance study that the committee hired to have done in September, which was conducted by Gareth Davies (Tracer consulting expert), Bruce Stover, Glen, and himself found that the potential for finding underground pathways of water-flow looks very promising. There are shafts on top of the mountain that open down into the mine workings, in other words there are places to inject dye into the system. Historical Characterization - Eric Twitty Bill (Vince Spero)

The main report is to be in before the end of December and the report regarding the nomination to state and national registers is to be in by the end of January. Vince believes that the quality of work that Eric has done is admirable. The committee unanimously votes to give Eric an interim payment of \$10,000. **Karen Hamilton** has been promoted to a new position and **Peter Ismert** is introduced as her replacement. Various committee members joke that we might not allow her to leave and that we still have her phone number. She asserted that Peter will do well as her replacement. The WCRC is very grateful to Karen for the much work and extra effort that she has done for the committee and she will be sorely missed. TAC Committee Report (John Howard)

The Sampling and Analysis Plan (SAP) was discussed and approved. This plan will be sent as soon as possible to Kathleen Reilly. John spoke of the die tracer that Homestake

put behind there plug at the 9360 foot adit on Windy Gulch. So far, no dye has been found below in the creek in windy gulch which would indicate that the water is not seeping around and getting into the creek through the ground. We (the TAC) feel that maybe we should sample the Nelson Tunnel to see if the dye might be found there. Glen spoke with Gareth Davies (Tracer Expert) from Tennessee an hour or two ago and found that he will run each sample for \$17.50, that we need to use glass sample bottles, keep them out of light, and keep the samples on ice for transport, if possible. If we are going to do the Nelson Adit, it should be sampled every two weeks. Mike advised that we take JB's advice as of this morning and sample West Willow just before it joins with East Willow. JB also advised that we catch a sample at the gaging station (top of the flume). Zeke noted that according to the data, water that came out of the plug is the same as water in the Creede formation, which is different than the water draining out of the Nelson. Not finding dye would be as useful of information as finding dye. JB said that the water under the mountain has to go somewhere. If we find no dye at our sample sites it just means that the water is going some place else. JB said that if the dye was put through the plug in August it may already have passed through the system and be gone. Mark said that they will be looking for the dye for two years but that they don't have any plans for putting more dye through the plug. Zeke asks for discussion if this is an important thing for us to be involved in right now? General discussion is that it is a good idea. John motioned that we approve \$1,000.00 for taking four tracer samples every two weeks. After analyzing the data, we can then determine if we want to spend more money on this activity. Motion was seconded and all were in favor. Winding Stream Channel (Steve Russell)

Steve handed out a map and report about the work that might be involved in putting Willow Creek below town, into a stable winding channel. This would be implemented in phases. Steve pointed out that this would start at the bottom of the flume and hook up to where the stream is basically stable on the lower end. Steve is offering about \$10,000 of donated engineering work to complete the first phase and wants to know if the committee is interested. Zeke puts it a different way, why wouldn't we want this? Laura Higgins cautioned that the flood-plain has probably not been characterized as far as potential sources of pollution. She would hate to see a lot of effort go into a design that might have to be redone based on pollution sources. Steve proposed that instead of running checks on the entire flood-plain for contamination hot-spots that we first figure out where we want to put the creek and then check those areas. John spoke of the public relations benefit this would be to the community because it would show progress on the ground. JB motioned that we accept and invite Steve's proposal. Many seconded and all were in favor. JB spoke of a stream design issue above the flume to the confluence of East and West Willow. Commodore Report (Bruce Stover)

Bruce spoke of the contract that he put out that included cleaning up the debris above the pipe on the Commodore. He put out the bid to a few people. The only bid was over \$13,000. He wadded that one up and chucked it. Instead, he contacted Stephen Wardell who got a local Creede man (Mike Mclure) to do it, who did an excellent job for just over \$950.00. Bruce took Hugh Kendrick's engineering report to the board and they heartily approved the funding (\$100,000) for the large project next summer to fix the stream channel by continuing the culvert from the pipe to the landing structure and then rebuild the fall structure. It will be an open channel from the Nelson adit up to the drop structure.

Mike Wireman pointed out that, with this project we have an opportunity to kill two birds with one stone by designing things so that issues involving possible metals loading into the stream from the tailing pile are addressed. We ought to determine if there are any leakages from the stream into the pile. Meeting adjourned shortly before 4:00

PM Minutes submitted by:

Approved and

accepted: \_\_\_\_\_

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Glen Miller

Zeke Ward

Project Watershed Coordinator  
at 1:00 PM at the Creede Town Hall.

Chairman Next meeting is scheduled for January 5th