

# Gold King Mine Citizen's Advisory Committee Meeting Minutes

San Juan College Student Center Suns Room, Room 9010

January 17, 2017

**CAC Members Present:** George Baloo, Rich Dembowski, Paul Montoia, Norman Norvelle, Rick Nez, Bill Palko Schraa, Susan Palko-Schraa, Jim Spence and Evan Tyrrell. Absent was Aaron Chavez.

**NMED Staff:** None were present due to illness and start of the NM State Legislature.

**Presentation Speaker:** There was no formal presentation for this meeting. Future meeting dates and presentation topics will be discussed for upcoming meetings.

**Handouts:** When available can be found at the website,  
<https://www.env.nm.gov/riverwatersafety/PublicParticipation.htm>

**Meeting was called to order at 5:35 PM** by Chairman Richard Dembowski. Introductions were made by GKM CAC members and attendees. Three representatives of the Navajo Nation were present: Victoria Lee, Sophina Tyler and Ronnie Ben.

**Updates and Comments from NMED:** None, NMED staff was not present.

**Old Business:** None.

**New Business:** Motion was made by Paul Montoia and seconded by Jim Spence to approve the November 2016 minutes. Motion Carried.

## **CAC Board Discussion:**

Membership Renewal – Nine (9) members have volunteered to continue as members for the 2017 CAC. Evan Tyrrell is moving to Colorado, so his position is open.

Meeting Schedule of monthly versus every other month – A motion was made to have meetings every other month by Jim Spence and seconded by Rick Nez. Motion carried.

The next Animas River Community Forum will be Wednesday January 18, 2017 from 9:30 to noon. The location will be the San Juan Public Lands Center (15 Burnett Court, in the Tech Center).

The 2<sup>nd</sup> Annual Conference on “Environmental Condition of the Animas and San Juan Watershed with Emphasis on Gold King Mine and other Mine Waste Issues” will be held on June 20-22, 2017 at the San Juan College Henderson Fine Arts Center in Farmington, NM. The NM Water Resources Research Institute will sponsor the event and information is available on their website.

The Committee discussed drafting a letter and sending it to the new head of EPA after the new changes are made to the EPA. The letter would basically discussed reclamation, mitigation, lawsuits, and the EPA's plans for the future activities. The concept of drafting and sending letter would be reviewed and discussed with NMED before the final draft and the letter being sent out.

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## Suggestions topics for presentation (CY 2017)

1. Checking and verification process/procedure for cleanup of river and mine site.
2. Strategy for the scheduling of ongoing testing of the watershed (soil, water, water wells, air, crops, wildlife, etc.).
3. Update on the Lawsuit – current status, status of claims in Colorado, Navajo Nation, Utah and Arizona.
4. Agriculture inspection and testing plans for irrigation season and for the spring run-off. This includes soil and product/crop testing. -What does the data related to the release of heavy metals from jarosite in soluble form suggest for the problem of whether there will be significant accumulation of heavy metals on agricultural fields and for the degree to which bioaccumulation may be enhanced by this process. -Would like a summary of what is known about the tendency of different plant species to bioaccumulate heavy metals. Does this mean that certain crops become less safe over time?
5. Science behind metal deposition and transfer during irrigation (before, during and after spring run-off, during monsoonal runoff, etc.). Would like update on science related to the release of heavy metals in soluble form from jarosite as pH increases.
6. Development of a regular, on-going schedule of testing domestic water wells adjacent to irrigation ditches and the river and regular reporting to the public. -It is known that a subset of domestic wells become dry or nearly dry when the irrigation ditch system has been turned off. Have these wells been identified as a specific subset for study? This is of concern because it implies that water more directly received from the Animas is more directly available for human consumption than those associated with the broader aquifer.
7. Results of fish tissue study with any carryover/impacts to raptors and other wildlife that consume the fish. -what do wildlife experts expect the risks of chronic heavy metal exposure (bioaccumulation) to be in the various game species exposed? -Although mercury is not a major contaminant of the GKM spill – it is a concern as it relates to the burning of coal in local power plants and bio-accumulation in fish. Request a summary of the status of this science and related pertinent recommendations to humans for fish accumulation (by species, size/age of fish).
8. Lead testing program with emphasis on testing of youth. The science behind lead transmission and accumulation. -Governmental testing of heavy metals (lead especially) in children rely on tests that relate to acute or chronic ongoing lead exposures only. Chronic low level lead exposure can be expected never to achieve levels in these tests while bio-accumulation in neural-tissue (and other tissues) can be expected to proceed undetected. The American Academy of Pediatrics has declared that there is no such thing as a safe level of lead for children. Chronic lead toxicity (not detected by standard blood and urine tests) may lead to reduced IQ, behavioral problems, and a host of other issues. Does the Federal Government or the NM State Government have any plans to address this issue?

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9. Communication plan to inform ditch riders, water associations, etc. of status of river and to advise if it is safe to open irrigation gates. Any plans to exert regulatory control over ditches depending upon river status.

10. Status of the runoff plan, implementation, etc.

11. Update on Navajo Nation investigation/testing programs.

## **Suggestions from committee and attendees:**

1. Place agenda on website prior to the meeting. Place prior meeting minutes on the website prior to the meeting they will be approved.

2. How can the committee and NMED highlight the refusal of the EPA to honor any claims? How does the Committee assist the NMED and facilitate the distribution of information so that Committee Members can perform the mission of informing the public?

3. Is it realistic/appropriate for the committee to generate a letter to the EPA requesting attendance at a meeting and a detailed explanation of why they will not honor the claims that they said they would honor?

**Public Comments: None**

**Meeting adjourned at 6:15 pm.** A motion was made by Paul Montoia and seconded Jim Spence to adjourn. Motion carried.

**Next Meeting:** Monday March 27, 2017 from 5:30 – 7:30 pm. Location to be announced, but probably at San Juan College Suns Room (Rm 1019, Student Center). There will be no February meeting.

**All materials can be found at <https://www.env.nm.gov/riverwatersafety/PublicParticipation.htm> .**

Norman R. Norvelle, GKM CAC Secretary