



## Board Minutes – May 21, 2019

### **Attendees**

Chris Smith (with proxy for Sean Cronin)  
Chris Wiorek  
Kathy Peterson  
Chuck Oppermann (arrived 3:48)  
Jessie Olson  
Glenn Patterson  
Sue Schaufler (with proxy for Monica Bortolini)  
Erica Crosby, DR  
Jim Bryant, ex officio  
Lauren Hillmer, Greeley  
Mark Schuenemann  
Paul Niedermiller, Clifton Larson Allen  
Julie Trumpler

### **Welcome and Introductions**

Chris S called the meeting to order at 2:05, and led a round of introductions.

### **Public comments on items not on the agenda**

Jessie would like to add an item pertaining to acceptance of property from Boulder County related to buyouts after the flood.

### **Presentation of 2018 Audit—Paul of Clifton Larson Allen**

Paul referred to the handout (audit report) and cover letter. The firm rendered an unmodified opinion (good news) and received great cooperation from LWOG. Their one recommendation was to provide a little more specificity regarding liquidity (money that can be readily spent). We do not need to make any other adjustments in our accounting procedures. For 2018 we did not need any adjustments or corrections to ensure compliance with federal grant tracking requirements.

The Gates Foundation funds carry a donor restriction to spend the rest of the grant funding on the purpose of the grant by the grant deadline.

At the end of the report (pages 12 and 14 is a note about the federal grant funding, discussing the requirements that LWOG met.

As a small organization with only a few people handling the financial information, it continues to be important to follow our guidelines regarding financial management. Outside accountant and regular board oversight help a lot in this regard.

Sue moved, Mark seconded, to accept the audit report and submit it to the proper authorities. The motion carried unanimously.

### **Update from DRMS—Erica Crosby**

DRMS has a new logo—visible on her slides. Erica brought along some door hangers that identify the agency and its basic functions, that can be used to communicate with landowners.

DRMS, a part of DNR, handles reclamation of both hardrock and coal mining areas. Much of their funding comes from federal coal mine assessments, some from oil and gas severance tax, some from a cost-sharing agreement with Boulder, CO. Active mining permits carry requirements for reclamation. Her role deals with inactive mine sites, those that were abandoned prior to reclamation requirements. Her section began in 1980. There are over 23,000 inactive mines that present safety hazards, mostly from hardrock metal mining, in Colorado. Some have been death traps. 1300 miles of impacted streams. They identify hazards, design appropriate closures, reclaim and safeguard hazards and environmental problems. They can use coal money on hardrock sites.

They work with EPA and CDPHE on Section 319 water quality projects. Some projects are related to bond forfeiture due to inadequate permit reclamation. They also work with coal mine fires, bulkhead construction (including Captain Jack/Big Five), and cultural/historic preservation of selected mine sites. They do cultural surveys as part of NEPA, and they sometimes stabilize historic sites that are worth preserving and need stabilization for safety. They do a lot of outreach with youth and environmental groups regarding safety and environmental issues.

She showed a map of Colorado showing the many mines they have built closures for. In Boulder County they have closed over 1,000 mines, mostly hardrock, but some coal. Many are in Left Hand Creek Watershed. They have to search for many of these mines. Some locations come from historic maps, some come from geophysical and/or remote sensing techniques. Lidar (from FEMA sources) has been a very helpful tool for this. When they locate a mine that needs closing, they make it a project and secure grant funding from OSM, BLM, USFS, Boulder County, Severance Tax, etc. They also have to secure consent from landowner. Then they take care of NEPA work, threatened and endangered species, bat surveys, etc. They contract out

construction using competitive bidding—whole process may take 3 years. Landowner is responsible for continuing maintenance.

BLM asked DRMS to look carefully at the Fourmile Fire area as a safety measure for firefighters. They found 367 openings and spent over \$1M on closures. Closure work was done in concert with stream and road restoration. They also worked a lot on Emancipation Hill in 2018, and Lee Hill after the fire. Three of these sites are in LH Creek watershed near Rowena. There is not a single comprehensive inventory of all the mine sites. Several entities such as BLM, USFS have partial maps.

She showed a map of several sites such as Evening Star that are also in LH Creek watershed. Some are Bluebird, some are on Porphyry Mtn.

They are planning a future project in the Jamestown area, mostly north of town. Some of these are uranium sites that are on a list made by DOE. DOE has been deemed responsible for uranium mines as they were the only buyer. DOE is working with states to review old receipts for uranium purchases to help identify mining sites, primarily on public lands. Bluebird, Ladybug, and Fairday had some uranium. Chris mentioned that uranium levels in sludge from the Spurgeon plant for a year and a half after the flood were high enough to require special handling. Pre-treatment (settling) helps to remove it. Now levels are back to pre-flood levels.

Yellow Girl, above Jamestown between Bueno and Porphyry, is part of the 2015 draining mine inventory done with CDPHE after Gold King, which found 150 draining mines statewide. Erica and CDPHE reached out to LWO (Glenn and Colleen) to help identify draining sites. Pending good Samaritan law, it was deemed risky to do too many bulkheads. But Yellow Girl still merited help. They took water and soil samples. It had Al, Cd, Pb, Fe. EPA thinks this could be a potential project. Would be a minimal restoration project. It's on private land. LWO used to sample the adit for River Watch.

DRMS also plans to work on coal mines in Boulder County, for subsidence and openings, along Cherryvale Road near Marshall. There is an underground fire here, and they may be able to seal some vents where air gets in to the fire.

End of presentation. Q&A:

Jessie asked how LWO might be able to partner with DRMS. We can share our WQ data, and let them know if we find open mines.

Chris asked whether LWO could be notified when DRMS and CDPHE find draining mine sites in our watershed. Erica described her outreach activities.

Jim asked about priorities. Erica said priorities include coal mines, coal fires, openings near residential or recreational areas.

Glenn asked about water quality impacts and possible projects. Since Gold King, DRMS has backed off of trying to deal with water quality due to lack of good Samaritan law—state could wind up with too much liability. She knows that some draining mines impact streams, but until law gets passed, they cannot do much on water quality. But they can help with Porphyry-type restoration involving isolating waste rock from hydrologic cycle. That is the type of project that could be done at Yellow Girl. But they don't treat water coming from draining openings.

There are some active mines in the watershed around Gold Hill and Jamestown. The operators are supposed to monitor for any water quality impacts. LWOOG could help operators with this.

There is some interest in developing a tax on hardrock mining that could help to fund restoration projects. The tax on coal mining is set to expire in 2021. Mining association would like to see the coal mine tax continue. DRMS can use coal money on safety projects but not environmental. Funding for environmental work comes from 319 (EPA) or other sources such as USFS, Boulder County, etc.

Erica is willing to provide additional periodic updates to LWOOG.

### **Approval of Minutes**

Chris moved, Kathy seconded, to approve the minutes from the April meeting (retreat); motion carried unanimously.

### **Boulder County Land Transfers**

When FEMA buys out properties, the property titles must be transferred to a local owner, not a government. There are 44 such properties in the County, currently under POS. Two are of interest to us—one in Streamcrest just west of Hwy 36, and one along James Creek, part of Reach 16, downstream of Jamestown, just downstream from Jennifer Webb. This one abuts USFS property and used to serve as an access point for OHVs. Neighbors don't want these properties to become recreational access points. Jessie and the Board suggest that we recon the sites and look into pros and cons of potential ownership. Jessie would like to have a site where we don't need to secure consent of the owner. There would be insurance and access ramifications, too. Access to the Streamcrest site would have to be through the Greenbrier.

Chris, Kathy, Sue, Jim, and Mark will serve on a committee to investigate the pros and cons.

### **Follow up from Board Retreat**

(Chuck Oppermann arrived)

Jessie brought up the issue of the organization's name. One option from the Board retreat, "The Watershed Center at Left Hand Creek", now appears to be too long and sounds like the name of a subdivision. This leaves Left Hand Watershed Center as a preferred option.

Jessie has looked into the legal requirements pertaining to a name change—LWOG could remain our legal name, but we would add a "doing business as" clause with the new name.

Kathy moved, Sue seconded, that we change our name, from a DBA perspective, to Left Hand Watershed Center. The motion carried unanimously.

Chuck asked about trademark and copyright steps. Jessie said we have bought a domain name of "watershed.center" and we are taking care of the additional steps, too.

We will discuss mission and by-laws at the June meeting. We will also discuss the updated decision matrix and interactions with St. Vrain and Fourmile groups.

Jessie and Chris showed mock-ups of how the new logo might look. The group expressed preference for one that shows the same image we now use, with "LEFT HAND watershed center" on two lines to the right of the image.

### **Fundraising & Outreach Update**

Mark Schuenemann, Terry Plummer, and Jessie will participate with the River Network on a video about completed river restoration projects. The video will feature the Ranch stream segment.

Our Watershed Days event is scheduled for Saturday, September 28 in Longmont. Several additional groups will participate in data collection, followed by a party in Longmont. This year will be a smaller event, ramping up to a larger event in 2020.

We are also planning a "Catch the Hatch" citizen science event at Left Hand Brewery on June 1 and June 6, with training on how to participate in data collection. A CU professor will discuss the importance of the hatch data.

Jessie handed out a table showing funding needs and activities by service area. This reflects the funding needs that we have been hearing about, and potential marketing taglines we could use to help seek funding opportunities to help meet these funding needs. We are considering expanding the adaptive management stewardship plan implementation to include Boulder Creek and St. Vrain Creek. The expansion to Boulder Creek may depend on what happens with other groups that are also looking at Boulder Creek. We are already working on an a forest health adaptive management plan for CWCB, with potential involvement by the USFS. For water quality we would like to be able to fund tracking of mine reclamation, water quality reporting, and a new metals loading study. For restoration, we would like to work on "stage zero" monitoring of a segment with room for channel migration, as well as monitoring of

beaver ponds. For outreach and education, Jessie has heard from several schools where teachers or administrators would like to work with us on integration of watershed science into their curricula. Lyons would like to present their water quality data to us. Perhaps CWCB, Gates, and Walton Foundations could help fund this, along with Community Science. In addition to Lyons, Jessie has been in touch with Longmont Montessori and a school in Niwot. Some landowners appear to be interested in contributing some matching funds to an effort such as this.

Kathy suggested that a future update of this table could include a column with information about where the funding could be coming from.

### **Additional Issues from the Board**

Chuck remarked on the large quantity of dead timber still hanging around the creek up in the canyon, and its potential for moving downstream. Recently he found a log near the Strath Bridge that probably moved downstream from somewhere. Jessie and Chris mentioned that debris that obstructs a bridge opening should be reported to the County so they can remove it for safety reasons. Sue agreed that there is a lot of dead timber along the creek upstream of Rowena. Jessie mentioned that large woody debris can be beneficial for habitat, water quality, sediment control, and stream geomorphology. Chris said his experience with the County has been that when the debris moves to within a certain small distance of critical infrastructure such as a bridge, the County will remove it. Jessie also mentioned that we will be studying this issue as part of our adaptive restoration project.

### **Adjournment**

The meeting was adjourned at 4:35 pm.