



Memorandum

August 20, 2015

TO: **WESTCAS Membership**

FROM: **Hicks-Ray Associates**

SUBJECT: **Animas River Mine Spill**

Many of you have no doubt been following the news stories associated with the recent spill of more than 3,000,000 gallons of mine waste that polluted the Animas River. This spill was caused by a USEPA contractor working at the mine site. This incident could have a potential impact on long-time WESTCAS member the San Juan Water Commission. The exact extent of the damage to the Animas River and all those who depend upon it has yet to be determined. On one hand there is an urgent desire by all local parties to return to business as usual including the use of the river for recreation, water supply, and irrigation. On the other, there is the lingering concerns over what the long-term implications for the Animas might be.

USEPA, while accepting full responsibility for the spill has also been quick to claim that the effects will be short-term and minimal. We suggest that WESTCAS members not try to use the excuse, "the secret to pollution is dilution" should any of you be involved in a similar unfortunate incident because EPA might not be as understanding with you as it is with itself.

This Animas River spill is a reminder that this is only the tip of what could be a huge problem in the Arid West. There are reported 500,000 abandoned mines nationwide. Mike Eytel notes that there could be as many as 20,000 abandoned mines in Colorado alone. The offices of the San Juan Water Commission in Farmington are almost exactly 100 miles south of the actual site of the spill in Silverton, Colorado. The problem is that the elevation of Silverton is 9,308 feet while the elevation of Farmington is 5,395. It's pretty easy to see that the laws of gravity dictate that Aaron Chavez and the San Juan Water Commission and Jolene McCalab who has long been the Commission's legal counsel must be concerned with an incident that occurred in another state.

The Animas flows from Colorado into New Mexico where it joins the San Juan River. The San Juan then flows west, into the Navaho Nation, then back into Colorado and then over the border into Utah. So one person driving a bulldozer in Silverton, Colorado created an incident that involves three states and also the Navajo nation.

Addressing the issue of a half million abandoned mines costs money which the federal discretionary budget does not have. Please read this op/ed piece from today's NY Times and see if you think that Congressman Raul Grijalva of Arizona is proposing a solution.

<http://mobile.nytimes.com/2015/08/20/opinion/when-a-river-runs-orange.html>

