

OURAY COUNTY

No protection for Good Samaritans just yet

By TORI SHEETS
tori@ouraynews.com

Abandoned mines will not clean themselves, but neither will third party groups when they can be held responsible for the environmental damage given off by the mines as soon as they start cleaning them.

No laws protect these groups known as Good Samaritans, who are non-profit organizations, state agencies or watershed groups in Colorado. This lack of protection leaves Good Samaritan groups open to lawsuits and responsibility for the repercussions of pollutants given off by the mines they are attempting to clean.

The federal Clean Water Act says the owners of a property containing a mine, the "potentially responsible party," are liable for managing any water pollution caused by the mine. Many times, however, the responsible party is nonexistent after mining companies go out of business and abandon their mines.

The Uncompahgre Watershed Partnership is one such nonprofit group working in Ouray County. Last year the UWP cleaned three mines, and a new cleaning project is

planned for the abandoned Atlas Mill off Camp Bird Road this summer.

The UWP avoids liability issues while cleaning mines because there are two different categories of water pollutants under the Clean Water Act: point-source and non-point source. UWP can perform non-point source cleanups without fear of permanent liability, but when toxic mine water comes directly from the mine opening a permit is required.

"We are keeping mine drainage and watercourses away from waste piles and mine tailings where they could pick up pollutants," Scott Williams, UWP board treasurer, said. "We are not treating already polluted water, so we do not need the kind of Clean Water Act permit that imposes the kinds of liabilities where we would need Good Samaritan protection."

The Gold King Mine disaster that contaminated the Animas River in August was a point-source incident. All the Good Samaritan bills to protect point-source cleanups brought up in Congress in the past have failed. However, in the wake of the Gold King incident, Ty Churchwell, San Juan Mountains Coordinator at Trout Unlimited, is hopeful that now is the time for Good Samaritan legislation to succeed.

"There are a number of bills floating around out there," Churchwell said. "Some have been introduced and some are being discussed more in concept. Certainly Good Samaritan legislation is not a new concept. It's something that's been batted around for almost 20 years now."

Colorado Fifth District U.S. Representative Doug Lamborn introduced a bill in November that contains a Good Samaritan component. The "Locatable Minerals Claim Location and Maintenance Fees Act" encourages individuals in the private sector to help clean mine lands. The bill provides "limited liability" protection to shield non-profits and industry groups. The bill is supported by Colorado U.S.

Senators Michael Bennet and Cory Gardner, and Colorado Third District Representative Scott Tipton.

Another bill in the works is the "Hardrock Mining and Reclamation Act of 2015." The bill ensures that taxpayers won't be responsible for the financial burden of cleaning abandoned mines, but instead mining companies will pay royalties that will go toward mine clean-up. Currently there is no funding available to cover the billions of dollars necessary to clean the mines in Colorado.

"The bill would reform the nation's hardrock mining laws, which haven't been materially updated since 1872," Erin McCann, deputy press secretary for Sen. Bennet said. "Under current law, companies are allowed to take gold, silver, copper, and other minerals from the public lands without paying federal royalties. Other industries like coal, oil, and gas have been paying royalties for decades. Our bill will require mining companies to pay royalties for extracting mineral resources from public lands and these royalties will be used to help pay for the cleanup of abandoned mines."

The bill has been introduced and according to McCann, Bennet is working to gain support on both sides of the aisle.

Historically, almost all Good Samaritan legislation

TOWN OF RIDGWAY

Due diligence to be done on Space to Create

By DALTON CARVER
dalton@ouraynews.com

Space to Create, a Colorado Creative Industries program, will be a favorable venture for Ridgway, town council members decided last Tuesday evening.

The CCI initiative gives artists and their families a space to live and work in rural areas of Colorado.

If Ridgway is considered, CCI would evaluate the community as well as interact with town staff to identify the most crucial need in the arts area.

If the town is selected in 2016, the project would get underway next year.

The project would have the option of building new properties or converting an existing structure.

"They're really looking at what it is that each individual community they fund really needs," said Diedra Silbert, community and economic development coordinator. "It could be what we need is a gallery or lots of studio space."

Town staff received the guidelines and application process the day before the meeting but had been aware that the opportunity would become available.

"(The Creative District committee) started a little due diligence in anticipation that we would have this conversation (with the council)," said Jen Coates, town manager. "We've already scheduled a joint workshop with the planning commission at the end of January for the council and some key stakeholders."

The item was brought before council to create discussion and gauge council members' interest in going forward with the project.

The council unanimously agreed that the project could be a good thing for Ridgway, as the town is in need of affordable housing in general.

"There's almost nothing to rent," said John Clark, mayor. "It's really hard to find a place to live for the average person around here."

Silbert recommended that the council get a feel for the public's opinion on the specificity of the possible housing.

"This is a very specific type of affordable housing, for creatives especially," she said. "Getting the read on people's feelings about that and readiness for that in our community is important as we move forward."

Stephen Barnes, council member, responded to that with a point of housing shift.

"There's creative folk living in spaces now that they would end up vacating," he said. "Those spaces would become available, so that's a benefit for the entire community."

With the go-ahead, staff and the Creative District committee will let CCI know the town is interested, pull together information concerning the project and bring it to the joint meeting at the end of month.

The Creative District was involved in another agenda item as the council was requested to ratify the new organization's logo.

The graphic created by Rick Bickhart is a departure from the word cloud image designed several years ago by Bryce Chismire.

"The idea came that we're really part of the town and maybe we should use something that's connected to the town's logo," said Silbert. "That's also an indication on the direction of the committee, because for quite a while, that wasn't what the committee was thinking."

The logo was received with general approval from the council, but Clark had heard some different comments in conversations around town.

"There are some people that think the Creative District should really have a unique identity logo-wise," he said. "I think it's a win. You're never going to make everybody happy."

In other business, the council:

—Adopted the lodging tax rate and traffic regulation ordinances discussed in the previous month's meeting.

—Adopted a supplemental budget and appropriating sums of money from the general fund.

—Awarded a contract to purchase a wastewater lift station package.

—Discussed a shared, full-time, benefitted building inspector position that would be shared between the municipalities of Ridgway and Ouray through an intergovernmental agreement. The council decided that the move would make sense, although no action will be taken until consideration by the Ouray City Council.

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WESTERN SLOPE NEWS BRIEFS

LAKE CITY - In a surprise email delivered to Hinsdale County Democrats dated December 23, 2015, Hinsdale County Democratic Party Chairperson Gudrun Durmon tendered her resignation citing ongoing frustration with the political system. Durmon, who served as the Democratic Party Chairperson since replacing Greg Ochocki in 2011, wrote that she feels "depressed and hopeless" with the political system with in terms of elections she describes as "broken...driven by hate, fear and disrespect." "I wish things were different," she concludes in the letter to members of the county party's vacancy committee "and I wish we could make a difference, but I no longer believe that."

SILVERTON - A 31-year-old Silverton man is facing felony charges after the Sheriff's Office was called to his home Sunday night, Jan. 10, in response to a domestic violence report. Trent Rhoades faces charges of felony menacing and second-degree assault, along with a charge of child abuse and violating an order of protection. He is being held at the La Plata County jail on \$750 bond. San Juan County deputy Ian Tanner, in an affidavit of probable cause filed on Jan. 11, said he was dispatched to the Rhoades home at 755 Empire St., at about 10:45 Sunday night. Tanner said that as he arrived at the scene, a dispatcher informed him that a child in the home reported Rhoades was loading a firearm. Tanner said he then called Undersheriff Steve Lowrance for back up.

GUNNISON - Snowcats, maybe. But a mountain lion is not the type of feline one would expect to find at a popular winter trailhead. Numerous backcountry users were delivered a surprise early Monday at the Kebler Pass trailhead west of Crested Butte after a cougar was discovered nestled among parked snowmobiles. Irwin Guides spokeswoman Laci Wright said that a mechanic who arrived at the trailhead at about 7:30 a.m. found the cat lying between two of the company's machines. The animal was "not exhibiting expected behavior for a mountain lion," she said. As others continued to arrive on scene, the animal did not flee. CPW District Wildlife Manager Brandon Diamond said that the animal appeared to be starving to death.

MONTROSE - After more than a year of work, the City of Montrose has unveiled an incentive grant agreement with Mayfly Outdoors. The 24-page document spells out a plan to spend as much as \$325,000 to encourage Mayfly to expand upon its operation here and become its headquarters. Montrose City Council will hold a public hearing on the proposal during its regular meeting Tuesday (Jan. 19) evening at 6 p.m. in the council chamber. "We are excited about Mayfly and what they can bring to Montrose," said Montrose Mayor David Romero.

Sources: Lake City Silver World, Silverton Standard and The Miner, Gunnison Country Times, Montrose Daily Press.

January is National Mentoring Month

PLAINEALER STAFF REPORT
plainealer@ouraynews.com

January 2016 is the 15th annual National Mentoring Month, celebrating quality mentoring opportunities to connect more young people with caring adults.

Partners of Delta, Montrose and Ouray is the local organization that pairs adults with area children and youth in need of a caring person outside their homes.

Partners will have an open house at the Cimarron Coffee Roasters and Books in Ridgway on Wednesday, Jan. 27, 5-

and success.

- Mentors are part of a network of support that a young person can consistently turn to for the kind of big and small life lessons that you don't learn in a classroom.

- Students who have mentors are more likely to stay in school.

- Students with mentors have better school attendance—because they learn the importance of showing up in real life.

- By sharing their own life experiences, mentors provide students with a clear vision of what their future could look like. The impact is that, statistically,



Children in the Partners mentoring program posed for this photo during their trip to Bachelor Syracuse Mine in August.

Courtesy photo

6:30 p.m. The public is welcome to enjoy a free cup and coffee and help Partners celebrate National Mentoring Month.

National Mentoring Month is also an opportunity to recruit volunteers, as many more children are in need of mentoring than there are mentors available.

Nine million kids in America are growing up without enough guidance and support to make everyday choices that lead up to life's big decisions.

This means one in three young people feel isolated from meaningful connections with adults outside their homes.

The benefits of mentoring are significant for mentees and mentors. A recent report from The National Mentoring Partnership and the Harvard T.H. Chan School of Public Health, titled "The Mentoring Effect" found:

- Mentoring is linked to improved academic, social and economic prospects.

- Mentoring provides meaningful connections that impact the people involved and influences outcomes at home, at work and in communities.

- Having a mentor empowers young people to make smart choices that put them on a path to making better life decisions.

- A mentor who encourages smart daily behaviors—finishing homework, having healthy social interactions, saying no when it counts—has a noticeable influence on a young person's growth

students with mentors are more likely to continue school through higher education.

- Students with a mentor have the tools to avoid real life pitfalls like skipping school, drinking and illegal drugs.

- Mentoring builds relationships that are as meaningful for the mentor as they are for the young person.

- Young adults who had mentors as kids are 55 percent more likely to be enrolled in college and more than twice as likely to say they held a leadership position in a club or sports team.

- Mentees are 81 percent more likely to report participating regularly in sports or extracurricular activities.

- Young adults who had mentors as kids are paying it forward—they are 78 percent more likely to volunteer regularly in their communities.

- Mentors make an indelible impression on their mentees: in a survey of young people who had mentors, 90 percent said they are now interested in becoming mentors themselves.

- For the mentors, the relationship can build leadership and management skills, expand a mentor's professional network, and provide an empowering opportunity to give back to the community.

Anyone interested in learning more about mentoring can contact Partners at partners-west.org or by calling 970-249-1116.

HILLARY secrets

FROM P15

al judge under oath (perjury), felonies all. She is brazenly lawless because she believes she is above the law. How can she be campaigning for the office of President of the United States of America? How can responsible citizens of this country in good conscience support her candidacy?

Hillary Clinton is fit for the Big House, not the White House.

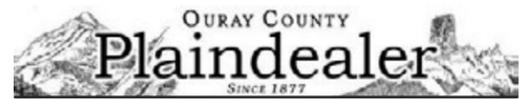
Stephen Baum
Phoenix, Arizona
Ouray, Colorado

LETTERS TO THE EDITOR POLICY

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- Focuses on issues, not attacks on persons
- May not involve an individual's personal dispute with another individual or business
- We reserve the right to limit publication to one letter per person/organization per month
- Edits may be required of writer prior to publication
- Phone numbers are required with submission to assist us in contacting the writer
- Factual statements must be evident or proven by the writer

Send all letters to: atodd@ouraynews.com



GOOD Samaritans

FROM P2

is brought up by Colorado delegates. The problem with getting the bills passed is the resistance from invested parties.

"It's just a very hard needle to thread," Churchwell said. "At times through the history of this legislation there have been bills that were very favorable with the environmental community but met with great opposition amongst the mining community, and vice versa. Again it's striking that balance and finding somewhere between that's the sweet spot."

Finding the sweet spot in bipartisan legislation is also a challenge. The Gold King spill made it apparent that something must be done to clean abandoned mines and protect water sources. Churchwell said this may be the year Good Samaritan laws can succeed.

"It's horrible that the Animas spill occurred, but it shone a light on a much bigger problem that exists right here in the San Juans," Churchwell said. "There are so many abandoned bleeding mines in the western United States and there's hardly a person that doesn't agree that the problem doesn't need to get fixed. It's just from a law perspective and a process perspective, it's a very difficult needle to thread and as long as we continue to have these discussions and move towards the ultimate goal of cleaning up these mines and improving water quality then thankfully we're going in the right direction."

The area rivers most affected by the seeping contaminants of mines are the Animas, Uncompahgre, Rio Grande, Lake Fork of the Gunnison and San Miguel. -

OURAY COUNTY Dining Guide

RIDGWAY

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 COLORADO BOY PUB & BREWERY 602 Clinton • 970-626-5333 Now Open Mondays! • Mon. thru Fri. 4 to 9 p.m. Saturday & Sunday Noon to 9 p.m.			✓	✓		✓	
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