

Efforts continue to overcome pollution from mining industry

By LORETTA SWORD

The Pueblo Chieftain

LEADVILLE — Ask any miner in town how to spell "Arkansas" and the reply might be "EPA."

Ask anyone in Colorado who knows the land and water issues here how to spell restoration and the likely reply is "Bernard Smith."

A third-generation rancher and retired veterinarian who also is a longtime member and officer of the Lake County Soil Conservation Service, the 69-year-old is known as an outspoken guardian of the land who was the early bearer of a message no one wanted to hear.

Some blamed Smith when the EPA heard and began showing up at old tailing sites. He had been pushing for government help to clean up California Gulch since 1972.

The gulch is a natural water-collection site where snowmelt and mining waste converge, then flow into the Arkansas River. California Gulch is about 11 miles from where the Arkansas begins on Fremont Pass.

The mining waste — including waste from the Yak Tunnel, which is an old mining discharge tunnel — is so bad that the EPA years ago named the California Gulch one of its Superfund sites, a designation reserved for the worst environmental problem areas in



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the nation.

"In February of 1983, I got a call from a fellow vet who had gotten an anonymous call. The caller said, 'Tell Dr. Smith that his river will run red tomorrow,'" Smith remembers.

"Lo and behold, the river was red all the way to Buena Vista" after someone "pulled the plug on the Yak Tunnel."

By March, the EPA had declared the tunnel and a surrounding 16-square-mile area of California Gulch as a Superfund site. Two years later, all but one mine had closed and more than 3,500 workers were faced with finding new careers.

Many of them remain convinced that mining still might be viable if Asarco, Resurrection and Newmont mining companies hadn't been hit with the huge costs of cleaning up after extraction methods abandoned decades ago.

Smith is sympathetic, but says declining world prices are the culprit behind mining's demise.

Without rectifying pollution problems, though, the whole valley's future is threatened because the land will be good for nothing but subdivisions and shopping malls.

"My grandpappy homesteaded this property in 1879," he said. "I grew up on it, after my daddy took it over. I never saw a fish taken out of the river until '48 or '49. Then the river started clearing up after mining started slowing down in the '50s."

But by then, the worst damage already had been done on the fragile lands in the valley. Many of the ranches sit atop land whose shallow topsoil hides years worth of metal-laden rock washed into the valley from sluice mining before the turn of the century.

Smith's grandfather had sent river samples to Colorado State College (now CSU) in 1906 for analysis. Even then, he said, "They knew it was bad stuff and he changed his point of diversion off the river."

By the 1960s, through his work as a veterinarian and for the conservation district, he had seen that his own and neighbors' calves didn't grow properly if they grazed on certain lands during the first two years after birth. They didn't gain as much weight and their bones weren't nearly as strong as they should be, he said.

He also saw too many crippled horses and undersized pigs. In the years since then, he has become an unapologetic critic.

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ABOVE: River
Valley near
Leadville

LEFT: Rancher
Bernard Smith

Photos by

Water

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of mining methods that ruined pasture and crop land while poisoning the river that runs through it.

Depending on who's offering an opinion, he's either a folk hero or a well-meaning villain.

Even many in the EPA and other organizations involved in cleanup or restoration projects yet to come "will tell you I've been a pain in the ...," he said.

No matter, His only interest all along, he said, was to find the best ways to reclaim the land so ranchers can grow healthy forage to feed healthy livestock. Not even native grasses or willows will grow in some locations now, he said.

So, with support from fellow ranchers and other agencies involved with wildlife or resource management, Smith became one of the leading forces behind formation of the Upper Arkansas River Restoration Project in 1996.

He also became part of a "core team" that, except for some new members from state and federal government agencies, will be involved in formulating restoration plans for mining damage within the Superfund site, and an 11-mile stretch of the Arkansas below that site.

The process has just begun, under two federal laws that govern what happens following "remediation" or cleanup work.

But much of the early work already has been done by Smith and the many researchers, engineers, educators and others who have been involved with the Restoration Project. They already are monitoring test plots that involved

adding treated sewage, nutrients and other elements to "dead" soil before planting willows and other vegetation that thrives in healthy valley soils.

Although government restoration efforts will extend all the way to Pueblo, most of the sites that need work near Leadville already have been identified by the core team, which will continue functioning as part of the larger project now in progress.

The project is being financed by the EPA and, to a larger degree, by Resurrection, Newmont and Asarco mining companies. Government agencies involved include the federal Department of Natural Resources and many of its subagencies, the state of Colorado, the Department of Agriculture and sub-agencies.

The state is providing coordination and administrative services through Marion Galant of the Colorado Department of Public Health and Environment.

She played host at the first meeting of the project's liaison committee last month in Leadville, where state and federal officials admitted the process so far has deviated from the norm in several ways.

First, the government agencies involved are relying to a large degree on research already done by the Restoration Project's core team. A team of consultants that will recommend a final game plan and time schedule will use the core team's recommendations as its starting point, rather than conducting redundant studies.

Smith is pleased by the approach.

"They saw that we were gonna

stick together through thick and thin, and they decided this negotiating idea sounded better than litigation," Smith said.

Galant said the state wants to keep the process open to public dialogue and scrutiny through monthly public meetings of the liaison committee, comprised of individuals whose agencies are directly involved with damage assessment and future restoration.

Mike Holmes, an EPA official from Denver who has been involved at Leadville since 1995, said Smith and other core team members "were behind the constant push and pressure to get everybody to come to the table and move these projects forward."

"They've shown a lot of just plain old common sense and resolve in continuing to insist that the previous work gets used, and that we don't reinvent the wheel and redo previous studies."

No matter what the consultant team recommends, the EPA is bound to be in Leadville for many years to come.

Smith says that's OK, as long as most of them are as easy to work with as Holmes is.

"He's a different breed of cat when it comes to an EPA person," he said. "The big problem now is that they seem to send 'em in liters instead of one at a time."